



# City of Commerce

## Meeting Minutes

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Tuesday, December 12, 2023 - 5:00 PM

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**CONCURRENT JOINT MEETINGS OF THE CITY COUNCIL OF THE CITY OF  
COMMERCE, JOINT POWERS FINANCING AUTHORITY AND THE GOVERNING BODY  
OF THE SUCCESSOR AGENCY TO THE COMMERCE COMMUNITY DEVELOPMENT  
COMMISSION**

### **5:00 P.M. CLOSED SESSION**

#### **CALL TO ORDER**

*Mayor Argumedo called the meeting to order at 5:03 p.m.*

#### **ROLL CALL**

**Present:** 5 - Mayor Argumedo  
Mayor Pro Tem Altamirano  
Councilmember Garcia  
Councilmember Lainez  
Councilmember Rebollo

#### **PUBLIC COMMENT ON CLOSED SESSION ITEMS**

*There were no individuals wishing to address the City Council on any items on Closed Session agenda.*

#### **RECESS TO CLOSED SESSION**

*City Council/Successor Agency recessed to Closed Session at 5:05 p.m.*

1. Pursuant to Government Code §54956.8, the City Council will confer with its real property negotiator, Vilko Domic, with respect to real estate negotiations regarding properties located at:
  - 5440 Telegraph Road
  - 4560 Washington Blvd
  - 5809 Telegraph Road, 2240 Gaspar Avenue, 5933 Telegraph Road, 6007 Telegraph Road, 5819 Telegraph Road, 2366 Travers Avenue,
  - 2535 Commerce Way, 2555 Commerce Way, 5600 Harbor Street, 5107 Astor Avenue, 4725 Astor Avenue.
  - 6241 Telegraph Road
  - 2500 S. Eastern, 5600, 5610, 5620 Jillson Street, 4545 E. Washington Boulevard
  - 5926 Sheila Street
  - 5736 E. Washington Boulevard, 5733 Sheila Street

2. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(d)(2) & (e)(2) - Regarding Anticipated/Potential Litigation - Two (2) Matters.
3. CITY COUNCIL CONFERENCE REGARDING PUBLIC EMPLOYEE RECRUITMENT/EMPLOYMENT/APPOINTMENT pursuant to Government Code 54957 (b)
  - (1) Employee Title: City Manager
  - (2) Employee Title: Public Works Director
  - (3) Employee Title: Director of Economic Development and Planning
4. Pursuant to Government Code §54956.8, the City Council will confer with its real property negotiator, Vilko Domic, with respect to real estate negotiations regarding Craig Realty Corporation concerning proposed price and other terms relating thereto, comprised of the former Commerce Community Development Commission-owned real property located along the Telegraph Road Corridor, south of Gaspar Avenue and north of the Commerce Casino [Tubeway Avenue], formerly known as 5809, 5819, 5823, 2901/2903, 5933, 5901, 5959, 6000, 6003 and 6233 Telegraph Road and 2240 Gaspar Avenue; 2311, 2322 and 2366 Travers Avenue, Commerce, California.

#### **RECONVENE TO OPEN SESSION**

*City Council/Successor Agency reconvened to Open Session at 6:22 p.m.*

#### **ORAL CLOSED SESSION ANNOUNCEMENT**

*City Attorney Tapia reported on Closed session items:*

*Item #1 – City staff provided a presentation, the City Council provided feedback and no reportable action was taken on this item.*

*Item #3.A, 3.B and 3.C - City staff made a presentation, and the City Council provided feedback. No final reportable action was taken.*

*Item #2, and #4 - City staff provided a presentation, the City Council provided feedback and no reportable action was taken on these items.*

#### **6:00 P.M. - CITY COUNCIL MEETING**

#### **CALL TO ORDER**

*Mayor Argumedo called regular meeting to order at 6:24 p.m.*

#### **ROLL CALL**

**Present:** 5 - Mayor Argumedo  
Mayor Pro Tem Altamirano  
Councilmember Garcia  
Councilmember Lainez  
Councilmember Rebollo

## **PLEDGE OF ALLEGIANCE**

*Director of Human Resources Pappo led the Pledge of Allegiance*

## **INVOCATION**

*Councilmember Rebollo offered the invocation.*

## **PUBLIC COMMENT**

*Olivia Kayo, Jasmine Gonzalez, Antonia Lupercia, Honey Bizarro, and Carmen Marquez collectively urged the City Council to reconsider and reinstate the pre-pandemic operating hours for branch libraries. Olivia Kayo formally submitted a petition containing signatures to the City Clerk in support of this request.*

*Orlando Apante specifically appealed to the City Council to extend the operating hours of the Veteran's library.*

*Patricia Melendez addressed concerns about the sidewalk at 6444 Ferguson Drive, explaining that the elevated driveway was rendering it inaccessible for her renter. She requested the installation of an ADA-compliant driveway.*

*Sonia Bautista, the Library Director, provided updates on the City's efforts to recruit a full-time librarian, a part-time librarian, and other positions. Bautista mentioned that once the part-time librarian is hired, Saturday hours will be reinstated. Other requests will be revisited during the mid-year budget, as discussed by Assistant City Manager Domic in the second meeting in February.*

*Councilmember Rebollo asked the staff to provide updates on hours and inquired about the timeline for the full transition to pre-pandemic operating hours.*

*Director of Administrative Services and City Clerk Shumway summarized a letter from Jonathan Hawes, a whistleblower on Andre Quentero and Team El Monte. Hawes requested that the City Council pass a resolution condemning the alleged crimes to protect the Mayor of El Monte.*

*City Attorney Tapia added that a written comment was received from Alan Fenstermacher representing Vivent Management, LLC. Fenstermacher requested*

*City approval of the Final Map with the express condition that his client's billboard remains permitted and is not condemned.*

## CONSENT CALENDAR

*Mayor Argumedo pulled item #3 for discussion.*

*item #3 - Acting Senior Management Analyst Delgado delivered a concise presentation on agenda item #3. Following that, Lily Trujillo, Executive Director of Street Racing Kills, and Lori Argumedo, Community Relations Director, provided an overview of the organization and outlined the programs that would be implemented in the City of Commerce through a grant. They supplemented their presentation with a video.*

*Councilmembers and the Mayor expressed gratitude for the impactful work done by Street Racing Kills. They commended the organization's growth and expansion, expressing pride in its achievements. Appreciation was extended for the organization's commitment to making a positive difference. Suggestions were made to consider expanding the program to other cities and generating interest among them.*

*The discussion then shifted to street racing ordinance, with a specific request to bring forward such an ordinance in January.*

*Councilmember Rebollo moved, seconded by Councilmember Lainez, to authorize City Staff to accept funding in the amount of \$150,000.00 from the California Office of Traffic and Safety (OTS) Federal Highway Safety Program Grant. The motion was carried by the following vote:*

*AYES: Councilmembers Garcia, Lainez, Rebollo, Vice mayor Altamirano and Mayor Argumedo (5)*

**Councilmember Lainez moved, seconded by Councilmember Rebollo, to approve the Consent Calendar minus item #3. The motion was carried by the following vote:**

**Ayes:** 5 - Mayor Argumedo, Mayor Pro Tem Altamirano, Councilmember Garcia, Councilmember Lainez, and Councilmember Rebollo

1. Approval of Warrant Register Nos. 8A, 8B, 8C, 9A, 9B, and 9C
2. Approval of Minutes

3. 2024 California Office of Traffic and Safety Federal Highway Safety Program Grant
4. Council Meeting Schedule -Rescheduling January 9, 2024, to January 16, 2024, due to Holiday Closure of the City Hall

#### SCHEDULED MATTERS

5. Presentation/Update from the Sheriff's Department Regarding Public Safety in the City of Commerce

*Sergeant Duarte presented statistics and activities from the past month, highlighting the creation of two flyers—one containing safety tips for holiday shopping and the other addressing vehicle theft.*

*In response to Councilmember Garcia's inquiries about burglaries surpassing those in the East Los Angeles area, Sergeant Duarte explained that Commerce has two significant commercial centers, namely Commerce Center and Citadel, where incidents like auto theft and other thefts are more prevalent.*

*Addressing Councilmember Rebollo's question regarding the legality of motorized bicycle congregations taking over vehicular roads, Duarte clarified that it is not legal. However, she acknowledged that it might not always be feasible to address the issue immediately. Still, once a congregation is identified, warnings are issued promptly.*

*Mayor Argumedo inquired whether deputies could explore the technology and processes they use, considering the possibility of adopting them for use in Commerce.*

*Vice Mayor Altamirano moved, seconded by Councilmember Garcia, to receive and file a report. The motion was carried by the following vote:*

*AYES: Councilmembers Garcia, Lainez, Vice Mayor Altamirano and Mayor Argumedo (4)*

*Absent: Councilmember Rebollo (1)*

6. Concept Plan for the Pathways for Hope Grant Funded Improvement Project

*Acting Public Works Director Nila introduced Larry Vine of RJM, who presented the proposed concept. A discussion ensued regarding decomposed granite, focusing on its durability. Councilmember Lainez inquired about Bandini Park, expressing support for pathway lights. It was decided that an evaluation would be conducted to determine the most suitable lights, considering factors such as cycling and the irrigation system.*

*Responding to Councilmember Rebollo's queries about tree removal, Larry assured that RJM has a licensed arborist, who identified only three trees requiring replacement. Additionally, 11 new trees will be planted. Larry encouraged citizens to participate in a survey to contribute to the concept development.*

**Vice Mayor Altamirano moved, seconded by Councilmember Rebollo, to receive and file a presentation on the proposed Concept Plan for the Pathways for Hope Connectivity Improvements Project by RJM Design Group, Inc. the City's project consultant, and adopt a Resolution approving the proposed improvements Concept Plan and authorizing preparation of plans and specifications and bidding for construction. The motion was carried by the following vote:**

**Ayes:** 4 - Mayor Argumedo, Councilmember Garcia, Councilmember Lainez, and Councilmember Rebollo

**Absent:** 1 - Mayor Pro Tem Altamirano

**7. Award of Construction Contract to CABD Construction, Inc. for the Brenda Villa Aquatic Center Moving Sectional Glass Windows and Heavy-Duty Fans Installation Project (Design-Build)**

*Acting Public Works Director Nila provided an overview of the staff report.*

*The conversation centered on curved glass panels situated behind the scoreboard, and Acting Director Nila stated that there will be installed six panels that will be remotely operable to open to release the hot air. In addition, large garage-style doors and the installation of substantially large fans would be the solution to make the air flow. Acting Director Nila conveyed that the Parks Director, Aquatic Manager, and contractor had collectively identified these solutions. Mayor Argumedo inquired about the noise level of the fans.*

**Councilmember Lainez moved, seconded by Councilmember Garcia, to adopt a Resolution awarding a construction contract to CABD Construction, Inc. for the Brenda Villa Aquatic Center Moving Sectional Glass Windows and Heavy-Duty Fans Installation Project (Design-Build), allocating funding to cover the project cost shortfall, and authorizing Construction Management**

**and Inspection Services by Transtech Engineers, Inc. The motion was carried by the following vote:**

**Ayes:** 5 - Mayor Argumedo, Mayor Pro Tem Altamirano, Councilmember Garcia, Councilmember Lainez, and Councilmember Rebollo

**8. Approval of Final Tract Map No. 83334 for the Properties located at 7316 Gage Avenue and 6364 Zindell Avenue (Modelo Project), in the City of Commerce**

*This item was continued to the next City Council meeting.*

**9. City Council Reorganization**

*Director of Administrative Services and City Clerk Shumway presented an overview of the staff report and suggested aligning the reorganization with the November election. The Council has the option to either proceed with the reorganization in April or choose an alternative timeframe. Traditionally, reorganization occurs after the election, especially given the extension of the election to November.*

*Councilmember Lainez expressed opposition to scheduling the reorganization for December 2024 or January 2025, post-election. Instead, he recommended continuing the reorganization taking place in April, until 2026 underscoring the significance of enabling newly elected Councilmembers, including himself and Councilmember Garcia, to participate in the rotation and complete a full term as mayor. If there is a genuine desire to synchronize with the November election, then he suggested considering re-organization next month in January.*

*Councilmember Rebollo opposed the suggestion to delay the reorganization until 2025.*

**Councilmember Garcia moved, seconded by Vice Mayor Altamirano, to extend current appointment of the Mayor and the Vice Mayor to January 2025 to coincide with the Municipal election of November 2024. The motion was carried by the following vote:**

**Ayes:** 3 - Mayor Argumedo, Mayor Pro Tem Altamirano, and Councilmember Garcia

**Nayes:** 2 - Councilmember Lainez, and Councilmember Rebollo

## **ORDINANCES**

**10. Introduction and First Reading of Ordinance to Repeal Ordinance No. 784, to Revoke Development Agreement No. 784 Related to a Commercial**

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Cannabis Permit Application No. 18-069

*Acting Senior Management Analyst Delgado presented a summary of the staff report. In response to Councilmember Garcia's inquiry about the implications if a contractor seeks to revoke the development agreement and is unable to meet financial obligations, City Attorney Tapia clarified that the development agreement serves as the contract with the City. He emphasized that, as long as the agreement is in effect, the City is not relinquishing any contractual obligations. If a contractor fails to make payments, the City reserves the right to seek compensation for the financial commitments outlined in the agreement.*

*The discussion then shifted to the observed trend of many cannabis operations closing their businesses, contrary to the initial expectations when the process began. Acting Management Analyst Delgado informed the council that the City currently has a total of 10 operators, including 4Front. Additionally, there are three applications in the planning process, and two other applicants are in the initial stages of the application process.*

*Mayor Argumedo requested a report on the current status and operation of the program. Assistant City Manager Domic stated that the report would be presented in January.*

**Vice Mayor Altamirano moved, seconded by Councilmember Rebollo, to introduce for first reading, by title only and waiving a full reading, an Uncodified Ordinance to repeal Ordinance No. 784, and revoking related development agreement No. 784 between 4Front Capital Holdings, Inc and the City of Commerce which allowed commercial cannabis activities at 6100 Bandini Boulevard and making findings of a CEQA categorical exemption. The motion was carried by the following vote:**

**Ayes:** 5 - Mayor Argumedo, Mayor Pro Tem Altamirano, Councilmember Garcia, Councilmember Lainez, and Councilmember Rebollo

**11. Second Reading and Adoption of an Ordinance Amending Municipal Code by Adding Chapter 5.18 Mobile Food Vending**

*City Attorney Tapia provided a brief overview of the staff report.*

**Councilmember Rebollo moved, seconded by Councilmember Garcia, to adoption and conduct a second reading, by title only, an Ordinance Amending Commerce Municipal Code, Title 5 "Business Regulations and Licensing" by Adding Chapter 5.18 "Mobile Food Vending". The motion was carried by the following vote:**



**Ayes:** 5 - Mayor Argumedo, Mayor Pro Tem Altamirano, Councilmember Garcia, Councilmember Lainez, and Councilmember Rebollo

## PUBLIC HEARING

**12. Making Certain Findings and Adopt Resolutions Approving an Energy Services Contract and Facility Financing Contract for an Energy Efficiency Project Required Under California Government Code Section 4217.10 ET SEQ, Authorizing an Energy Services Contract, and Authorizing the Execution and Delivery of a Lease Purchase Agreement, and Escrow Agreement and Equipment Schedule**

*Assistant City Manager Domic provided an overview of the staff report.*

*Mayor Argumedo then opened the Public Hearing.*

*Scott Mainzen, VP and General Manager of Syserco Energy Solutions Inc., stated that in March 2021, the City Council held a public selection process, and approved a resolution authorizing staff to complete the process and enter into an agreement. Despite two years of delays, a presentation was made to Council groups, offering two options, A and B. However, additional delays occurred. Mr. Mainzen stated that Syserco estimate the same scope as the Alliance proposal at a lower rate, saving the City \$1.2 million. He emphasized the potential for better financing, recommending that staff continue with this proposal of Syserco Energy Solutions, Inc.*

*Erin Fletcher, a representative of union mechanical contractors, stressed the City's pro-union stance and the investment of hours and resources by the union towards the project with Syserco.*

*Mayor Argumedo closed Public Comment.*

*Councilmember Lainez stated that during his campaigning, one of his campaign promise was to incorporate energy-efficient elements into City facilities. While acknowledging the benefits, he expressed concern about the timing. Councilmmember Lainez suggested waiting, as interest rates are decreasing. He emphasized the need to prioritize other Capital Improvement Projects (CIP) that are really needed in the City. Councilmember Lainez proposed considering renewable energy for new city facility projects rather than retrofitting old buildings.*

Assistant City Manager Domic pointed out that staff had thoroughly vetted the documents, and ready to go with the project, but he could see if financing terms could be changed. There was a consensus to defer the decision to the first meeting in January.

### **CITY COUNCIL/SUCCESSOR AGENCY REPORTS**

Councilmember Garcia reported that she attended the Tree Lighting event and also stopped by Justman Packaging to assist in preparing small gifts for the "Hey Operations" campaign, which aims to provide gifts for children in need. Councilmember Garcia expressed gratitude to the Lions Club for their volunteer efforts in the city. Additionally, Councilmember Garcia congratulated Anthony Miranda on his retirement and acknowledged his dedication to the City of Commerce.

Councilmember Rebollo extended appreciation to the staff involved in the Christmas programs, including those in parks and libraries. Library Director Sonia Bautista was congratulated for organizing a unique holiday program enjoyed by residents. Special thanks were given to Commerce Casino for sponsoring the annual luncheon for the library Holiday program and for their community-focused initiatives. Councilmember Rebollo recognized the efforts of Social Service Coordinators, specifically thanking Moyra Garcia and Ed Saucedo for their outstanding service to the community. Wishing everyone a Merry Christmas and a Happy New Year concluded Councilmember Rebollo's remarks.

Councilmember Lainez expressed gratitude to the Library Department for the Children's Holiday program and highlighted the success of the Tree Lighting event. Councilmember Lainez mentioned attending the South East Water Coalition Board meeting in Vernon, and praised Janice Hahn for initiating a study on chemical levels in the wells. Councilmember Lainez also stated that a Children's Holiday Program at the Casino was a great event.

Vice Mayor Altamirano extended wishes for a Merry Christmas and a Happy New Year.

Mayor Argumedo touched on various events, including the tree lighting, the turkey trot, and expressed gratitude to Janice Hahn for organizing the Thanksgiving turkey giveaway. Mayor Argumedo also reported attendance at the Senior Center luncheon sponsored by Commerce Casino and attendance at the Neighborhood Watch meetings.

*The City Council then recessed to closed session at 8:56 p.m.*

**ADJOURNMENT**

*Meeting adjourned at 98:30 p.m.*