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**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, DECEMBER 1, 2009 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Aguilar

PLEDGE OF ALLEGIANCE

Scott Wasserman
Assistant Director of Parks & Recreation

INVOCATION

Councilmember/Commissioner Fierro

ROLL CALL

City Clerk/Assistant Secretary Olivieri

APPEARANCES AND PRESENTATIONS

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/Commission 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

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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.

1. Approval of Warrant Register No. 6, dated December 1, 2009

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 6, dated December 1, 2009.

2. James W. Bristow Marksmanship Range – Ratification of Emergency Clean-up Agreements

The **City Council** will consider for approval and ratification the emergency clean-up agreements with Hillman Environmental Group, LLC, for environmental and engineering consulting services, and Environmental Construction Group, for professional cleaning and removal of hazardous materials services entered into by the City of Commerce as a result of the lead abatement at the James W. Bristow Marksmanship Range.

3. Temporary Change in Business Hours for the Commerce Central Library During Its Temporary Re-location, for the Central Library Renovation Project

The **City Council** will consider for approval a temporary change of business hours for the Commerce Central Library during construction work on the renovation of the Central Library. The library will be re-located in a modular building set up in the Jillson Street parking lot. The temporary hours will be: Monday thru Thursday – 9:00 a.m. to 6:00 p.m. and Friday – 10:00 a.m. to 6:00 p.m., Saturday – Closed

4. Consideration of Opposition to Proposed California Integrated Waste Management Board's Regulations Regarding Landfill Closure, Postclosure Maintenance, and Corrective Action Cost Estimates and Related Financial Assurance Demonstrations

The **City Council** will consider sending a formal letter in opposition to the proposed California Integrated Waste Management Board's (CIWMB) regulations regarding closure and postclosure maintenance of and corrective action cost estimates and related financial assurance demonstrations for landfills and, request that the requirements for trust funds therefore remain the same.

5. A Resolution of the City Council of the City of Commerce, California, Awarding Cash Contract No. 0912 – Transportation Service Center Underground Storage Tanks Removal Project to Tafoya & Associates, Inc., of Chino Hills, California, and Other Matters Related Thereto.

The **City Council** will consider for approval and adoption a proposed Resolution awarding Cash Contract No. 0912 – Transportation Service Center Underground Storage Tanks Removal Project to Tafoya & Associates, Inc., of Chino Hills, California, for the excavation, removal and proper disposal of the three existing underground fuel storage tanks located at 5555 Jillson Street.

6. A Resolution of the City Council of the City of Commerce, California, Approving the First Amendment of the Lease of Real Property (Water System) Between the City and CWS Utility Services and Establishing New Rates and Charges for the Furnishing of Water by the City

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The **City Council** will consider for approval and adoption a proposed Resolution approving the First Amendment to the Lease of Real Property (Water System) between the City and CWS Utility Services and establishing new rates and charges for the furnishing of water by the City for the City-owned Water System.

The Commerce Water System consists of the area south of 26th Street, west of Telegraph Road, north of Gave Avenue and east of the I-710 Freeway.

PUBLIC HEARINGS

SCHEDULED MATTERS

7. Report Regarding and Consideration of Dissolution of Community Railroad Task Force

The **City Council** will consider approving the dissolution of the Community Railroad Task Force while authorizing the model outlined in the staff report to insure that ongoing community concerns regarding the Union Pacific and Burlington Northern & Santa Fe rail operations are address by and through City staff working in collaboration with the Environmental Justice Advisory Task Force.

8. Delegate Appointment

The **City Council** will make the appropriate appointment to the following board with the term to expire January 2, 2012: Greater Los Angeles County Vector Control District.

9. Commission and Committee Appointments

The **City Council** will make the appropriate appointments to the following Commissions and Committees: Library Commission, Youth Advisory Commission, Housing Committee, I-710 Local Advisory Committee and Pageant Steering Committee.

ORDINANCES AND RESOLUTIONS

LEGISLATIVE UPDATE

10. State of California Legislative Analyst's Office Fiscal Outlook Report

The **City Council** will receive a report on the State of California Legislative Analyst's Fiscal Outlook Report for the fiscal year 2010-11 State budget.

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

11. Pursuant to Government Code §54956.8, the Commission will confer with its real property negotiators, Jorge Rifa, Bob Zarrilli and John Yonai, with respect to real estate negotiations with:

- A. Steve Craig, of Eureka Realty Partners, Inc., dba Craig Realty Group, including proposed price and other terms, concerning the proposed Commerce Boardwalk (Urban Entertainment Center) Project, located along Telegraph Road, South of Gaspar Avenue and North of the Commerce Casino [Tubeway Avenue], at 5809, 5819, 5823, 5901/5903, 5933, 5959, 6001, 6003 and 6051 Telegraph Road; 2240 Gaspar Avenue; 2311, 2322 and 2366 Travers

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Avenue and 2331 Tubeway Avenue, Commerce California; Frazee Commerce Properties, Ltd, including proposed price and other terms, concerning 2366 Travers Avenue, Commerce, California; Justman Family Trust, Morley Justman Co., Trustee, including proposed price and other terms, concerning 5823 Telegraph Road, Commerce, California; Russell E. Justman, including proposed price and other terms, concerning 5819 Telegraph Road, Commerce, California, and California Commerce Club, Inc., including proposed price and other terms concerning 6051 Telegraph Road and 2331 Tubeway Avenue, Commerce, California.

12. Pursuant to Government Code §54956.9(a),
The **City Council** will confer with its legal counsel, and take the appropriate action, with respect to the pending litigation of Assembledge, Inc., v. City of Commerce, Superior Court of the State of California, County of Los Angeles, Central District, Case No. 09C04376.
13. 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 one potential case.
 - 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.

ADJOURNMENT

<p>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>
