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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, SEPTEMBER 16, 2008 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Baca Del Rio

PLEDGE OF ALLEGIANCE

Scott Wasserman
Assistant Director of Parks and Recreation

INVOCATION

Councilmember Lopez

ROLL CALL

City Clerk/Assistant Secretary Olivieri

APPEARANCES AND PRESENTATIONS

1. Presentation - 2008 Beautification Committee Awards

The **City Council** will present awards to the winners of the 2008 Beautification Contest for "Home of the Year" and "Industry of the Year".

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:

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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 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.

2. Approval of Warrant Register No. 5, dated September 16, 2008

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 5, dated September 16, 2008.

3. Services Agreement with SCS Engineers, to Provide Project Support Services to the City to Prepare the City's California Integrated Waste Management Board (CIWMB) 2007 Annual Report

The **City Council** will consider for approval, and authorizing the execution of, a Services Agreement with SCS Engineers, to provide project support services to the City to prepare the City's California Integrated Waste Management Board's (CIWMB) 2007 Annual Report.

4. Second Amendment to Disposition and Development Agreement with Costco Wholesale Corporation

The **Commission** will consider for approval, and authorizing and ratifying entry into, the Second Amendment to the Disposition and Development Agreement between the Commission and Costco Wholesale Corporation and authorizing and ratifying the Commission Chairperson's execution of said Amendment for and on behalf of the Commission.

5. Acceptance of Design, Fabrication and Installation of New Street Entrance Monuments in the City of Commerce Project

The **City Council** will consider (1) accepting the work performed by Scenario Design, Inc., of Los Angeles, California, under the Standard Contract Agreement for the above named project, as being satisfactory and complete, and (2) authorizing staff to file the "Notice of Completion" for the project with the Los Angeles County Clerk/Registrar-Recorder's Office and thirty-five (35) days thereafter make final payment of the 10% retention.

6. Letter of Support Endorsing Assembly Bill 844, Introduced by Assembly Member Tom Berryhill, Related to Junk Dealers and Recyclers

The **City Council** will consider approving a proposed letter in support of Assembly Bill 844, introduced by Assembly Member Tom Berryhill, relating to junk dealers and recyclers.

7. Resolutions of the City Council of the City of Commerce, California Relating to League of California Cities Proposed Resolutions

1) A Resolution of the City Council of the City of Commerce, California, in Support of Amendments to the League of California Cities Corporate Bylaws

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2) A Resolution of the City Council of the City of Commerce, California, in Support of the 2-1-1 California Telephone Service

3) A Resolution of the City Council of the City of Commerce, California, Supporting the Extension of the Federal Section 45 Production Tax Credit

4) A Resolution of the City Council of the City of Commerce, California, in Support of the Comprehensive Statewide Water Infrastructure Plan

The **City Council** will consider for approval and adoption four proposed Resolutions relating to the League California Cities Bylaws Amendments, 2-1-1 California Telephone Service, Extension of Federal Section 45 Production Tax Credit and Comprehensive Statewide Water Infrastructure Plan.

PUBLIC HEARINGS

8. Public Hearing - An Ordinance of the City Council of the City of Commerce, California, Repealing Chapter 19.39, Division 16 (Design Review) of the Commerce Municipal Code, Disbanding the City's Design Review Committee, Amending Title 19 ("Zoning") of the Commerce Municipal Code, Sections 19.19.070 (Site Planning and General Development Standards - Construction Materials), 19.19.130 (Site Planning and General Development Standards - Light and Glare), 19.19.190 (Site Planning and General Development Standards - Shade and Solar Access), 19.19.200 (Site Planning and General Development Standards - Garage Doors), 19.39.420 (Conditional Use Permit – Required Findings), 19.39.680 (Site Plan Review – Basis for Approval) and Creating Section 19.19.220 (Site Planning and General Development Standards - General Development Standards and Design Guidelines) – First Reading

The City Council will conduct a public hearing on, and thereafter consider for first reading, a proposed Ordinance repealing Chapter 19.39, Division 16 (Design Review) of the Commerce Municipal Code, disbanding the City's Design Review Committee, amending Title 19 ("Zoning") of the Commerce Municipal Code, Sections 19.19.070 (Site Planning and General Development Standards - Construction Materials), 19.19.130 (Site Planning and General Development Standards - Light and Glare), 19.19.190 (Site Planning and General Development Standards - Shade and Solar Access), 19.19.200 (Site Planning and General Development Standards - Garage Doors), 19.39.420 (Conditional Use Permit – Required Findings), 19.39.680 (Site Plan Review – Basis for Approval) and creating Section 19.19.220 (Site Planning and General Development Standards - General Development Standards and Design Guidelines).

9. Public Hearing - An Ordinance of the City Council of the City of Commerce, California, Amending Title 6 ("Health and Sanitation") of the Commerce Municipal Code, Sections 6.18.030 (General Provisions), (A) and (B), as Required by the Federal Emergency Management Agency (FEMA), Pursuant to the National Flood Insurance Act and National Flood Insurance Program – First Reading

The **City Council** will conduct a public hearing on, and thereafter consider for first reading, a proposed Ordinance amending Title 6 ("Health and Sanitation") of the Commerce Municipal Code, Sections 6.18.030 (General Provisions) (A) and (B), as required by the Federal Emergency Management Agency (FEMA), pursuant to the National Flood Insurance Act and National Flood Insurance Program.

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SCHEDULED MATTERS

10. 2008 Year-to-date Crime Statistics Report – Los Angeles County Sheriff's Department

The **City Council** will receive a presentation pertaining to the Los Angeles County Sheriff's Department's Crime Statistics. The report will cover the current year through July 31, 2008. Captain Henry Romero, Commander of the East Los Angeles Sheriff's Substation, will make the presentation.

11. City Comment Letter to Caltrans Regarding I-710 Corridor Project EIR/EIS

The **City Council** will consider for approval, and authorizing the execution of, the City's comment letter to Caltrans regarding the I-710 Corridor Project EIR/EIS.

12. Update on New CNG Powered Buses and CNG Fueling Facility

At the request of Councilmember Fierro, the **City Council** will receive an update on the delivery of new CNG powered buses and the construction of the new CNG Fueling Station on Shelia Street.

13. Request to Telecast City Council Candidates Forum

The **City Council** will consider and take the appropriate action with respect to, a request from the Commerce Industrial Council to have the City record and televise a candidate's forum to be held on Wednesday, October 1, 2008, regarding the upcoming Special Municipal Election.

14. Commission and Committee Appointments

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

ORDINANCES AND RESOLUTIONS

15. A Resolution of the City Council of the City of Commerce in Support of the Central Basin Municipal Water District's "Shut Your Tap" Water Conservation Campaign

The City Council will consider for approval and adoption a proposed Resolution supporting the Central Basin Municipal Water District's "Shut Your Tap" water conservation campaign.

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

16. 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. 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 Avenue and 2331 Tubeway Avenue, Commerce, California; Dura Carpet Supply

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Company, 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.

- B. Silvestre Gonzales, of Casa De Gonzales Automotive Group, Inc., including proposed price and other terms, concerning property located at 6300 Telegraph Road, Commerce, California, commonly referred to as the Commerce Plaza Hotel property.

17. Pursuant to Government Code §54956.9(a),

- A. The **City Council** will confer with its legal counsel, and take the appropriate action with respect to, the pending litigation of City of Commerce, et al. v Billie Wilson, et al., Superior Court of the State of California, County of Los Angeles, Case No. 08K12164

18. 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.

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>
