

**ALL ITEMS FOR CONSIDERATION BY THE CITY COUNCIL/COMMISSION
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CLERK AND THE CENTRAL LIBRARY**

Agendas and other writings that will be distributed to the Councilmembers and Commissioners 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'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 COMMERCE COMMUNITY DEVELOPMENT COMMISSION
COUNCIL CHAMBERS
5655 JILLSON STREET, COMMERCE, CALIFORNIA**

TUESDAY, JULY 5, 2011 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Aguilar

PLEDGE OF ALLEGIANCE

Robert Chavez
Director of Community Services

INVOCATION

Councilmember/Commissioner Robles

ROLL CALL

City Clerk/Assistant Secretary Olivieri

APPEARANCES AND PRESENTATIONS

1. Commendation – Honoring Nellie Zepeda as Older American Recognition Award Recipient

The **City Council** will present a Commendation to Nellie Zepeda in recognition of her selection as a 2011 Older American Recognition Award Recipient.

2. City of Commerce 2011 Recipient of the Paragon Award for Outstanding Contribution to Water Polo

The **City Council** will present the Paragon Award to the City of Commerce Parks and Recreation Department for outstanding contribution to the sport of Water Polo.

PUBLIC COMMENT

Citizens wishing to address the City Council/Commission 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/Commission 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/Commission 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/Commission. Request to address City Council/Commission cards are provided by the City Clerk/Assistant Secretary. If you wish to address the City Council/Commission at this time, please complete a speaker's card and give it to the City Clerk/Assistant Secretary prior to commencement of the City Council/Commis-

CONCURRENT REGULAR COUNCIL/CDC AGENDA

7/5/11 – 6:30 p.m.

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sion meeting. 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.

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/Commissioner 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 Warrant Register No. 21 and 1

The **City Council and Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 21A, dated July 5, 2011; No. 21B, for the period June 22, 2011, to June 30, 2011, and No. 1A, for the period July 5, 2011, to July 5, 2011.

4. Proclamation – “National Night Out”

The **City Council** will consider proclaiming Tuesday, August 2, 2011, as “National Night Out” in the City of Commerce.

5. Adoption of Revised City of Commerce Personnel Policy and Procedure

The **City Council** will consider for approval the revised Equal Opportunity Employer Policy I-16 and authorizing the City Administrator and Director of Human Resources to execute said policy.

6. Annual Financial Report for Fiscal Year Ended June 30, 2010

The **City Council** will consider for receipt and filing the Single Audit Report on Federal Awards for the fiscal year ended June 30, 2010.

SCHEDULED MATTERS

7. Rescheduling of August 2, 2011, Concurrent Regular Meetings Due to “National Night Out” Activities

The **City Council and Commission** will consider changing the date of the August 2, 2011, concurrent regular City Council and Community Development Commission meetings to enable them to participate in “National Night Out” Activities.

8. Lodging for Mexican National Women’s Water Polo Team

The **City Council and Commission** will reconsider their action taken on June 7, 2011, to host and house the Mexican National Women’s Water Polo Team at the Commission-owned property located at 4906 Jardine Street during its stay in Commerce.

CONCURRENT REGULAR COUNCIL/CDC AGENDA

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9. Status Report on Interim Urgency Ordinance No. 636 and Comprehensive Oil Code Revision

The **City Council** will consider for approval a written status report, as required Government Code §65858(d), regarding the moratorium established by Interim Urgency Ordinance No. 636 on the establishment of oil and gas drilling and production and the installation and replacement of pipelines required for such uses and on the comprehensive revision of the City's oil code.

10. A Resolution of the Commerce Community Development Commission Adopting the Annual Budget for Fiscal Year 2011-2012

The **Commission** will consider for approval and adoption a proposed Resolution adopting the annual operating budget for fiscal year 2011-2012, in the amount of \$29,294,191.

11. City Committee Appointments

The **City Council** will make the appropriate appointments to the following City Committees: Beautification Committee and Housing Committee.

ORDINANCES AND RESOLUTIONS

12. A Resolution of the City Council of the City of Commerce, California, Authorizing the Approval of the Purchase and Sale Agreement for the Portion of Boxford Avenue (To Be Vacated) North of Slauson Avenue and Joint Escrow Instructions with the Vons Companies, Inc. (Safeway/Vons)

The **City Council** will consider for approval and adoption a proposed Resolution authorizing the approval of the Purchase and Sale Agreement for the portion of Boxford Avenue (to be vacated) north of Slauson Avenue and Joint Escrow Instructions with the Vons Companies, Inc. (Safeway/Vons).

PUBLIC HEARINGS

13. Public Hearing – A Resolution of the City Council of the City of Commerce, California, Ordering the Vacation of Boxford Avenue North of Slauson Avenue With Reservations

The **City Council** will conduct a public hearing on, and thereafter consider for approval, a proposed Resolution ordering the vacation of Boxford Avenue north of Slauson Avenue with reservations.

The public hearing, as duly advertised in accordance with State law, will be continued to August 16, 2011.

LEGISLATIVE UPDATE

14. Report on Pending Legislation

The **City Council** and **Commission** will receive an update on, and provide the appropriate direction as deemed necessary with respect to, legislative items of concern to the City and Commission.

I-710 LOCAL ADVISORY COMMITTEE UPDATE

CITY COUNCIL/COMMISSION REPORTS

CONCURRENT REGULAR COUNCIL/CDC AGENDA

7/5/11 – 6:30 p.m.

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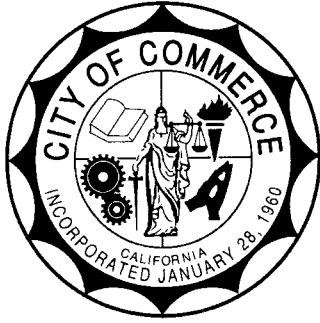
RECESS TO CLOSED SESSION

15. Pursuant to Government Code §54956.9(b)
- A. The **City Council** will confer with its legal counsel, and take the appropriate action, with respect to significant exposure to litigation in two potential cases.
 - B. The **Commission** will confer with its legal counsel, and take the appropriate action, with respect to significant exposure to litigation in one potential case.
16. Pursuant to Government Code §54957.6,
- A. The **City Council** will confer with its labor negotiator, Jorge Rifa, with respect to labor negotiations pertaining to the Memoranda of Understanding between the City and the City of Commerce Employees Association on behalf of the mid-management and non-management full-time employees and part-time employees.

ADJOURNMENT

Adjourn in memory of Baltazar Vega, grandfather of City employee Heriberto Valdes, to Tuesday, July 12, 2011, at 3:30 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: July 5, 2011

TO: Honorable City Council

FROM: City Administrator

SUBJECT: Commendation – 2011 Older American Recognition Award Recipient, Nellie Zepeda

RECOMMENDATION:

Read and present commendation from the City of Commerce to Nellie Zepeda, recipient of the 2011 Older American Recognition Award.

MOTION:

Move to approve the recommendation.

BACKGROUND:

Nellie Zepeda, long-time resident of the City of Commerce, was the recipient of the 2011 Older American Recognition Award presented by the Los Angeles County Commission on Aging. The award was presented to Nellie Zepeda at a reception hosted by the Los Angeles County Department of Community and Senior Citizens Services on May 23, 2011.

ANALYSIS:

Nellie Zepeda was selected by the Senior Citizens Commission based on the years of dedicated service she has volunteered to the community and to the senior citizens of Commerce. On behalf of the senior citizens of Commerce, the Department of Parks and Recreation, we thank Nellie Zepeda for her support and true dedication to the goal of making Commerce a beautiful place to live.

FISCAL IMPACT:

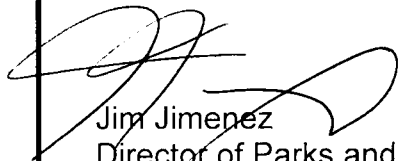
This activity can be carried out without additional impact on the current operating budget.

RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to Strategic Goal #1: Develop Citywide Plan to enhance and maintain the City of Commerce environment and infrastructure to create livability and quality of life for those who life, work and play in the community.

Recommended by:

Respectfully submitted,



Jim Jimenez
Director of Parks and Recreation



Jorge Rifa
City Administrator

Approved as to Form:



Eduardo Olivo
City Attorney

COMMENDATION OF THE CITY COUNCIL
OF THE CITY OF COMMERCE
HONORING

NELLIE ZEPEDA

**FOR RECEIVING THE OLDER AMERICAN RECOGNITION
AWARD FROM THE LOS ANGELES COUNTY COMMISSION
FOR OLDER ADULTS**

Whereas, Nellie Zepeda was recognized for her distinguished community service as a volunteer by the Los Angeles Commission for Older Adults and the Los Angeles County Board of Supervisors at the 46th Annual Older American Recognition Day Awards Program held May 23 at the Dorothy Chandler Pavilion; and

Whereas, Nellie Zepeda has served as a volunteer with the Los Angeles County Food Bank preparing food baskets for thousands of seniors living throughout the City of Commerce and beyond; and

Whereas, Nellie Zepeda is a long time member of the Commerce Senior Citizens Club, the Social Club and president of the Auld Lang Syne Club; and

Whereas, Nellie Zepeda has been an active member of the Commerce community since moving to the city in 1955, five years before the City's incorporation; and

Whereas, Nellie Zepeda has demonstrated an outstanding degree of community service through selfless actions fueled by a never ending desire to lend a helping hand to friends, fellow residents and neighbors; and

Whereas, Nellie Zepeda continues to care for the community through her volunteerism and willingness to help those in need; and

Whereas, Nellie Zepeda's abundance of energy has enabled her to raise her two wonderful daughters, Desiree and Lucinda while also working first at American Can in Vernon for 34 years and then as an employee of the City of Commerce for six years; and

Whereas, Nellie Zepeda, at 78, remains active and energetic attending daily exercise classes at the Commerce Senior Citizen Center:

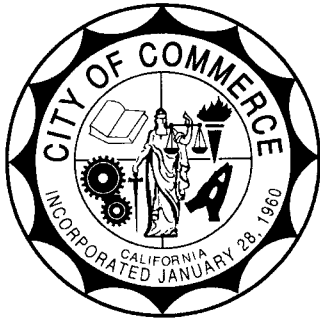
**NOW, THEREFORE, THE CITY OF COMMERCE CITY COUNCIL COMMENDS
NELLIE ZEPEDA FOR RECEIVING THE OLDER AMERICAN RECOGNITION AWARD
FROM THE LOS ANGELES COUNTY COMMISSION FOR OLDER ADULTS. NELLIE'S
CONTINUED EFFORTS AND DEDICATION TO THE COMMUNITY MAKES HER
WORTHY OF THIS GREAT HONOR.**

Signed this 5th day of July, 2011

ATTEST:

Joe Aguilar
Mayor

Linda Kay Olivieri, MMC
City Clerk



AGENDA REPORT

Meeting date: July 5, 2011

TO: Honorable City Council

FROM: City Administrator

SUBJECT: PRESENTATION OF THE 2011 PARAGON AWARD FOR OUTSTANDING CONTRIBUTION TO WATER POLO TO THE CITY OF COMMERCE PARKS & RECREATION DEPARTMENT

RECOMMENDATION:

Presentation of the 2011 Paragon Award to the City of Commerce Parks and Recreation Department for Outstanding Contribution to Water Polo. Receive and File Report.

MOTION:

Move to approve the recommendation.

BACKGROUND:

The City of Commerce Parks and Recreation Department was the recipient of the 2011 Paragon Award for Outstanding Contribution to Water Polo. This honor was presented at the International Swimming Hall of Fame Honoree Dinner and Induction Ceremony May 6, 2011.

The Annual Paragon Awards are presented for outstanding contributions to: Competitive Swimming, Water Polo, Competitive Diving, Aquatic Safety, Synchronized Swimming and Recreational Swimming. The past recipients have been outstanding leaders and athletes.

ANALYSIS:

The City of Commerce Department of Parks & Recreation has had a vested interest in the sport of water polo since 1971. Although the water polo program's beginnings were very humble, it has developed into a premier youth competitive water polo program.

This water polo program launches boys and girls into universities of their dreams, shattering barriers and exceeding expectations. It is an investment that the City continues to fund and sponsor through the continued support of the City of Commerce City Council. Twenty years after the inception of the water polo program, the city has invested a 20 million dollar Aquatic/Community Center Facility that opened in 2001.

It is considered a unique program opened to residents of the City of Commerce: For a small yearly membership due, the participants receive a first class water polo program.

- Professional full-time water polo coaches in a multi-million dollar facility.
- Competition registration fees sponsored by the city.
- Player travel expenses paid by the city.

Because the fee is so low and parents do not need to worry about other expenses, these young participants can focus on developing their skills in order to be an extraordinary athlete and the coaches can develop a team into national champions.

The City of Commerce Parks & Recreation Department Aquatic Division is pleased to announce:

- ❑ Over 200 medal round appearances in National Championships including Junior Olympics and Junior National Championships from age groups of 10 & under to 20 & under.
- ❑ A growing number of student athletes attending universities around the United States.
- ❑ An alumni team/family that returns to Commerce to give back what they have learned in and out of the water.
- ❑ This program has produced two Olympians: Three-time Olympian Brenda Villa and 2008 Olympian Patricia Cardenas.

The City of Commerce Parks and Receptions Department is honored to join the honorees at the International Swimming Hall of Fame for future generation to honor, respect, and appreciate.

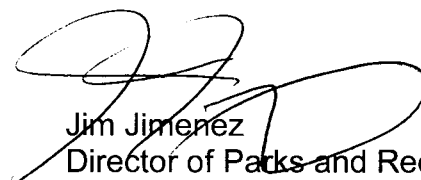
FISCAL IMPACT:

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

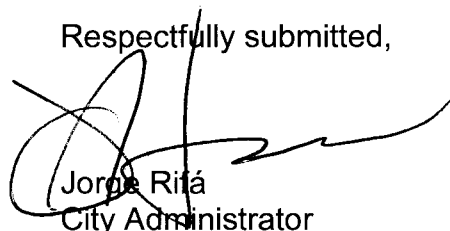
RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to Strategic Goal #1: Develop Citywide Plan to enhance and maintain the City of Commerce environment and infrastructure to create livability and quality of life for those who life, work and play in the community.

Recommended by:


Jim Jimenez
Director of Parks and Recreation

Respectfully submitted,


Jorge Rifa
City Administrator

Approved as to Form:


Eduardo Olivo
City Attorney



AGENDA REPORT

Meeting Date: July 5, 2011

TO: HONORABLE CITY COUNCIL
FROM: CITY ADMINISTRATOR
SUBJECT: A PROCLAMATION DESIGNATING AUGUST 2, 2011 AS
“NATIONAL NIGHT OUT 2011”, IN THE CITY OF COMMERCE

RECOMMENDATION:

Move to approve the Proclamation.

MOTION:

Approve the recommendation.

BACKGROUND:

Each year the City participates in a crime prevention event know as “National Night Out”, which is sponsored by the National Association of Town Watch (NATW). Our City’s Block Captains participate in the event by hosting “Block Barbecues.”

This year, approximately sixteen (16) neighborhood block parties will be held throughout the community. The national event is scheduled for Tuesday, August 2, 2011.

ANALYSIS:

As in the past, the annual “National Night Out” is enjoyed by the residents of Commerce and our City Councilmembers. The evening’s event will commence at 6:30 p.m. at selected neighborhoods.

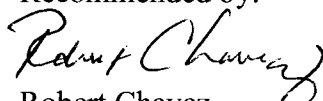
FISCAL IMPACT:

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

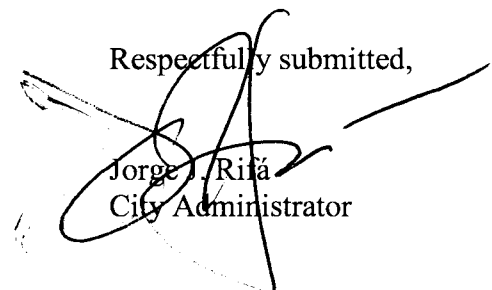
RELATIONSHIP TO 2009 STRATEGIC GOALS:

This report relates to the 2009 strategic planning goal: “Protect and Enhance the Quality of Life in the City of Commerce,” as it addresses a community public safety issue of concern.

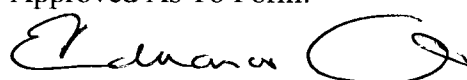
Recommended by:


Robert Chavez
Director of Safety and Community Services

Respectfully submitted,


Jorge J. Rifa
City Administrator

Approved As To Form:


Eduardo Olivo
City Attorney

Agenda 2011-14 Proclamation National Night Out

**A Proclamation of the City Council of the
City of Commerce
Designating Tuesday, August 2, 2011
As
NATIONAL NIGHT OUT**

WHEREAS, the National Association of Town Watch (NATW) and TARGET is sponsoring a unique, nationwide crime, drug and violence prevention program on August 2, 2011 entitled "National Night Out"; and

WHEREAS, Costco Warehouse will support the efforts of City of Commerce by being a sponsor for this event; and

WHEREAS, the "28th Annual National Night Out" provides a unique opportunity for the City of Commerce to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the City of Commerce plays a vital role in assisting the Los Angeles County Sheriff's Department through joint crime, drug and violence prevention efforts in the City of Commerce and is supporting "National Night Out 2011" locally ; and

WHEREAS, it is essential that all citizens of the City of Commerce be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in the City of Commerce; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program;

NOW, THEREFORE I, Joe Aguilar, Mayor of the City of Commerce, do hereby proclaim August 2, 2011 as "National Night Out" and call upon all citizens of the City of Commerce to support and participate in the 28th Annual National Night Out."

PASSED AND ADOPTED this 5th Day of July, 2011.

Joe Aguilar, Mayor

ATTEST:

Linda Kay Olivieri, MMC
City Clerk



AGENDA REPORT

MEETING DATE: July 5, 2011

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: ADOPTION OF REVISED CITY OF COMMERCE PERSONNEL POLICY AND PROCEDURE

RECOMMENDATION:

Adopt the revised Equal Opportunity Employer Policy I-16. Authorize the City Administrator and the Director of Human Resources to execute the revised policy.

MOTION:

Move to approve the recommendation.

BACKGROUND:

The Human Resources Department manages and maintains the City's Personnel Policies and Procedures Manual. The last comprehensive review of the Human Resources Policies and Procedures Manual was conducted in 1993. The Human Resources Department has committed to a comprehensive review of these policies and procedures. Policies requiring a meet and confer process are presented to the City of Commerce Employees Association Executive Board in order to meet in good faith and to receive employee comment regarding the adoption of such policies and procedures.

A notice regarding the implementation of this revised policy was submitted to the members of the CCEA Executive Board on June 20, 2011 for their review and comment. The CCEA Executive Board members had no comments or concerns regarding the implementation of this revised policy. Therefore, the following revised Policy and Procedure is being submitted to the City Council for consideration and adoption:

- Equal Opportunity Employer Policy I-16

ANALYSIS:

A comprehensive review of the City of Commerce Personnel Policies and Procedures Manual was last conducted in 1993. Due to changes in federal, state and court decisions, there is a need to review all personnel policies. In an effort to address personnel matters that are not appropriately defined in current policies, there is also a need to develop clear written policies and procedures for consistent application and interpretation.

FISCAL IMPACT:

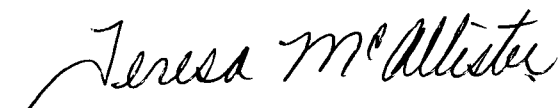
This activity can be carried out without additional impact on the current operating budget.

RELATIONSHIP TO 2009 STRATEGIC GOALS:

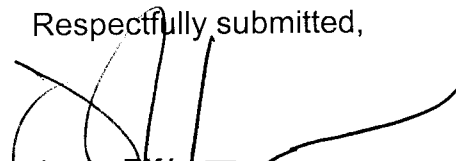
This agenda item report relates to the 2009 strategic planning goal: *Ensure the city will have a trained, quality workforce to efficiently provide services to City of Commerce residents for the future.*

This issue is related to adopting essential revised policies which ensures that the City maintains a compliant and quality workforce to efficiently provide services to City of Commerce residents for the future.

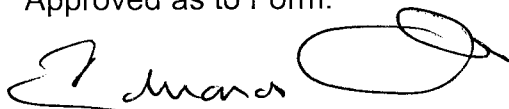
Recommended by:

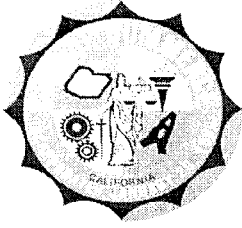

Teresa McAllister
Director of Human Resources

Respectfully submitted,


Jorge Rifa
City Administrator

Approved as to Form:


Eduardo Olivo
City Attorney



Approved:

**City of Commerce, California
Human Resources Policy and Procedure Manual**

Director of Human Resources

City Administrator

Number: 1-16 Effective Date: _____

SUBJECT: EQUAL OPPORTUNITY EMPLOYER

PURPOSE:

To specify and define employment process terms for uniform use and interpretation.

POLICY:

The City of Commerce is firmly committed to a policy of equal opportunity. This means there can be no discrimination in any conditions of employment including recruitment and hiring, opportunities for advancement, participation in training programs, wages, salaries, or benefits. Simply stated, equal opportunity means that every individual has an equal chance to compete for job opportunities within the City, regardless of race, color religion, sex, national origin, age, genetic information, gender, marital status, political beliefs, sexual orientation or disability.

There are no positions in the City that are to be filled only by men or only by women except for classifications which require the employee be either a male or a female as a bonafide job requirement. Qualified persons are encouraged to apply for any position in the City, regardless of sex.

Disabilities – The City shall not discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring or discharge of employees, employee compensation, advancement, job training, and other terms, conditions, and privileges of employment. The City is committed to accommodating persons with disabilities to the extent possible.

It is the obligation of the City and its employees to consider people with disabilities as individuals and to avoid prejudging what an applicant can or cannot do on the basis of that individual's appearance or any other easily identifiable characteristic, or on a preconceived and often erroneous judgment about an individual's capabilities based on "labeling" of that person as having a particular kind of disability.

Disability with respect to an individual is defined as:

- (A) A physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) A record (or past history) of such an impairment; or
- (C) Being regarded as having a disability.

The City encourages applications from qualified individuals with disabilities as defined by the Americans with Disabilities Act. Individuals who will require a reasonable accommodation to take a test as part of the selection process must state so as part of application process. Applicants with a disability that affect sensory, manual, or speaking skills may be provided with a test in a format that does not require the use of the impaired skill. Persons requesting a reasonable accommodation will be required to provide documentation of such need.



AGENDA REPORT

MEETING DATE: July 5, 2011

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED JUNE 30, 2010

RECOMMENDATION:

Receive and file.

ACTION:

Receive and file.

BACKGROUND/ANALYSIS:

The following June 30, 2010, Financial Report for the City of Commerce is presented herein – under separate cover:

1. Single Audit Report on Federal Awards

FISCAL IMPACT:

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

RELATIONSHIP TO 2009 STRATEGIC GOALS:

The financial report is associated with Council's goal of making financially and economically sound decisions consistent with economic conditions.

Recommended by:

Vilko Domic
Director of Finance

Respectfully submitted,

Jorge Rifá
City Administrator

Approved as to Form

Eduardo Olivo
City Attorney

lw/staff reports, city council/CAFR & Single Audit/Single Audit 2010 7-5-11 VD



AGENDA REPORT

DATE: 07/05/2011

TO: Honorable City Council and Community Development Commission
FROM: City Administrator/Executive Director
SUBJECT: Rescheduling of August 2, 2011, Concurrent Regular Meetings Due to National Night Out Activities

RECOMMENDATION:

Council/Commission discretion.

MOTION:

Council/Commission discretion.

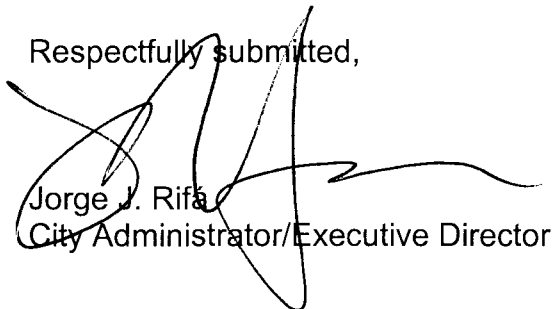
BACKGROUND/ANALYSIS:

National Night Out in the City of Commerce has been scheduled for Tuesday, August 2, 2011. To enable the Council and Commission to participate in the scheduled community activities, they are being requested to consider rescheduling their August 2, 2011, Concurrent Regular Meetings to Wednesday, August 3, 2011, at 6:30 p.m.

FISCAL IMPACT:

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

Respectfully submitted,



Jorge J. Rifa
City Administrator/Executive Director

Recommended by:



Linda Kay Olivieri
City Clerk



AGENDA REPORT

Meeting Date: 07/05/2011

TO: Honorable City Council and Community Development Commission

FROM: City Administrator/Executive Director

SUBJECT: Lodging for Mexican National Women's Water Polo Team

RECOMMENDATION:

Council/Commission discretion.

MOTION:

Council/Commission discretion.

BACKGROUND:

At its meeting of June 7, 2011, the Council and Commission approved a request from Mayor/Chairperson Aguilar and Councilmember/Commissioner Robles to host the Mexican National Women's Water Polo team during its two-month stay in Commerce and provide housing for the team at the Commission-owned property located at 4906 Jardine Street. [See copy of June 7, 2011, agenda report, attached for reference.]

The Council did set some general parameters to govern the use of the City house for temporary lodging. The Council required appropriate insurance, a lease for the use of the house, and appropriate chaperone or team representative to be responsible for the house and its occupants.

ANALYSIS:

Staff has been working with the Mexican National Women's Water Polo team representative since the team's arrival in Commerce late in the first week of June to obtain a lease agreement and proper insurance coverage for the subject property. Since that time, staff became aware of the fact that the team would like to occupy the house for longer than the original two-month period. This time frame could extend until July 2012, depending on whether or not the team qualifies for the 2012 Summer Olympics.

Issues have also developed involving who will be responsible for executing the lease and securing the requisite insurance as well as who will represent, chaperon and be responsible for the team during its stay in Commerce.

In light of these facts and the established Council parameters, it is recommended that the Council and Commission may want to reconsider its decision to host and house the team during its stay in the City.

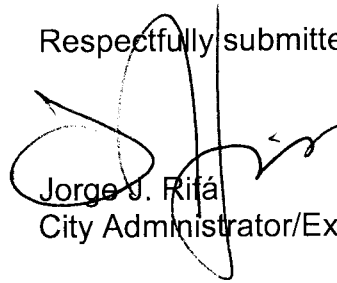
FISCAL IMPACT:

Should the Council and Commission determine that it will continue to host and house the Mexican National Women's Water Polo team during its stay in Commerce, the fiscal impact will be determined by the length of the team's stay and the Commission's future plans regarding the disposition of the subject property, as well as the use of the City's facilities, including the gym(s) and Aquatorium.

RELATIONSHIP TO 2009 STRATEGIC GOALS:

N/A.

Respectfully submitted,



Jorge J. Rifa
City Administrator/Executive Director

Recommended by:



Linda Kay Olivieri
City Clerk

Fiscal impact reviewed by:



Vilko Domic
Director of Finance

Reviewed as to form:



Eduardo Olivo
City Attorney/Commission Counsel



AGENDA REPORT

Meeting date: June 7, 2011

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: LODGING FOR THE MEXICAN NATIONAL WOMEN'S WATER POLO TEAM

RECOMMENDATION:

At the request of Mayor Aguilar and Councilmember Robles, the City Council and Commission will consider and take the appropriate direction as deemed necessary with respect to providing lodging for the Mexican National Women's Water Polo Team.

MOTION:

Council discretion.

BACKGROUND:

It is being requested that the City of Commerce host the Mexican National Women's Water Polo team for a two month period this summer. Mayor Aguilar and Councilmember Robles would like to consider the use of property owned by the City of Commerce Community Development Commission to house the Mexican National Women's Water Polo team during their stay in Commerce. Staff was made aware of this proposal late Thursday afternoon and will be prepared on Tuesday evening to present a preliminary assessment should the Council choose to consider this request.

ANALYSIS:

The City owned property considered is located at 4906 Jardine St. The Mexican National Women's Water Polo team consists of approximately 16 athletes and a chaperon. A maximum of 12 – 14 people will be housed in the City owned property.

FISCAL IMPACT:

Should the City Council and the Commission approve the use of the City owned property, the fiscal impact will be determined.

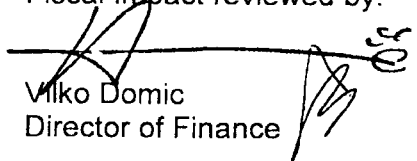
RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to Strategic Goal #1: Develop Citywide Plan to enhance and maintain the City of Commerce environment and infrastructure to create livability and quality of life for those who live, work and play in the community.

Recommended by:


Jim Jimenez
Director of Parks and Recreation


Fiscal Impact reviewed by:


Wilko Domic
Director of Finance

Respectfully submitted,


Jorge Rifa
City Administrator

Approved as to Form:


Eduardo Olivo
City Attorneys



AGENDA REPORT

DATE: July 5, 2011

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: STATUS REPORT ON INTERIM URGENCY ORDINANCE AND
COMPREHENSIVE OIL CODE REVISION

RECOMMENDATION:

Adopt report regarding an update on the status of the Interim Urgency Ordinance and the Comprehensive Oil Code Revision.

MOTION:

Approve the recommendation.

REPORT:

On June 7, 2011, the City Council adopted a 45-day Interim Urgency Ordinance enacting a moratorium on oil and gas drilling and production. The moratorium will expire on July 22, 2011. Government Code § 65858(d) requires that the City Council issue a written report at least ten days prior to the expiration of the adoption of an interim ordinance or any extension, which describes the measures taken to alleviate the condition which led to the adoption of the ordinance. This report is intended to satisfy such requirement.

On June 7, 2011, the City Council directed staff to begin to immediately outreach with the Industrial Council and stakeholders to figure a way forward and ultimately revise the City Oil Code and other affected City Codes in a manner that is responsive to the needs of the residents and business community. Since the City Council meeting of June 7th staff has taken the following steps:

- Started the process of reviewing the City's Code in an effort to identify all issues that need to be addressed as part of the Code revision.
- In an effort to begin the outreach campaign associated with the moratorium and the ultimate comprehensive Oil Code rewrite, staff has assembled a comprehensive list of oil/gas production facility owners/operators. This list was compiled from several sources and includes owner/operator data from the State of California Department of Conservation (Oil, Gas & Geothermal) known as DOGGR.
- Approved a pending request of OXY USA Inc., regarding their application for a permit to replace existing oil flow lines with new lines and connect several existing wells in the Tubeway/Leo/Smithway vicinity. The County of Los Angeles in the process of arranging for the required inspections.
- The City Administrator received a call from Sempra Energy (the Gas Company) requesting that, based on their status as a public utility, the City exempt them from the moratorium especially as it relates to necessary repairs and maintenance to their facilities. The City Attorney is researching and considering the request.
- The City Council has scheduled the public hearing on the extension of the moratorium to take place on July 19, 2011. Staff is directed to provide proper notice of the public hearing.

FISCAL IMPACT:

The implementation and administration of the moratorium can be carried out without additional impacts on either of the FY 2010/2011 and 2011/2012 operating budgets. The eventual policy recommendations and potential revisions of the City's regulatory framework that will be taken up by the Council as a result of the moratorium may have fiscal impacts that have yet to be determined or analyzed.

RELATIONSHIP TO 2009 STRATEGIC GOALS:

The issue before the Council is applicable to the following Council strategic goal to "Protect and Enhance Quality of Life in the City of Commerce". The recommendations contained in this report are intended to insure that Commerce residents are afforded the most efficient and effective opportunity to engage in meaningful public participation on matters concerning their quality of life.

Recommended by:



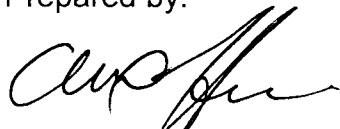
Bob Zarrilli
Director of Community Development

Respectfully submitted,



Jorge Rifa
City Administrator

Prepared by:



Alex Hamilton
Assistant Director of Community Development

Reviewed by:

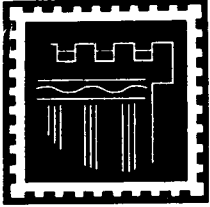


Vilko Domic
Director of Finance

Approved as to Form:



Eduardo Olivo
City Attorney



COMMERCE
COMMUNITY
DEVELOPMENT
COMMISSION

AGENDA REPORT

MEETING DATE: July 5, 2011

TO: HONORABLE COMMUNITY DEVELOPMENT COMMISSION

FROM: EXECUTIVE DIRECTOR

SUBJECT: A RESOLUTION OF THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION ADOPTING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2011-2012

RECOMMENDATION:

Approve and adopt the proposed Resolution and assign the number next in order.

ACTION:

Move to approve the recommendation.

BACKGROUND:

The Commission has discussed the Commission budget on June 8, 2011, which encompassed a comprehensive review of the departments operations and proposed spending plan for the fiscal year 2011-12. As a result, the Commission directed the Executive Director to return with the proposed budget for formal adoption at a future date. The public was invited to provide input on the proposed budget prior to its adoption.

ANALYSIS:

A powerpoint presentation recapping the overall budget process and all Commission actions will be presented at the July 19, 2011 meeting (attached). Following potential public input and appropriate action on the 2011-12 fiscal year proposed operating budget, the Commission will consider for approval a Resolution adopting the Annual Operating Budget for fiscal year 2011-2012 in the amount of \$29,294,191.

Caveat: Over the past several months, our city has been engaged side-by-side with numerous parties in the fight against the elimination of redevelopment agencies in California. Despite all efforts put forth, the Governor signed AB X1 26, which will accomplish the elimination of redevelopment agencies, while AB X1 27 establishes a voluntary program under which a redevelopment agency may remain in existence if the city makes specified monetary contributions to the county auditor for distribution to schools, fire protection agencies, and transit agencies beginning in fiscal year 2011-2012.

However, officials with the League of California Cities announced they will be filing a lawsuit, claiming that two bills included in the budget (AB 1X26 and AB 1X27) violate the state Constitution because they eliminate redevelopment.

It has been conveyed on several fronts that these bills are counter to the will of the voters with the passage last year of Proposition 22, which protects local government funding. The passage of these bills also sends our cities on the wrong track.

"This budget represents exactly the sort of gimmicks and nonsense Gov. Jerry Brown vowed to stop," said Chris McKenzie, the league's executive director. "This two-bill scheme to eliminate redevelopment agencies in exchange for so-called 'voluntary' payments is nothing short of extortion. The bills clearly violate numerous provisions of the State Constitution, including Proposition 1A (2004) and Prop. 22 (2010). If the governor and Legislature won't respect the Constitution and the will of the voters, the League and CRA will ask the courts to do so."

With that said, staff will return with any pertinent amendments to the aforementioned budget if and when we ascertain additional information as to what is the most prudent direction to take going forward.

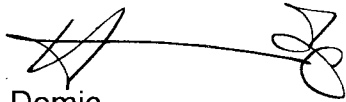
FISCAL IMPACT:

Operating Budget for Fiscal Year 2011-2012.

RELATIONSHIP TO 2009 STRATEGIC GOALS:

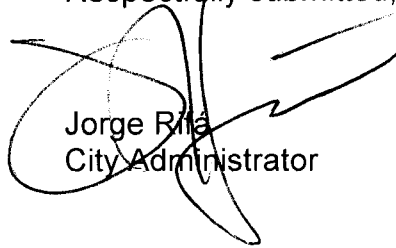
The proposed Resolution is associated with Council's goal of making financially and economically sound decisions consistent with economic conditions.

Recommended by:



Vilko Domic
Director of Finance

Respectfully submitted,



Jorge Rios
City Administrator

Approved as to Form



Eduardo Olivo
City Attorney

ATTACHMENT

1

**CITY OF COMMERCE
COMMUNITY
DEVELOPMENT COMMISSION
BUDGET ADOPTION**

June 8, 2011 **Fiscal Year 2011/12**

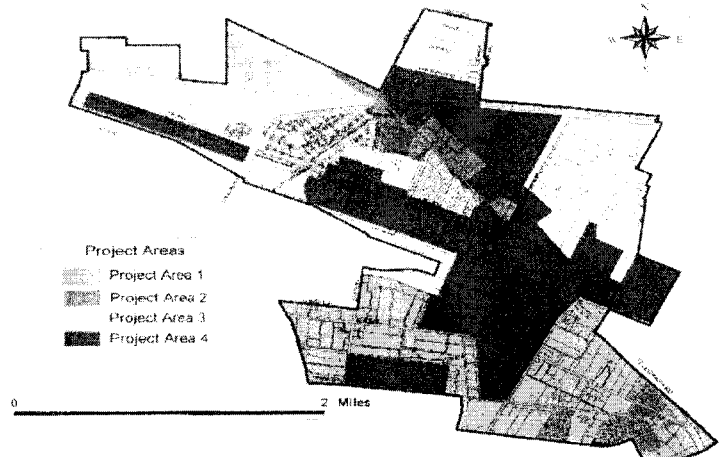
Community Development Commission

2

Redevelopment Revenues (FY 2009-10):

<input type="checkbox"/> Tax Increment	\$19,548,347
<input type="checkbox"/> Use of Money / Interest Earnings	\$ 1,219,647
<input type="checkbox"/> Rents & Concessions	\$ 3,146,339
<input type="checkbox"/> Miscellaneous Revenues	\$ 2,733,310
<input type="checkbox"/> Operating Transfers In	\$ <u>7,358,033</u>
Total	\$34,005,676

City of Commerce
Redevelopment Project Areas



**Community Development
Commission**

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
□ SALARY / BENEFITS (21.4FTE)	\$ 2,677,571	\$ 2,677,571	\$ 0
□ O & M / CAPITAL	\$ 8,712,534	\$ 7,208,074	\$(1,504,460)
□ DEBT SERVICE	\$10,380,389	\$ 9,937,909	\$(442,480)
□ TRANSFERS OUT	<u>\$ 8,260,637</u>	<u>\$ 9,470,637</u>	<u>\$ 1,210,000</u>
□ TOTAL	\$30,031,131	\$29,294,191	\$(736,940)

**Commission
Administration -- 9100**

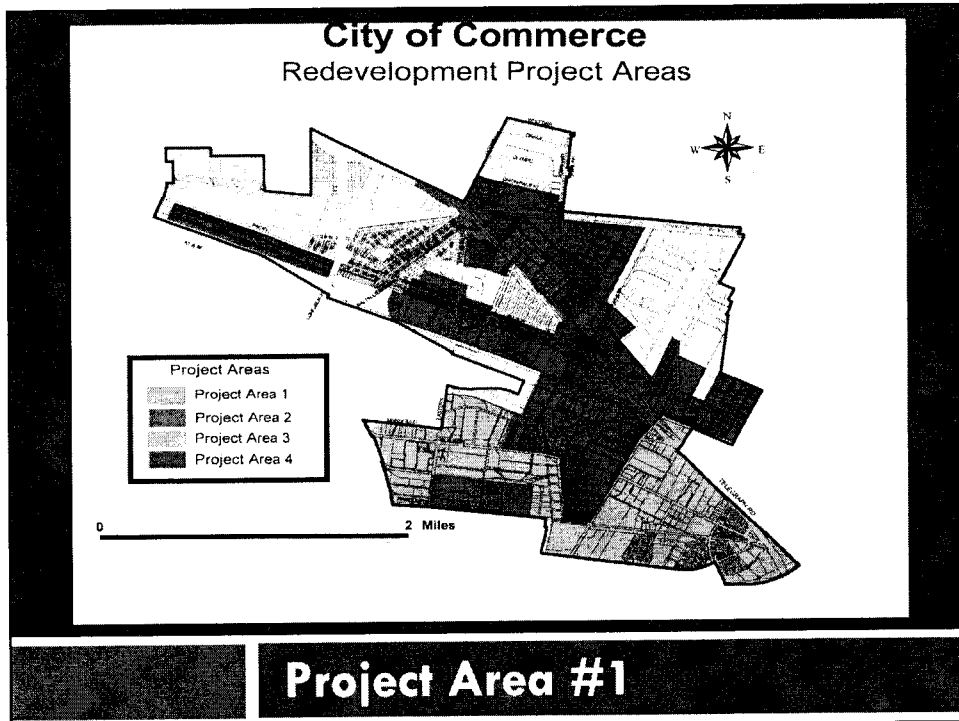
	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / STIPENDS	\$2,677,671	\$2,677,671	\$ 0
O & M / CAPITAL	<u>\$1,365,562</u>	<u>\$1,306,058</u>	<u>(\$ 59,504)</u>
TOTAL	\$4,043,233	\$3,983,729	(\$ 59,504)

- 81-9100-52051 – 5 YR Implementation Plan zeroed out
- 81-9100-54031 – Appraisal Services decreased by \$30,000
- 81-9100-60010 – Departmental Supplies decreased by \$4,500

**Commission
Outside Area Capital Projects -- 9110**

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
O & M / CAPITAL	<u>\$ 95,000</u>	<u>\$ 75,000</u>	<u>(\$20,000)</u>
TOTAL	\$ 95,000	\$ 75,000	(\$20,000)

- 81-9110-53030.10215 – Other Legal Svcs decreased by \$10,000
- 81-9110-54043.10216 – Project Consultant (James River)
decreased by \$7,500
- 81-9110-54043.10205 – Project Consultant (Refuse to Energy)
decreased by \$2,500



Commission
Project Area #1 – Capital Projects

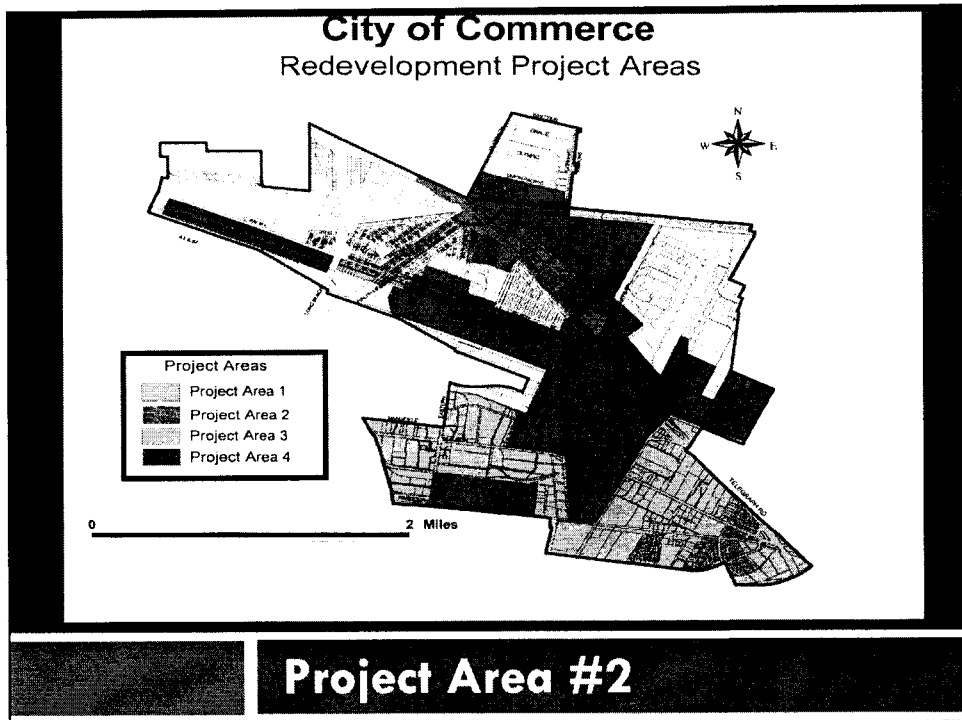
	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
O & M / CAPITAL	\$ 180,183	\$ 180,183	\$ 0
TOTAL	\$ 180,183	\$ 180,183	\$ 0

This cost center remains status quo

Commission Project Area #1 – Debt Service

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY/BENES	\$ 0	\$ 0	\$ 0
DEBT SERVICE	\$6,916,734	\$4,974,492	\$(1,942,242)
TRANSFERS OUT	<u>\$2,850,000</u>	<u>\$4,050,000</u>	<u>\$1,200,000</u>
TOTAL	\$9,766,734	\$9,024,492	\$ 742,242

- \$1,942,242 – Decrease in the Debt Service Payment as a result of the bond restructuring council approved on Feb 1, 2011
- \$1,200,000 – Initial payment back to the Low-Mod Housing Fund as it relates to the \$5,000,000 loan to PA#1



Commission

Project Area #2 – Capital Projects

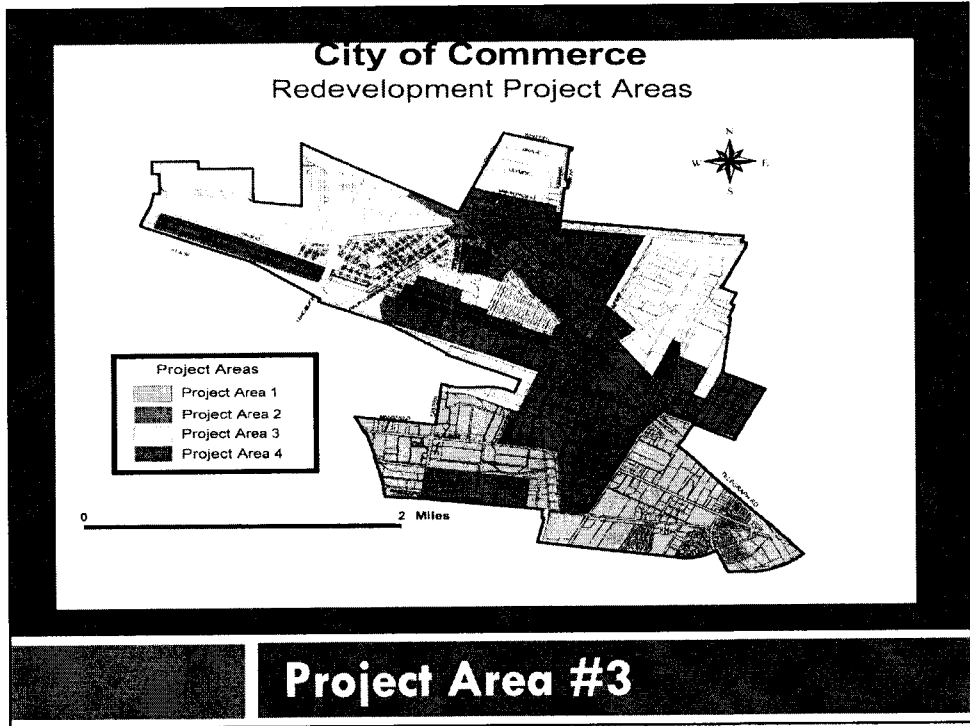
	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
O & M / CAPITAL	<u>\$1,411,000</u>	<u>\$1,081,000</u>	<u>\$(330,000)</u>
TOTAL	\$1,410,000	\$1,081,000	\$(330,000)

- 83-9300-52060 – Site Clearance Costs, new appropriation of \$250,000
- 83-9300-53030 – Other Legal Services increased by \$200,000
- 83-9300-54043.10227 – Project Consultant Urban Entertainment Center is zeroed out
- 83-9300-54043 – Project Consultant increased by \$25,000
- 83-9300-52001 – Contractual Services (\$750,000) zeroed out

Commission

Project Area #2 – Debt Service

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
DEBT SERVICE	\$2,032,267	\$2,041,683	\$ 9,416
TRANSFERS OUT	<u>\$ 725,000</u>	<u>\$ 725,000</u>	<u>\$ 0</u>
TOTAL	\$2,757,267	\$2,766,683	\$ 9,416



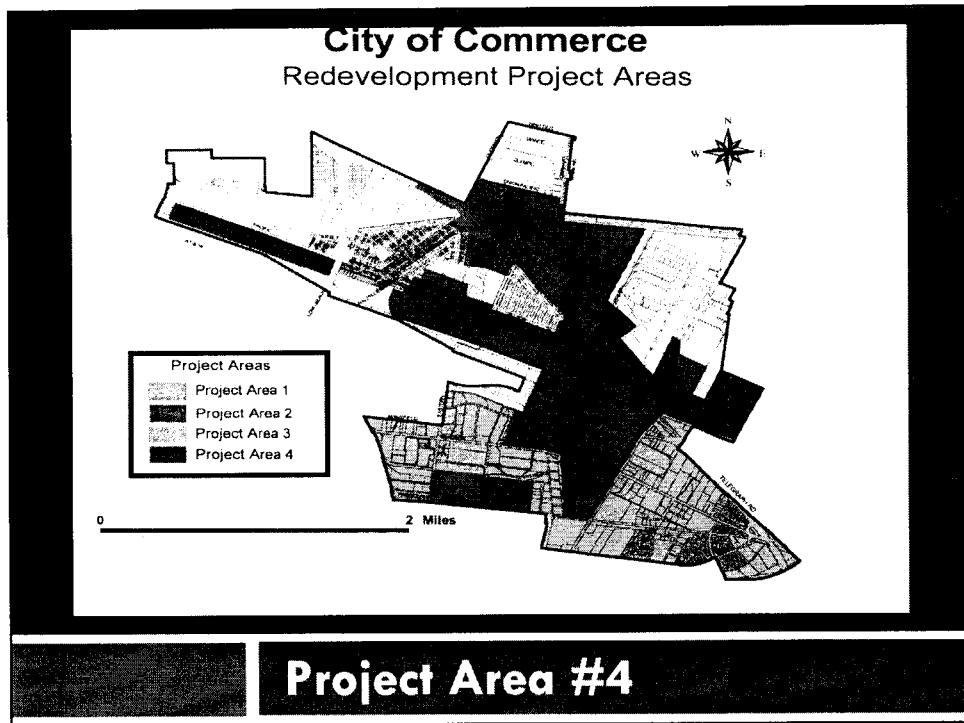
Commission
Project Area #3 – Capital Projects

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
O & M / CAPITAL	<u>\$ 151,820</u>	<u>\$ 141,820</u>	<u>\$ (10,000)</u>
TOTAL	\$ 151,820	\$ 141,820	\$ (10,000)

□ 84-9400-54043 – Project Consultant decreased by \$10,000

Commission Project Area #3 – Debt Service

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
DEBT SERVICE	\$ 396,842	\$ 397,973	\$ 1,131
TRANSFERS OUT	\$ 195,000	\$ 195,000	\$ 0
TOTAL	\$ 591,842	\$ 592,973	\$ 1,131



Commission Project Area #4 – Capital Projects

17

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
O & M / CAPITAL	<u>\$4,392,973</u>	<u>\$2,639,513</u>	<u>(\$1,753,460)</u>
TOTAL	\$4,392,973	\$2,639,513	(\$1,753,640)

- 88-9800-52060 – Site Clearance Costs decreased by \$1,500,000
- 88-9800-53030.10297 – Other Legal Svcs (Auto Row) is zeroed out (\$14,460)
- 88-9800-53030.10298 – Other Legal Svcs (Stahl Trust) is zeroed out (\$30,000)
- 88-9800-54027.10297 – Environmental Svcs (Auto Row) is zeroed out (\$50,000)

Commission Project Area #4 – Capital Projects

18

- 88-9800-54027 – Environmental Svcs, a new appropriation of \$200,000
- 88-9800-54027.10298 – Environmental Svcs (Stahl Trust) is zeroed out (\$200,000)
- 88-9800-54043.10297 – Project Consultant (Auto Row) is zeroed out (\$50,000)
- 88-9800-54043.10298 – Project Consultant (Stahl Trust) is zeroed out (\$75,000)
- 88-9800-54043.10255 – Project Consultant (6333 Telegraph) is decreased by \$25,000
- 88-9800-55020.10268 – Bldg/Grounds Maintenance (Urban Entertainment Center) is decreased by \$25,000

**Commission
Project Area #4 – Debt Service**

19

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
DEBT SERVICE	\$2,676,687	\$2,523,761	\$(152,926)
TRANSFERS OUT	<u>\$2,200,000</u>	<u>\$2,200,000</u>	<u>\$ 0</u>
TOTAL	\$4,876,687	\$4,723,761	\$(152,926)

□ \$102,141 – Decrease in 89-9000-71702 (Owners Participation Agreement with Van Waters)

20

**CDC
HOUSING SET-ASIDE**

BUDGET

Commission Housing Set-Aside

21

	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Variance</u>
SALARY / BENES	\$ 0	\$ 0	\$ 0
O & M / CAPITAL	\$1,566,000	\$2,809,500	\$1,243,500
TRANSFERS OUT	<u>\$2,300,637</u>	<u>\$2,300,637</u>	<u>\$ 0</u>
TOTAL	\$3,866,637	\$5,110,137	\$1,243,500

- ❑ 85-9500-54027.10301 – Environmental Services (Eastern / Harbor) is zeroed out (\$50,000)
- ❑ 85-9500-54031.10301 – Appraisal Services (Eastern / Harbor) is zeroed out (\$49,000)
- ❑ 85-9500-55020 – Bldg/Grounds Maintenance is decreased by \$7,500

Commission Housing Set-Aside

22

- ❑ 85-9500-71703 – Relocation Payment Program is decreased by \$75,000
- ❑ 85-9500-71708 -- \$50,000 is zeroed out. A new program will be brought back for council's consideration in the future.
- ❑ 85-9500-71710 – Fix-Up Grant Program is decreased by \$175,000

Commission Housing Set-Aside

- **Four new programs are to be implemented for the upcoming fiscal year (the Commission approved allocations on January 26, 2011):**
 - **Substantial Rehabilitation Housing Program -- \$1,500,000**
 - **First Time Homebuyer Program -- \$600,000**
 - **Emergency Repair Grant -- \$150,000**
 - **Home Preservation Grant -- \$140,000**

RESOLUTION NO. _____

A RESOLUTION OF THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION
ADOPTING THE ANNUAL BUDGET FOR
FISCAL YEAR 2011-2012

WHEREAS, the Executive Director has submitted a proposed ANNUAL BUDGET for fiscal year 2011-2012; and

WHEREAS, the Commission has studied the proposed Budget, received public input thereon, and approved same.

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

The ANNUAL BUDGET for the 2011-2012 fiscal year in the amount of \$29,294,191 is incorporated herein by this reference and is hereby approved and adopted.

PASSED, APPROVED and ADOPTED this _____ day of _____ 2011.

Joe Aguilar
Chairperson

ATTEST:

Jorge Rifá
Secretary



AGENDA REPORT

DATE: July 5, 2011

TO: Honorable City Council
FROM: City Administrator
SUBJECT: Commission and 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 appointment be made to the following Commissions and Committees at this time, with all terms to expire March 19, 2013, unless otherwise indicated:

Beautification Committee

Mayor Aguilar
Mayor Pro Tempore Baca Del Rio

Housing Committee

Mayor Aguilar
Mayor Pro Tempore Baca Del Rio

FISCAL IMPACT:

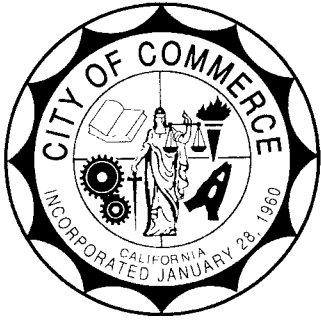
This activity can be carried out without additional impact on the current operating budget.

Recommended by:

Linda Kay Olivieri
City Clerk

Respectfully submitted,

Jorge Rifa
City Administrator



AGENDA REPORT

DATE: July 5, 2011

TO: HONORABLE CITY COUNCIL

FROM: DIRECTOR OF COMMUNITY DEVELOPMENT

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, AUTHORIZING THE APPROVAL OF THE PURCHASE AND SALE AGREEMENT FOR THE PORTION OF BOXFORD AVENUE (TO BE VACATED) NORTH OF SLAUSON AVENUE AND JOINT ESCROW INSTRUCTIONS WITH THE VONS COMPANIES, INC. (SAFEWAY/VONS)

RECOMMENDATION:

Approve and adopt the Resolution and assign the number next in order.

MOTION:

Approve the recommendation.

BACKGROUND/ANALYSIS:

Safeway/Vons has a food manufacturing and processing plant in the City located at 3415 Boxford with frontage along Slauson Avenue. The Safeway/Vons site is approximately 19 acres and is bisected by Boxford Avenue (Safeway/Vons owns all the land on both sides of the street and their facility resides on both sides of Boxford). Safeway has prepared a master plan for their facility identifying various improvements to the property i.e. parking and circulation and on site storage which will improve the overall operation and functionality of their use. In addition, Safeway/Vons is contemplating a possible future expansion of production lines.

Safeway/Vons has requested from the City a complete vacation and relinquishment of Boxford Avenue (all of which lies within their site) which in turn will add land area to their site and accommodate their master plan improvements. They have also requested to purchase from the City fee title interest to the underlying property. The subject property is that portion of Boxford Avenue north of Slauson Avenue consisting of approximately 71,718 square feet of land (1.6 acres) paved and improved as a street (see attached map). All public utilities located in the area proposed for the vacation and purchase and sale will remain in place including any and all easements reserving said rights for the utilities.

Given their interest to purchase the real property after Boxford is vacated, a Purchase and Sale Agreement has been drafted to memorialize the terms and conditions of the sale and transfer of the real property. The purchase price offered by Safeway/Vons for the land is \$1.7 million. This works out to a land price of \$23.70 per square foot. Staff has reviewed this price with Tierra West Advisors, and consistent with other recent transactions in the City, staff believes it represents a fair value for the land. A summary of the key terms is shown below:

- Purchase Price: \$1.7 million all cash at close of escrow.
- Property Description: Approximately 71,718 of land area (Boxford Avenue to be vacated north of Slauson Avenue.
- Deposit: Upon full execution of Purchase & Sale Agreement buyer to deposit \$100,000 in escrow.

- Contingency period: Thirty (30) days.
- Closing costs: Seller shall pay 50% of costs.
- Brokers Fees: None.

Planning Commission Finding:

Pursuant to Government Code Sections 37350 and 37351, the City may dispose of property if the disposition is for the common benefit of the city's citizens. Pursuant to Government Code Section 65402, the Planning Commission must prepare a report that indicates the disposition of real property and/or the vacation of any street conforms to the General Plan.

On May 25, 2011, the Planning Commission adopted a Resolution making a determination that the vacation of a portion of Boxford Avenue conforms to the City of Commerce General Plan as required by State Government Code Section 65402. In this case, the findings made for the vacation are also applicable to the property disposition and therefore no additional findings need be made.

California Environmental Quality Act (CEQA) Review

The Purchase and Sale Agreement including all related terms and conditions contained therein will not have a significant impact on the environment because the project is located in an area where there are adequate public services and facilities. Furthermore the Purchase and Sale Agreement is categorically exempt pursuant to CEQA Guidelines Section 15301, Class 1 Minor Alterations of Existing Facilities. Should the vacation (after a duly noticed public hearing in accordance with all applicable state and local laws) be approved by the City Council, a Notice of Exemption will be filed with the Office of the County Recorder pursuant to the provisions of CEQA.


RELATIONSHIP TO 2009 STRATEGIC GOALS

This agenda item report is in furtherance of Goal #1- *Maintain and Diversify Local Economy*. The proposed Purchase and Sale Agreement will help to retain an existing long-established Commerce business as it will add land area to their site and allow them to improve overall site layout and function thereby improving their operational efficiencies.

FISCAL IMPACT:

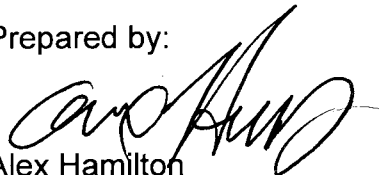
The Purchase and Sale Agreement and related terms and conditions will be the instrument to allow Safeway/Vons to purchase the underlying fee of the vacated street from the City. Safeway/Vons is paying fair market value (\$1.7 million) for the underlying fee.

Recommended by:



Bob Zarrilli
Director of Community Development

Prepared by:



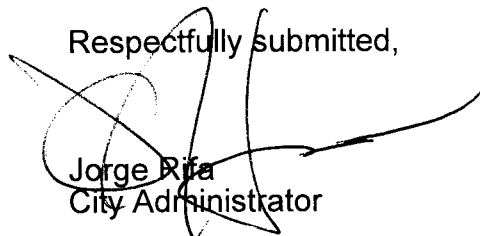
Alex Hamilton
Assistant Director of Community Development

Approved as to Form:



Eduardo Olivo
City Attorney

Respectfully submitted,



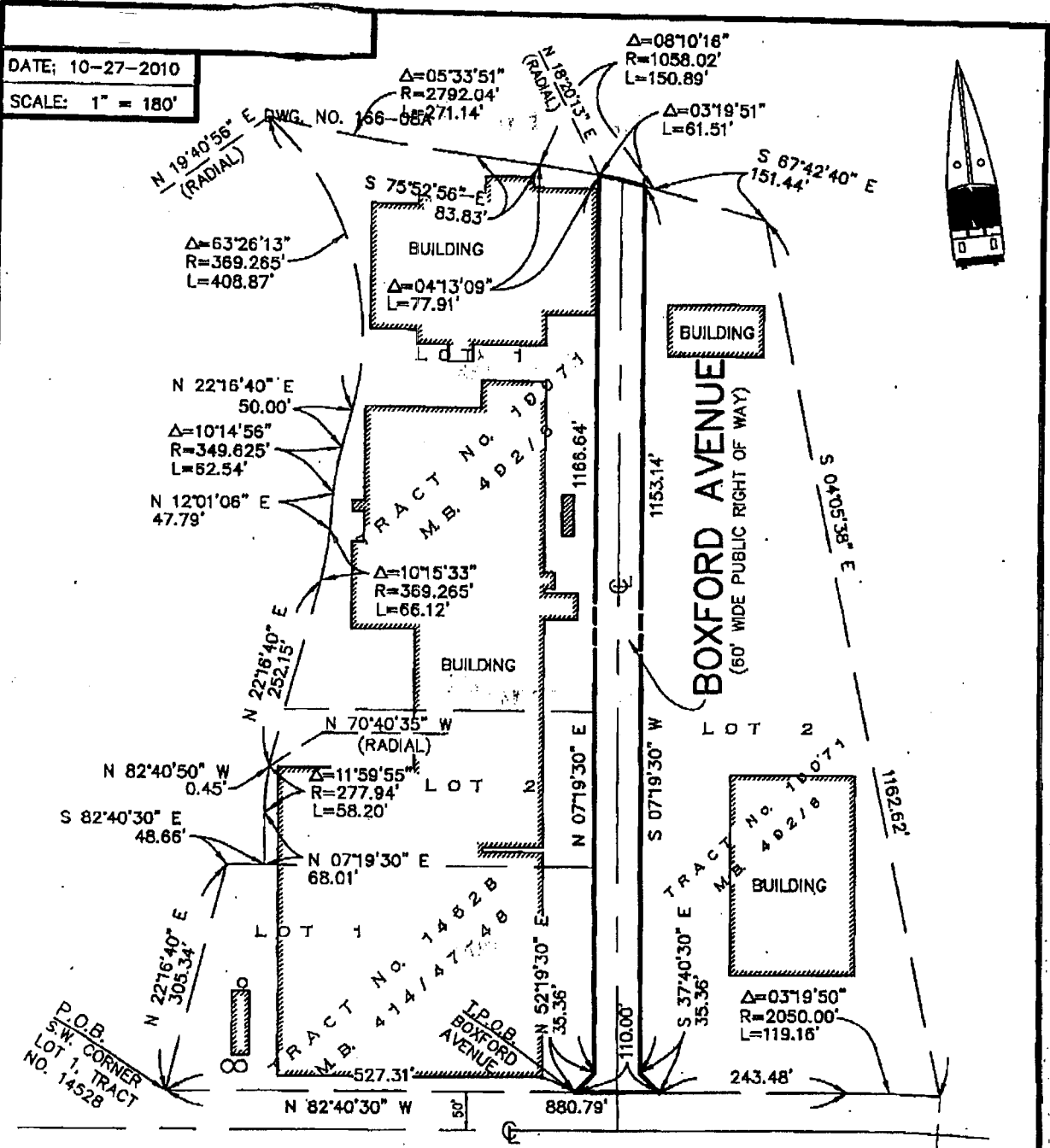
Jorge Rifa
City Administrator

Reviewed by:



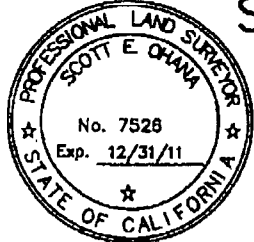
Vilko Domic
Director of Finance

DATE: 10-27-2010
 SCALE: 1" = 180'



SLAUSON AVENUE
 (100' WIDE PUBLIC RIGHT OF WAY)

THIS EXHIBIT WAS PREPARED BY ME
 OR UNDER MY DIRECT SUPERVISION



Scott E. Ohana
 SCOTT E. OHANA, P.L.S. 7526
 EXPIRES 12/31/2011

For inquiries concerning this Survey Contact MKA
 National Coordinators of Land Survey Services

MKA
 A National Land Services Group

8583 Commerce Court - Warrenton, Virginia 20187
 Phone: (540) 428-3580 Fax: (540) 428-3580
 www.mkasurveys.com

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA,
AUTHORIZING THE APPROVAL OF THE PURCHASE AND SALE AGREEMENT FOR THE
PORTION OF BOXFORD AVENUE (TO BE VACATED) NORTH OF SLAUSON AVENUE AND
JOINT ESCROW INSTRUCTIONS WITH THE VONS COMPANIES, INC. (SAFEWAY/VONS)**

WHEREAS, the City has received a request from Safeway/Vons for the vacation of a portion of Boxford Avenue north of Slauson Avenue; and

WHEREAS, said vacation is being processed in accordance with the Streets and Highways Code Section 8300 et. seq. as well as applicable sections of Government Code Section 64000 et. seq.

WHEREAS, said vacation and relinquishment of Boxford Avenue north of Slauson Avenue lies completely within Safeway/Vons site and the vacation will add land area to their site thereby facilitating their master plan improvements; and

WHEREAS, Safeway/Vons has requested to purchase from the City fee title interest of the portion of Boxford Avenue to be vacated (subject property); and

WHEREAS, the subject property consists of approximately 71,718 square feet of land (1.6 acres) currently paved and improved as a street; and

WHEREAS, all public utilities located within the area of the subject property will remain in place including any and all easements reserving said rights for the utilities; and

WHEREAS, given their interest in purchasing the subject property after Boxford is vacated, a Purchase and Sale Agreement has been prepared to memorialize the terms and conditions of the sale and transfer of real property; and

WHEREAS, staff has reviewed the terms and conditions of the Purchase and Sale Agreement (including the proposed purchase price of \$1.7 million) and believes that is accurately and equitably represents the City's best interest.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE AND DETERMINES AS FOLLOWS:

SECTION 1. The Council hereby finds and determines that the sale and disposition of Boxford Avenue (upon its vacation) will help to retain and existing long-established Commerce business as it will add land area to their site and allow them to improve their overall site layout and function thereby improving operational efficiencies.

SECTION 2. The Purchase and Sale Agreement with Escrow Instructions, between the City of Commerce and Vons Companies Inc., is hereby approved with the understanding that the City Attorney and Vons Companies Inc., will be preparing and refining the Agreement including Escrow Instructions as well as Exhibits to the Agreement.

SECTION 3. The Mayor is hereby authorized and directed to execute the Purchase and Sale Agreement and all documents necessary to implement the terms of the Purchase and Sale Agreement for an on behalf of the City of Commerce.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2011.

ATTEST:

Joe Aguilar
Mayor

Linda Kay Olivieri, MMC
City Clerk



AGENDA REPORT

DATE: July 5, 2011

TO: HONORABLE CITY COUNCIL

FROM: DIRECTOR OF COMMUNITY DEVELOPMENT

SUBJECT: PUBLIC HEARING - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, ORDERING THE VACATION OF BOXFORD AVENUE NORTH OF SLAUSON AVENUE WITH RESERVATIONS

RECOMMENDATION:

That the City Council conduct a public hearing to adopt a resolution ordering the vacation (with reservations) of Boxford Avenue North of Slauson Avenue then approve and adopt the Resolution and assign the number next in order.

MOTION:

1. Declare the public hearing open.
2. Now is the time for anyone wishing to speak on the subject to step forward.
3. Declare the public hearing closed.

Move to approve the recommendation.

BACKGROUND/ANALYSIS:

Safeway/Vons has a food manufacturing and processing plant in the City located at 3415 Boxford with frontage along Slauson Avenue. The Safeway/Vons site is approximately 19 acres and is bisected by Boxford Avenue (Safeway/Vons owns all the land on both sides of the street and their facility resides on both sides of Boxford). Safeway has prepared a master plan for their facility identifying various improvements to the property i.e. parking and circulation and on site storage which will improve the overall operation and functionality of their use. In addition, Safeway/Vons is contemplating a possible future expansion of production lines.

Safeway is requesting a complete vacation and relinquishment of the street which in turn will add land area to their site and accommodate their master plan improvements. All public utilities located in the area proposed for the vacation will remain in place including any and all easements reserving said rights for the utilities. The proposed vacation is being processed in accordance with the Streets and Highways Code Section 8300 et. seq. as well as applicable sections of Government Code Section 64000 et. seq.

Staff has received a request Safeway/Vons to enter into a purchase and sale agreement in which the City will sell and vacate that portion of Boxford Avenue which lies within their site. The purchase and sale agreement has been drafted and is being submitted for review and approval before the City Council as a separate matter.

Planning Commission Finding:

On May 25, 2011 the Planning Commission adopted a Resolution making a determination that the vacation of a portion of Boxford Avenue conforms to the City of Commerce General Plan as required by State Government Code Section 65402. More specifically, the Planning Commission found that the vacation is consistent with the General Plan including policies in the Plan that call for the use of circulation strategies that create a transportation system that is sensitive to the City's aim for continued economic development. Furthermore, the General Plan calls for the implementation of a

plan for a coordinated street circulation system that will allow for the efficient movement of goods.

California Environmental Quality Act (CEQA) Review

The proposed vacation and related conditions will not have a significant impact on the environment because the project is located in an area where there are adequate public services and facilities. Furthermore the proposed vacation request is categorically exempt pursuant to CEQA Guidelines Section 15301, Class 1 Minor Alterations of Existing Facilities. Should the vacation (after a duly noticed public hearing in accordance with all applicable state and local laws) be approved by the City Council, a Notice of Exemption will be filed with the Office of the County Recorder pursuant to the provisions of CEQA.

Public Notices

On June 7, 2011, the City Council adopted a Resolution of Intent setting a public hearing on the matter on July 5, 2011 as required by Section 8322 of the California Streets and Highways Code. A public notice of hearing for the subject vacation was published in the Commerce Comet on June 9, 2011 and June 16, 2011. Copies of the public notice were mailed to all property owners within a 500-foot radius, and posted along Slauson Avenue and Boxford Avenue as required by California Streets & Highways Code Section 8300 et seq.

Easements/Conditions To Vacation

Affected City departments, various agencies, and utility companies were notified of the proposed vacation. To date two utility companies; California Water Service Company and Sempra Energy (Formerly Southern California Gas Company) requested that easements be reserved for their facilities. The attached resolution ordering the vacation reserves grants or reserves easement rights and includes exhibits with legal descriptions for the easement areas to be reserved as well as plat maps.

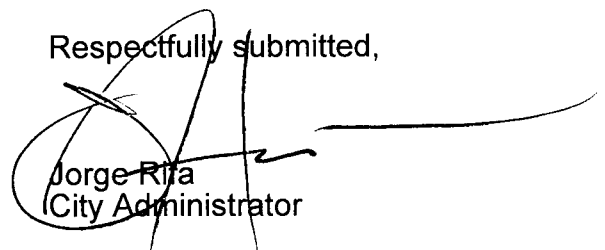
RELATIONSHIP TO 2009 STRATEGIC GOALS

This agenda item report is in furtherance of Goal #1- *Maintain and Diversify Local Economy*. The proposed street vacation will help to retain an existing long-established Commerce business as it will add land area to their site and allow them to improve overall site layout and function thereby improving their operational efficiencies.

FISCAL IMPACT:

If the vacation is approved by City Council, Safeway/Vons has offered to purchase the underlying fee of the vacated street from the City. Safeway/Vons will pay fair market value for the underlying fee which is estimated at \$1.7 million. A Purchase and Sale Agreement memorializing the terms of the land sale will be considered by City Council as a separate matter.

Respectfully submitted,

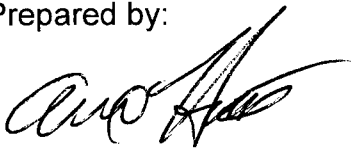

Jorge Rifa
City Administrator

Recommended by:



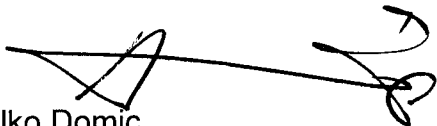
Bob Zarrilli
Director of Community Development

Prepared by:



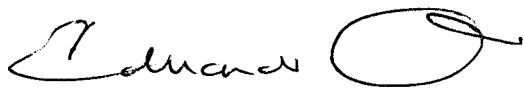
Alex Hamilton
Assistant Director of Community Development

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, ORDERING THE VACATION OF BOXFORD AVENUE NORTH OF
SLAUSON AVENUE WITH RESERVATIONS**

WHEREAS, the City has received a request from Safeway/Vons for the vacation of a portion of Boxford Avenue north of Slauson Avenue; and

WHEREAS, on May 25, 2011 the Planning Commission considered the vacation request and found that the proposed vacation of the portion of Boxford Avenue, north of Slauson Avenue is in conformity with applicable policies of the General Plan of the City of Commerce as required by Section 65402 of the Government Code of the State of California; and

WHEREAS, on June 7, 2011, the City Council adopted Resolution No. _____ declaring its intention to order the street vacation; and

WHEREAS, the portion of Boxford Avenue north of Slauson Avenue as indicated in the attached Exhibits A and B, is not an essential or integral part of said transportation and traffic circulation system for the City of Commerce; and

WHEREAS, affected City departments, various agencies, and utility companies were notified of the proposed vacation and to date two utility companies; California Water Service Company and Sempra Energy (formerly Southern California Gas Company) requested that easements be reserved for their infrastructure facilities; and

WHEREAS, the City Council held a public hearing on July 5, 2011 at 6:30 p.m. for the purpose of considering the vacation of the subject street; and

WHEREAS, the City Council shall review all facts concerning the subject request and has considered all evidence submitted at the July 5, 2011 public hearing.

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE AND DETERMINES AS FOLLOWS:

SECTION 1. The Council having heard the evidence in relation to the subject street vacation of Boxford Avenue north of Slauson Avenue finds from all the evidence submitted that the street referred to above is unnecessary for present or future street purposes, and said Council orders the vacation of said public right-of-way, in the City of Commerce, County of Los Angeles, State of California, as more particularly described in Exhibits A and B which Exhibits are attached hereto and by this reference incorporated herein; subject to the conditions/reservations set forth herein.

SECTION 2. The Council has determined that the public convenience and necessity required the street vacation be subject to easement reservations reserving and excepting from this vacation the permanent easement and right at any time, or from time to time to construct, maintain, operate, replace, remove, renew, enlarge or install new pipelines and appurtenant structures in, upon, over, and across said street to be vacated in favor of California Water Service Company and Sempra Energy (formerly Southern California Gas Company). The legal description of the property to be reserved and excepted from the vacation is hereby set forth on Exhibits C1, C2, D1, and D2 respectively attached hereto and by this reference made a part hereof."

SECTION 3. The proposed vacation and related conditions will not have a significant impact on the environment because the project is located in an area where there are adequate public services and facilities. Furthermore, the proposed vacation request is categorically exempt pursuant to CEQA Guidelines Section 15301, Class 1 Minor Alterations of Existing Facilities.

SECTION 4. The City Clerk is hereby directed to cause a certified copy of this Resolution to be recorded in the Office of The County Recorder of Los Angeles County, California.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2011.

Joe Aguilar
Mayor

ATTEST:

Linda Kay Olivieri, MMC
City Clerk



AGENDA REPORT

DATE: July 5, 2011

TO: Honorable City Council and Community Development Commission

FROM: City Administrator/Executive Director

SUBJECT: REPORT ON LEGISLATIVE ITEMS

RECOMMENDATION:

Council/Commission discretion.

MOTION:

Council/Commission discretion.

BACKGROUND

From time to time, legislation is considered by the State Legislature that affects local government and redevelopment agencies.

ANALYSIS:

The Council and Commission will receive an update on, and be requested to take the appropriate action with respect to, legislative items of concern to the City and Commission.

Staff recommends the Council and Commission direct staff to work with organizations such as the League of California Cities in reviewing proposed legislation and legislative issues and making recommendations concerning the City's position to the Council and Commission. The positions adopted by the Council and Commission will direct the City's lobbying efforts during the 2011 Legislative Session.

FISCAL IMPACT:

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

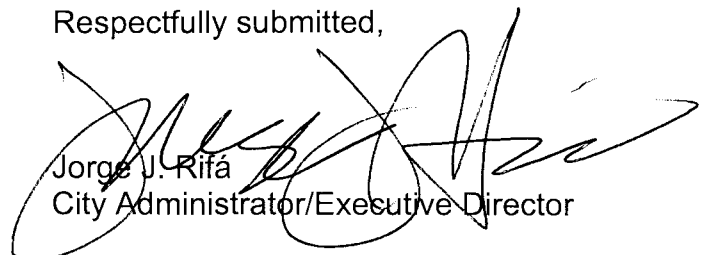
STRATEGIC GOALS:

The recommendation before the City Council is applicable to the following Council strategic goal:

"Protect and Enhance Quality of Life in the City of Commerce"

Though the item has no specific objective related to this recommendation, it is connected to the City's interest to protect and enhance the quality of life of the community.

Respectfully submitted,



Jorge J. Rifa
City Administrator/Executive Director

