



Tuesday, September 3, 2019 - 5:00 PM

Agenda

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/Chairperson Soria

ROLL CALL

City Clerk Shumway

PUBLIC COMMENT ON CLOSED SESSION ITEMS

Citizens wishing to address the City Council and Successor Agency on any item on the Closed Session agenda may do so at this time. Please complete a speaker's card and give it to the City Clerk/Secretary prior to commencement of the City Council/ Successor Agency meetings. Please limit your remarks to three (3) minutes.

RECESS TO CLOSED SESSION

- 1.** Pursuant to Government Code §54957.6 the City Council will confer with its labor negotiator, Edgar P. Cisneros, with respect to labor negotiations pertaining to:
 - A.** The Memoranda of Understanding between the City and the City of Commerce Employees Association on behalf of the part -time employees.
 - B.** 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.
 - C.** Compensation and benefits for the unrepresented full-time executive management employees.

2. Pursuant to Government Code §54956.8, the City Council will confer with its real property negotiator, Edgar Cisneros, with respect to real estate negotiations with:
 - A. BNSF concerning proposed price and other terms relating thereto, comprised of: APN (6335-022-800), APN (6335-022-801), APN (6335-023-800), APN (6335-023-801), APN (6335-025-805), APN (6335-025-807), APN (6335-014-805) and APN (6335-014-806)
 - B. 2500 S Eastern Ave. (APN 6335-024-046), (APN 6335-024-03), (APN 6335-024-039), (APN 6335-024-048), (APN 6335-024-04), (APN 6335-024-043), (APN 6335-024-044), (APN 6335-024-045), 5600 Jillson St. (APN 6335-023-049), (APN 6335-023-0), (APN 6335-023-054), 5611 E Washington Blvd. (APN 6335-023-048), 5571 E Washington Blvd. (APN 6335-024-056), 5555 E. Washington, Commerce, CA 90040 (APN 6335024057).
 - C. 5476 Jillson St. (APN 6335-019-023), 5530 Jillson St., Commerce, CA 90040 (APN 6335-019-042)
 - D. 5533 E. Washington - (APN 6335-019-043), 5505 E. Washington (APN 6335-019-047), and 5519 E. Washington, Commerce, CA 90040 (APN 6335-019-046).
 - E. Wash-Tel Commerce, LLC concerning proposed price and other terms relating thereto, comprised of 6329 and 6355 Washington Boulevard, Commerce, California, commonly referred to as the Stahl Trust property.
 - F. Property located at 6364 Zindell Street, Commerce CA (APN 6357-015-900 and 6357-019-304)
3. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *ZVI (aka) Harry Ryzman and Betty Ryzman, as Trustees of the Ryzman Family v the City of Commerce, acting in a separate limited capacity elected to serve as the Successor Agency to the Commerce Community Development Commission et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCP02821.
4. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *East Yard Communities for Environmental Justice v the City of Commerce, et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCP03310.
5. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *Coalition for responsible Equitable Economic Development Los Angeles, an unincorporated association; Carlos Mendivil, James Moreno and David Pimenov v the City of Commerce, the City Council of the City of Commerce, and City of Commerce Public Works and Development Services department et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCP03329.

6. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *Ted Jimenez; Southwest Regional Council of Carpenters v. the City of Commerce, et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCP03295.
7. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(3) Regarding Anticipated/Potential Litigation - One (1) Matter

RECONVENE TO OPEN SESSION

ORAL CLOSED SESSION ANNOUNCEMENT

6:00 P.M. - CITY COUNCIL MEETING

CALL TO ORDER

Mayor/Chairperson Soria

ROLL CALL

City Clerk Shumway

PLEDGE OF ALLEGIANCE

Library Director Sarmiento

INVOCATION

Councilmember Rebollo

APPEARANCES AND PRESENTATIONS

1. Certificate of Recognition Congratulating Commerce United 18u Team for Winning 1st Place in the State Games of America Soccer Tournament, August 1-5, in Lynchburg, Virginia

PUBLIC COMMENT

Citizens wishing to address the City Council and Successor Agency on any item on the agenda or on any matter not on the agenda may do so at this time. State law (Government Code Section 54950 et seq.) prohibits the City Council from taking action or engaging in discussion on a specific item unless it appears on a posted agenda. 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. If you wish to address the City Council/Successor Agency 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 limit your remarks to three (3) minutes.

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. There will be no discussion of these items unless members of the Public or City Council request specific items to be removed from the Consent Agenda for a separate discussion. If the item is desired to be discussed separately, it should be the first item under Scheduled Matters.

2. Approval of Warrant Register Nos. 3A, 3B and 27A

The City Council and Successor Agency will consider for approval the bills and claims set forth in Warrant Registers No. 3A dated September 3, 2019, 3B for the period of August 21, 2019 to August 29, 2019, and 27A dated September 2, 2019.

Attachments: [3A 2109](#)
 [3B 2019](#)
 [27A 2019](#)

3. Approval of Minutes

The City Council and Successor Agency will consider for approval the minutes of the Regular City Council Meeting of Tuesday, August 5, 2019, held at 5:00 p.m.

Attachments: [2019-08-05 CC Minutes](#)

4. Amendment to the Agreement with Klimt Consulting LLC for Conducting Planning, Land Use, Zoning and Supplemental Staffing Support Services Related to Commercial Cannabis Permits

The City Council will consider for adoption a Resolution approving an Amendment to the Agreement for Consultant Services with Klimt Consulting LLC, for planning, land use, applicant relations and zoning support services, as they relate to supplemental staffing for the City's Commercial Cannabis Permit program.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Contract Amendment](#)
 [Agreement](#)

5. Agreement with BOA Architecture for Architecture and Engineering Services for the Roofing System and HVAC Upgrade Design at Bristow Park Building

The City Council will consider for adoption a Resolution approving Professional Services Agreement with BOA Architecture to provide architecture and engineering services for the roofing system and HVAC upgrade design of the Bristow Park Building.

Attachments: [Staff Report](#)
 [Resolution](#)
 [BOA Professional Services Agreement](#)
 [BOA Proposal](#)

6. Letter of Agreement Between the City of Commerce and CCEA Related to the 4/10 Schedule

The City Council will consider for adoption a resolution approving the Letter of Agreement executed on April 29, 2019 between the City of Commerce and CCEA related to the 4/10 schedule.

Attachments: [Staff Report](#)
 [Resolution](#)
 [LOA Agreement 042919](#)

7. Purchase and Sale Agreement and Escrow Instructions Between Oak Road Capital, LLC, and the City of Commerce, for Land in the City of Commerce, California

The City Council will consider for adoption a Resolution approving the Purchase and Sale Agreement and Escrow Instructions between Oak Road Capital, LLC, and the City of Commerce, for Land in the City of Commerce, California.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Purchase Agreement](#)

8. Rail Purchase Agreement with BNSF Railroad for BNSF Property Interests in the City of Commerce

The City Council will consider for adoption a Resolution approving a Purchase and Sale Agreement between the City of Commerce and BNSF Railroad for the acquisition of approximately eight railroad parcels with a combined area of approximately 103,857 square feet (2.38-acres).

Attachments: [Staff Report](#)
 [Resolution](#)
 [Agreement](#)
 [Exhibit A](#)
 [Appraisal](#)

9. Project Acceptance of Completed Washington Boulevard Project

The City Council will consider for adoption a Resolution authorizing the Washington Boulevard Project Acceptance including all final project costs, funding closure, and final retention release.

Attachments: [Staff Report](#)
 [Resolution](#)

SCHEDULED MATTERS**10. Memorandum of Understanding as it Relates to Mid-Management and Non-Management Full-Time Employees for 2018 - 2021**

The City Council will consider for adoption a Resolution approving Memorandum of Understanding between the City of Commerce and Mid-Management and Non-Management Full-Time Employees represented by the City of Commerce Employees Association - AFSCME Local 773.

Attachments: [Staff Report](#)
 [Resolution](#)
 [Full Time - MOU](#)
 [Salary Schedule Full - Time](#)

11. Memorandum of Understanding as it Relates to Part - Time Employees for 2018 - 2021

The City Council will consider for adoption a Resolution approving Memorandum of Understanding between the City of Commerce and Part-Time Employees represented by the City of Commerce Employees Association - AFSCME Local 773.

Attachments: [Staff Report](#)
 [Resolution](#)
 [MOU Part-Time](#)
 [Salary Schedule PT 2018 - 2021](#)

12. Certification of Two (2) Referendum Petitions Submitted Against City of Commerce Ordinance Nos. 731 And 732; and Selection of Option - 1. Repealing Ordinances, or 2. Calling a Special Election, or 3. Consolidating with the March 3, 2020 Election for Submitting to Voters for Referendum

The City Council will consider adopting two (2) Resolutions certifying the results of the two (2) Referendum Petitions submitted against City of Commerce Ordinance Nos. 731 and 732, respectively; selecting an option: 1. repealing the ordinances, 2. adopting a Resolution Calling and Giving Notice of the holding of a Special Municipal Election for submission to voters for Referendum; or 3. Adopt Resolution calling and giving notice of the Consolidated General Municipal Election to be held on March 3, 2020 for submission to voters for Referendum.

Attachments: [Staff Report](#)
 [Resolution and Certificate of Sufficiency for Ordinance No 731](#)
 [Exhibit A County Certificate - Ord. 731](#)
 [Resolution and Certificate of Sufficiency for Ordinance No 732](#)
 [Exhibit A -County Certificate - Ord 732](#)

ORDINANCES**13. Ordinance Amending Chapter 9.10 of the Commerce Municipal Code
Relating to Sex Offender Residency Restrictions - Second Reading**

The City Council will consider for adoption Ordinance amending Title 9 (Peace, Safety and Morals), Chapter 9.10 (Sex Offender Residency Restrictions) of the Commerce Municipal Code.

Attachments: [Staff Report](#)
 [Ordinance](#)

CITY COUNCIL/SUCCESSOR AGENCY REPORTS**ADJOURNMENT**

Written materials distributed to the City Council are available for public inspection immediately following the posting of this agenda (at least 72 hours prior to a regular City Council meetings) in the City Clerk's Office, at Commerce City Hall, 2535 Commerce Way, Commerce, California, and the Central Library, 5655 Jillson Street, Commerce, California.

Meeting facilities are accessible to persons with disabilities. In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, notify the Office of the City Clerk at (323) 722-4805 at least 24 hours prior to the meeting.