



# City of Commerce

## Meeting Minutes

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Tuesday, September 20, 2016 - 5:00 PM

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**CONCURRENT REGULAR 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 5:05 p.m. in the Council Chambers.*

#### **ROLL CALL**

*Councilmember Rebollo arrived at 5:33 p.m.*

**Present:** 5 - Councilmember Leon  
Councilmember Argumedo  
Councilmember Rebollo  
Mayor Pro Tem Baca Del Rio  
Mayor Altamirano

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

*There were no individuals wishing to address the City Council/Successor agency on any item on the Closed Session agenda*

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

*City Council/Successor Agency recessed to Closed Session at 5:07 p.m.*

1. Pursuant to Government Code §54957.6 the City Council will confer with its labor negotiator, Jorge Rifa, 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 §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 cases).

3. Pursuant to Government Code §54956.9(a), the City Council will confer with its legal counsel, and take the appropriate action, with respect to the pending litigation of: East Year Communities for Environmental Justice v City of Commerce, et al., Superior Court of the State of California, County of Los Angeles, Case No. BS164349.
4. 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 cases.
5. 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: City of Carson, et. al. v. Dean Logan, et. al, Superior Court of the State of California, County of Los Angeles, Case No. BS164554

## **RECONVENE TO OPEN SESSION**

*City Council/Successor Agency reconvened to Open Session at 6:47 p.m.*

## **ORAL CLOSED SESSION ANNOUNCEMENT**

*City Attorney/Legal Counsel Olivo reported on Closed Session items:*

*Item #1 - The City Council did not go into Closed Session on item #1.*

*Item #2, #3, #4 - The City Council did not take any reportable action on those items.*

*item #5- Councilmember Leon moved, seconded by Mayor Pro Tem Baca Del Rio to approve the appeal, and not to exceed \$10,000. The motion carried by the following vote:*

*Ayes: Councilmembers Argumedo, Leon, Rebollo, Mayor Pro Tem Baca Del Rio and Mayor Altamirano.*

## **6:30 P.M. - CITY COUNCIL MEETING**

### **CALL TO ORDER**

*Mayor Altamirano called meeting to order at 6:49 p.m.*

### **ROLL CALL**

**Present:** 5 - Councilmember Leon  
Councilmember Argumedo  
Councilmember Rebollo  
Mayor Pro Tem Baca Del Rio  
Mayor Altamirano

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**PLEDGE OF ALLEGIANCE**

*City Administrator Rifa let the Pledge of Allegiance*

**INVOCATION**

*Mayor Pro Tem Baca Del Rio offered the invocation.*

**APPEARANCES AND PRESENTATIONS**

1. Certificates of Completion for Channel 3 Apprenticeship Volunteers

*Darryl Layden, Cable TV Coordinator, presented certificates for Channel 3 apprenticeship volunteers.*

2. Certificate of Recognition for Doubletree by Hilton (At the Request of Mayor Altamirano and Councilmember Rebollo)

*Councilmembers and the Mayor issued Certificate of Recognition to Tom Smiley, DoubleTree by Hilton Hotel representative.*

**PUBLIC COMMENT**

*Gloria Nezahualcoya read a letter about the violations of election laws by Mayor Pro Tem Baca Del Rio and Mayor Altamirano.*

*Charles Calderon spoke about Mayor Pro Tem Baca Del Rio and Mayor Altamirano being fined by FPPC.*

*Abelrado Rodriguez spoke about crime in Commerce, and stated that cameras placed on the streets might be a great idea.*

*Antonia Lopez stated that residents that s. tilly is not in charge of Neighborhood Watch meetings and Comcast. Comcast volunteers do not have proper training and to the underage individuals.*

*Annie Park, Gracias Music Foundation Representative, announced the annual 2016 Gracias Christmas Cantata on October 1 and 2, 2016 and the reception and provided invitations to the Council.*

*Richard Hernandez spoke about accountability.*

*Sharon Basic spoke about the littering and the issues at Rossini area.*

**CONSENT CALENDAR**

*Councilmember Argumedo requested to pull item #13 for discussion.*

**Councilmember Rebollo moved, seconded by Councilmember Argumedo, to approve the Consent Calendar minus item #13. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

3. Approval of Warrant Register Nos. 5A and 5B
4. Approval of Minutes
5. Proclamation Declaring September 23rd Vin Scully Day to Honor Vin Scully's Contributions to Baseball (Dodger's Stadium Broadcaster).
6. Proclamation Declaring October 2015 as "National Breast Cancer Awareness Month".
7. Proclamation Declaring October 2016 as National Bullying Prevention Month
8. Proclamation Declaring October 2016 as Crime Prevention Month
9. Project Acceptance of Completed Water Main and Site Improvements Project for Camp Commerce
10. Security Camera Installation Project at the Metrolink Station
11. Environmental Assessment for the Former Specific Plating Site located at 1350 Eastern Avenue
12. Agreement with Maryman & Associates for Information Technology Services
13. City Council Support of SR 84 Urging the Governor to Declare a Statewide Emergency on Homelessness

*Councilmember Argumedo stated that there is a homeless issue and the best way to address the issues like that is at the state level. Councilmember Leon agreed with Councilmember Argumedo but cautioned of what the City is supporting since sometimes the measures are approved but funding is not allocated and the burden is placed on the cities. Councilmember Leon commended Community Services Department on working on this issue and trying to assist homeless individuals.*

*Mayor Pro Tem Baca Del Rio moved, seconded by Councilmember Rebollo, to approve joining the "call for action" and support SR 84 urging Governor Jerry Brown to declare a State of Emergency on the growing Homelessness crises, and*

authorize the Mayor to sign a letter of support. The motion carried by the following vote:

Ayes: Councilmembers Argumedo, Leon, Rebollo, Mayor Pro Tem Baca Del Rio and Mayor Altamirano.

**14. 2016 Annual League of California Cities Conference Resolution**

**SCHEDULED MATTERS**

**15. Presentation on Part 1 FBI - Uniform Crime Reporting Methodology**

Community Services and Public Safety Department Director Rodriguez provided an overview of the staff report. According to Director Rodriguez, the travel company that published recent statistical analysis of crime rates is not recognizing the day time population of the City of Commerce. The City is mostly industrial and that results in much bigger day time population versus counting just residential population of 13,000. FBI crime reporting numbers should be adjusted to the 50,000 to 80,000 population, and once the population numbers are adjusted, the City of Commerce becomes one of the safest cities in the East Los Angeles, and on par with the City of Arcadia, the City of Diamond Bar, the City of Monterey Park, and the City of Redondo Beach. Director Rodriguez emphasized that the volume of violent crime in the City of Commerce is the lowest out of all the surrounding cities. Discussion ensued.

Councilmember Argumedo stated that the City is safer than surrounding cities. The issue is that perception in the community that the City is not safe. Councilmember Argumedo recommended that staff informs residents of the efforts made regarding the safety, continuing efforts of improving safer environment in the City, and also what is causing some of the problems. According to Councilmember Argumedo, issues could be attributed to early release of prisoners that are back on the streets. Further discussion insured of the efforts that Council undertook back three years ago for stopping the County building that would bring early release inmates (about 2,000 a month) to the City of Commerce. Mayor Altamirano added that the Council makes tremendous efforts to safeguard the safety of the City of Commerce. Mayor Pro Tem Baca Del Rio added about the issues that Bell Shelter caused the City of Commerce as well.

Further discussion took place. Councilmember Leon recommended that residents also take necessary precautions by locking their homes, cars, etc in order to prevent theft.

Director Rodriguez stated that staff has challenges but they constantly working on

*improving the safe environment for the residents, preventing crime, and allocating resources correctly.*

#### **16. Security Cameras Program Presentation**

*Community Services and Public Safety Director Rodriguez provided an overview of the staff report.*

*Director Rodriguez stated that about 7.5 million dollars are brought in Measure AA money annually and about \$180,000 would go towards the safety category. Discussion took place whether residents would receive 100% rebate or 50% rebate. It was a consensus among the City Council that residents would be reimbursed 100% of the security camera system cost up to \$500.*

*City Attorney Olivo stated that based on the Council direction, staff would bring back this item for formal action approving resolution and adopt Agreement with Ring.com.*

**Councilmember Argumedo moved, seconded by Mayor Pro Tem Baca Del Rio, to approve staff's recommendations and change the reimbursable amount to 100% for security camera system. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

#### **17. Sheriff's Deployment Recommendation**

*This item was continued to the next Council meeting per Director Rodriguez request.*

#### **18. Cooperative Agreement with the County of Los Angeles for the City's Bridge Preventive Maintenance Program**

*Public Works and Development Services Director Babaki provided an overview of the staff report.*

*In response to Councilmember Leon of whose responsibility would be the maintenance of the bridge on Eastern Avenue, Director Babaki stated that it is BNSF responsibility but staff already started discussion with them regarding the maintenance.*

**Councilmember Leon moved, seconded by Mayor Pro Tem Baca Del Rio, to adopt Resolution approving a Cooperative Agreement with the County of Los Angeles for the city of Commerce's bridge Preventive Maintenance Program and authorize appropriation of \$12,000 from City's General Fund. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

**19. Veteran's Memorial Park Shooting Range Abatement - Approval of Bid Packet, RFP and Advertising**

*Public Works and Development Services Director Babaki provided an overview of the staff report.*

*Discussion took place whether the park and facilities would be closed during the project, and how the cleaning would be performed. It was a concern that there needs to be extra precautions taken and oversight of the operation would be required. This item was continued to the next City Council meeting in order for staff to include additional requirements in to the RFP based on the Council discussion.*

**20. Modifications to Washington Boulevard Plans for Access at Arco Gas Station and Commerce Square Area East of Fidelia**

*Public Works and Development Services Director Babaki provided an overview of the staff report.*

*Discussion ensued.*

**Councilmember Rebollo moved, seconded by Councilmember Argumedo, to adopt Resolution approving proposed modifications to Washington Blvd plans for access at Arco Gas Station and Commerce Square Area east of Fidelia, and the approval of related Environmental Amendment. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

**21. Parking Issues Near Stevens Steak House and Appointment of an Ad-hoc Committee**

*Mayor Pro Tem Baca Del Rio and Councilmember Argumedo asked to be included in the subcommittee.*

**Councilmember Leon moved, seconded by Councilmember Rebollo, to appoint Mayor Pro Tem Baca Del Rio and Councilmember Argumedo to Council subcommittee related to parking issues at Steven's Steakhouse. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

**22. Report on the City's Code Sections and State Law that Prohibit Street Racing**

*City Attorney Olivo provided and overview of the staff report. According to City*

*Attorney Olivo, the City Council could increase fine amount from \$500 to \$1,000. It was a consensus among the City Council to direct staff to bring the ordinance in order to increase the fine amount.*

**Councilmember Rebollo moved, seconded by Councilmember Argumedo, to direct staff to bring back the Ordinance for first reading to increase fine amount. The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

## **ORDINANCES**

### **23. Ordinance - Art In Public Places Program - Second Reading**

*Councilmember Leon moved, seconded by Mayor Pro Tem Baca Del Rio, to read the ordinance by title only. The motion carried by the following vote:*

*AYES: Councilmembers Argumedo, Leon, Rebollo, Mayor Pro Tem Baca Del Rio and Mayor Altamirano.*

*City Attorney Olivo read the title of the Ordinance.*

**Councilmember Leon moved, seconded by Mayor Pro Tem Baca Del Rio, to adopt Ordinance amending Commerce Municipal Code by adding Division 23, Section 19.31.700 (Art in Public Places Program). The motion carried by the following vote:**

**Ayes:** 5 - Councilmember Leon, Councilmember Argumedo, Councilmember Rebollo, Mayor Pro Tem Baca Del Rio, and Mayor Altamirano

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

*Councilmember Rebollo reported that she attended the Tiny Performance at the Teen Center and invited residents to come to the upcoming performance at the Teen Center on Saturday, September 24, 2016. Councilmember Rebollo reported that she attended Fiestas Patrias at Bristow Park on September 18, 2016. Councilmember Rebollo congratulated Diego Dias who joined Air Force. Councilmember Rebollo invited the community to Farmer's Market at Rosewood School on September 24, 2016. Councilmember Rebollo announced pre-school registration on Saturday, September 24, 2016, and residents to come for lip sink event fundraiser on October 5, 2016.*

*Councilmember Argumedo reported that he attended the College Fair, and the September 18th celebration of Fiestas Patrias.*

*Councilmember Leon congratulated Mayor on delivering State of the City address at the Industrial Council. Councilmember Leon reported that she attended the Annual College Fair, and Fiestas Patrias. Councilmember Leon congratulated*

*Board Member Joanna Flores who just gave birth to a girl named Maya.*

*Mayor Altamirano and Councilmembers wished Councilmember Leon a Happy Birthday!*

*Mayor Pro Tem Baca Del Rio stated that she promised residents that she would report on the FPPC issues. Mayor Pro Tem Baca Del Rio stated that she created issues by herself, and it is a burden for her and her family. Mayor Pro Tem Baca Del Rio stated that she is accountable for her actions. However, Mayor Pro Tem Baca Del Rio stated that she procrastinated, and also was not aware of some filings she had to do. Due to the fact that the information is brought up to District Attorney, so some information could not be disclosed at this time. Mayor Pro Tem Baca Del Rio apologized to the community for what she has done and stated that she is held accountable and will be held accountable. Mayor Pro Tem Baca Del Rio stated that her mistakes were not intentional.*

*Mayor Altamirano stated that he did the State of the City address and it is geared towards business and he would like to do one for the residents. Mayor Altamirano reported that he attended the College Fair and the Fiestas Patrias events. Mayor Altamirano stated that if any residents have any questions after this, they could reach out to City Administrator Rifa and Mayor Altamirano could meet with residents and address their concerns. Mayor Altamirano stated that his investigation started three years and three months ago. For that time FPPC have not found anything wrong with his bank records. Mayor Altamirano listed the counts he was fined, and explained that mistake he made on his vote was unintentional. The second issue was related to appointing his sister to Planning Commission, and being his renter, which is the conflict of interest. At this time, Mayor Altamirano stated that his sister donates \$50 that she is paid for serving on Planning Commission and the conflict will not be there anymore. As for the late filing of 24 hour report, Mayor Altamirano stated that the rules had changed midway through 2013 campaign and he was not aware of that change. Mayor Altamirano stated that he chooses to be responsible and also will continue working hard on transforming the community and the community becoming a model City.*

## **ADJOURNMENT**

*Meeting adjourned at 9:17 p.m.*