



City of Commerce

Meeting Minutes

Tuesday, June 16, 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 Altamirano called meeting to order at 5:03 p.m. via teleconferencing.

ROLL CALL

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

PUBLIC COMMENT ON CLOSED SESSION ITEMS

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

RECESS TO CLOSED SESSION

City Council/Successor Agency recessed to Closed Session at 5:04 p.m.

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. 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.

3. 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.
4. 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
5. 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.

RECONVENE TO OPEN SESSION

City Council/Successor Agency reconvened to Open Session at 6:07 p.m.

ORAL CLOSED SESSION ANNOUNCEMENT

Assistant City Attorney Copado reported on Closed Session items: Closed Session convened at 5:11 p.m.

Item #1- City Manager Cisneros and Assistant City Manager Domic provided a briefing to the City Council. Special Legal Counsel and Director of Human Resources Pappo participated in the discussion. No reportable action was taken on this item.

Items #2, 3, and 5 - Staff provided a briefing and updated the City Council on the status. No reportable action was taken on these items.

Item #4 - was not discussed and was removed from the Closed Session agenda. Closed Session concluded at 6:01 pm.

6:00 P.M. - CITY COUNCIL MEETING

CALL TO ORDER

Mayor Altamirano called regular City Council meeting to order at 6:07 p.m.

ROLL CALL

Councilmember Soria joined the meeting at 6:34 p.m.

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

PUBLIC COMMENT

Transportation Director McFerguson spoke about transit plan called "Commerce in Motion" and invited everyone to participate in a virtual open house on Wednesday, June 17, 2020, at 6:30 p.m.

Director of Administrative Services & City Clerk Shumway read a comment submitted by Matthew Buck, Vice President of Public Affairs of California Apartment Association, in opposition of item #11 regarding changes to AB 1482.

CONSENT CALENDAR

Mayor Pro Tem Rebollo asked to pull item #9.

Mayor Pro Tem Rebollo asked about concerns about indemnification in the Memorandum of Understanding language. City Manager Cisneros stated that the legal counsel advised for a stronger language in the indemnification clause; however, County responded that this is the common language used for other MOUs and standard language used for all cities. According to Assistant City Attorney Copado, if the company performing services does not deliver correctly, the City shall be responsible, and there is no mutual covenant provision included. It was stated that the residents would benefit from clean-up, and that outweighs the potential liability. The MOU was already approved by the other cities, and the County wants to keep it uniform for all cities.

City Manager Cisneros added that the agreement is not with DTSC, but with the

Los Angeles County Development Authority for paint hazards clean-up. It was requested that staff provides a list of cities that already approved MOU, and see if the County would reconsider changing the language. The City Council tabled this item to a later date.

Councilmember Mendoza moved, seconded by Councilmember Argumedo, to approve the Consent Calendar minus item #9. The motion carried by the following vote:

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

1. Approval of Warrant Register Nos. 23A, and 23B
2. Proclamation of the City Council of the City of Commerce Proclaiming the Support for the Preservation of Human Rights and the City's Continued Commitment to Serving and Protecting all Human Beings Without Regard to Ethnicity or Background.
3. Authorization for Transportation Grant Funding for Capital and Operating Assistance for Fiscal Year 2020-2021
4. Adoption of Public Transportation Agency Safety Plan Performance Measures and Targets
5. Agreement with Grant Farrell for Accounting Services
6. Annual Appropriations Limit for Fiscal Year 2020-2021
7. Authorization for Staff to Apply for a Local Early Action Planning Grant to Assist in the Preparation and Adoption of Planning Documents that will Facilitate Housing Production
8. Approval of Letter to Governor Newsom Requesting the Delay of Implementing Vehicle Miles Traveled Metric requirements as set forth in SB-743
9. Memorandum of Understanding Between the City of Commerce and the County of Los Angeles for Lead-Based Paint Hazard Mitigation Program Management Services

The City Council will consider for adoption a Resolution authorizing the City Manager to sign the Memorandum of Understanding between the City of Commerce and the County of Los Angeles for Lead-Based Paint Hazard

Mitigation Program Management Services.**SCHEDULED MATTERS**

10. Consideration of Resolutions Authorizing Calling a Special Municipal Election to Place a Measure on the Ballot, and Consolidating Same with the November 3, 2020 Election, to Submit to the Voters and Ordinance Amending Ordinance No. 634 to Amend Section 2.08.160 of Chapter 2.08, of Title 1, of the Commerce Municipal Code, Regarding Term Limitations

Director of Administrative Services and City Clerk Shumway provided an overview of the staff report.

Councilmember Mendoza was concerned with the increased term limit time for current Councilmembers ranging from nine months to two years, and the cost of the election. Further discussion took place regarding State Law that required consolidation with the County election, which added nine months to the current terms, and discussion regarding unexpired term and how it affects the term limits and creates inconsistency. It was a consensus among the City Council to table this item to a later date.

ORDINANCES

11. Urgency Ordinance and Regular Ordinance Adding Chapter 9.95 to Commerce Municipal Code Adopting and Expanding the Tenant Protection Act of 2019 Relating to the Prohibition of No-Fault Terminations of Tenancy and Evictions and Limiting Rent Increases for Residential Real Property.

Assistant City Attorney Copado provided an overview of the staff report. Discussion took place regarding the proposed ordinance and the enforcement. It is a complaint based ordinance. Assistant City Attorney stated the information would be posted on the City's website, and any violations would be treated as the code enforcement cases. Administratively staff could issue citations with the threat of the fine and go to formal prosecution. According to the Assistant City Attorney Copado, staff would issues a notice of violation first and give the opportunity to comply before the City imposes any violation.

Further discussion took place regarding rent increases and compliance with AB 1452.

Councilmember Mendoza moved, seconded by Councilmember Argumedo, to read

the ordinance by title only and approve for first reading and Ordinance adopting and expanding the Tenant Protection Act of 2019 relating to the prohibition of no-fault terminations of tenancy and evictions and limiting rent increases for residential real property. The motion carried by the following vote:

AYES: Councilmembers Argumedo, Mendoza, Soria, Mayor Pro Tem Rebollo and Mayor Altamirano.

Councilmember Mendoza moved, seconded by Councilmember Argumedo, to adopt an Urgency Ordinance adding Chapter 9.95 to the Commerce Municipal Code relating to just cause termination of tenancies, rent control, and declaring the urgency thereof. Director of Administrative Service and City Clerk read the title of an Ordinance. The motion carried by the following vote:

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

- 12. An Ordinance Amending Commerce Municipal Code, Title 10 (Vehicles, Traffic and Parking), Chapter 10.44 (Stopping, Standing and Parking) by Amending Sections 10.44.130 and 10.44.140 and Adding Section 10.44.135 Creating a Temporary Recreational Parking Permit Program-Second Reading**

Director of Administrative Services and City Clerk Shumway provided a brief overview of the staff report.

Councilmember Mendoza moved, seconded by Councilmember Argumedo, to adopt Ordinance amending Sections 10.44.130 AND 10.44.140 OF Chapter 10.44 ("Stopping, standing and parking) and adding Sections 10.44.135 AND 10.44.136 to Chapter 10.44 ("Stopping, standing and parking") to the Commerce Municipal Code, creating a Temporary Recreational Parking Program and a Recreational Vehicle Disability Parking Permit program. Director of Administrative Services and City Clerk read the title of an Ordinance. The motion carried by the following vote:

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

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

Councilmember Argumedo thanked all residents that cast their vote at the June 2, 2020, Special election. This project will bring jobs and revenue to the City. Councilmember Argumedo extended congratulations to all graduates and wished everyone Happy Father's day.

Councilmember Mendoza congratulated all graduates and wished everyone Happy Father's Day.

Mayor Pro tem Rebollo reported that she attended the homeless summit and asked that staff reports regarding the City's plan for dealing with this problem. Mayor Pro tem Rebollo wished everyone Happy Father's day, and congratulated all graduates.

Mayor Altamirano spoke regarding 7/11 vacant site, needed security and clean-up for the site. Mayor Altamirano thanked CalWater and Commissioner Laura Perez for responding to the water leak. Mayor Altamirano wished everyone Happy Father's day. Mayor Altamirano asked whether the City could consider establishing a curfew for 4th of July. Mayor Altamirano wished Julissa Altamirano and his wife Susie Happy Birthday.

ADJOURNMENT

Meeting adjourned at 7:25 p.m. in memory of Beret Norsworthy.