



City of Commerce

Meeting Minutes

Tuesday, August 15, 2017 - 5:00 PM

**CONCURRENT ADJOURNED 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

ROLL CALL

PUBLIC COMMENT ON CLOSED SESSION ITEMS

RECESS TO CLOSED SESSION

1. Pursuant to Government Code §54956.9(a), the Successor Agency will confer with its legal counsel, and take the appropriate action, with respect to the pending litigation of: Mayans Development, Inc. and Los Jardines, LLC v City of Commerce Community Development Commission, et al., Superior Court of the State of California, County of Los Angeles, Case No. BC505679.
2. Pursuant to Government Code §54957, the City Council will consider personnel matters related to public employee discipline/dismissal/release/compensated administrative leave and other available changes in employment status or terms and conditions of employment of a certain public employees (1 case).
3. Pursuant to Government Code §54956.9 (b), the City Council will confer with its legal counsel, and take appropriate action with respect to, significant exposure to litigation in three potential case.

RECONVENE TO OPEN SESSION

The City Council/Successor Agency reconvened to Open Session at 6:35 p.m.

ORAL CLOSED SESSION ANNOUNCEMENT

City Attorney Olivo reported on Closed Session items:

Item #1- There were no reportable actions taken on this item.

Item #2 - There were no reportable actions taken on this item.

Item #3 - There were no reportable actions taken on 2 of the 3 items. City Council did not go into discussion on the third item.

6:30 P.M. - CITY COUNCIL MEETING**CALL TO ORDER**

Mayor Rebollo called the meeting to order at 6:35 p.m. in the Council Chambers

ROLL CALL

Present: 5 - Councilmember Argumedo
Councilmember Mendoza
Councilmember Soria
Mayor Pro Tem Altamirano
Mayor Rebollo

PLEDGE OF ALLEGIANCE

Transportation Director McFerguson led the pledge of Allegiance

INVOCATION

Councilmember Argumedo offered the invocation.

APPEARANCES AND PRESENTATIONS

1. Recognition of the Senior Soft Ball Team "The Eagles" for Winning First Place at the Senior Olympics, First Place at the Fontana Tournament and First Place at the Tri City League (per Councilmember Mendoza request)

City Council recognized the Senior Softball Team "The Eagles" for winning first place at the Senior Olympics, First Place at the Fontana Tournament and First place at the Tric City League.

2. Recognition of Commerce Travel Boys and Girls Soccer Teams for their Successful Season

City Council recognized Commerce Travel Boys and Girls Soccer Team.

3. Presentation of Certificate of Recognition to Alma Maldonado, Senior Office Assistant, as the Employee of the Quarter (2nd Quarter /April-June, 2017)

City Council presented a certificate of Recognition to Alma Maldonado for Employee of the Quarter.

4. Commendation Honoring the Department of Public Works and Development Services for Receiving the "Hard Won Victory" Award for the Commerce Green Zone Action Plan from the American Planning Association

City Council presented a Commendation to the Public Works and Development Services Department for award received for the Commerce Green Zone Action Plan from the American Planning Association.

PUBLIC COMMENT

Isela Bonada spoke regarding Ferguson Dr. expressed concern regarding heavy traffic, heavy parking impeding visibility, street racing, no dedicated turn signal on Garfield turning onto Ferguson Drive, diminished police presence, continuous lighting of illegal fireworks and incomplete street resurfacing. Would like to find solutions.

Laura Ramirez expressed concern regarding safety in the City and speeding cars on Ferguson Drive. Willing to cooperate with Council to safeguard the families.

Gloria Nezacoalcoyotl spoke regarding rent control workshop and believes this is a very important topic. Urged Council to organize a workshop so residents can voice their concerns.

George Estrada expressed concern about crime in the City, suggested lighting cameras or any other solution that may help deter crime.

Sam Lee spoke about foodtrucks parked on Whittier Boulevard near the Commerce shopping center. Concerned that trucks are parked for extensive amounts of time, and trash left behind.

Kenny Ong expressed concern regarding the lunch trucks parking on Whittier Boulevard would like guidance and help from council.

Ericka Bojorquez spoke regarding Item #20 and stated she believes its important to have a special needs commission and the creation of programs to assist families with special needs children.

Isabel Morin spoke about crime in the City, and speeding problem on Astor Avenue; suggested speed bumps, stop signs and cameras to catch perpetrators.

Alberto Manquero spoke regarding rumors stating the senior softball team does not meet all the requirements and wanted to clarify those rumors are not true.

Evelyn Nuno introduced herself as the new field representative representing Cristina Garcia's office and announced there are intern positions available in Cristina Garcia's office for anyone interested.

Joanna Flores invited Council and residents to the Montebello School District's first annual College Fair to be held on Saturday, September 30, 2017.

CONSENT CALENDAR

Approval of the Consent Agenda

Mayor Pro Tem Altamirano moved, seconded by Councilmember Argumedo, to approve the Consent Calendar. The motion carried by the following vote:

Ayes: 5 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

5. Approval of Warrant Register Nos.2A, 2B and 27A
6. Approval of Minutes
7. Authorizing Phil Martin and Associates, Inc. to Conduct Environmental Analysis for a Proposed Project at 7140 Bandini Boulevard
8. Authorizing MIG Planning And Environmental Management Services to Prepare Environmental Analysis for a Proposed Project at 5401 Telegraph Road and 2035 Camfield Avenue

PUBLIC HEARING

9. New Drinking Water Well Project California Environmental Quality Act (CEQA) Initial Study and Adoption of a Mitigated Negative Declaration

Deputy Director of Public Works operations Gina Nila presented this item and provided an overview of the Staff Report. Mayor Rebollo opened the Public Hearing. There were no individuals wishing to speak on this item. Mayor Rebollo closed the Public Hearing.

Mayor Pro Tem Altamirano, seconded by Councilmember Mendoza, moved to approve the resolution adopting the CEQA Initial Study Mitigated Negative Declaration for construction of a new drinking water well. The motion carried by the following vote:

Ayes: 5 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

SCHEDULED MATTERS

10. Exide Status Update by the California Department of Toxic Substance Control

Department of Toxic Substances & Control representatives, provided a Power point presentation regarding properties that need to be cleaned up within the City of Commerce and prioritization criteria. Representatives provided an overview of the draft cleanup plan and report. It was announced that residents may continue signing up for sampling until December 31, 2017.

Discussion ensued and concentrated mostly on the amount of homes affected, cleanup measures, homes already tested, and priority lists for homes within the City. In response to Councilmembers concerns regarding the number of homes tested and affected, representatives stated they will provide Council with exact numbers at their earliest opportunity. They further explained the process of their cleanup measures and funding plans for all homes affected.

11. Interim Urgency Ordinance Enacting the Following Measures for a Forty-Five Day Period: (1) a Moratorium on Rent Increases Above the Annual CPI Adjustment (2) Temporary Measures Protecting Residents From Evictions Without Cause; and Directing the Interim City Administrator to Evaluate Potential Permanent Rent Stabilization Measures

This items was not considered as listed on the Agenda. This item was heard after Item #9

Public Comment:

Jessica Prieto from Eastyard Communities expressed gratitude to Council for addressing the rent control problem in the City and suggested the City do an inventory of all affordable housing in the City so affordable housing can continue to exist in the City.

Angelo Logan from Eastyard Communities stated he applauds council for taking on this issue and urged Council to approve the rent control Ordinance.

City Attorney Eddie Olivo presented this item. Stated the City has received numerous complaints from residents regarding rent control issues in the City. After hearing recommendations from staff and residents during a workshop held on July 18, 2017 the City Council decided to prepare a rent control ordinance. Due to a concern that landlords may raise rents during the time that the Ordinance is prepared, Council has requested a Moratorium Ordinance be established.

Discussion ensued regarding the number of units to be referenced in the Ordinance. City Attorney Olivo presented three (3) motions for adoption.

Councilmember Argumedo, seconded by Councilmember Soria moved to determine that there is no possibility that the adoption and implementation of the proposed Ordinance will not have a significant effect on the environment and that, therefore the Ordinance is exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061.

Councilmember Argumedo, seconded by Councilmember Mendoza moved to correct the proposed Ordinance and change the number of units referenced from 3 to 4.

Councilmember Argumedo, seconded by Councilmember Mendoza moved to read the Ordinance by title only.

City Attorney Olivo read the title of the Ordinance. Mayor Rebollo directed staff to evaluate potential options for rent stabilization and bring back the Ordinance for consideration.

The motions were carried by the following vote:

Ayes: 4 - Councilmember Argumedo, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

Absent: 1 - Councilmember Mendoza

12. Utility Box Art Beautification Program Artwork and Location Selection, Phase 2

Public Works & Development Services Director Maryam Babaki presented this item. Discussion ensued in regards to allowing children to participate in the artwork for the utility boxes, Director Babaki stated she will provide Council with different options that will allow the children to participate all the while ensuring safety precautions are met. It was the consensus of the Council to continue this item and review all artwork before making a decision.

13. Green Zones Implementation Phase 1 - Status Update

Public Comment: Angelo Logan (Eastyard) supports the Green Zones Phase 1 and expressed he believes it is vital that communication is re-established with the Green Zones working group regarding zoning ordinance.

Public Works Director Maryam Babaki presented this item and introduced Esmeralda from MIG who provided a powerpoint presentation with an update on the progress of the work that has been completed for the Green Zones Implementation Phase 1.

It was recommended that two councilmembers be appointed to sit with City staff and Community members. It was the consensus of the Council that Mayor Rebollo and Councilmember Mendoza attend the meetings.

14. Agreement with MDG Associates Inc. for Housing Consultant Professional Services

Deputy Director Matt Marquez presented this item and stated that in order to bring back some of the housing programs that were in place prior to the removal of redevelopment funds, assistance is needed. Deputy Marquez requested the Council adopt the agreement with MDG to assist with determining various housing solutions. MDG representative Esther Luis presented herself and answered questions mostly related to funding, and programs to be established.

Mayor Rebollo moved to approve the item, Mayor Pro Tem Altamirano seconded. At the request of Mayor Rebollo a roll call was called with the following votes: Councilmember Argumedo- No; Councilmember Mendoza – No

Mayor Rebollo and Mayor Pro Tem Altamirano announced motions were retracted. It was the consensus of the Council to continue this item after meeting with Public Works staff to discuss this item.

15. City of Commerce Ficus Tree Replacement Program

This item was continued to a later date.

16. Plans and Specifications for Pavement Rehabilitation Program FY 2016-17

Director of Public Works and Development services Maryam Babaki presented this item and explained how the pavement management plan came to be, various street repair methods as well as the streets that will be repaired. It was requested Council approve the Plans & Specs so program can begin.

Mayor Pro Tem Altamirano moved, seconded by Councilmember Argumedo to approve the Plans and Specifications for Pavement Rehabilitation Program 2016-17. The motion carried by the following vote:

Ayes: 5 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

17. Washington Blvd Project - Landscape Improvements at I-5 SB Ramps and Washington Boulevard

Director of Public Works and Development Services Maryam Babaki presented this item. Director Babaki announced that the City has now received landscape permits from CalTrans and will now move forward with the landscape plans originally approved by the City Council for the I-5 southbound ramps at Washington Boulevard.

Mayor Pro Tem Altamirano moved, seconded by Councilmember Soria to approve the Landscape Improvements at the I-5 SB ramps and Washington Boulevard. The motion carried by the following vote:

Ayes: 5 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

18. Results of the City of Commerce Homeless Count 2017

Ed Saucedo, Social Services Coordinator presented this item and introduced Kim Barnet from the Los Angeles Homeless Services Authority who provided a powerpoint presentation with an overview of the homeless count in Los Angeles County.

Ed Saucedo provided Council with homeless count numbers concentrated in the City of Commerce. Saucedo answered questions primarily regarding counts in various areas. No action was taken on this item; it was receive and file.

The City Council will receive and file presentation on the results of the City of Commerce homeless count 2017.

19. Settlement Agreement Regarding Litigation Entitled Mayans Development, Inc., Et Al. V. Successor Agency to the Commerce Community Development Commission, Et Al

City Attorney presented this item and explained the details of the settlement agreements.

As part of the Successor Agency body Councilmember Argumedo moved to approve the settlement agreement with the corrected fiscal impact amount, seconded by Councilmember Mendoza. As member of the City Council body Councilmember Argumedo moved, seconded by Councilmember Mendoza.

The motion carried by the following vote:

Ayes: 5 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

20. Creating a Special Needs Commission

This item was not considered as listed on the Agenda. This item was heard after item #11.

Public Comment:

Samantha Maravilla urged Council to create a Special Needs Commission since it would provide individuals a sense of independence, and believes it will help families with special needs.

Susana Cisneros spoke in favor of a Special Needs Commission and stated that as mother of a special needs child the commission would help families that are feeling frustrated and worried for their children. Believes the commission would offer opportunities for all individuals.

Jason Stinnett thanked Council for their consideration of the rent stabilization measure and thanked Eastyard community for their advocacy; believes a Special Needs Commission would provide more tools for all families to be successful and enjoy a better quality of life.

Letter from Lorrie Miles read for Public Comment

Mayor Rebollo stated she believes it is important to have a board that represents the needs of families with children that require special needs. She further explained the structure, appointment process and requirements of those who will serve on the new commission as outlined in the staff report prepared.

Councilmember Soria applauded Samantha and her parents for speaking up and getting involved. Councilmember stated individuals such as Miss Maravilla would make recommendations and create solutions that would assist those with special needs.

Councilmember Mendoza promised full commitment and stated he is eager to participate in this new project.

Mayor Pro Tem Altamirano moved, seconded by Mayor Rebollo to approve the creation of a Special Needs Commission. The motion carried by the following vote:

Ayes: 5 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, Mayor Pro Tem Altamirano, and Mayor Rebollo

21. Creation of New Committees and Commissions

This items was continued to a later date.

22. Committee and Commission Appointments

Councilmembers made the following appointments:

Parks & Recreation Commission:

Councilmember Argumedo - Esther Zavala

Traffic Commision:

Mayor Rebollo - Isabel Caldera

Senior Citizens Commission:

Councilmember Soria - Alexander Ortiz

Measure AA Committee:

Councilmember Argumedo - Sharon Basic

I-710 Advisory Committee:

Council - Robert Taylor (Industrial Appointee)

Council - Jesus Cervantes (Community Based Appointee)

23. Council Appointments to Exide subcommittee and Washington Coalition Eastside Phase II Group

Councilmembers made the following appointments:

Exide Subcommittee: Councilmember Mendoza

METRO Washington Coalition: Councilmember Soria

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

Councilmember Argumedo stated he would like the Council to re-visit appointments to the Railroad Task Force and requested a workshop to address some safety issues that had been brought up by residents. Mayor Rebollo directed staff to arrange the workshop as requested.

Councilmember Mendoza also expressed his concern for residents safety and stated he would like to develop a plan for better policing in certain areas. Councilmember Mendoza thanked library staff for a putting together a great scholarship breakfast and provided tips learned at the Vector Control meeting for all residents on how to protect themselves and how to control of the mosquito problem in the City.

Councilmember Soria stated he attended the End of the Summer reading program as well as the Day Camp End of the Year festivities. Councilmember Soria requested the Council receive an update on the status of the Steven Steak House parking Ad Hoc Committee to ensure the progress continues.

Mayor Rebollo thanked the Industrial Council and Business Community for their involvement and support for the state of the city luncheon. Mayor Rebollo stated she, along with Councilmember Soria attended the IBEW picnic and suggested the public tour their NetZero plus facility and urged the residents to attend the upcoming Neighborhood Watch meeting. Mayor Rebollo wished good luck to all students going back to school and reminded the public to drive safely since the safety of the children is very important.

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.