



# City of Commerce

## Meeting Minutes

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Tuesday, January 16, 2018 - 5:00 PM

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**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**

*Mayor Rebollo called meeting to order at 5:00 p.m. in the Council Chambers.*

**ROLL CALL**

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

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

*Angelo Logan and David Laney spoke in support of moving forward with the Tolling Agreement for item #2 regarding pending litigation of East Yard Communities for Environmental Justice v City of Commerce.*

**RECESS TO CLOSED SESSION**

*City Council/Successor Agency recessed to Closed Session at 5:06 p.m.*

1. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(1) Regarding Anticipated/Potential Litigation - Two (2) Matters
2. 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 Yard Communities for Environmental Justice v City of Commerce, et al., Superior Court of the State of California, County of Los Angeles, Case No. BS164349.
3. Pursuant to Government Code §54956.8, the Successor Agency will confer with its real property negotiator, Edgar Cisneros, with respect to real estate negotiations concerning proposed price and other terms relating to the property located at 5476 Jillson St (6335-019-023), 5530 Jillson St (6335-019-042), 2500 S Eastern Ave (6335-024-046), 6335-024-038, 6335-024-039, 6335-024-048, 6335-024-042, 6335-024-043, 6335-024-044, 6335-024-045, 5600 Jillson St (6335-023-049), 6335-023-053, 6335-023-054, 5611 E Washington (6335-023-048), 5571 E Washington (6335-024-056).

4. Conference with Legal Counsel - Existing Litigation - pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation (1 case) - *City of Commerce v. Flight 30 CAP, et al.* - L.A.S.C. Case No. BC664507
5. Conference with Legal Counsel - Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) - Three (3) Matters (all related cases):
  1. *Los Angeles Unified School District v. County of Los Angeles, et al.* - Case No. BS108180
  2. *Montebello Unified School District v. County of Los Angeles, et al.* - Case No. BS127286
  3. *Los Angeles Community College District v. County of Los Angeles, et al.* - Case No. BS130308

### **RECONVENE TO OPEN SESSION**

*City Council/Successor Agency reconvened to Open Session at 6:30 p.m.*

### **ORAL CLOSED SESSION ANNOUNCEMENT**

*Assistant City Attorney Copado reported on Closed Session items:*

*Item #1 - No reportable action was taken on this item and City Council provided staff with further recommendations and direction.*

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

*Item #3- There was a consensus was reached on this item to provide further direction to staff.*

*item #4 and #5- City Council provided direction to staff on item #4 and #5.*

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

### **CALL TO ORDER**

*Mayor Rebollo called regular City Council meeting to order at 6:31 p.m.*

### **ROLL CALL**

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

### **PLEDGE OF ALLEGIANCE**

*Director of Transportation Department McFerguson led the Pledge of Allegiance*

### **INVOCATION**

*Mayor Rebollo offered the invocation*

## **APPEARANCES AND PRESENTATIONS**

1. 58th City Birthday Celebration & Cake Cutting Ceremony

*Evelyn Nuno, Representative of Assemblywoman Christina Garcia's Office, presented a Certificate congratulating the City on its 58th birthday.*

2. Commendation for Lieutenant Samuel Ricardo Arellano on the Occasion of His Retirement from Los Angeles County Sheriff's Department

*Councilmembers and the Mayor commended Lieutenant Arellano on his requirement.*

3. Recognition of the Senior Soft Ball Team "The Eagles" for Winning First Place at the Tri City League Championship

*Councilmembers and the Mayor recognized Senior Softball team Eagles for winning first place at the Tri City Leagues Championship*

4. Commendation for the Commerce Casino and Hotel for Supporting Programs that Benefit Commerce Youth

*Mayor and Councilmembers recognized Commerce Casino for their contributions for youth programs.*

## **PUBLIC COMMENT**

*Evelyn Nuno spoke about the upcoming events organized by Assemblywoman Cristina Garcia's office.*

*Antonia Lipercio spoke about the drastic changes in the management team.*

*Maria Luerna spoke about the I-710 project and importance of that project to the community.*

*Frank Morales spoke about hard financial situation at MUSD and Edgar Cisneros who is the Board Member.*

*Ernesto Gonzales spoke about support for the non-profit organization Commerce Deserves Better.*

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**CONSENT CALENDAR**

**Councilmember Soria moved, seconded by Mayor Pro Tem Altamirano, 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. 12A and 12B
6. Memorandum of Understanding with the Los Angeles Homeless Services Authority to Participate in the Opt-In Program for the 2018 Greater Los Angeles Homeless Count
7. Adoption of the City's Title VI Program
8. Approval of 2018 Civic Organizations

**SCHEDULED MATTERS**

9. Preserving Local History Project Status Update

*Library Director Sarmiento provided an overview of the staff report. Senior Librarian Sonia Batista spoke about preservation of the existing photos, publications, and what equipment would be required. Discussion took place on the cost of the necessary equipment for document preservation. No action was taken on this item*

10. Update on Pilot Program Temporary Closure on Fitzgerald Avenue

*Isaes Cantu, Commerce resident, stated that he would like to conduct survey and count cars that are parked on the street. Mr. Cantu spoke in support of the permit parking.*

*Priscilla Perez, Richard Homeswter and Evelyn Serfozo all spoke in support of the permit parking.*

*Ernesto Gonzales, opposed permit parking.*

*Public Works and Development Services Director Babaki provided an overview of the staff report. Discussion ensued about the fence being installed. Councilmember Hugo who is the member of the Fitzgerald Matters subcommittee stated that there is some opposition to closing a street, and it was decided to*

*install temporary wall as a pilot program to see if that works and residents prefer that solution. Further discussion took place regarding installing temporary fence and whether residents should be voting on this matter before any decision is made by the City Council.*

**Mayor Pro Tem Altamirano moved, seconded by Councilmember Argumedo, to approve the pilot program for temporary street closure on Fitzgerald Avenue, and installation of the temporary wall. The motion carried by the following vote:**

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

**11. Report on Recovered Costs by Public Works and Development Services Department for 2017-2018**

*Public Works and Development Services Director Babaki provided an overview of the staff report. No action was taken on this item. It was informational only.*

**12. Request for CPI Rate Increase from Nationwide Environmental Services**

*Deputy Director of Public Works Operations Nila provided an overview of the staff report.*

*Councilmembers Mendoza and Argumedo opposed the automatic 4% increase provision in the proposed contract. It was stated that Nationwide provides excellent quality service, however, it was a consensus among the City Council to eliminate automatic yearly increase. It was recommended that the increase is brought up to Council for discussion on a yearly basis.*

**Councilmember Soria moved, seconded by Mayor Pro Tem Altamirano, to approve modifications to Agreement with Nationwide Environmental Services, a Division of Joe's Sweeping Inc (Nationwide) for catch basin maintenance and street sweeping services to allot for a rate increase, excluding requested automatic 4% CPI request. The motion carried by the following vote:**

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

**Nayes:** 1 - Councilmember Mendoza

**13. Revisions to the Personnel Classification and Compensation Plan**

*Interim Human Resources Director Beas provided an overview of the staff report. Discussion took place about fairness and not tailoring positions to the existing staff members and not raising or lowering requirements for some positions. It was a consensus that positions across the board should be treated fairly.*

*Councilmember Mendoza recommended to wait for class and compensation study before making any decisions on the positions. Councilmember Argumedo stated that everyone have to be provided an opportunity, the City has to be consistent and everyone who meets criteria has an opportunity. Further discussion ensued.*

*Interim Human Resources Director Beas stated that some positions are vacant and the decision needs to be made now, so they could advertise for positions.*

*It was a consensus among the City Council not to change any requirements for Camp Manager positions, instead of part-time dispatcher have full-time dispatcher, increase educational requirements for HR Analyst I and II positions and increase step from 23 to 26 and 28 respectively, approve revisions to Accountant, and Library Supervisor positions. Fleet mechanic position was tabled.*

**Councilmember Argumedo moved, seconded by Councilmember Soria, to adopt Resolution approving revisions to the Personnel Classification and Compensation Plan for certain positions in Transportation, Parks & Recreation, Human Resources and Library, not change Camp Supervisor requirements, table mechanic position and increase position of Dispatcher from part-time to full-time. The motion carried by the following vote:**

**Ayes:** 4 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, and Mayor Rebollo

**Absent:** 1 - Mayor Pro Tem Altamirano

#### **14. Oral Communications/Public Comment at the City Council Meetings**

*Administrative Services Director and City Clerk Shumway provided an overview of the staff report and recommended approval of guidelines and reducing public comments from 5 minutes to 3 minutes.*

**Councilmember Soria moved, seconded by Councilmember Argumedo, to approve changing the time allocated for public comments at the City Council meetings from five minutes to three minutes, and approve Resolution adopting Public Comments Guidelines. The motion carried by the following vote:**

**Ayes:** 4 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, and Mayor Rebollo

**Absent:** 1 - Mayor Pro Tem Altamirano

#### **15. Consideration of Legal Services Agreement with the Law Firm of Vanderford & Ruiz, LLP**

*City Administrator Cisneros provided an overview of the staff report.*

**Councilmember Mendoza moved, seconded by Councilmember Soria, to adopt TResolution approving the Legal Services Agreement with the law**

**firm of Vanderford & Ruiz, LLP. The motion carried by the following vote:**

**Ayes:** 3 - Councilmember Mendoza, Councilmember Soria, and Mayor Rebollo

**Absent:** 1 - Mayor Pro Tem Altamirano

**Recused:** 1 - Councilmember Argumedo

## **ORDINANCES**

**16. Ordinance - Regular City Council Meeting Schedule Change - First Reading**

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

**Councilmember Soria moved, seconded by Councilmember Argumedo, to read the ordinance by title only. City Clerk Shumway read the title of the ordinance amending Municipal Code, title 2, Chapter 2.08.040 (Meetings) changing the time of the regular meeting scheduled of the City Council from six-thirty p.m. to six p.m. The motion carried by the following vote:**

**Ayes:** 4 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, and Mayor Rebollo

**Absent:** 1 - Mayor Pro Tem Altamirano

**17. Extension of Interim Urgency Ordinance No. 691 Imposing a Citywide Moratorium on the Establishment or Operation of Non-Medical Marijuana Businesses and Cultivation - Public Hearing**

*Assistant City Attorney Capado provided an overview of the staff report.*

*Mayor Rebollo opened public hearing. There is nobody wishing to address the City Council. Public Hearing closed.*

**Councilmember Soria moved, seconded by Councilmember Mendoza, to adopt Interim Urgency Ordinance declaring and imposing a ten (10) month and fifteen (15) day extension on the existing citywide moratorium on the establishment and operation of commercial cannabis activities authorized by the Adult Use of Marijuana Act. The motion carried by the following vote:**

**Ayes:** 4 - Councilmember Argumedo, Councilmember Mendoza, Councilmember Soria, and Mayor Rebollo

**Absent:** 1 - Mayor Pro Tem Altamirano

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

*Mayor Rebollo stated that they had a very productive meeting with Union Pacific, and invited also all residents to participate at the upcoming City of Commerce birthday celebrations in the City parks.*

## ADJOURNMENT

*Meeting adjourned at 9:30pm*