

ALL ITEMS FOR CONSIDERATION BY THE CITY COUNCIL AND GOVERNING BODY OF THE SUCCESSOR AGENCY TO THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION ARE AVAILABLE FOR PUBLIC VIEWING IN THE OFFICE OF THE CITY CLERK/SECRETARY AND THE CENTRAL LIBRARY

Agendas and other writings that will be distributed to the Councilmembers/ Board Members in connection with a matter subject to discussion or consideration at this meeting and that are not exempt from disclosure under the Public Records Act, Government Code Sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22, are available for inspection following the posting of this agenda in the City Clerk/Secretary's Office, at Commerce City Hall, 2535 Commerce Way, Commerce, California, and the Central Library, 5655 Jillson Street, Commerce, California, or at the time of the meeting at the location indicated below.

AGENDA FOR THE
CONCURRENT REGULAR MEETINGS OF
THE CITY COUNCIL OF THE CITY OF COMMERCE AND
THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO
THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION
(HEREINAFTER "S UCCCESSOR AGENCY")

COUNCIL CHAMBERS
5655 JILLSON STREET, COMMERCE, CALIFORNIA

TUESDAY, FEBRUARY 18, 2014 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Aguilar

PLEDGE OF ALLEGIANCE

Vilko Domic,
Director of Finance

INVOCATION

Councilmember/Boardmember Robles

ROLL CALL

Deputy City Clerk Alexander

APPEARANCES AND PRESENTATIONS

1. Introduction of New Dedicated Sergeant

Captain Wolak, Los Angeles County Sheriff's Department, will introduce the newly appointed Commerce Dedicated Sergeant.

2. Commendation -- Honoring Alex Hamilton

The **City Council** will present a Commendation to Alex Hamilton for his service to the City of Commerce as Assistant Director of Public Works and Development Services.

PUBLIC COMMENT

Citizens wishing to address the City Council and Successor Agency on any item on the agenda or on any matter not on the agenda may do so at this time. However, State law (Government Code Section 54950 et seq.) prohibits the City Council/Successor Agency from acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. Upon request, the City Council/Successor Agency may, in their discretion, allow citizen participation on a specific item on the agenda at the time the item is considered by the City

Council/Successor Agency. Request to address City Council/Successor Agency cards are provided by the City Clerk/Secretary. If you wish to address the City Council/Successor Agency at this time, please complete a speaker's card and give it to the City Clerk/Secretary prior to commencement of the City Council/ Successor Agency meetings. Please use the microphone provided, clearly stating your name and address for the official record and courteously limiting your remarks to five (5) minutes so others may have the opportunity to speak as well.

To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

No person shall make any remarks which result in disrupting, disturbing or otherwise impeding the meeting.

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

CONSENT CALENDAR

Items under the Consent Calendar are considered to be routine and may be enacted by one motion. Each item has backup information included with the agenda, and should any Councilmember or Board Member desire to consider any item separately he/she should so indicate to the Mayor/ Chairperson. If the item is desired to be discussed separately, it should be the first item under Scheduled Matters.

3. Approval of Minutes

The **City Council** will consider for approval the minutes of the Adjourned Regular Meeting of Tuesday, February 4, 2014, held at 5:00 p.m. The **City Council and Successor Agency**, respectively, will consider for approval the minutes of the Concurrent Regular Meetings of Tuesday, February 4, 2014, held at 6:30 p.m.

4. Approval of Warrant Register Nos. 14A and 14B

The **City Council and Successor Agency** will consider for approval, respectively, the bills and claims set forth in Warrant Registers No. 14A, dated February 18, 2014, and 14B for the period February 5, – February 11, 2014.

5. Camp Commerce Improvement Projects

The **City Council** will receive a report on and thereafter consider and take the appropriate action as deemed necessary with respect to, a status update on capital improvement projects at Camp.

6. A Resolution of the Successor Agency to the Commerce Community Development Commission Preliminarily Considering the Issuance of Its Refunding Bonds; Making Certain Determinations Relating Thereto; and Authorizing Certain Other Action in Connection Therewith

The **Successor Agency** will consider for approval and adoption a proposed Resolution preliminarily considering the issuance of Its refunding bonds; making certain determinations relating thereto; and authorizing certain other action in connection therewith.

PUBLIC HEARINGS

7. Public Hearing – Abatement of Noxious or Dangerous Weeds – Hearing of Protests

CONCURRENT REGULAR COUNCIL/SUCCESSOR AGENCY AGENDA

2/18/2014 – 6:30 p.m.

Page 3 of 4

The City Council declared, by approving Resolution No. 14-10 on February 4, 2014, that weeds, brush, rubbish and refuse upon or in front of specified properties in the City are a seasonal and recurrent public nuisance and further declared its intention to provide for the abatement of said nuisance.

This public hearing is held annually to allow those property owners affected by the Los Angeles County Agricultural Commissioner/Director of Weights and Measures' Weed Abatement Program to protest the inclusion of their properties within the program.

Following the public hearing, the **City Council** will consider for approval the Abatement Order directing the Los Angeles County Agricultural Commissioner/Director of Weights and Measures to abate the public nuisance as outlined above.

8. Public Hearing – A Resolution of the City Council of the City of Commerce, California, Authorizing the Allocation for the 40th Year of Community Development Block Grant (CDBG) Funds for Fiscal Year 2014/2015

The **City Council** will conduct a public hearing on and thereafter consider for approval and adoption a proposed Resolution authorizing the allocation for the 40th year of the Community Development Block Grant (CDBG) funds for fiscal year 2014/2015.

SCHEDULED MATTERS

9. Review of City's Financial Status as of December 31, 2013, and Approval of Adjustments to the Fiscal Year 2013-14 Budget

The **City Council** and **Successor Agency** will receive a report on and thereafter consider and take the appropriate action as deemed necessary with respect to, the City's financial status as of December 31, 2013, and its mid-year review of the approved 2013-14 fiscal year operating budget and requested and/or recommended adjustment thereto.

10. Report Regarding Results of Investigation of Allegations Contained In Anonymous Letter Dated June 15, 2013

The **City Council** will receive a report on and thereafter consider and take the appropriate action as deemed necessary with respect to the results of an investigation of allegations contained in anonymous letter dated June 15, 2013.

11. Potential Presentation Regarding Project Labor Agreements

At the request of Councilmember Altamirano, the **City Council** will receive a report on and thereafter consider and take the appropriate action as deemed necessary with respect to, approving a presentation regarding Project Labor Agreements and how they may benefit and/or impact the City.

12. Pageant Steering Committee

At the request of Councilmember Altamirano, the **City Council** will receive a report on and thereafter consider and take the appropriate action as deemed necessary with respect to, changing the age requirements to serve on the Pageant Steering Committee.

13. Committee Appointments

The **City Council** will make the appropriate appointments to the following Committees: Measure AA Committee and Pageant Steering Committee.

ORDINANCES AND RESOLUTIONS

- 14. An Ordinance of the City Council of the City of Commerce, California Amending Section 2.10.040 (Campaign Contribution Limitations) and Repealing Section 2.10.045 (Campaign Contribution Limitations – Nonelection Years) of Chapter 2.10 (Limitations on Campaign Contributions in City Elections) of the Commerce Municipal Code – Second Reading**

The **City Council** will consider for approval and adoption a proposed Ordinance amending Section 2.10.040 (Campaign Contribution Limitations) and repealing Section 2.10.045 (Campaign Contribution Limitations – Nonelection Years) of Chapter 2.10 (Limitations on Campaign Contributions in City Elections) of the Commerce Municipal Code.

The proposed Ordinance was approved for first reading on February 4, 2014.

CIP PROGRESS REPORT

LEGISLATIVE UPDATES

- 15. The **City Council** will consider and take the appropriate action as deemed necessary with respect to, taking a formal position on legislative bills of interest to the City of Commerce and other municipalities in California and directing staff to forward position letters to Sacramento on behalf of the City of Commerce.**

I-710 LOCAL ADVISORY COMMITTEE UPDATE – No Items

RECESS TO CLOSED SESSION – No Items

ADJOURNMENT

Adjourn to Tuesday, March 4, 2014, at 5:00 p.m. in the City Council Chambers.

**LARGE PRINTS OF THIS AGENDA ARE AVAILABLE UPON REQUEST
FROM THE CITY CLERK'S OFFICE, MONDAY-FRIDAY,
8:00 A.M. - 6:00 P.M.**



AGENDA REPORT

MEETING DATE: February 18, 2014

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: COMMENDATION- HONORING ALEX HAMILTON FOR HIS SERVICE TO THE CITY OF COMMERCE AS ASSISTANT DIRECTOR OF PUBLIC WORKS AND DEVELOPMENT SERVICES

RECOMMENDATION:

Approve Commendation for city employee Alex Hamilton, Assistant Director of Public Works and Development Director.

MOTION:

Move to approve the recommendation.

BACKGROUND:

Alex Hamilton was hired on March 20, 2007 as the Assistant Director of Community Development for City of Commerce. He came to us from the City of Glendale where he started as an Associate Planner in 1994, promoted to Redevelopment Project Manager in 1996, and then to Senior Redevelopment Project Manager in 2000.

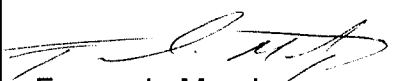
FISCAL IMPACT:

There is no fiscal impact associated with this agenda item report.

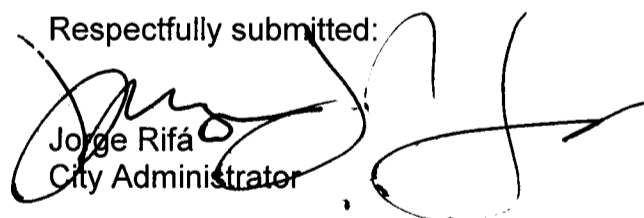
RELATIONSHIP TO 2012 STRATEGIC GOALS:

This agenda item is not applicable to a specific 2012 strategic goal.


Prepared by:


Fernando Mendoza
Deputy City Administrator


Respectfully submitted:


Jorge Rifá
City Administrator

Fiscal impact reviewed by:


Vilko Domic
Finance Director

Approved as to form:


Eduardo Olivo
City Attorney

The Commerce City Council
Commends

Alex Hamilton

For his contributions to the City of Commerce during his seven years of
service as the
Assistant Director of Public Works and Development Services Department.

Your talent, hard work and dedication strengthened the City's relationship
with the business community and contributed greatly to improving the
quality of life for all who work, live, visit and invest in the City of Commerce.

We wish you success and happiness in all of your future endeavors.

Thank you for your service,

Mayor Joe Aguilar
Presented this 18th Day of February, 2014

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF COMMERCE
TUESDAY, FEBRUARY 4, 2014
COUNCIL CHAMBERS
5655 JILLSON STREET, COMMERCE, CALIFORNIA**

Mayor Aguilar called the Adjourned Regular Meeting of the City Council to order at 5:09 p.m.
Present: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar; **Absent:** None

PUBLIC COMMENT

There were no individuals who wished to address the City Council on closed session matters.

CLOSED SESSION

The City Council convened to closed session at 5:10 p.m. for the following matter:

1. Pursuant to Government Code §54956.8, the City Council Conferred with its real property negotiator, Jorge Rifa, with respect to real estate negotiations for property located at 341 State Highway 173.(APN 0335-141-06-000) Lake Arrowhead, California.
2. Pursuant to Government Code §54956.9(a), the City Council conferred with its legal counsel with respect to the pending litigation of *Amanda Liendo, et al. v City of Commerce*, United States District Court for the Central District of California Civil Action Case No. CV13-8231.

The following item was not discussed by the City Council:

3. Pursuant to Government Code §54956.9(b), the **City Council** will confer with its legal counsel, and take the appropriate action, with respect to significant exposure to litigation in one potential case.
4. Pursuant to Government Code §54957:
 - A. The City Council considered personnel matters related to the appointment of:
 - Director of Safety and Community Services
 - Director of Public Works and Development Services
 - Assistant Director with Public Works
 - City Clerk

CITY ATTORNEY REPORT

The City Council reconvened to open session at 6:00p.m., and the City Attorney reported on the above listed matters:

1, 2, 4A – No reportable actions

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 6:01 p.m.

Victoria M. Alexander
Deputy City Clerk



**MINUTES OF THE
CONCURRENT REGULAR MEETINGS OF
THE CITY COUNCIL OF THE CITY OF COMMERCE AND
THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO
THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION
(HEREINAFTER "SUCCESSOR AGENCY")
TUESDAY, FEBRUARY 4, 2014
COUNCIL CHAMBERS
5655 JILLSON STREET, COMMERCE, CALIFORNIA**

The meeting was called to order at 6:40 p.m. in the Council Chambers. **Present:** Councilmembers/Board Members Altamirano, Baca Del Rio, Robles, Mayor Pro Tem/Vice Chair Leon, and Mayor/Chair Aguilar (5); **Absent:** None (0) The Salute to the flag was led by Scott Wasserman, Director of Parks and Recreation, followed by an invocation offered by Mayor Pro Tem/Vice Chair Leon.

Staff Present: Jorge Rifá, City Administrator; Eddie Olivo, City Attorney; Victoria Alexander, Deputy City Clerk/Secretary

APPEARANCES AND PRESENTATIONS

1. Presentation - Commerce Casino

The City Council recognized the Commerce Casino for its generosity over the last year either partially or entirely in sponsoring special Library Programs and Services. A framed montage of photos of various events they helped support was presented by the Council.

2. Commendation – *Ball of Cotton, Inc.*

The City Council presented a Commendation to *Ball of Cotton, Inc.*, recognizing its role in assisting Ralph Lauren in producing the official uniforms the U.S. Olympic teams will wear during the Opening Ceremony for the Sochi Winter Olympics.

PUBLIC COMMENT

The following individuals addressed the City Council on general matters within the Council's jurisdiction: Jim Lissener, Howard Hernandez, Sonya Bautista, Jerry Mayagoita, Johncito Peraza, Ron Natch, Francine Ayala, and Angela Sandoval.

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

Councilmember Robles

- Noted that she attended the Aquatics Awards ceremony the previous Sunday and thanked Parks and Recreation and all the parents and coaches involved in the program
- Thanked Howard Hernandez for his service with Commerce Veterans
- Thanked the residents for attending the proposed retail site community meetings and for giving staff input
- Congratulated Alex Hamilton on his promotion to Public Works Director in the City of Montebello, and thanked him for all his service to the City of Commerce.

Councilmember Altamirano

- Congratulated Alex and noted that he was a huge asset to the City
- Commended the Aquatics program for developing young adults
- Thanked the Commerce Casino for supporting programs in the City and neighboring cities
- Wished all a Happy Valentine's Day

Councilmember Baca Del Rio

- Thanked the Commerce Casino for their generosity, support and service to our community
- Encouraged residents to get flu shots if they haven't done so yet
- Noted that the 33rd Annual City of Commerce Boxing show would be held on February 8, 2014 at Veterans Park
- Encouraged residents to join a Relay of Life team; noted that her team is called "Team Love".
- There will be a Neighborhood Watch Program meeting at Bandini Park on Thursday, February 6, 2014

Mayor Pro Tem Leon

- Commended the owners of the Ball of Cotton Company for being awarded the opportunity to produce the U.S. Olympic Team's opening ceremony uniforms
- Thanked the Commerce Casino for its annual contributions to the City's scholarship fund for individuals to continue their education.
- Noted that Crafters Weekend at Camp Commerce was very successful and thanked staff
- Thanked Alex Hamilton for his service to the City

Mayor Aguilar

- Complimented staff that worked on the Aquatics Awards Program
- Thanked Alex Hamilton for his service to the City
- Thanked the Commerce Casino for its support to the Community and the City's programs

CONSENT CALENDAR

Councilmember/Board Member Robles moved, seconded by Councilmember/Board Member Altamirano to approve the Consent Calendar as presented (Items 3 – 5). Motion carried by the following vote:

AYES: Councilmembers/Board Members Altamirano, Baca Del Rio, Robles, Mayor Pro Tem/Vice Chair Leon, and Mayor/Chair Aguilar (5)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: None (0)

3 MEETING MINUTES

The City Council approved the minutes of the Special Meeting of Tuesday, January 7, 2014, held at 3:30 p.m. The City Council and Successor Agency, respectively, approved the minutes of the Concurrent Regular Meetings of Tuesday, January 7, 2014, held at 6:30 p.m.

4. WARRANT REGISTER

The City Council and Successor Agency, approved respectively, the bills and claims set forth in Warrant Registers No. 13A, dated February 4, 2014, and 13B for the period January 22, – January 30, 2014.

5. RESOLUTION NO. 14-10 – ABATEMENT OF WEEDS, BRUSH, RUBBISH AND REFUSE

The City Council adopted Resolution No. 14-10 declaring that Weeds, Brush, Rubbish and Refuse upon or in front of specified property in the City are a seasonal and recurrent public nuisance, and declaring its intention to provide for the abatement thereof. The Council further designated February 18, 2014, at 6:30 p.m., as the date and time for the hearing of protests in connection therewith.

PUBLIC HEARINGS

6. URGENCY ORDINANCE NO. 658 EXTENDING FOR A PERIOD OF TEN MONTHS AND FIFTEEN DAYS A MORATORIUM PERTAINING TO THE ESTABLISHMENT, USE AND OPERATION OF PAWNBROKER, SECOND HAND DEALER AND MONEY BROKER BUSINESSES

Mayor Aguilar opened the public hearing; hearing no individuals desiring to speak on this matter, the Mayor closed the public hearing, and opened the time for Council Comments. Mayor Pro Tem Leon moved, seconded by Councilmember Robles, to adopt an Urgency Ordinance of the City Council of the City of Commerce, California extending for a period of ten months and fifteen days in accordance with Government Code Section 65858, a moratorium pertaining to the establishment, use and operation of Pawnbroker, Second Hand Dealer, and Money Broker Businesses. Urgency Ordinance No. 658 was adopted by the following vote:

- AYES: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar (5)
- NOES: None (0)
- ABSTAIN: None (0)
- ABSENT: None (0)

SCHEDULED MATTERS

7. PRESENTATION – LOS ANGELES COUNTY SHERIFF’S DEPARTMENT

The City Council received a presentation with respect to, the Los Angeles County Sheriff’s Department’s Crime Statistics report covering the period of January through December 2013. L.A. County Sheriff’s Captain James Wolak made the presentation.

9. PRESENTATION – COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDED JUNE 30, 2013
(Presentation Item 9 heard before Item 8 at the request of the Mayor)

The City Council received a presentation from Jennifer Farr, representing Mayor Hoffman McCann P.C. with respect to the Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2013. Following this presentation, Council discussion ensued. Councilmember Altamirano moved, seconded by Councilmember Robles to receive and file the report. Motion carried by the following vote:

- AYES: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar (5)
- NOES: None (0)
- ABSTAIN: None (0)
- ABSENT: None (0)

8. PRESENTATION – 26TH STREET METROLINK STATION IMPROVEMENTS

The City Council received a presentation from Alex Hamilton, Assistant Director of Development Services, and Paul Banuelos, Project Manager with respect to a progress report on the 26th Street Metrolink Station Improvements. Following the presentation, Councilmember Baca Del Rio moved, seconded by Councilmember Altamirano, to receive and file the report. Motion carried by the following vote:

- AYES: Councilmembers Altamirano, Baca Del Rio, Mayor Pro Tem Leon, and Mayor Aguilar (4)
- NOES: None (0)
- ABSTAIN: None (0)

ABSENT: Robles (1)*

* Councilmember Robles left the dais during discussion of this item and was not present for the vote on this matter. She returned to the dais at 9:07 p.m.

10. PROPOSED EXPANSION OF SERVICE AREA AROUND BRISTOW PARK

At the request of Councilmember Altamirano, the City Council received a report on the feasibility of expanding the service area around Bristow Park, allowing non-resident children to obtain Resident Activity Cards, for the purpose of participation in youth sports programs. The report was given by Scott Wasserman, Director of Parks and Recreation. Following the report, Jessica Torres, resident, spoke in support of expanding the service area. Council discussion ensued. Following this discussion the Council asked staff to come back with additional information and alternatives after a review concerning this matter.

11. CAMP COMMERCE ASSIGNED VEHICLES

At its meeting of January 7, 2014, City Council instructed staff to provide an update regarding transportation equipment assigned to Camp Commerce. Claude McFerguson, Director of Transportation, reported that when the new vans arrive, three (3) of the vans shall be assigned to Camp Commerce to ensure there is adequate seating available in the event of an emergency evacuation. Following this report Council discussion ensued. Mayor Pro Tem Leon moved, seconded by Councilmember Baca Del Rio to receive and file the report. Motion carried by the following vote:

AYES: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

12. PROPOSED FORMATION OF COMMERCE SISTER CITY ASSOCIATION AD HOC COMMITTEE

At the request of Councilmember Baca Del Rio, the City Council discussed the formation of a Commerce Sister City Association Ad Hoc Committee that would address the City's participation and relationship with the Commerce Sister City Association. Fernando Mendoza, Deputy City Administrator presented a report on this item. Following the staff report, Council discussion ensued and it was the consensus of the Council to form an Ad Hoc Committee to address the Council's role and participation with the Sister City Association. Further it was the consensus of the Council that Councilmembers Baca Del Rio and Robles be appointed to represent the City Council, with the first meeting taking place in April 2014.

ORDINANCES AND RESOLUTIONS

13. ORDINANCE AMENDING SECTION 2.10.040 (CAMPAIGN CONTRIBUTION LIMITATIONS) AND REPEALING SECTION 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NON-ELECTION YEARS) - First Reading

City Attorney Eddie Olivo briefed the Council relative to changes made to the proposed Ordinance pursuant to the Council's previous direction. Under this proposal, contributions by any one donor cannot exceed one thousand dollars per calendar year. Council discussion ensued. Mayor Pro Tem Leon moved seconded by Councilmember Robles to approve the first reading of the proposed Ordinance amending Section 2.10.040 (Campaign Contribution Limitations) and repealing Section 2.10.045 (Campaign Contribution Limitations – Nonelection Years) of Chapter 2.10 (Limitations on Campaign Contributions

in City Elections) of the Commerce Municipal Code, as amended to also note that loans of more than \$1,000 dollars for use in connection with an election are prohibited. Motion to approve, as amended, was approved by the following vote:

AYES: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

14. RESOLUTION NO. 14-11 - APPROVING CHANGE ORDER NO. 01 FOR THE CENTRAL LIBRARY RENOVATION PROJECT

Paul Banuelos, Project Manager for the Central Library Renovation addressed the City Council and explained the need for this Item. Councilmember Altamirano moved, seconded by Councilmember Robles to adopt Resolution No. 14-11, approving Change Order No. 01 to the Standard Contract for City Project No. 1301, between the City of Commerce and MTM Construction, Inc., for the Central Library Renovation Project. The motion to adopt Resolution No. 14-11 was adopted by the following vote:

AYES: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

15. RESOLUTION NO. 14-12 - PUBLISHING PUBLIC NOTICES IN THE COMMERCE COMET

City Attorney Eddie Olivo, briefed the Council on this proposed resolution which would document the City's intent to continue publishing public notices in the Commerce Comet, as well as posting notices in the City's official posting locations. Councilmember Altamirano moved, seconded by Mayor Pro Tem Leon to adopt Resolution No. 14-12; the motion was approved by the following vote:

AYES: Councilmembers Altamirano, Baca Del Rio, Robles, Mayor Pro Tem Leon, and Mayor Aguilar (5)
 NOES: None (0)
 ABSTAIN: None (0)
 ABSENT: None (0)

16. RESOLUTION NO. 14-13 - APPROVING ALLOCATION OF MEASURE AA FUNDING FOR SLAUSON AVENUE STREET/SIDEWALK IMPROVEMENTS AND TREE PLANTING

City Attorney Eddie Olivo addressed the Council and noted that on January 21, 2014, the City Council received and filed staff's report regarding the Measure AA Committee's recommendations for the allocation of Measure AA funding for the required repairs on Slauson Avenue. The proposed resolution contained an error regarding the specifics of the funding recommendations. The Measure AA Committee was recommending the use of General Fund money in the amount of \$100,000, for the preparation of a Citywide Pavement Management System, and not Measure AA funds. The total amount approved by the Measure AA Committee at this time was \$2.05 million. Following the presentation, City Council debate ensued. Mayor Pro Tem Leon stated that she objected to funding the Pavement Management System out of General Funds. Staff reported that if the Council defers making a decision on the source of funding for the Pavement Management System, approval of the resolution based on the Committee's recommendations will not result in any delays in the project. Staff

recommended that the Council meet with the Measure AA Committee to discuss this matter further. Following Council discussion, Councilmember Baca Del Rio moved, seconded by Councilmember Altamirano to adopt a Resolution approving the allocation of \$2.05 million of Measure AA funding for Slauson Avenue Street/Sidewalk Improvements and Tree Planting. Resolution No. 14-13 was adopted as revised by the following vote:

AYES: Councilmembers Altamirano, Baca Del Rio, Robles, and Mayor Aguilar (4)
NOES: Mayor Pro Tem Leon (1)
ABSTAIN: None (0)
ABSENT: None (0)

LEGISLATIVE UPDATES

17. Fernando Mendoza, Deputy City Administrator, briefed the City Council on the 4th Quarter Legislative Update provided by the City's legislative service provider, Joe A. Gonsalves & Son. The key legislative topics addressed in the report included 2013-14 legislative calendar dates, a recommendation that district elections be held in all "general law" cities with a population of 100,000 or more, and "Life after Redevelopment", and Infrastructure Financing Districts.

ADJOURNMENT

The City Council adjourned at 11:10 p.m. to Tuesday, February 18, 2014, at 5:00 p.m. in the City Council Chambers.

Victoria M. Alexander
Deputy City Clerk



AGENDA REPORT

Meeting date: 2/18/14

TO: Honorable City Council
FROM: City Administrator
SUBJECT: CAMP COMMERCE IMPROVEMENT PROJECTS

RECOMMENDATION:

Receive a report on and thereafter consider and take appropriate action as deemed necessary with respect to a status update on capital improvement projects at Camp Commerce.

MOTION:

Council discretion.

BACKGROUND:

At its meeting of October 1, 2013, Council allocated \$32,700 to complete the following projects at Camp Commerce:

- 1) \$8,000 to upgrade the Wi Fi system
- 2) \$8,200 to replace carpet in selected areas
- 3) \$10,500 to replace mattresses
- 4) \$6,000 to purchase canoes for the summer

Council provided funding for the following projects as part of the FY 2011-12 Capital Improvement Budget:

- 5) \$30,000 to repair one of the snow drops
- 6) \$40,000 to repair the asphalt in the parking lot
- 7) \$130,000 to replace the main waterline at Camp Commerce
- 8) \$17,420 to construct a retaining wall at Camp Commerce

ANALYSIS:

- 1) \$8,000 - Upgrade of WiFi System – This item is expected to be completed by the beginning of summer. This upgrade will provide wifi coverage for the lodge and cafeteria, only. When the installation is complete, staff will evaluate if wifi is needed in additional areas of camp.
- 2) \$8,200 - The project to replace carpet in selected cabins is complete.
- 3) \$10,500 – The project to replace 56 mattresses is complete. There are a total of 114 mattresses in Camp Commerce. Fifty six were replaced in 2013 and 58 were replaced in 2010. Staff also added wood planks to beds to enhance the comfort of the mattresses.
- 4) \$6,000 - Staff will purchase the canoes this spring.
- 5) \$30,000 – The project to repair the snow drop is still in the design phase. The engineer previously provided two options to repair the existing snow drop that involved rebuilding portions of the structure. Staff has asked the

engineer to provide an additional set of bid specs and cost estimate to completely demolish and rebuild the existing structure, to ensure that it can withstand the weight of the tractor.

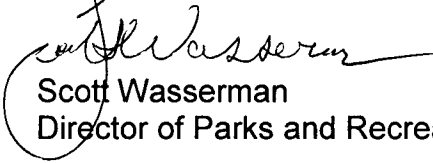
- 6) \$40,000 –Staff has gathered bid estimates to repave the asphalt and will return at the first Council meeting, in March, to ask Council to award the contract. The work cannot begin until spring, when the snowy season is over.
- 7) \$130,000 Main Water Line Replacement – The purpose of this project is to increase the facility’s water pressure to provide adequate pressure for fire fighting, as directed by the Fire Department. Staff began the design phase of this project in 2011 and has initiated the plan check process with the Lake Arrowhead Community Services District and Cal Trans. Both organizations have requested numerous modifications to the plans before the project can proceed to the construction phase.
- 8) \$17,420 - The retaining wall was completed in September, 2013.
- 9) Grease Interceptor - At the request of Council, staff has covered the unsightly grease interceptor device that previously could be seen in a utility closet, near the entrance to the front office. Staff used existing maintenance funds to complete this project and no additional budget allocation was necessary.
- 10) Totem Pole- Staff repaired the totem pole by removing the portion of the pole that was deteriorating from wood rot and carpenter ants, treating the remainder of the pole, and re-mounting the totem pole in a new location. Staff used existing maintenance funds to complete this project and no additional budget allocation was necessary.

FISCAL IMPACT: Funds for all projects listed above have already been allocated by Council.

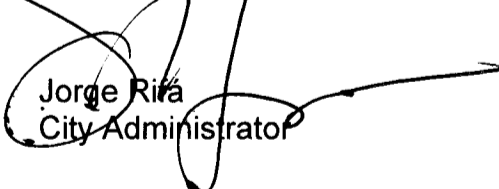
RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to Council’s goal of maintaining and improving infrastructure in our community. Camp Commerce is visited by hundreds of residents per year and the extreme weather conditions necessitate frequent assessment and replacement of equipment and facility repairs.

Recommended by:


Scott Wasserman
Director of Parks and Recreation

Respectfully submitted,


Jorge Rifa
City Administrator

Fiscal Impact reviewed by:


Vilko Domic
Director of Finance

Approved as to Form:


Eduardo Olivo
City Attorney



AGENDA REPORT

MEETING DATE: February 18, 2014

TO: HONORABLE SUCCESSOR AGENCY

FROM: EXECUTIVE DIRECTOR

SUBJECT: A RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION PRELIMINARILY CONSIDERING THE ISSUANCE OF ITS REFUNDING BONDS; MAKING CERTAIN DETERMINATIONS RELATING THERETO; AND AUTHORIZING CERTAIN OTHER ACTION IN CONNECTION THEREWITH

RECOMMENDATION:

Approve and adopt the Resolution preliminarily considering the issuance of refunding bonds; making certain determinations relating thereto; authorizing certain other action in connection therewith; and assign the next number in order.

MOTION:

Move to approve the recommendation.

BACKGROUND/ANALYSIS:

On June 27, 2012, as part of the Fiscal Year 2012-13 State of California budget bill, the Governor signed into law Assembly Bill 1484 ("AB 1484"), which modified or added to some of the provisions of ABX1 26, including provisions related to the refunding of outstanding redevelopment agency bonds and the expenditure of remaining bond proceeds derived from redevelopment agency bonds issued on or before December 31, 2010.

Health & Safety Code Section 34177.5(a) authorizes successor agencies to refund outstanding bonds provided that (i) the total interest cost to maturity on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the bonds or other indebtedness to be refunded plus the remaining principal of the bonds or other indebtedness to be refunded, and (ii) the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the refunded bonds or other indebtedness, to establish customary debt service reserves, and to pay related costs of issuance.

Subject to compliance with the requirements of Health & Safety Code Section 34177.5, the Successor Agency to the Commerce Community Development Commission (the "Commission") is preliminarily considering the issuance of its Commerce Redevelopment Project No. 1, Merged Project Area, and Redevelopment Project Area No. 4 Refunding Bonds for the purpose of refinancing certain redevelopment activities of the redevelopment agency through the refunding of certain outstanding bonds of the Commission attributable to Project Area No. 1, Merged Redevelopment Project Area, and Project Area No. 4.

The Resolution will authorize the Successor Agency to recover its costs of issuance with respect to the Refunding Bonds including the cost of reimbursing the City for staff time and costs spent with respect to the Refunding Bonds, all without impacting the Administrative Cost Allowance. The Resolution will also authorize the Finance Director and City Administrator to enter into negotiations with an Underwriter, Bond Counsel and Disclosure and Counsel and Financial Advisor and Fiscal Consultant in connection with services required to defease and/or refund the outstanding bonds of the RDA proposed to be refunded through the issuance of the Refunding Bonds. Staff will present the agreements

with such service providers for consideration by the Successor Agency at a future meeting. Staff will also be authorized and directed to do any and all things, to execute and deliver any and all documents, which in consultation with Orrick, Herrington & Sutcliffe LLP, the Agency's bond counsel, and the Agency's Counsel, they may deem necessary or advisable in order to effectuate the purposes of the Resolution.

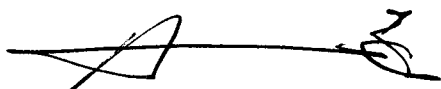
FISCAL IMPACT:

This activity can be carried out without additional impact on the current operating budget.

RELATIONSHIP TO 2012 STRATEGIC GOALS:

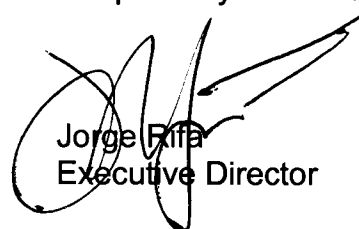
This activity does not have a direct correlation to any of the 2012 Strategic Goals.

Recommended by:



Vilko Domic
Director of Finance/City Treasurer

Respectfully submitted,



Jorge Rifa
Executive Director

Approved as to Form



Eduardo Olivo
Successor Agency Counsel

RESOLUTION NO. _____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
COMMERCE COMMUNITY DEVELOPMENT COMMISSION PRELIMINARILY
CONSIDERING THE ISSUANCE OF ITS REFUNDING BONDS; MAKING CERTAIN
DETERMINATIONS RELATING THERETO; AND AUTHORIZING CERTAIN OTHER
ACTION IN CONNECTION THEREWITH

WHEREAS, pursuant to the Community Redevelopment Law (Part 1 of Division 24 of the Health and Safety Code of the State of California and referred to herein as the "Law"), the City Council of the City of Commerce (the "City") created the Commerce Community Development Commission (the "RDA"); and

WHEREAS, the RDA was a redevelopment agency, a public body, corporate and politic duly created, established and authorized to transact business and exercise its powers, all under and pursuant to the Law, and the powers of such agency included the power to issue bonds for any of its corporate purposes; and

WHEREAS, on July 15, 1974, the City adopted Ordinance No. 212 approving the Redevelopment Plan for Redevelopment Project No. 1 (the "Project Area No. 1"), which was adopted and approved in accordance with the Law; and

WHEREAS, on December 26, 1978, the City adopted Ordinance No. 259 approving the Redevelopment Plan for Redevelopment Project No. 2 (the "Project Area No. 2"), which was adopted and approved in accordance with the Law; and

WHEREAS, on January 3, 1984, the City adopted Ordinance No. 339 approving the Redevelopment Plan for Redevelopment Project No. 3 (the "Project Area No. 3"), which was adopted and approved in accordance with the Law; and

WHEREAS, on December 5, 1995, the City adopted Ordinance Nos. 508 and 509 amending and restating the Redevelopment Plans for Project No. 2 and Project No. 3, thereby creating the Amended and Restated Redevelopment Plan for the Commerce Merged Redevelopment Project Area (the "Merged Redevelopment Project"), which was adopted and approved in accordance with the Law; and

WHEREAS, on July 1, 1998, the City adopted Ordinance No. 528 approving the Redevelopment Plan for Redevelopment Project No. 4 (the "Project Area No. 4"), which was adopted and approved in accordance with the Law; and

WHEREAS, each of the Redevelopment Plans for Project No. 1, Project No. 4 and the Merged Redevelopment Project contemplated that the RDA would issue its bonds to finance and/or refinance a portion of the cost of such redevelopment; and

WHEREAS, California Assembly Bill No. 26 (First Extraordinary Session) ("ABX1 26") adopted on June 29, 2011, dissolved all redevelopment agencies and community development agencies in existence in the State of California, as of February 1, 2012, and designated "successor agencies" and "oversight boards" to satisfy "enforceable obligations" of the former redevelopment agencies and administer dissolution and wind down of the former redevelopment agencies; and

WHEREAS, the City agreed to serve as the successor agency (referred to herein as the "Agency") to the RDA commencing upon the dissolution of the RDA on February 1, 2012 pursuant to ABX1 26; and

WHEREAS, on June 27, 2012 as part of the Fiscal Year 2012-13 State of California budget bill, the Governor signed into law Assembly Bill 1484 ("AB 1484"), which modified or added to some of the provisions of ABX1 26, including provisions related to the refunding of outstanding redevelopment agency bonds and the expenditure of remaining bond proceeds derived from redevelopment agency bonds issued on or before December 31, 2010; and

WHEREAS, Health & Safety Code Section 34177.5(a) authorizes successor agencies to refund outstanding bonds provided that (i) the total interest cost to maturity

on the refunding bonds or other indebtedness plus the principal amount of the refunding bonds or other indebtedness shall not exceed the total remaining interest cost to maturity on the bonds or other indebtedness to be refunded plus the remaining principal of the bonds or other indebtedness to be refunded, and (ii) the principal amount of the refunding bonds or other indebtedness shall not exceed the amount required to defease the refunded bonds or other indebtedness, to establish customary debt service reserves, and to pay related costs of issuance; and

WHEREAS, the Agency has solicited a report of an independent financial advisor entitled Bond Refunding Financing Plan and employed such advisor in developing financing proposals for consideration by the Agency and it is understood that such report, as it may be further revised, may be made available to the Department of Finance at its request; and

WHEREAS, subject to compliance with the requirements of Health & Safety Code Section 34177.5, the Agency is preliminarily considering the issuance of (A) its Commerce Redevelopment Project No. 1 Refunding Bonds, Series 2014 (the "Project No. 1 Bonds"), for the purpose of (i) refinancing certain redevelopment activities of the RDA through the refunding of certain outstanding bonds of the RDA attributable to Project Area No. 1, (ii) paying the costs of issuing the Project No. 1 Bonds, (iii) funding a reserve account for the Project No. 1 Bonds and (iv) if advisable, paying for the cost of municipal bond insurance and/or a surety to fund a reserve account for the Project No. 1 Bonds; (B) its Merged Redevelopment Project Refunding Bonds, Series 2014 (the "Merged Project Bonds"), for the purpose of (i) refinancing certain redevelopment activities of the RDA through the refunding of certain outstanding bonds of the RDA attributable to Merged Redevelopment Project, (ii) paying the costs of issuing the Merged Project Bonds, (iii) funding a reserve account for the Merged Project Bonds and (iv) if advisable, paying for the cost of municipal bond insurance and/or a surety to fund the reserve account for the Merged Project Bonds; and (C) its Commerce Redevelopment Project No. 4 Refunding Bonds, Series 2014 (the "Project No. 4 Bonds," and together with the Project Area No. 1 Bonds and the Merged Project Bonds, the "Refunding Bonds"), for the purpose of (i) refinancing certain redevelopment activities of the RDA through the refunding of certain outstanding bonds of the RDA attributable to Project Area No. 4, (ii) paying the costs of issuing the Project No. 4 Bonds, (iii) funding a reserve account for the Project No. 4 Bonds and (iv) if advisable, paying for the cost of municipal bond insurance and/or a surety to fund the reserve account for the Project No. 4 Bonds; and

WHEREAS, the possible outstanding bonds of the RDA proposed to be refunded are described in Exhibit A attached hereto.

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Approval of Refunding.

The Agency is hereby authorized to proceed with the refunding of the outstanding RDA bonds identified in Exhibit A attached hereto, to the extent permitted under Health and Safety Code Section 34177.5(a), and subject to the review and approval of the Agency's Oversight Board and the California Department of Finance.

Section 2. City Administrator and Director of Finance.

The City Administrator and the Director of Finance, each acting for the Successor Agency, are hereby authorized to take whatever action may be necessary to carry out the purposes of this Resolution pursuant to ABX1 26 and AB 1484.

Section 3. Recovery of Costs.

The Agency is hereby authorized to recover its costs of issuance with respect to the Refunding Bonds including the cost of reimbursing the City for staff time and costs spent with respect to the Refunding Bonds.

Section 4. Bond Issuance Services.

The Finance Director and City Administrator are hereby authorized to enter into negotiations with an Underwriter, Bond Counsel and Disclosure and Counsel and Financial Advisor and Fiscal Consultant in connection with services required to defease and/or refund the outstanding bonds of the RDA proposed to be refunded through the issuance of the Refunding Bonds. Staff will present the agreements with such service providers for consideration by the Successor Agency at a future meeting.

Section 5. Other Acts.

The officers and staff of the Agency are hereby authorized and directed, jointly and severally, to do any and all things, to execute and deliver any and all documents, which in consultation with Orrick, Herrington & Sutcliffe LLP, the Agency's bond counsel, and the Agency's Counsel, they may deem necessary or advisable in order to effectuate the purposes of this Resolution, and any and all such actions previously taken by such officers or staff members are hereby ratified and confirmed.

Section 6. Effective Date.

This Resolution shall take effect upon adoption.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2014.

Joe Aquilar
Chairperson

ATTEST:

Victoria M. Alexander
Deputy Secretary

APPROVED AS TO FORM:

Eduardo Olivo
Successor Agency Counsel

EXHIBIT A

PRIOR RDA BONDS TO REFUND AND RELATED PROJECT AREA

RDA Bonds Relating to the following 2003 Authority Bonds (collectively, the "2003 Authority Bonds"):

- (a) \$33,260,000 City of Commerce Joint Powers Financing Authority Revenue Bonds, Series 2003A (Redevelopment Projects);
- (b) \$9,310,000 City of Commerce Joint Powers Financing Authority Revenue Bonds, Series 2003B (Redevelopment Projects); and
- (c) \$9,955,000 City of Commerce Joint Powers Financing Authority Revenue Bonds, Series 2003C (Redevelopment Projects)

The 2003 Authority Bonds were issued pursuant to an Indenture, dated as of December 1, 2003, by and between the City of Commerce Joint Powers Financing Authority and U.S. Bank National Association, as trustee.

REDEVELOPMENT PROJECT NO. 1

- 1. \$9,220,000 Community Development Commission of the City of Commerce Redevelopment Project No. 1 Subordinate Lien Tax Allocation Bonds, Series 2003A-1 (the "2003A-1 Project No. 1 Bonds")
- 2. \$2,635,000 Community Development Commission of the City of Commerce Redevelopment Project No. 1 Subordinate Lien Tax Allocation Bonds, Series 2003A-H (the "2003A-H Project No. 1 Bonds")

Collectively, the "2003 Project No. 1 Bonds."

The 2003 Project No. 1 Bonds were issued pursuant to an Indenture, dated as of November 1, 1997, by and between the RDA and First Trust of California, National Association, as trustee, as amended and supplemented by a First Supplement to Indenture, dated as of December 1, 2003, by and between the Commission and U.S. Bank National Association, as trustee

MERGED REDEVELOPMENT PROJECT

- 3. \$9,905,000 Community Development Commission of the City of Commerce Merged Redevelopment Project Tax Allocation Bonds, Series 2003A-1 (the "2003A-1 Merged Project Bonds")
- 4. \$1,985,000 Community Development Commission of the City of Commerce Merged Redevelopment Project Tax Allocation Bonds, Series 2003A-3 (the "2003A-E Merged Project Bonds")
- 5. \$2,455,000 Community Development Commission of the City of Commerce Merged Redevelopment Project Tax Allocation Bonds, Series 2003A-H (the "2003A-H Merged Project Bonds")

Collectively, the “2003 Merged Project Bonds.”

The 2003 Merged Project Bonds were issued pursuant to an Indenture, dated as of May 1, 1998, by and between the RDA and U.S. Bank Trust National Association, as trustee, as amended and supplemented by a First Supplement to Indenture, dated as of December 1, 2003, by and between the RDA and U.S. Bank National Association, as trustee.

REDEVELOPMENT PROJECT NO. 4

6. \$14,135,000 Community Development Commission of the City of Commerce Redevelopment Project No. 4 Tax Allocation Bonds, Series 2003A-1 (the “2003A-1 Project No. 4 Bonds”)
7. \$7,325,000 Community Development Commission of the City of Commerce Redevelopment Project No. 4 Tax Allocation Bonds, Series 2003A-E (the “2003A-E Project No. 4 Bonds”)
8. \$4,865,000 Community Development Commission of the City of Commerce Redevelopment Project No. 4 Tax Allocation Bonds, Series 2003A-H (the “2003A-H Project No. 4 Bonds”)

Collectively, the “2003 Project No. 4 Bonds.”

The 2003 Project No. 4 Bonds were issued pursuant to an Indenture, dated as of December 1, 2003, by and between the RDA and U.S. Bank National Association, as trustee.

CLERK'S CERTIFICATE

I, Victoria M. Alexander, Deputy City Clerk, acting for the Successor Agency to the Community Development Commission of the City of Commerce, do hereby certify as follows:

The foregoing resolution is a full, true and correct copy of a resolution duly adopted at a regular meeting of the Successor Agency duly and regularly held at the meeting place thereof on _____, 2014, of which meeting all of the members of said Successor Agency had due notice and at which a majority thereof were present.

I have carefully compared the foregoing with the original minutes of said meeting on file and of record in my office, and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes.

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

Dated: _____, 2014.

Victoria M. Alexander
Deputy Secretary



AGENDA REPORT

Meeting Date: February 18, 2014

To: Honorable City Council
From: City Administrator
Subject: PUBLIC HEARING – ABATEMENT OF NOXIOUS OR DANGEROUS WEEDS – HEARING OF PROTESTS

RECOMMENDATION:

- 1) Conduct public hearing.
 - A. Declare the public hearing open.**
 - B. Now is the time for anyone wishing to speak on the subject to please step forward.**
 - C. Declare the public hearing closed.**
- 2) Approve the Abatement Order directing the Los Angeles County Agricultural Commissioner/Director of Weights and Measures to abate the seasonal and recurrent public nuisance declared under Resolution No. 14-10, by having the weeds, brush, rubbish, and refuse removed from specified properties.

MOTION:

Following the public hearing, move to approve the Abatement Order as indicated under Item 2 of the recommendation.

BACKGROUND:

The City Council declared, by approving Resolution No. 14-10 on February 4, 2014, that weeds, brush, rubbish and refuse upon or in front of specified properties in the City are a seasonal and recurrent public nuisance and further declared its intention to provide for the abatement of said nuisance.

ANALYSIS:

This public hearing is held annually to allow those property owners affected by the Los Angeles County Agricultural Commissioner/Director of Weights and Measures' weed abatement program to protest the inclusion of their properties within the program.

The Agricultural Commissioner/Director of Weights and Measures has notified by mail each of the property owners affected by the program.

A representative from the Agricultural Commissioner/Director of Weights and Measures' Office will be present to answer any questions.


FISCAL IMPACT:

This activity can be carried out without additional impact on the current operating budget.


RELATIONSHIP TO 2012 STRATEGIC GOALS:

This activity is an annual program carried out by the County of Los Angeles on behalf of the City and is related to 2012 Strategic Goal, Project 3, Improve and maintain infrastructure and beautify our community.


Recommended by:


Victoria M. Alexander
Deputy City Clerk

Respectfully submitted,


Jorge J. Rifá
City Administrator


Prepared by:


Angie Verdin
Senior Office Assistant

Fiscal impact reviewed by:


Vilko Domic
Director of Finance

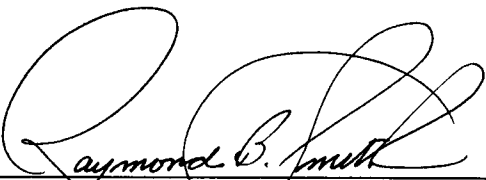
Reviewed as to form:


Eduardo Olivo
City Attorney

- Attachments: 1) Certification of Public Hearing Notification
2) Resolution No. 14-10 – Declaring Public Nuisance and Providing for Abatement Thereof, including List of Subject Properties
3) Abatement Order

STATE OF CALIFORNIA)
)
) SS
)
COUNTY OF LOS ANGELES)

RAYMOND B. SMITH, DEPUTY DIRECTOR, BUREAU CHIEF, AGRICULTURAL COMMISSIONER/WEIGHTS AND MEASURES, being first duly sworn says: That on or before the 3rd day of February 2014, as required by the Government Code of the State of California, he notified by United States Mail the owners of each of the properties described in the attached list a notice or notices to destroy noxious or dangerous weeds, of which the annexed is a true copy, and setting the 18th day of February, 2014, as the date upon which owners of said property could attend a meeting of the Council of the City of Commerce, when their objections will be heard and given due consideration.



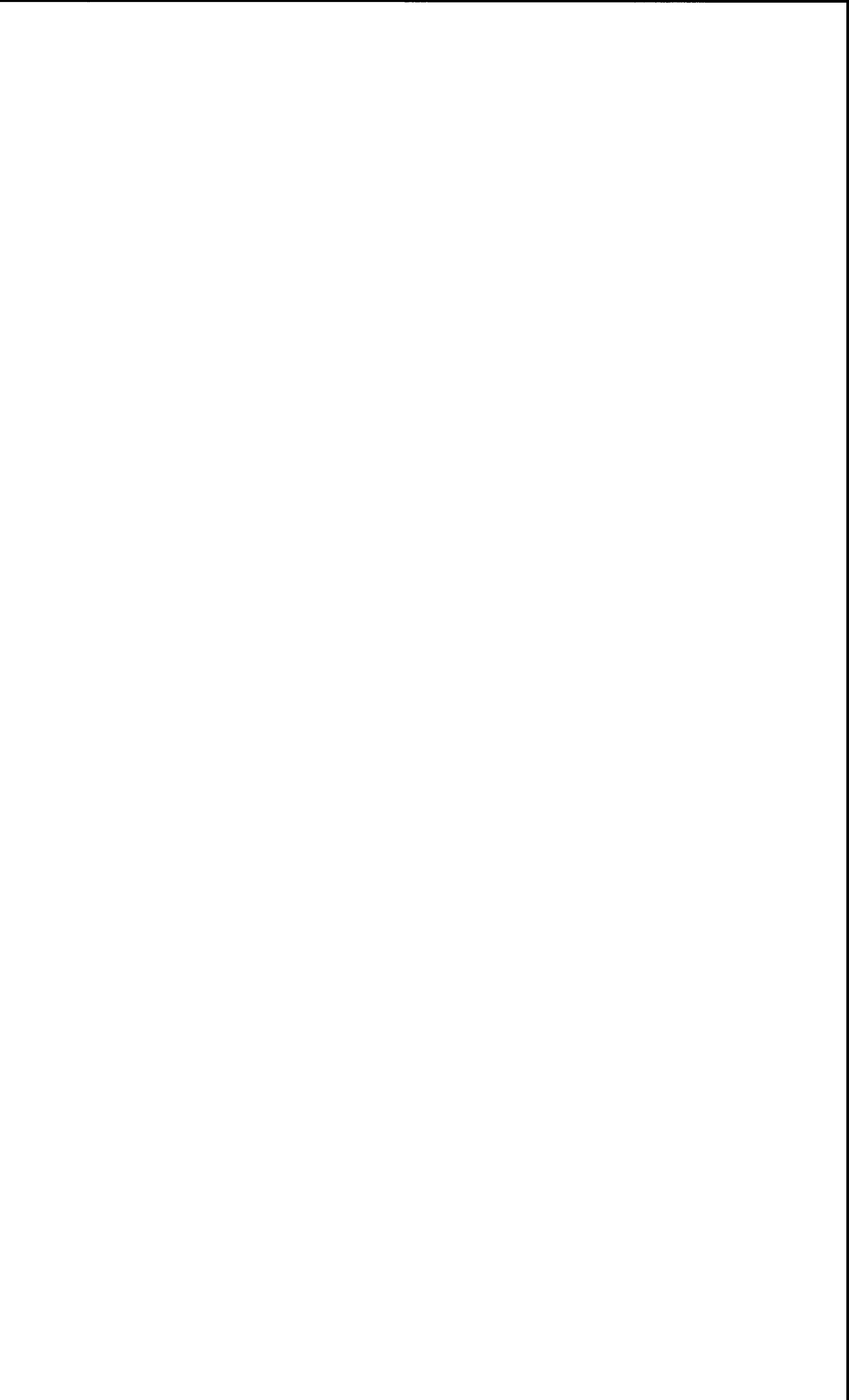
Raymond B. Smith
Deputy Director, Bureau Chief

SUBSCRIBED AND SWORN TO BEFORE ME

This 4th day of February, 2014



Victoria M. Alexander, Deputy
City Clerk



RESOLUTION NO. 14-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE DECLARING THAT WEEDS, BRUSH, RUBBISH AND REFUSE UPON OR IN FRONT OF SPECIFIED PROPERTY IN THE CITY ARE A SEASONAL AND RECURRENT PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF.

THE CITY COUNCIL OF THE CITY OF COMMERCE DOES RESOLVE AS FOLLOWS:

BE IT RESOLVED THAT, pursuant to the provisions of Title 4, Division 3, Part 2, Chapter 13, Article 2, of the California Government Code, Sections 39560 to 39588, inclusive, and evidence received by it, the City Council of the City of Commerce specifically finds:

SECTION 1. That the weeds, brush or rubbish growing or existing upon the streets, sidewalks, or private property in the city attain such large growth as to become, when dry, a fire menace to adjacent improved property, or which are otherwise noxious, dangerous, or a public nuisance.

SECTION 2. That the presence of dry grass, stubble, refuse, or other flammable materials are conditions which endanger the public safety by creating a fire hazard.

SECTION 3. That by reason of the foregoing fact, the weeds, brush, rubbish, dry grass, stubble, refuse, or other flammable material growing or existing upon the private property hereinafter described, and upon the streets and sidewalks in front of said property constitute a seasonal and recurrent public nuisance and should be abated as such.

SECTION 4. That the private property, together with the streets and sidewalks in front of same herein referred to, is more particularly described as follows, to wit: That certain property described in the attached list hereto and by this reference made a part hereof as though set forth in full at this point.

BE IT THEREFORE RESOLVED, pursuant to the findings of fact, by this Council heretofore made, that the weeds, brush, rubbish, dry grass, stubble, refuse, or other flammable material in and upon and in front of the real property hereinbefore described constitute and are hereby declared to be a seasonal and recurrent public nuisance which should be abated. The Agricultural Commissioner/Director of Weights and Measures, County of Los Angeles, is hereby designated the person to give notice to destroy said weeds, brush, rubbish, dry grass, stubble, refuse, or other flammable material and shall cause notices to be given to each property owner by United States Mail and said notice shall be substantially in the following form to wit.

NOTICE TO DESTROY WEEDS,

REMOVE BRUSH, RUBBISH AND REFUSE

Notice is hereby given that on February 4, 2014, the City Council of the City of Commerce passed or will pass a resolution declaring noxious or dangerous vegetation including weeds, brush, tumbleweeds, sagebrush, and chaparral or rubbish and refuse were growing or occurring upon or in front of said property on certain streets in said city or unincorporated area of the County of Los Angeles, and more particularly described in the resolution, and that they constitute a public nuisance which must be abated by the removal of said noxious or dangerous vegetation, rubbish and refuse. The resolution further declares that, if not abated, the vegetation and/or rubbish and refuse may be removed and the nuisance abated by County authorities in which case the cost of removal shall be assessed upon the land from or in front of which the noxious or dangerous vegetation, rubbish and refuse are removed. Such cost will constitute a special assessment against such lots or lands. Reference is hereby made to said resolution for further particulars. In addition, the Board of Supervisors of the County of Los Angeles authorized and directed the Agricultural Commissioner to recover its costs of details. All property owners having any objections to the proposed removal of noxious or dangerous vegetation, rubbish and refuse and the recovery of inspection costs, are hereby notified that they may attend a hearing of the City Council of said city to be held at 5655 Jillson Street, Commerce, CA 90040, in the Council Chambers on February 18, 2014 at 6:30 p.m. where their objections will be heard and given due consideration. If the property owner does not want to present objections to the proposed removal of the noxious or dangerous vegetation including weeds, brush, tumbleweeds, sagebrush, and chaparral or rubbish and refuse, or the recovery of inspection costs, the owner need not appear at the above mentioned hearing.

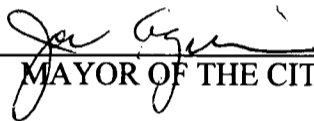
City Clerk of the City of Commerce

BE IT THEREFORE RESOLVED, that the Agricultural Commissioner is hereby authorized and directed to recover its costs of inspection of the properties hereinabove described in a manner consistent with prior action of the Board adopting a fee schedule for such inspections. The recovery of these costs is vital to the ongoing operation governing the identification and abatement of those properties that constitute a seasonal and recurrent public nuisance and endanger the public safety.

BE IT FURTHER RESOLVED THAT the 18th day of February, 2014, at the hour of 6:30 p.m. of said day is the day and hour, and the Meeting Room of the City Council of the City of Commerce in the City Hall in the City of Commerce is fixed by this City Council as the place when and where any and all property owners having any objections to the aforesaid proposed removal of weeds, brush, rubbish, dry grass, stubble, refuse, or other flammable material may appear before the City Council and show cause why said weeds, brush, rubbish, dry grass, stubble, refuse, or other flammable material should not be removed in accordance with this resolution, and said objections will then and there be heard and given due consideration; and

BE IT RESOLVED THAT the notices to destroy weeds, brush, rubbish, dry grass, stubble, refuse or other flammable material hereinbefore referred to shall be mailed by said Agricultural Commissioner/Director of Weights and Measures at least ten days prior to February 18, 2014.

PASSED AND ADOPTED this 4th day of February, 2014



MAYOR OF THE CITY OF COMMERCE

ATTEST:

BY 

CITY CLERK OF THE CITY OF COMMERCE

Posted at City Hall
on 1-30-2014. (A)

LOS ANGELES COUNTY DECLARATION LIST

DATE: 01/08/14

CITY OF COMMERCE

IN SEQ BY WEED-KEY, THEN PARCEL UNIMPROVED

| ZONE | CITY CODE | LOCATION | PARCEL | KEY |
|------|-----------|----------------------------|--------------|-----|
| 04 | 143 | 1362 S EASTERN AVE | 5241 013 016 | 4 |
| 04 | 143 | 1368 S EASTERN AVE | 5241 013 017 | 4 |
| 04 | 143 | TRIGGS ROAD | 5241 013 018 | 4 |
| 04 | 143 | 1350 S EASTERN AVE | 5241 013 019 | 4 |
| - 04 | 143 | 2336 BEDESSEN AVE | 5243 027 024 | 4 |
| 04 | 143 | DUNCAN Ave | 5244 002 031 | 4 |
| 04 | 143 | DUNCAN Ave | 5244 002 032 | 4 |
| - 04 | 143 | DUNCAN AVE | 5244 002 033 | 4 |
| 04 | 143 | 1411 S MCBRIDE AVE | 5244 002 034 | 4 |
| 04 | 143 | 5200 TRIGGS ST | 5244 006 010 | 4 |
| - 04 | 143 | 5156 TRIGGS ST | 5244 006 013 | 4 |
| 04 | 143 | 4953 ASTOR AVE | 5244 011 025 | 4 |
| 04 | 143 | GAGE AVE | 6330 001 802 | 4 |
| 04 | 143 | E 26TH Street | 6332 006 004 | 4 |
| 04 | 143 | SLAUSON | 6332 009 013 | 4 |
| 04 | 143 | 5706 E WASHINGTON BLVD | 6334 004 022 | 4 |
| 04 | 143 | SHEILA ST | 6334 026 010 | 4 |
| 04 | 143 | STRONG AVE | 6335 014 805 | 4 |
| 04 | 143 | STRONG AVE | 6335 014 806 | 4 |
| 04 | 143 | 5533 E WASHINGTON BLVD | 6335 019 043 | 4 |
| 04 | 143 | 5519 E WASHINGTON BLVD | 6335 019 046 | 4 |
| 04 | 143 | 5560 E WASHINGTON BLVD | 6335 024 011 | 4 |
| 04 | 143 | WASHINGTON BLVD | 6335 024 027 | 4 |
| 04 | 143 | 5556 E WASHINGTON BLVD | 6335 024 051 | 4 |
| 04 | 143 | GARFIELD AVE | 6336 001 803 | 4 |
| 04 | 143 | GARFIELD AVE | 6336 001 811 | 4 |
| 04 | 143 | GARFIELD AVE | 6336 001 812 | 4 |
| 04 | 143 | 6800 E WASHINGTON BLVD | 6336 004 017 | 4 |
| 04 | 143 | WASHINGTON BLVD | 6336 011 801 | 4 |
| 04 | 143 | WASHINGTON BLVD | 6336 013 804 | 4 |
| 04 | 143 | GARFIELD AVE | 6336 014 009 | 4 |
| 04 | 143 | FLOTILLA Street | 6336 014 800 | 4 |
| 04 | 143 | TUBEWAY AVE | 6336 020 806 | 4 |
| 04 | 143 | GERHART AVE | 6339 002 012 | 4 |
| 04 | 143 | SYCAMORE ST | 6354 022 029 | 4 |
| 04 | 143 | GARFIELD AVE | 6356 013 803 | 4 |
| 04 | 143 | WASHINGTON BLVD | 6356 013 804 | 4 |
| 04 | 143 | GARFIELD AVE | 6356 013 805 | 4 |
| 04 | 143 | GREENWOOD AVE | 6356 013 806 | 4 |
| 04 | 143 | NEENAH Street | 6356 013 807 | 4 |
| 04 | 143 | GAGE AVE | 6356 013 809 | 4 |
| - 04 | 143 | 6920 E SLAUSON AVE UNIT 22 | 6356 017 021 | 4 |
| 04 | 143 | 6904 E SLAUSON AVE | 6356 017 028 | 4 |

LOS ANGELES COUNTY DECLARATION LIST DATE: 01/08/14
CITY OF COMMERCE
 IN SEQ BY WEED-KEY, THEN PARCEL UNIMPROVED

| ZONE | CITY CODE | LOCATION | PARCEL | KEY |
|-------------------------------|-----------|-----------------|--------------|-----|
| 04 | 143 | GARFIELD AVE | 6356 018 800 | 4 |
| 04 | 143 | GARFIELD AVE | 6356 018 801 | 4 |
| 04 | 143 | GARFIELD AVE | 6356 018 804 | 4 |
| 04 | 143 | 7165 E GAGE AVE | 6357 016 003 | 4 |
| 04 | 143 | GAGE AVE | 6357 016 025 | 4 |
| 04 | 143 | 7155 E GAGE AVE | 6357 016 026 | 4 |
| 04 | 143 | 7169 E GAGE AVE | 6357 016 028 | 4 |
| 04 | 143 | TELEGRAPH RD | 6367 034 804 | 4 |
| TOTAL VACANT/IMPROVED RECORDS | | | | 3 |
| TOTAL UNIMPROVED RECORDS | | | | 48 |
| TOTAL RECORDS | | | | 51 |

ABATEMENT ORDER _____

February 18, 2014

FOLLOWING THE PUBLIC HEARING HELD FEBRUARY 18, 2014, IN THE
MATTER OF RESOLUTION TO ABATE NOXIOUS WEEDS, RUBBISH, AND
REFUSE, THE CITY COUNCIL OF THE CITY OF COMMERCE, BY MOTION
ADOPTED AN ORDER DIRECTING THE AGRICULTURAL
COMMISSIONER/DIRECTOR OF WEIGHTS AND MEASURES TO ABATE THE
NUISANCE BY HAVING THE WEEDS, RUBBISH, AND REFUSE REMOVED.

CITY COUNCIL OF THE
CITY OF COMMERCE

BY _____
MAYOR

ATTEST:

BY _____
CITY CLERK



AGENDA REPORT

DATE: February 18, 2014

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: PUBLIC HEARING – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, AUTHORIZING THE ALLOCATION FOR THE 40TH YEAR OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2014/2015

RECOMMENDATION:

1. Open the public hearing.
2. Close the public hearing.
3. Approve the resolution authorizing the allocation for the 40th year of Community Development Block Grant (CDBG) funds for Fiscal Year 2014/2015.

MOTION:

Move to approve the recommendation.

BACKGROUND:

The City of Commerce is a participant city in the County of Los Angeles Small Cities Block Grant Program that distributes Federal Community Development Block Grant (CDBG) Funds. Each year, the City receives an allocation of funding administered by the Community Development Commission of Los Angeles County for programs and projects that benefit low to moderate-income persons. The allocation for fiscal year 2014/2015 is estimated to be \$120,186 which includes a reduction of \$2,093 from last year's allocation of \$122,279. The new Fiscal Year 2014/2015 allocation of \$120,186 and unprogrammed funds from the current fiscal year will be utilized to fund the proposed Fiscal Year 2014/2015 CDBG projects.

To encourage citizen participation, this public hearing is being conducted, prior to the selection of programs and projects to be funded. A resolution from the City Council authorizing the allocation of the Community Development Block Grant Funds is the method the City uses to demonstrate City approval and adoption, which is then forwarded to the Community Development Commission of Los Angeles County.

ANALYSIS:

The City has provided funding for a variety of programs and projects over the years, which has included Home Preservation Grant programs, Community Policing, Code Enforcement and street and sidewalk reconstruction. Following is a list of continuing programs that are being recommended for funding in Fiscal Year 2014/2015.

Continuing Projects/Programs:

- **Home Preservation Grant Program**
CDBG funds provide grants to income-qualified households throughout the City with up to \$20,000 to conduct code compliant home improvement repairs such as painting, plumbing, roofing and windows.
- **Code Enforcement Program**
CDBG funds will be used to pay personnel cost, purchase equipment, hardware and software license(s) renewal for Code Enforcement staff to conduct activities,

including the collection of housing and other code violation case data located in the northern portion of the City located in low/mod Census Tract 5323.02 (Bristow, Ayers and Bandini), Census Tract 5323.03, Block Group 3 (Rosini area) and within the southern portion of the low/mod Census Tract 5323.04, Block Group 1 (Veterans Park and Lanto areas).

- **Community Based Policing Program**
 CDBG funds are used to pay for Los Angeles County Sheriff's Department services and Community Policing equipment and vehicle expenses for crime prevention program activities.

TABLE 1

| CONTINUING AND NON-CONTINUING PROGRAMS/PROJECTS | FY 2013/2014 CDBG Budget | FY 2014/2015 CDBG Budget | Total 2 Year Funding | CDBG Project Account No. |
|---|--------------------------|--------------------------|----------------------|--|
| <i>Continuing Projects/Programs</i> | | | | |
| Home Preservation Grant Program; Construction and Program Admin. | \$63,000 | \$95,000 | \$158,000 | 29-2910-71715-10337 |
| Code Enforcement Program; Personnel Cost, Equipment and Software | \$5,000 | \$10,000 | \$15,000 | 29-2910-80210.10703 |
| Community Based Policing Program; Sheriff Services, Vehicle Maintenance and Equipment | \$14,279 | \$15,186 | \$29,465 | 29-3035-54050; 29-3035-62090-10040 & 29-3035-80300 |
| <i>Non-Continuing Projects/Programs</i> | | | | |
| Ferguson Drive ADA Curb Cuts Project; Services | \$40,000 | \$0 | \$40,000 | 29-2920-57071.10392 |
| Total CDBG Funding: | \$122,279 | \$120,186 | \$242,465 | |

FISCAL IMPACT:

CDBG funds are Federal funds allocated to the City through the Community Development Commission of Los Angeles County. They provide an additional source of revenue to fund needed programs and reduce the impact to the General Fund.

RELATIONSHIP TO THE STRATEGIC GOALS:

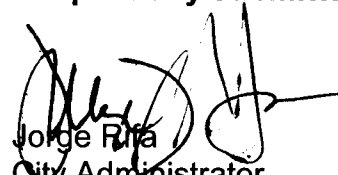
This agenda item relates to the 2012 strategic planning goal: "Protect and Enhance the Quality of Life in the City of Commerce," as it addresses an environmental issue of concern important to the community.

Recommended by:



Alex Hamilton
 Assistant Director of Community Development

Respectfully submitted,



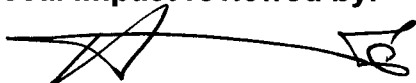
Jorge Rifa
 City Administrator

Prepared by:



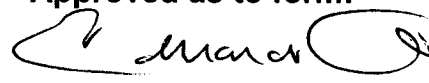
Viviana Molinar
 Community Development Assistant

Fiscal impact reviewed by:



Vilko Domic
 Director of Finance

Approved as to form:



Eduardo Olivo
 City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, AUTHORIZING THE ALLOCATION FOR THE 40TH YEAR OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR FISCAL YEAR 2014/2015

WHEREAS, the Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments the resources to meet the needs of persons of low to moderate-income; and

WHEREAS, the City of Commerce contracts with the Los Angeles County Community Development Commission for disbursement of Community Development Block Grant Funds, through the Small Cities Program; and

WHEREAS, the City of Commerce will receive an estimated total of \$120,186 in Fiscal Year 2014/2015 in Community Development Block Grant Funds and will also utilize any unprogrammed funds from the current fiscal year to budget these projects; and

WHEREAS, the City Council has conducted a public hearing and the required prior noticing to provide the public an opportunity to comment on the Fiscal Year 2014/2015 programs proposed for the Community Development Block Grant Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEARBY RESOLVE AND ORDER AS FOLLOWS:

Section 1: The City Council approves the Community Development Block Grant (CDBG) Program Budget for Fiscal Year 2014/2015 and instructs staff to submit the necessary documents and a copy of this Declaration to the Los Angeles County Community Development Commission for approval of the 2014/2015 CDBG Project funding as follows:

| CONTINUING PROGRAMS/PROJECTS | FY 2014/2015 CDBG Budget | CDBG Project Account No. |
|--|---------------------------------|--|
| <i>Continuing Projects/Programs</i> | | |
| Home Preservation Grant Program; Construction and Program Admin. | \$95,000 | 29-2910-71715-10337 |
| Code Enforcement Program; Personnel Cost, Equipment and Software | \$10,000 | 29-2910-80210.10703 |
| Community Based Policing Program; Sheriff Services, Vehicle Maintenance and Equipment | \$15,186 | 29-3035-54050; 29-3035-62090-10040 & 29-3035-80300 |
| Total FY 2014/2015 CDBG Allocation: | \$120,186 | |

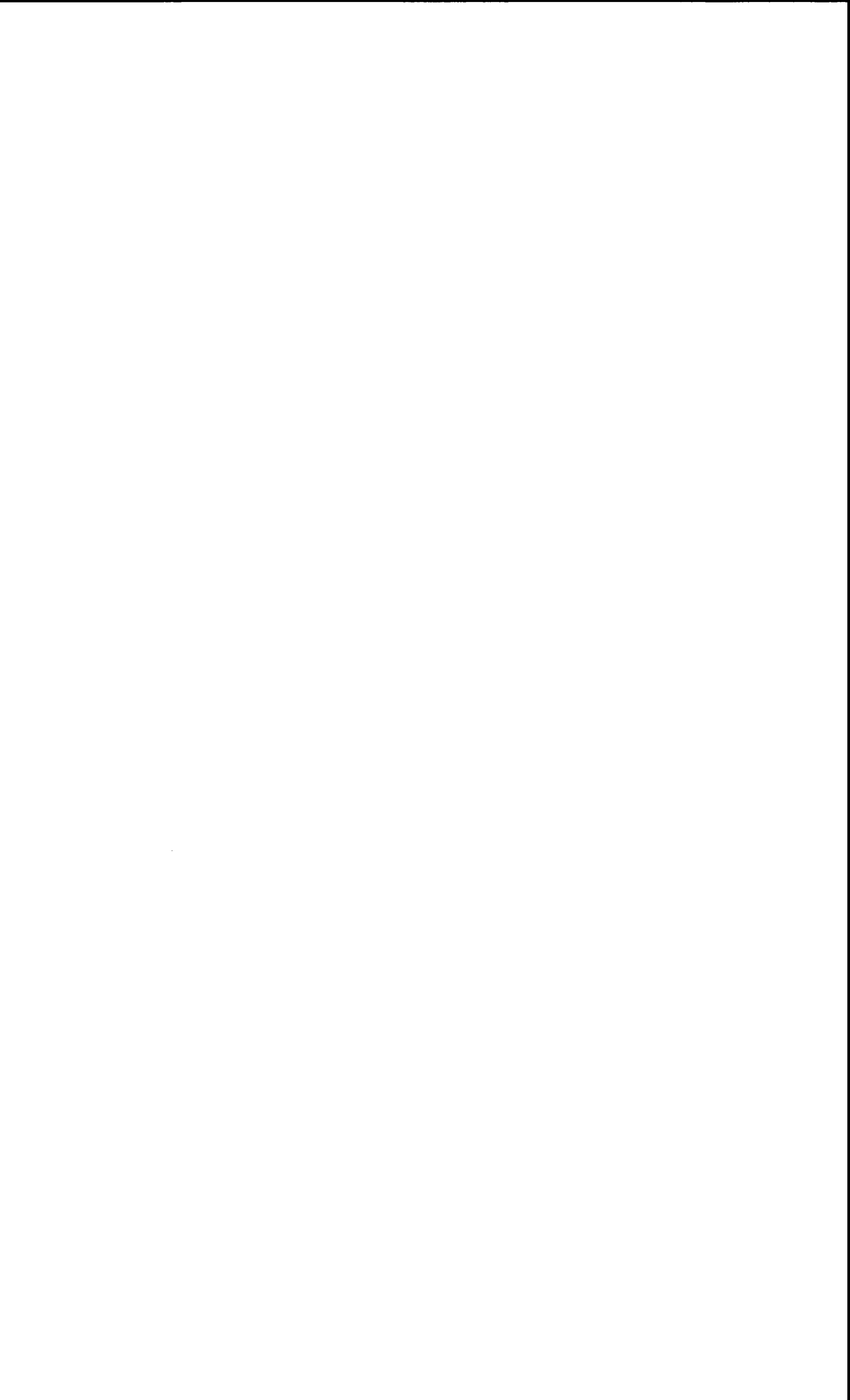
Section 2: The City Council authorizes staff to adjust the Program Budget, as needed throughout the program year and to take into account the final amount of funding awarded to the City in addition to any amounts remaining unspent at the close of the fiscal year.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2014

Joe Aguilar
Mayor

ATTEST:

Victoria M. Alexander
Deputy City Clerk





AGENDA REPORT

MEETING DATE: February 18, 2014

TO: HONORABLE CITY COUNCIL/SUCCESSOR AGENCY
FROM: CITY ADMINISTRATOR/EXECUTIVE DIRECTOR
SUBJECT: REVIEW OF THE CITY'S FINANCIAL STATUS AS OF DECEMBER 31, 2013,
APPROVAL OF ADJUSTMENTS TO THE FISCAL YEAR 2013-14 BUDGET

RECOMMENDATION:

Take the appropriate action(s) with respect to the mid-year review of the approved Fiscal Year 2013-14 Budget.

MOTION:

Move to approve the recommendation.

PURPOSE:

The purpose of this report is to provide the City Council with a review of the City's financial status as of December 31, 2013, and to request Council approval of mid-year adjustments to the Fiscal Year (FY) 2013-14 approved Budget using FY 2012-13 surplus funds.

Moreover, this report is intended to provide the City Council with an accurate as possible picture of how the City's General Fund is operating six months into the fiscal year based on the original revenue and expenditure estimates. The middle of the fiscal year is also a good time to consider whether expenditures, outside the realm of the original approved budget, have surfaced which would potentially jeopardize the current budget authority and thus, require Council action of appropriate budgetary adjustments.

BACKGROUND:

Normally, the Finance Department asks each department to review their existing budgetary appropriations to determine whether any changes need to be made as a result of unanticipated costs that may have occurred thus far during the fiscal year thru six months. As a result of that review conducted during the past several weeks, it was determined that although most departments are able to absorb the majority of unanticipated costs through budgetary savings in other areas, there are some expenditures that will cause several departments to be in jeopardy of overspending their budgets by year-end.

GENERAL CITY'S FINANCIAL STATUS:

After several years of being the conveyor of bad news, I wanted to inform the City Council and the community that the General City has ended off on a positive note for two consecutive years.

Status of the City's General Fund thru December 31, 2013

| <u>Revenues</u> | <u>FY 2012-13</u> | <u>FY 2013-14</u> | <u>Variance</u> |
|----------------------------|--------------------------|--------------------------|------------------------|
| Taxes | \$6,174,910 | \$6,516,690 | \$341,780 |
| Licenses & Permits | \$1,213,527 | \$1,841,824 | \$628,297 |
| Fines & Penalties | \$ 164,791 | \$ 141,759 | \$(23,032) |
| Use of Money | \$ 19,260 | \$ 44,367 | \$ 25,107 |
| Other Agencies | \$ 517,799 | \$ 537,405 | \$ 19,605 |
| Activities Fees | \$ 231,972 | \$ 209,603 | \$(22,369) |
| Other Revenues | \$1,050,741 | \$1,211,805 | \$161,064 |
| Transfer from Other Funds | <u>\$ 165,000</u> | <u>\$ 165,000</u> | <u>\$ 0</u> |
| Total | \$18,266,101 | \$19,196,810 | \$930,709 |
| | | | |
| <u>Expenditures</u> | <u>FY 2012-13</u> | <u>FY 2013-14</u> | <u>Variance</u> |
| City Council | \$ 64,376 | \$ 62,472 | \$(1,904) |
| Administration | \$ 325,804 | \$ 379,729 | \$ 53,925 |
| City Clerk | \$ 144,050 | \$ 130,973 | \$(13,077) |
| Legal Services | \$ 131,973 | \$ 235,651 | \$ 103,678 |
| Human Resources | \$ 446,650 | \$ 458,963 | \$ 12,313 |
| PIO / Graphics | \$ 269,160 | \$ 278,138 | \$ 8,978 |
| Finance / Info Technology | \$ 868,413 | \$ 875,973 | \$ 7,560 |
| Public Wks & Dev Services | \$2,513,908 | \$3,035,536 | \$ 521,628 |
| Community Services | \$8,162,015 | \$7,481,609 | \$(680,406) |
| Library Services | \$1,280,448 | \$1,402,123 | \$ 121,675 |
| Parks & Recreation | \$3,851,613 | \$4,017,521 | \$ 165,908 |
| General Services | <u>\$5,846,412</u> | <u>\$4,936,841</u> | <u>\$(909,571)</u> |
| Total | \$23,904,412 | \$23,295,533 | \$(608,879) |

DISCUSSION / ANALYSIS:

Phase I -- Back in June, staff projected a surplus of approximately \$2.8 million. With an understanding that this would be a safe figure to base their decisions on, the City Council approved **\$2,627,926** for seven one-time items that staff believed were necessary to fund. The items were as follows:

| | |
|-------------------------------|-------------|
| ➤ Bristow Street Improvements | \$1,000,000 |
| ➤ Capital Outlay items | \$ 697,926 |
| ➤ Transfer to the Water Fund | \$ 450,000 |
| ➤ Water Fund Operating Loss | \$ 240,000 |
| ➤ Watershed Mgmt Program | \$ 180,000 |
| ➤ Organizational Study | \$ 50,000 |
| ➤ Catch Basin Screens | \$ 10,000 |

Phase II – On October 15, 2013, staff returned before the City Council with an updated discretionary surplus amount of approximately **\$4.5 million**. The City Council authorized funding (totaling **\$1,428,581**) for additional six items:

| | |
|--|-----------|
| ➤ Technology Infrastructure Upgrade | \$875,000 |
| ➤ Facility/Park Camera Surveillance System Upgrade | \$250,000 |
| ➤ Camp Commerce Improvements | \$150,000 |
| ➤ Grant Writing Initiatives | \$ 50,000 |
| ➤ Holiday Decoration Enhancements | \$ 50,000 |
| ➤ Miscellaneous Info Technology items | \$ 53,581 |

Phase III – With a definitive surplus amount conveyed at the February 4th meeting of \$4,838,498, staff was prepared to return to the Council with additional recommendations for funding. They are as follows:

General Services

| | |
|-----------------------|-----------|
| ➤ Public Opinion Poll | \$ 50,000 |
|-----------------------|-----------|

Library Services (\$39,500)

| | |
|---|----------|
| ➤ Replacement Chairs for Staff (22@\$300 each) | \$ 6,600 |
| ➤ Disc Cleaner for repairing DVD and Blu-Ray Discs | \$ 6,500 |
| ➤ Two Patio Wall Heaters | \$ 5,000 |
| ➤ Motorized Sunscreen over Transom | \$ 5,000 |
| ➤ Book drop in Front Entrance of Atlantic Library | \$ 5,000 |
| ➤ Replacement Book Carts (6@\$500 each) | \$ 3,000 |
| ➤ Replacement - Family Learn & Play Time equip/supplies | \$ 2,500 |
| ➤ Stackable Library Chairs - Greenwood | \$ 2,500 |
| ➤ Polyurethane Task Chairs with Casters (4@\$292 each) | \$ 1,300 |
| ➤ Carpet Chair Mats Clear (20@\$55 each) | \$ 1,100 |
| ➤ Desk for Branch Supervisor - Greenwood | \$ 1,000 |

Parks & Recreation (\$388,590)

| | |
|---|-----------|
| ➤ Supplemental Filtration system – Aquatic Center Small Pool | \$300,000 |
| ➤ Complete repairs to the perimeter fence - Bristow Park | \$ 25,000 |
| ➤ Repair a leaky fire line - Veterans Park | \$ 15,000 |
| ➤ Reimbursement - landscaping improvement at Atlantic Library & Pacific Mini Park | \$ 15,000 |
| ➤ Reimbursement – purchase of 2 ice machines - Rosewood Park | \$ 14,500 |
| ➤ Reimbursement to replace a broken slide at Bristow Park | \$ 5,000 |
| ➤ Aquatorium clarifier | \$ 5,000 |
| ➤ Cost to replace two backflow devices that were stolen | \$ 3,000 |
| ➤ Reimbursement to repair commercial refrigerator – Sr. Center | \$ 2,500 |

- New compressor for Senior Center Refrigerator \$ 1,890
- Replacement of a deep fryer - Rosewood Park Snack Bar \$ 1,700

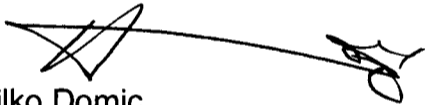
In summary,

| | |
|---|--------------------|
| Fiscal Year Surplus | \$4,838,498 |
| Phase I Approved Items (June 2013) | \$2,627,926 |
| Phase II Approved Items (Oct 15, 2103) | \$1,428,581 |
| Four Passenger Vans (Jan 7, 2014) | \$ 152,382 |
| Phase III Recommended Items (Tonight) | <u>\$ 478,090</u> |
| Total | \$4,686,979 |
| | |
| Remaining Surplus | \$ 151,519 |

FISCAL IMPACT:

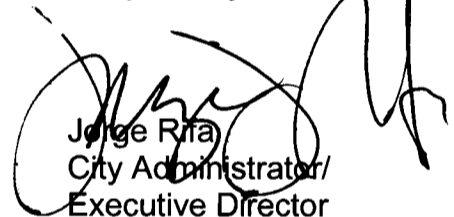
Recapping the actions that have been authorized to-date, and the one proposed for this evening, would amend the FY 2013-14 approved budget by **\$4,686,979**. These authorized actions would leave approximately **\$151,519** that can either be set-aside to address unforeseen costs that may arise for the remainder of the fiscal year, or allocate the remaining amount to the Telegraph Road or the Central Library Improvement Projects as a contingency.

Recommended by:



Vilko Domic
Director of Finance/City Treasurer

Respectfully submitted,



Jorge Rifa
City Administrator/
Executive Director

Approved as to Form



Eduardo Olivo
City Attorney/Commission Counsel



AGENDA REPORT

MEETING DATE: February 18, 2014

TO: Honorable City Council
FROM: City Administrator & City Attorney
SUBJECT: DISCUSSION REGARDING RESULTS OF INVESTIGATION OF ALLEGATIONS CONTAINED IN ANONYMOUS LETTER DATED JUNE 15, 2013

RECOMMENDATION:

City Council discretion

MOTION:

City Council discretion

INTRODUCTION:

At the July 16, 2013, City Council meeting, the City Council requested that the City look into allegations contained in an anonymous letter dated June 16, 2013 that was transmitted to the City Clerk's Office by email dated June 15, 2013 and read into the record during public comment at the City Council meeting on July 16, 2013. [A copy of the letter is attached.] The letter complained of harassment toward several City employees by Councilmember Denise Robles' husband, Richard Robles, when the employees, while on duty, shopped at the Commerce Home Depot. The letter also indicated that the employees are afraid of Councilmember Robles because, after she became a Councilmember, she harassed and intimidated an employee that had been hired for a position that Councilmember Robles had applied for before being elected.

On October 10, 2013, the City Council approved an agreement with an attorney/investigator, Betty Kelepecz of Public Safety Consulting, Inc., who specializes in personnel investigations for governmental agencies. The investigation has been completed. The investigator prepared a report, which was directed to the City Attorney. A redacted version of the investigation report is attached (the "Report").¹

OVERVIEW:

In summary, the investigator concluded that the substance of the interviews that she conducted did not amount to violations of state and/or federal law with respect to harassment. The investigator also concluded that it was unnecessary to interview Councilmember Robles, Mr. Robles, or other potential witnesses.

Several of the witnesses interviewed stated to the investigator that comments made by Councilmember Robles and Mr. Robles (separately and individually) had negative or insinuating tones which made the encounters with Councilmember Robles and Mr. Robles feel uncomfortable. See report pages: 4, 5, 7, 8, 11, 12, 13, 14, 15, 16 and 17

¹ Parts of the Report have been redacted in an effort to protect the identity and privacy of the witnesses that were interviewed. The full Report remains a confidential and privileged document

Agenda Report - February 18, 2014
Discussion Regarding Results of Investigation of
Allegations Contained in Anonymous Letter
Dated June 15, 2013
Page 2 of 2

The City Council may discuss this item. The Council may, if it desires, provide, Councilmember Robles with the opportunity to provide her written response to the statements and Report. Councilmember Robles on her own volition may also choose to provide comment.

FISCAL IMPACT:

The cost of the Investigator's fee came to \$8,248.


Eduardo Olivo
City Attorney


Jorge Rifa
City Administrator

June 16, 2013

Joe Aguilar, Mayor
Lela Leon, Mayor Pro Tem
Tina Baca Del Rio, City Councilmember
Ivan Altamirano, City Councilmember

**WE ARE EMPLOYEES OF THE CITY OF COMMERCE AND ASK THAT THIS LETTER BE READ AS
PART OF PUBLIC COMMENTS DURING THE CITY COUNCIL MEETING FOR JULY 16, 2013**

For about one year now, we have been harassed, off and on, by Richard Robles, an employee of Home Depot in Commerce and the husband of City Councilmember Denise Robles.

As part of our jobs we are required to go to Home Depot to pick up materials that may be needed for the City. We do this as City employees. On several occasions, as we are trying to do our jobs, we have been confronted by Richard Robles, who happens to work for Home Depot. As an example, when we were preparing for the Miss Commerce Pageant, we needed to buy certain materials from Home Depot for the event. He saw us and made comments to us such as "don't you think you are taking too much?" and "are you taking some of the materials to your home?" He also stares at us and points to his watch, as if to tell us that we are taking too much time in doing our jobs. On other occasions he has made comments about political matters that are critical of other City Councilmembers and the City.

After a few of these occasions, we were told by our supervisor that he was aware that we had gone to Home Depot and that we had been asked questions by Richard Robles. We understand

that Councilmember Denise Robles made these calls to our supervisor after speaking to her husband about the comments that he made.

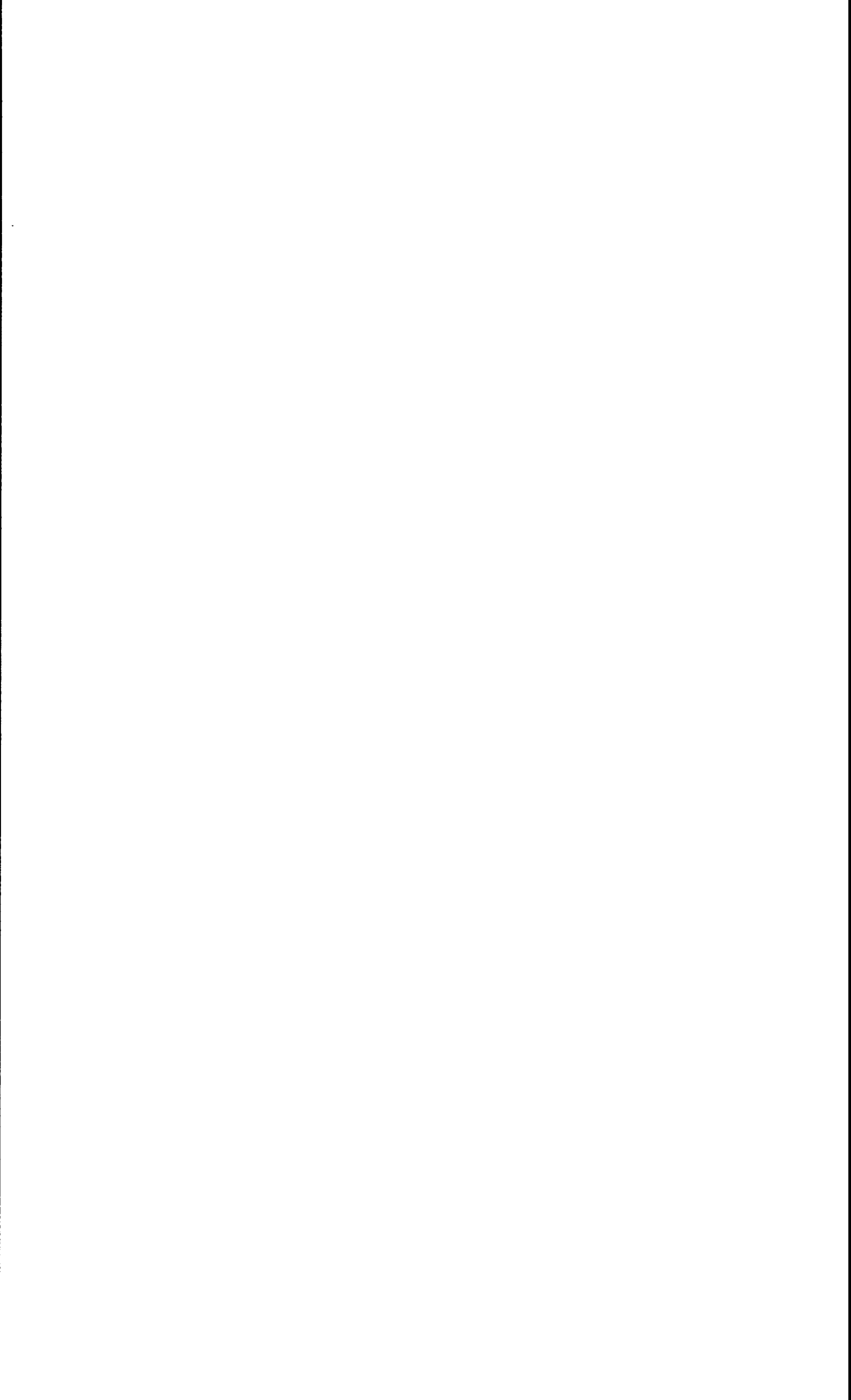
We started to go to the Home Depot in the City of Pico Rivera so that we could avoid Mr. Robles. We did not want to travel farther and buy goods in another city but we felt that we had no choice. We later started to check to see when Mr. Robles was working so that we could go to the Home Depot in Commerce and avoid him.

We are very insulted and bothered by Mr. Robles's conduct and his comments. He is accusing us of stealing City property and of not doing our jobs. We would like to say something to him but because he is the husband of Councilmember Denise Robles, we are afraid for our jobs. We have seen Councilmember Robles and heard stories about her mistreating and threatening City employees. We know that before she became a Councilmember she had applied for a part-time job for the City that she did not get. When she became a Councilmember she then harassed and intimidated the employee that had gotten the job until she left the City. We are afraid that we will be treated the same way if she finds out who we are and that we have complained about the mistreatment by her husband. We have thought about staying quiet but feel like we are safer if the truth is known to everyone. We have complained to our supervisor but we think he's also concerned with the unknown backlash that may result from Councilmember Robles and her husband. We think he is also afraid of Councilmember Robles and do not blame him. We feel as if we are walking on egg shells when she is at city hall.

Mr. Mayor and the City Council, we ask that you do something about this situation. We ask that you protect us, prevent this harassment and bullying from continuing. We trust that we will be safe with you. Please do not allow us to be treated like this by Councilwoman Robles and her husband. Please help us!!!

Yours truly.

Very concerned City of Commerce Employees



**CITY OF COMMERCE
INVESTIGATIVE REPORT
CONFIDENTIAL ADMINISTRATIVE INVESTIGATION
RE: ANONYMOUS COMPLAINT DATED JUNE 16, 2013**

I. COMPLAINT

Anonymous complaint of harassment toward City employees by the husband of City Councilmember Denise Robles

II. INTRODUCTION AND BACKGROUND

On March 9, 2011 Denise M. Robles was elected to the Commerce City Council. Councilmember Robles' husband Richard Robles is an employee of the Home Depot located in the City of Commerce. On Monday, June 15, 2013 an email from Steve Lopez [rosewood_bandini@aol.com] was sent to Victoria Alexander in the Commerce City Clerk's Office with a cc: to Mayor Joe Aguilar; Councilmember Ivan Altamirano; Mayor Pro Tem Lilia R. Leon; and Councilmember Tina Baca Del Rio (Addendum 1) requesting that the attached document be read at the council meeting. The attached three page document dated June 16, 2013 and addressed to the Mayor Aguilar, Mayor Pro Tem Leon, City Councilmember Baca Del Rio and Councilmember Altamirano complained of harassment toward several City employees by Councilmember Robles' husband Richard Robles when the employees, while on-duty shopped at the Commerce Home Depot. The document also indicated that the employees are afraid of Councilmember Robles because when she became a councilmember she harassed and intimidated an employee that had been hired for a position that Councilmember Robles had applied for before being elected. The email indicated that the author(s) wished to remain anonymous until they felt safe and knew that the Council would protect them. The letter further requested that the letter be read as part of public comments during the City Council meeting for July 16, 2013 (Addenda 2A-C).

According to Human Resources Director Michael A. Casalou, no current employee at City of Commerce is named Steve Lopez. Also according to Casalou, the anonymous letter was read in the public comment section of the City Council meeting July 16, 2013 and an investigation into the complaint was directed.

On October 15, 2013, the City Council authorized the investigation and the City of Commerce commissioned the services of Public Safety Consulting, Inc. to conduct an independent administrative investigation of the allegations contained in the letter. I, Attorney/Investigator Betty Kelepez was assigned the investigation.

At the outset of the investigation, I discussed with Human Resources Director Michael A. Casalou whether confidentiality admonishments were to be given during this investigation. Since the complaint involved concerns of retaliation against the employees because they were making a complaint against a City Councilmember and her husband, the City wished to limit the possibility of retaliation. Therefore, a confidentiality notice was to be given to all those interviewed.

III. COMPLAINANT

A typewritten anonymous complaint alleging harassment was e-mailed to City employee Veronica Alexander, the Mayor, Mayor Pro Tem and two council members on June 15, 2013.

IV. WITNESSES


[REDACTED]




V. INVESTIGATION

I received from the City the following documents:

- E-mail string dated June 15, 2013 from Steve Lopez to Veronica Alexander and four others, Subject: Fwd: PLEASE HELP US(Addendum 1)
- Letter dated June 16, 2013 to Joe Aguilar, Mayor and three others re: We are employees of the City of Commerce and ask that this letter be read as part of public comments during the City Council meeting for July 16, 2013 (Addenda 2A-C)
- Three pages of potential witnesses numbering approximately 30 employees (Addenda 3-5)

I received and reviewed the documents and noted that approximately 30 employees in the Public Works and Parks and Recreation Departments are authorized to purchase/pick-up items or obtain them from the Home Depot. On October 24, 2013, I met with Human Resources Director Mike Casalou and Parks and Recreation Director Scott Wasserman to further identify and schedule possible witnesses. I learned from Wasserman that the Miss Commerce event that was mentioned in the letter is planned by employees of the Parks and Recreation Department. The letter also stated that the employees had complained to their supervisor of the contacts with Mr. Robles. To best investigate the allegations and determine which witnesses to interview, I decided to first interview  supervisors from the Parks and Recreation department and then proceed based on what was learned in



Robles, was a councilwoman's husband. ██████ told him if they wanted to go to another location he did not have a problem with it. ██████ said Robles is a Home Depot employee and he has no authority over him. ██████ said he did not call Home Depot about Robles because "it could set off a whole different chain of events" because he is the councilwoman's husband.

██████████ said he did not hear anything about Robles for months and then ██████ came in his office. ██████ was upset because she was buying supplies for one of the City's events and Robles was questioning her about her purchases. ██████ felt Robles was insinuating she was buying things for herself and using City money, and that Robles was looking in her cart. ██████ told ██████ that that is just the way Robles is and he has a strange sense of humor. ██████ told ██████ to let it go and if anyone questioned what she bought she brought the receipt to ██████. ██████ said okay.

██████████ stated ██████ had been going to Home Depot for ██████. ██████ would call from the store and would use ██████ credit card over the phone. ██████ stated ██████ might have said something about Robles.

██████████ never talked to Robles or Councilwoman Robles about this issue because it went away as soon as it came up. ██████ said if it did not go away that quickly than his employees just stopped talking to him about it.

██████████ stated there was a period when Councilwoman Robles was first in office that she would come unannounced into the Parks and Recreation Department offices. ██████ said it seemed to be coincidental that every time she came in there would be some kind of complaint back to administration afterward that employees ██████ were talking too much or not looking productive. ██████ said the unannounced visits continued for a while but no one was disciplined or received counseling as a result. ██████ told ██████ that Councilwoman Robles had applied for a job as a clerk with the Parks and Recreation Department but did not get it.

██████████ said he heard of a number of instances that took place at social services involving Councilwoman Robles coming through the office area and ██████, may have additional information.

██████████ stated that in his ██████ years with Commerce he has seen council members fire directors for no reason. ██████ said in ██████ he was not in a civil service position and one of the council members wanted to get rid of ██████ because ██████. ██████ stated he was not afraid of Councilwoman Robles but he could feel a little uncomfortable with her sometimes. Councilwoman Robles joked about ██████ salary saying things like, "██████████ makes enough money, he'll donate his salary" or "He'll pay for this" or "He'll give his check back." ██████ said she has done this with other executive staff as well, but it is just her weird sense of humor.

[REDACTED]

[REDACTED] said during the Miss Commerce Pageant the following employees would go to the Home Depot: [REDACTED], and other supervisors.

[REDACTED] said when Robles was making the comments at Home Depot, the council was unified. Now four or five council members are being recalled and everyone is pointing fingers at each other.

[REDACTED] said [REDACTED] did not know who wrote the letter and did not have any suspicions. [REDACTED] stated neither [REDACTED] nor [REDACTED] wrote the letter, but possibly a resident of the City of Commerce. [REDACTED] said it appears they are capitalizing on all the political in-fighting that is occurring.

[REDACTED] stated he is concerned about retaliation.

[REDACTED] Parks and Recreation Department, City of Commerce

I interviewed [REDACTED] on Friday, November 1, 2013, at 10:19 a.m., at 2535 Commerce Way, Commerce, CA. The interview was recorded on Digital Tape Record No. 131101-004.

[REDACTED] has been working with the City of Commerce [REDACTED]

[REDACTED] stated that within the last year they were working on a specific event and [REDACTED] who handles [REDACTED] told [REDACTED] that she felt uncomfortable going to Home

██████████ stated she heard the anonymous letter as it was read in front of the city council meeting. ██████████ said people asked her if she wrote the letter, and although information in the letter she had mentioned to others, she did not write the letter. ██████████ did not know who wrote the letter. ██████████ heard that Steve Lopez wrote the letter, but she did not know who Steve Lopez was.

██████████ said approximately one year ago, on several occasions at the Home Depot, she had contact with Mr. Robles. ██████████ does a lot of the ██████████ for City events and purchases the supplies at Home Depot. Last year she was shopping for a ██████████, when Robles approached her and questioned her about the supplies she was buying. Robles asked ██████████ if she was insulating a room or something at home, which ██████████ felt was insinuating the purchase was for personal use and not for the City. ██████████ told Robles the ██████████ was for work. ██████████ said she was uncomfortable with his questions. She told Robles that she has seen him at the ██████████, and the ██████████ is what she used to make the sign at the Miss Commerce Pageant.

██████████ said on another occasion at the Home Depot, Robles looked in ██████████'s cart to see what she was buying. ██████████ said she felt uncomfortable with Robles looking through her supplies. ██████████ said the City gave her a credit card and she turned in her receipts. When she returned to work she told her supervisor, ██████████, what had occurred. ██████████ asked ██████████ if she was stealing, and ██████████ replied, "No." ██████████ asked ██████████ why she was concerned if she was not stealing, and that she did not have to explain anything to Robles. ██████████ said ██████████ "blew it off" like it was not a big deal.

██████████ stated one time at Home Depot her City credit card was declined so she called ██████████ and asked him to come and get her because she was uncomfortable with Robles looking in her cart to see what she was buying. ██████████ asked ██████████ to hurry and to bring his credit card because she did not want to stand around for too long. ██████████ told ██████████ to get in line and the cashier could put the charges on his card. Before ██████████ could get in line Robles checked her cart and made a comment about her purchasing a ██████████.

██████████ said she took two of her employees, ██████████, with her to Home Depot. ██████████ saw Robles come to the cart and check what ██████████ was buying. ██████████ was bringing the car around, but heard ██████████'s frustration when she got to the car.

██████████ said she feels like Robles is asking her what she is buying every time she is at Home Depot and she does not feel like she should have to explain things to him. ██████████ stated she has not reported the incidents to anyone at the Home Depot. Robles never talked about political matters with ██████████.

█ stated that █ has not experienced any behavior on the part of Councilwoman Robles that made █ uncomfortable. No one has mentioned to █ that they have felt retaliated against, bullied or harassed by Councilwoman Robles.

█ Parks and Recreation
Department, City of Commerce

I interviewed █, I.D. No. █ on Thursday, November 7, 2013, at 9:45 a.m., at 2535 Commerce Way, Commerce, CA. Present as █'s employee representative was █. The interview was recorded on Digital Tape Record No. 131107-002.

█

█ said █ had contact with a man at the Home Depot but █ didn't know who █ was. █ had heard that he was related to one of the council members. █ said that about two years ago around Cinco de Mayo, █ had to take one of █ workers, █ down to Home Depot to purchase an █. █ and █ went to the contractors' side check out and █ had to go back for something and left █ in line. When █ returned, █ saw someone helping █ out. █ could hear the man asking a lot of questions like, "What are these for?" The man was not rude. █ thought that it was unusual that the man was asking so many questions and as █ approached he could hear █ tell the man what they were doing; █. The man and █ were having a conversation going. █ said they paid for the items and left.

█ said that they had heard that there was a man at the Home Depot that was related to the Councilmember Robles and that he was going back to his wife the Councilmember with the information he got. The talk included concerns of retaliation.

As █ and █ walked out of the store, █ and █ looked at each other and said, "That's probably him." At that point █ and █ knew who it was that others were talking about. █ has not been the subject of any retaliation or inappropriate behavior from Councilwoman Robles.

█ said that █ goes to Home Depot and has never had an issue with Mr. Robles. █ said he knows that Mr. Robles works at the contractor side and most of the purchases █ makes are at the checkout stand. █ doesn't engage Mr. Robles in

█ stated that █ does not carry a City credit card so, when █ makes a purchase, █ has to take it to the counter and they call his supervisor █ to complete the purchase. █ said that there are two other gentlemen; one named █ that are very nice and have normal conversations. █ is never questioned by them in regards to █ purchases. However, with Mr. Robles it was more like █ wanted more information as far as what the purchase was for or why it was being done and it made █ feel uncomfortable.

█ said one time after Mr. Robles questioned █, █ suggested to █ that they should start going to the Home Depot in Pico Rivera because it would make things easier. █ then learned that Mr. Robles didn't start work until 9:00 a.m. so █ would try to go to the Home Depot in the early mornings when Mr. Robles was not around in an attempt to avoid Mr. Robles.

█ said that there were a couple times he went to the Home Depot in Pico Rivera and in Downey because they didn't have the materials at Commerce. It was not to avoid Mr. Robles.

█ said █ did not report █ concerns with Mr. Robles to Home Depot because █ is a City employee there for work reasons and therefore is representing the City. █ said that a City doesn't complain about employees. █ said it wasn't █ place to do that to people.

█ said that the last time █ recalled a similar contact with Mr. Robles at the Home Depot was before July 4, 2013. After the Fourth of July, █ contacts were more casual saying, "How ya doing █?" and everything has been normal the way it should have been.

█ said that no one has ever come to █ telling █ anything about Robles. █ did not know who was responsible for the anonymous letter. █ said the only person █ spoke to about his experiences with Mr. Robles at the Home Depot was █. █ did not believe █ ever told █ about █ experiences. █ may have made a comment to █ that █ was glad Richard Robles was not there that day.

█ said that █ has never had an issue with Councilmember Robles. █ described Councilmember Robles as blunt and forward in her mannerisms. █ said █ adjusts █ own attitude to respond to her. █ said since █ already knows how she is going to be or where she is coming from, █ just says "yes," and "no problem" and goes forward.

█ stated that █ is a █ resident of the City of Commerce. According to █, being a resident means that you have to be "on work" 24/7, every day, all the time. █ feels like no matter where █ goes █ behavior is always being scrutinized. █ feels like no matter █ attire, people automatically assume that █ on the clock. █ said █ doesn't

feel bullied, harassed or anything but feels that there are those that have opinions against [REDACTED].

[REDACTED] Parks and Recreation
Department, City of Commerce

I interviewed [REDACTED], Thursday, November 7, 2013, at 10:18 a.m., at 2535 Commerce Way, Commerce, CA. The interview was recorded on Digital Tape Record No. 131107-007.

[REDACTED] stated that [REDACTED] has not personally had contact with Mr. Robles at the Home Depot. [REDACTED] said that one of the [REDACTED], [REDACTED] has had contact with him. [REDACTED] said that [REDACTED] goes to Home Depot to do shopping. [REDACTED] the [REDACTED] City credit card. Once [REDACTED] gets to the check-out stand, [REDACTED] calls [REDACTED] and [REDACTED] makes the purchase over the phone. In passing, about four months prior, [REDACTED] mentioned that [REDACTED] was made to feel uncomfortable by the council member's husband; looking in his basket, keeping an eye on [REDACTED], checking the time, looking at his watch, etc. [REDACTED] has told [REDACTED] not to worry about it because [REDACTED] is doing his job and [REDACTED] knows exactly what [REDACTED] is doing.

[REDACTED] said that [REDACTED] overheard a conversation where [REDACTED] was complaining that [REDACTED] was made to feel uncomfortable while at Home Depot. [REDACTED] described Mr. Robles as "nosy."

[REDACTED] said that Councilmember Robles is very nice to [REDACTED]. However, Councilmember Robles made [REDACTED] feel uncomfortable when [REDACTED] first became a councilmember. [REDACTED] described her as very involved and active. [REDACTED] said that Councilmember Robles constantly visits their departments. When Robles does she says things like, "Oh, there must be a party here" insinuating that they weren't working. [REDACTED] said that [REDACTED] has learned to believe that it is just Councilmember Robles' personality. [REDACTED] has never felt harassed by Councilmember Robles.

[REDACTED] stated that about six months to one year ago [REDACTED] and [REDACTED] expressed their concerns about Councilmember Robles to [REDACTED]. They asked [REDACTED] why Councilmember Robles "says things like that." No one to [REDACTED]'s knowledge has gotten in trouble, been counseled or been disciplined as a result of Councilmember Robles. However, [REDACTED] and the others have been warned by their director not to congregate or have meetings in public view.

toward one person in particular but are comments made to the group of whoever is present at the time and insinuating that they are either not working or are being lax and not doing their job. [REDACTED] said that neither [REDACTED] nor the other [REDACTED] have reported their discomfort to anyone; it's just "water cooler talk amongst ourselves." [REDACTED] said that it would be a different story if her comments came with some positive but, Councilmember Robles' comments are negative all the time. [REDACTED] said that it is awkward.

[REDACTED] Parks and Recreation Department, City of Commerce

I interviewed [REDACTED], Thursday, November 7, 2013, at 11:05 a.m., at 2535 Commerce Way, Commerce, CA. The interview was recorded on Digital Tape Record No. 131107-004.

[REDACTED]

[REDACTED] said that [REDACTED] has been to the Home Depot while not working and has been assisted by Mr. Robles to [REDACTED]. Mr. Robles was helpful. [REDACTED] never felt uncomfortable. [REDACTED] was not in uniform and Mr. Robles did not ask [REDACTED] any uncomfortable questions. No one has mentioned to [REDACTED] that they had a negative encounter at Home Depot.

[REDACTED] stated that about one year ago, Councilmember Robles made [REDACTED] feel uncomfortable in her workplace. [REDACTED] said that Councilmember Robles used to come in very frequently and make comments while [REDACTED] was sitting there like, "Is anybody here?" or "Oh, he's off again," referring to the director. [REDACTED] said it was a negative vibe. [REDACTED] said that Councilmember Robles' comments have slowed down. [REDACTED] did not complain to anybody about the councilmember's comments. [REDACTED] and [REDACTED] co-workers [REDACTED] and [REDACTED] would talk about it amongst themselves. [REDACTED] said that [REDACTED] did not feel harassed, intimidated, threatened, bullied or mistreated by Councilmember Robles or her comments. [REDACTED] said she was just annoyed.

[REDACTED] heard mention that Robles had applied for a position in their office six years prior. [REDACTED] was not involved in the selection.

[REDACTED] stated that other employees are uncomfortable around Councilmember Robles. [REDACTED] said [REDACTED] is on the [REDACTED]. Recently, at the Halloween party in the City building, [REDACTED] had difficulty keeping people in the room because Councilmember Robles attended and employees felt like Robles was watching their time.

██████████ said she has never felt threatened by Councilmember Robles; ██████████ just feels uncomfortable and becomes quiet when Robles is around. ██████████ and ██████████ co-workers have had conversations about Councilmember Robles' odd behavior.

██████████ recalled a non-specific conversation about Councilmember Robles where Robles had said something about not getting the job to someone. ██████████ described it as hearsay. ██████████ did not witness the comment.

WITNESS LIST

| Name | Date & Time | Digital Record No. | Page |
|------------|--------------------|--------------------|------|
| ██████████ | 11-7-13 10:18 a.m. | 131107-007 | 13 |
| ██████████ | 3 9:45 a.m. | 131107-002 | 10 |
| ██████████ | 13 11:40 a.m. | 131101-005 | 9 |
| ██████████ | 3 2:08 p.m. | 131107-008 | 14 |
| ██████████ | 3 9:37 a.m. | 131101-002 | 4 |
| ██████████ | -1-13 11:04 a.m. | 131101-003 | 7 |
| ██████████ | 11-7-13 11:05 a.m. | 131107-004 | 16 |
| ██████████ | 11-1-13 10:19 a.m. | 131101-004 | 6 |
| ██████████ | 11-7-13 1:20 p.m. | 131107-007 | 11 |
| ██████████ | 11-7-13 12:34 p.m. | 131107-006 | 16 |

██████████ 11-7-13 11:47 a.m.

131107-005

15

ADDENDA LIST

1. Email string dated Monday, July 15, 2013 from Steve Lopez to Victoria Alexander, Subject: Fwd: PLEASE HELP US
2. A-C Typewritten letter dated June 16, 2013 to Joe Aguilar, Mayor; Lela Leon, Mayor Pro Tem; Tina Baca Del Rio, City Councilmember; Ivan Altamirano, City Councilmember
3. Email dated Thursday July 18, 2013 from Danilo Batson to Mike Casalou, Subject: RE: Home Depot Users/Purchasers
4. Email dated Monday, July 22, 2013 from Scott Wasserman to Mike Casalou, Subject: FW: home depot shoppers
5. A-B Pages 5 and 6 of email dated Monday, July 22, 2013 from SW to Mike

Investigated by Betty P. Kelepecz
California Bar No. 150602
Attorney/Investigator
Public Safety Consulting, Inc.
P.I. License 27814
December 19, 2013



AGENDA REPORT

MEETING DATE: February 18, 2014

TO: Honorable City Council

FROM: City Administrator

SUBJECT: POTENTIAL PRESENTATION REGARDING PROJECT LABOR AGREEMENTS

RECOMMENDATION:

City Council discretion

MOTION:

City Council discretion

BACKGROUND/ANALYSIS:

Councilmember Ivan Altamirano has requested that the City Council consider approving a presentation regarding Project Labor Agreements and how they may benefit and/or impact the City.


A "Project Labor Agreement" (PLA) is a pre-hire collective bargaining agreement typically negotiated between a project owner, the general contractor and an appropriate labor organization generally a local building and construction trades council for purposes of advancing the economical and efficient completion of the construction project. This means the basic terms and conditions for labor are established in advance for everyone involved in the project: the public sector employer, contractors and subcontractors, and the labor force. PLAs are project specific and last only as long as the project. Associated Builders & Contractors v. San Francisco Airports Commission (1999) 21 Cal. 4th 352, 359-360. A typical PLA includes a no-strike, no lock-out agreements and procedures for settling quickly any problems or disputes that might develop during the project. Id; Associated General Contractors v. San Diego Unified School District (2011) 195 Cal. App 4th 748, 753-754.

PLAs have been controversial. Chief among the complaints comes from non-union contractors who object to PLA requirements that they obtain their labor force from a union hiring hall and who argue that PLAs increase construction costs.

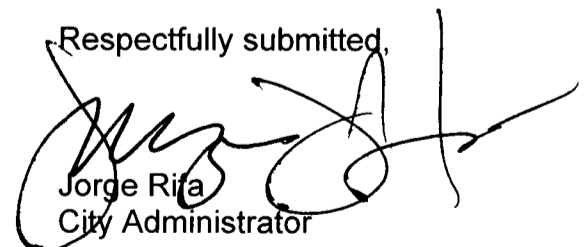
FISCAL IMPACT:

None.

Approved as to form,


Eduardo Oliveira
City Attorney

Respectfully submitted,


Jorge Rifa
City Administrator





AGENDA REPORT

Meeting date: 2/18/14

TO: Honorable City Council
FROM: City Administrator
SUBJECT: PAGEANT STEERING COMMITTEE

RECOMMENDATION:

Receive a report on and thereafter consider and take appropriate action as deemed necessary with respect to changing the age requirements to serve on the Pageant Steering Committee.

MOTION:

Council discretion.

BACKGROUND:

The purpose of the Pageant Steering Committee is to provide input to staff with respect to the nature of year round activities for the Queen and Court and the appearance of the annual Miss Commerce Pageant.

ANALYSIS:

The current minimum age for residents to serve on the Pageant Steering Committee is 22 years of age. Councilmember Altamirano would like to discuss lowering the age to 21, so that past Miss Commerce, Unique Hernandez, can be nominated to the Committee.

FISCAL IMPACT: There is no fiscal impact associated with this agenda item.

RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to Council's historical role in appointing residents to the Pageant Steering Committee.

Recommended by:

Scott Wasserman
Director of Parks and Recreation

Respectfully submitted,

Jorge Rifá
City Administrator

Fiscal Impact reviewed by:

Vilko Domic
Director of Finance

Approved as to Form:

Eduardo Olivo
City Attorney





AGENDA REPORT

DATE: February 18, 2014

TO: Honorable City Council
FROM: City Administrator
SUBJECT: Committee Appointments

RECOMMENDATION:

Make the appropriate appointments.

MOTION:

Council discretion.

BACKGROUND:

Pursuant to Resolution No. 97-15, as amended, each Councilmember makes one appointment to the various Commissions and Committees of the City, with the terms of office of each appointee being for a period not to exceed two years, expiring at the next General Municipal Election. The term of office shall continue until the appointment and qualification of successor appointees. The Council makes the appointments of any sixth or more members, industrial member and Council member of the applicable Commission and Committees.

ANALYSIS:

It is recommended that an appointment be made to the following Commission and Committees at this time, with all terms to expire March 18, 2015, unless otherwise indicated:

Pageant Steering Committee

Councilmember Altamirano


Measure AA Committee

Councilmember Baca Del Rio

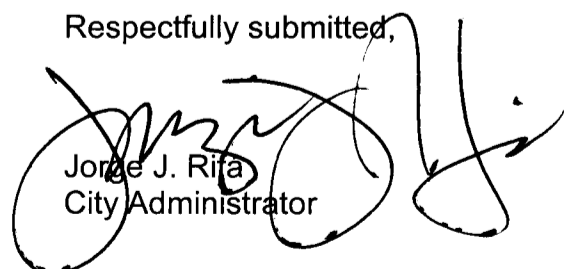
FISCAL IMPACT:

This activity can be carried out without additional impact on the current operating budget.

Recommended by:


Victoria M. Alexander
Deputy City Clerk

Respectfully submitted,


Jorge J. Rifa
City Administrator





AGENDA REPORT

DATE: February 18, 2014

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA AMENDING SECTION 2.10.040 (CAMPAIGN CONTRIBUTION LIMITATIONS) AND REPEALING SECTION 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NONELECTION YEARS) OF CHAPTER 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) OF THE COMMERCE MUNICIPAL CODE – FIRST READING

RECOMMENDATION:

Read the Ordinance by title only and approve for first reading.

MOTION:

Move to approve the recommendation.

BACKGROUND:

Section 2.10.040 of the Commerce Municipal Code (CMC) imposes campaign contribution limitations in the City of Commerce of \$1,000 with respect to a single election in support of or opposition to a single candidate or measure, including contributions to all committees supporting or opposing such candidate or measure. Section 2.10.045, which was added in 2012, further provides that, notwithstanding the provisions set forth in Section 2.10.040, no person or councilmember shall solicit or accept any contribution which will cause the total amount contributed by such person with respect to any calendar year at which said councilmember has not declared his or her candidacy, to exceed \$1,000.

On November 19, 2013, the City Council discussed the merits of the campaign contribution limitation imposed by Section 2.10.045 of the CMC. The City Council ultimately determined that Section 2.10.045 should be repealed. The City Attorney prepared an Ordinance that will repeal Section 2.10.045. On December 17, 2013, the City Council approved the Ordinance for first reading.

On January 21, 2014, the City Council had a discussion with the City Attorney regarding the practical aspects of repealing Section 2.10.045. The City Attorney advised that there was confusion with the contribution cap provided in Section 2.10.045, since contributions related to political, legislative or governmental purposes are technically capped. After consideration, the City Council decided that it would be better to amend the CMC to provide for a cap of contributions of \$1,000 per calendar year and not tie the cap amount to any election or measure. The City Attorney has prepared an Ordinance that will amend Section 2.10.040 to provide for such a cap.

ANALYSIS:

CMC Section 2.10.040 (a) currently refers to "a single election" in establishing the \$1,000 campaign contribution limit. The \$1,000 cap is not tied to a "per calendar year" regardless of whether it is an "election year" or a "nonelection year." Thus, Section 2.10.040(a) imposes a single one time \$1,000 contribution per election per candidate regardless of the year, election or nonelection.

The proposed Ordinance will amend Section 2.10.040 (a) so that it reads as follows:

No candidate for elective office and no controlled committee of that candidate may solicit or accept any campaign contribution that will cause the total amount contributed by any one person to the candidate to exceed one thousand dollars per calendar year. The one thousand dollar cap shall apply to all contributions, regardless of whether they are spent for a campaign, any measure, or for any matter related to a political, legislative or governmental activity. For purposes of this chapter, contributions from husband and wife are considered separate and distinct contributions and may not exceed one thousand dollars each. However, contributions purported to be from minor children under eighteen years of age shall be considered one in the same as those made by their respective parent(s) and/or guardian(s).

The revised Section 2.10.040 will impose a cap of one thousand dollars, per calendar year, regardless of whether such contribution is made for an election or measure. This change will cause Section 2.10.045 to be unnecessary. The proposed Ordinance will therefore also repeal that section.

FISCAL IMPACT:

No fiscal impact will arise from the adoption of this Ordinance.

Approved as to form,


Eduardo Olivo
City Attorney

Respectfully submitted,


Jorge Rifa
City Administrator

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA AMENDING SECTION 2.10.040 (CAMPAIGN CONTRIBUTION LIMITATIONS) AND REPEALING SECTION 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NONELECTION YEARS) OF CHAPTER 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) OF THE COMMERCE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 2.10.040 (CAMPAIGN CONTRIBUTION LIMITATIONS) of Chapter 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) of the Commerce Municipal Code is hereby amended in its entirety to read as follows:

- (a) No candidate for elective office and no controlled committee of that candidate may solicit or accept any campaign contribution that will cause the total amount contributed by any one person to the candidate in support of or opposition to a campaign, measure or other expenditure related to a political, legislative or governmental activity to exceed one thousand dollars per calendar year. For purposes of this chapter, contributions from husband and wife are considered separate and distinct contributions and may not exceed one thousand dollars each. However, contributions purported to be from minor children under eighteen years of age shall be considered one in the same as those made by their respective parent(s) and/or guardian(s).
- (b) Loans for use in connection with an election for a period of more than thirty days are prohibited. Loans of more than one thousand dollars for use in connection with an election are prohibited. Loans to a candidate or his or her controlled committees shall be counted against the contribution limitations applicable to that candidate. Provided, however, a candidate is not prohibited from obtaining a personal loan of any amount from a duly licensed financial lending institution in the regular course of business or loaning his or her personal funds in any amount to his or her own campaign or controlled committee.
- (c) Any contributions solicited or accepted pursuant to this section shall be expended only in connection with the candidacy for the office specified in the candidate's declaration of intent to solicit and receive contributions, or the measure for which it is solicited, unless otherwise permitted by applicable state laws or regulations.

SECTION 2. Section 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NONELECTION YEARS) of Chapter 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) of the Commerce Municipal Code is hereby repealed.

SECTION 3. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Chapter is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council declares that it would have adopted this Chapter, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

SECTION 4. Effective Date.

This Ordinance shall become effective thirty (30) calendar days from and after its adoption.

SECTION 5. The City Clerk shall attest to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner required by law.

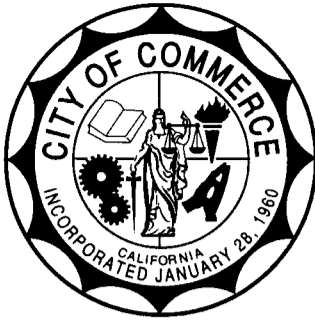
PASSED, APPROVED AND ADOPTED this _____ day of _____, 2014.

CITY OF COMMERCE

By: _____
Joe Aguilar
Mayor

ATTEST:

Victoria M. Alexander
Deputy City Clerk



AGENDA REPORT

MEETING DATE: February 18, 2014

TO: Honorable City Council

FROM: City Administrator

SUBJECT: LEGISLATIVE REPORT

RECOMMENDATION:

The City Council will consider taking a formal position on legislative bills of interest to Commerce and other municipalities in California, and direct City staff to forward City position letters to Sacramento on behalf of the City of Commerce.

MOTION:

City Council discretion.

BACKGROUND / ANALYSIS:

From time to time, legislation is considered by the State Legislature that affects local government, at which time cities throughout California take appropriate positions on proposed legislation of concern. The legislative positions adopted by the Council will direct the City's lobbying efforts during the 2014 Legislative Session.

FISCAL IMPACT:

This activity can be carried out without additional impact on the current operating budget.

RELATIONSHIP TO 2012 STRATEGIC GOALS:

This agenda report is not applicable to any specific strategic objective; however, it is consistent with the City's goal to protect and enhance the quality of life in the City of Commerce.

Prepared by:

Fernando Mendoza
Deputy City Administrator

Respectfully submitted,

Jorge J. Rifa
City Administrator

Fiscal impact reviewed by:

Vilko Domic
Director of Finance

Reviewed as to form:

Eduardo Olivo
City Attorney