



City of Commerce

Meeting Minutes

Tuesday, January 7, 2020 - 5:00 PM

**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 Soria called meeting to order 5:10 p.m. in the Council Chambers.

ROLL CALL

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

PUBLIC COMMENT ON CLOSED SESSION ITEMS

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

RECESS TO CLOSED SESSION

City Council/Successor Agency recessed to Closed Session at 5:11 p.m.

RECONVENE TO OPEN SESSION

City Council/Successor Agency reconvened to open session at 6:17 p.m.

1. 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.
2. 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.

3. 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.*

4. 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. 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.

B. 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.

C. 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)

D. Property located at 6364 Zindell Street, Commerce CA (APN 6357-015-900 and 6357-019-304)

ORAL CLOSED SESSION ANNOUNCEMENT

Assistant City Attorney Copado reported on Closed Session items:

Item #1 - Staff provided and update, and no reportable action was taken on this item.

Item #2- staff provided briefing to the City Council and further direction was provided. No reportable action was taken on this item.

Item #3- No reportable action was taken on this item.

Item #4.A. - was not discussed.

Item 4.B.- staff provided an updated, and no reportable action was taken on this

item.

Item 4.C. - Staff provided an update on this item. Related item is on regular agenda, item #3.

Item 4.D. - staff provided an update, and further direction was provided. No reportable action was taken on this item.

6:00 P.M. - CITY COUNCIL MEETING

CALL TO ORDER

Mayor Soria called regular City Council meeting to order at 6:18 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Assistant City Manager Domic led the Pledge of Allegiance

INVOCATION

Councilmember Argumedo offered the invocation.

PUBLIC COMMENT

Gloria Nezahualcoya spoke in opposition of cannabis and opposed the candidates supporting operation of cannabis business in the City of Commerce.

James Herrmann spoke in opposition of cannabis.

Kathy Morfopoulos spoke in opposition of cannabis and dangers of marijuana.

Ofelia Avila spoke in opposition of cannabis, and campaigned for March 3, 2020 election.

Carl Baker spoke in opposition of cannabis operations in the City of Commerce, and campaigned for March 3, 2020 election as a candidate.

CONSENT CALENDAR

Councilmember Argumedo moved, seconded by Councilmember Rebollo,

to approve the Consent Calendar. The motion carried by the following vote:

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

1. Approval of Warrant Register No. 12B
2. Contract Change Order No. 3 & No. 4 to R2Build dba R2B Engineering for Supplying Electrical Power to the Existing CNG Fueling Station Next to the Commerce Refuse-to-Energy Facility

SCHEDULED MATTERS

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

Edgar Cisneros provided an overview of the staff report. Assistant City Attorney added that the recommendation should include to amend resolution, section 2 to read as following: "The Mayor is authorized to execute the purchase agreement, in substantially the same form as approved by the City Attorney, subject to final, technical revisions as required and as approved by the City Attorney."

Councilmember Rebollo moved, seconded by Councilmember Argumedo, to adopt 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) including proposed revision to resolution as indicated by the City Attorney. The motion carried by the following vote:

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

ORDINANCES

4. Ordinance Amending Title 15 (Buildings and Construction) of the Municipal Code by Adopting by Reference the 2020 Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31) and Existing Building Code (Title 33) -Second Reading

Councilmember Rebollo moved, seconded by Councilmember Argumedo, to read the ordinance by title only, waive the reading of the entire ordinance, and adopt Ordinance Amending Title 15 (Building and Construction) of the Commerce Municipal Code by adopting by reference the 2020 Electrical,

Plumbing, Mechanical, Residential, Green Building, and Building Code of the Los Angeles County Building Code with certain amendments, additions and deletions thereto. Director of Administrative Services and City Clerk Shumway read the title of the Ordinance. The motion carried by the following vote:

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

5. Adoption and Second Reading of Five (5) Ordinances Approving Five (5) Development Agreements for the Operation of Commercial Cannabis Activities, for Commercial Cannabis Permit Application Nos. 18-005, 18-006, 18-013, 18-043, 18-046; Adoption and Second Reading of Six (6) Ordinances Approving Six (6) First Amendments to Development Agreements No. 715, 717, 720, 722, 726, and 731

Mayor Soria opened Public Comment

Oscar Ruiz spoke in support of cannabis in Commerce, and stated that this business industry would bring jobs for the residents.

Ann Arnow spoke in opposition of the cannabis and asked that CEQA analysis are conducted.

Richard Hernandez read a letter for a record in opposition of the cannabis applications and also requested that CEQA analysis are conducted.

Councilmember Rebollo moved, seconded by Mayor Pro Tem Altamirano, to waive full reading and approve for second reading by title only, and adopt five (5) Ordinances approving and adopting corresponding five (5) Development Agreements for Commercial Cannabis Development Agreement Application Nos. 18-005, 18-006, 18-013, 18-046, and 18-053, which were recommended for City Council approval by the Planning Commission; waive full reading and approve for second reading by title only, and adopt six (6) Ordinances approving and adopting corresponding six (6) First Amendments to Development Agreements for Development Agreement Nos. 715, 717, 720, 722, 726, and 733, which were recommended for City Council approval by the Planning Commission; to approve the findings consistent with, and pursuant to, Government Code Section 65867.5; and determine that six (6) Uncodified Ordinances finding the Six (6) Development Agreements and five (5) First Amendments to Development Agreements are exempt from further CEQA review pursuant to Administrative Code, Title 14, Chapter 3, Section 15301(a), Class 1, Existing

Facilities, because the Development Agreements include projects that consist of small additions, expansions or alterations to existing structures where there will be negligible or no expansion of the existing structures and/or uses; and pursuant to said findings, direct staff to prepare and file corresponding Notices of Exemption. Administrative Services Director and City Clerk Shumway read the titles of the Ordinances. The motion carried by the following vote:

Ayes: 3 - Mayor Soria, Mayor Pro Tem Altamirano, and Councilmember Rebollo

Nays: 2 - Councilmember Argumedo, and Councilmember Mendoza

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

Councilmember Rebollo wished everyone Happy New Year and asked everyone to continue praying for the troops.

Councilmember Mendoza spoke about his involved in Unions while being a Commerce employee. Councilmember Mendoza spoke about representing residents of community. Councilmember Mendoza wished residents Happy New Year.

Mayor Pro Tem Altamirano thanked Union members for support and wished everyone Happy New Year.

Mayor Soria thanked staff for great 2019 and accomplishments.

ADJOURNMENT

Meeting adjourned at 7:15 p.m.