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**AGENDA FOR THE ADJOURNED REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF COMMERCE
COUNCIL CHAMBERS
5655 JILLSON WAY, COMMERCE, CALIFORNIA**

TUESDAY, OCTOBER 25, 2011 – 6:30 P.M.

CALL TO ORDER

Mayor Aguilar

ROLL CALL

City Clerk Olivieri

PUBLIC COMMENT (TIME LIMITATION – 5 MINUTES)

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

PUBLIC HEARINGS

- 1. Public Hearing – A Resolution of the City Council of the City of Commerce, California, Ordering the Vacation of a Portion of Sheila Street From Arrowmill Avenue Westerly Approximately 573 Feet to the Terminus of Said Sheila Street with Reservations
In 1992, at the request of BNSF Railway, the City of Commerce vacated a portion of Sheila Street from Indiana east stopping short of Arrowmill**

COUNCIL ADJOURNED AGENDA

10/25/11 – 6:30 p.m.

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Avenue approximately 573 feet. BNSF has requested the City vacate the remainder of Sheila Street to Arrowmill Avenue. BNSF owns the properties in the immediate vicinity of the proposed vacation and it is home to their intermodal facility.

The **City Council** will conduct a public hearing on, and thereafter consider for approval and adoption, a proposed Resolution ordering the vacation of a portion of Sheila Street from Arrowmill Avenue westerly approximately 573 feet to the terminus of said Sheila Street with reservations.

SCHEDULED MATTERS

2. Funding Options for Deputy City Administrator, Public Information Officer and Senior Management Analyst Positions

At the request of Mayor Pro Tempore Baca Del Rio and Councilmember Robles, the **City Council** will consider various budgetary funding options for the newly created Deputy City Administrator classification and Public Information Officer and Senior Management Analyst positions.

3. Commission Appointment

The **City Council** will make the appropriate appointment to the following City Commission: Parks and Recreation Commission.

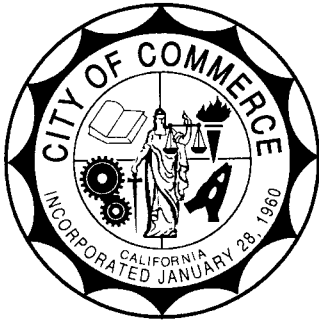
RECESS TO CLOSED SESSION

4. Pursuant to Government Code §54957,

A. The **City Council** will consider personnel matters related to the appointment of a Deputy City Administrator.

ADJOURNMENT

<p style="text-align: center;">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.</p>



AGENDA REPORT

DATE: October 25, 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 A PORTION OF SHEILA STREET FROM ARROWMILL AVENUE WESTERLY APPROXIMATELY 573 FEET TO THE TERMINUS OF SAID SHEILA STREET WITH RESERVATIONS

RECOMMENDATION:

That the City Council conduct a public hearing to adopt a resolution ordering the vacation (with reservations) of a portion of Sheila Street from Arrowmill Avenue westerly approximately 573 feet to the terminus of said Sheila Street then approve and adopt the Resolution and assign the number next in order.

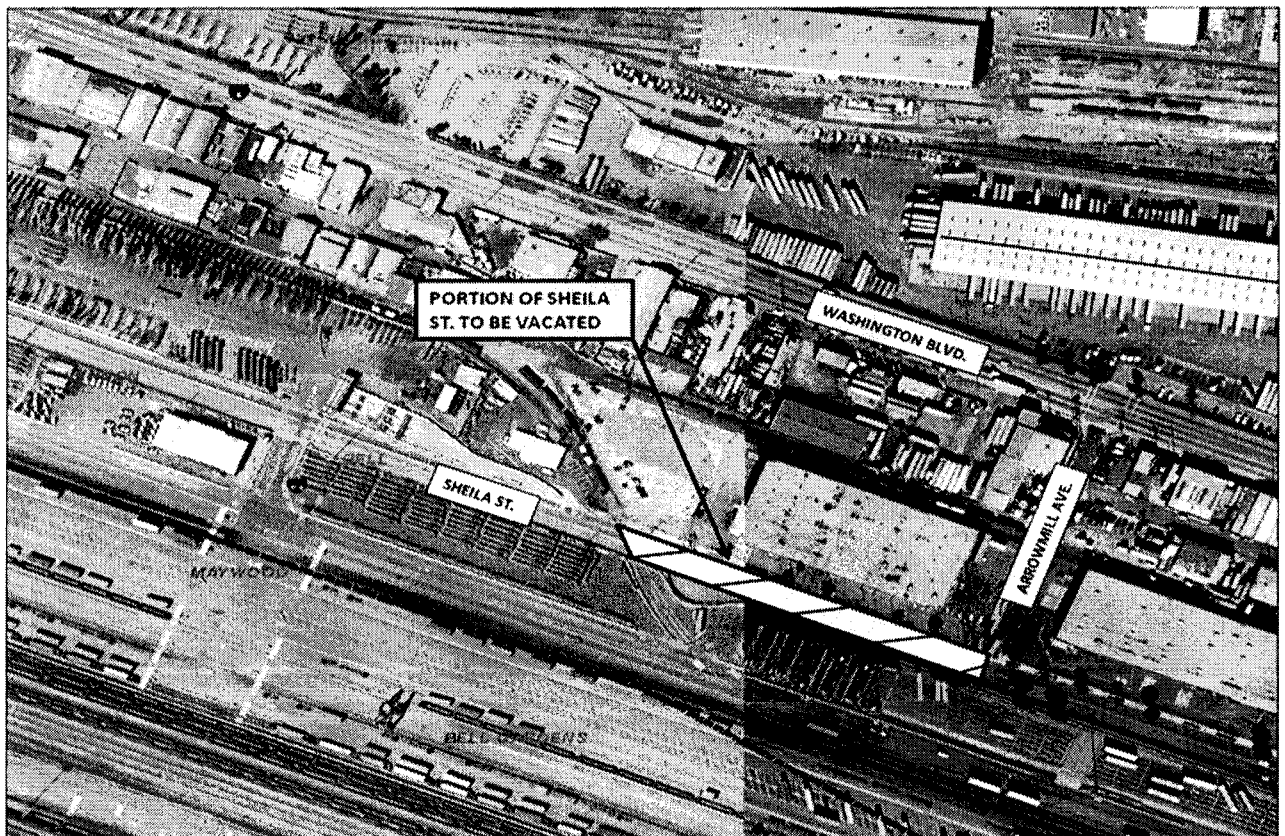
MOTION:

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:

In 1992, at the request of BNSF Railway, the City of Commerce vacated a portion Sheila Street from Indiana east stopping short of Arrowmill Avenue approximately 573 feet. BNSF has requested the City vacate the remainder of Sheila Street to Arrowmill Avenue. BNSF owns the properties in the immediate vicinity of the proposed vacation and it is home to their intermodal facility. See the map below for the location of the proposed vacation:



Planning Commission Finding:

On May 25, 2011 the Planning Commission adopted a Resolution making a determination that the vacation of a portion of Sheila Street 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 following General Plan including polices 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 September 20, 2011 the City Council considered a Resolution of Intent as required by Section 8322 of the California Streets and Highways Code authorizing the City Clerk to set the time date, and place of the public hearing. Initially, November 15, 2011 was selected as the date to consider the vacation request, but at the request of BNSF, an alternative date of October 25th was selected by Council.

A public notice of hearing for the subject vacation was published in the Commerce Comet on September 22, 2011 and September 29, 2011. Copies of the public notice were mailed to all property owners within a 500-foot radius, and posted along Sheila Street 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. California Water Service Company and Sempra Energy (Formerly Southern California Gas Company) as well as the Los Angeles County Department of Public Works requested that easements be reserved for their facilities. In addition, Los Angeles County Fire Department has requested that an access easement be provided over a portion of the vacated right of way. The attached resolution ordering the vacation reserves grants or reserves easement rights and includes exhibits with Easement Agreements including legal descriptions for the easement areas to be reserved as well as plat maps.

In addition, the vacation is subject to the following conditions of approval:

- BNSF shall provide an easement agreement conferring access rights to a parcel (Taylor Parcel) over the vacated street. Said easement is necessary to prevent this parcel from effectively being "landlocked" and losing access as a result of the vacation. Said easement shall be prepared to the satisfaction of the City Attorney and shall be included in the attached street vacation resolution.
- BNSF shall dedicate to the City a small portion of property at the northwest corner of Arrowmill Avenue and Sheila Street as depicted in the attached vacation exhibit for the construction of a truck turning radius. Said dedication shall be on a form approved by the City Attorney and the dedication shall be provided prior to recordation of the attached street vacation resolution.

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:

The actions proposed in this report have no fiscal impact to the City as all vacation efforts can be accommodated with current budgeted resources.

Respectfully submitted,



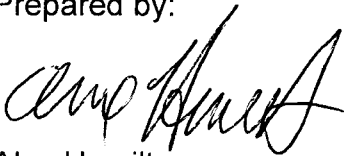
Jorge Rifa
City Administrator

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

PUBLIC HEARING – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, ORDERING THE VACATION OF A PORTION OF SHEILA STREET FROM ARROWMILL AVENUE WESTERLY APPROXIMATELY 573 FEET TO THE TERMINUS OF SAID SHEILA STREET WITH RESERVATIONS

The City Attorney is currently working on this Resolution.

PARS TRANSITION -- CITY ADMINISTRATOR'S OFFICE / PUBLIC INFORMATION OFFICE

Option A - (City Administrator's Recommendation)

Organizational Impact: Creation of a Deputy City Admin position; PIO and Sr. Management Analyst positions are frozen

Fiscal Impact: Savings

Option B

Organizational Impact: Upgrade the Senior Management Analyst position to that of a Deputy City Administrator

Fiscal Impact: Additional Cost

Potential Funding: Fund from the PARS Implementation savings

Option C

Organizational Impact: Creation of a Deputy City Admin position; PIO position remains funded (HR proceeds with a Promotional / Open recruitment) and the Senior Management Analyst position is frozen

Fiscal Impact: Additional Cost

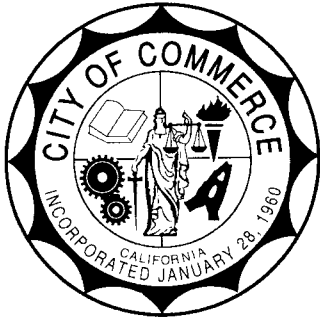
(Note: this figure is subject to change depending the direction the council may take regarding the position vacated by the individual that would be appointed to the PIO position)

Option D

Organizational Impact: Creation of a Deputy City Admin position; PIO and Sr. Mgmt Analyst positions frozen;

An additional 5% salary compensation (Premium Pay) will be temporarily given to an assigned staff to assume additional responsibilities in coordinating the daily activities of the Media Specialist Unit pending an organizational structure review.

Fiscal Impact: Savings



AGENDA REPORT

DATE: October 25, 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 appointments be made to the following Committees at this time, with all terms to expire March 19, 2013, unless otherwise indicated:

Parks & Recreation Commission

Councilmember Leon

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 J. Rifa
City Administrator