



# City of Commerce

## Meeting Minutes

---

Tuesday, November 13, 2018 - 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**

*Mayor Pro Tem Soria called meeting to order at 5:06 p.m. in the Council Chambers.*

#### **ROLL CALL**

*Councilmember Altamirano arrived at 5:30 p.m. and Mayor Argumedo arrived at 5:58 p.m.*

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

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

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

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

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

1. Pursuant to Government Code §54957.6 the City Council will confer with its labor negotiator, Edgar 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.
2. 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

## **RECONVENE TO OPEN SESSION**

*City Council reconvened to Open Session at 6:30 p.m. in the Council Chambers.*

## **ORAL CLOSED SESSION ANNOUNCEMENT**

*Assistant City Attorney Copado reported on Closed Session items. Assistant City Attorney Copado stated that Councilmember Altamirano arrived at 5:30 p.m. and Mayor Argumedo arrived at 5:58 p.m.*

*Items #1, and #2 - staff provided a briefing and no reportable action was taken on any of those items.*

## **6:00 P.M. - CITY COUNCIL MEETING**

### **CALL TO ORDER**

*The meeting started at 6:03 p.m. in the Council Chambers.*

### **ROLL CALL**

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

### **PLEDGE OF ALLEGIANCE**

*Transportation Director McFerguson led the Pledge of Allegiance*

### **INVOCATION**

*Councilmember Mendoza offered the invocation*

### **PUBLIC COMMENT**

*Jose Gonzalez, Commerce resident, spoke in regards of I-710 expansion, and how it would displace him. Mr. Gonzalez asked that the City Council intervenes and does something for those displaced.*

*Javier Hernandez spoke about the benefits the City provides because of the money generated by the Commerce Casino and urged Council to continue fighting against the injustice of losing the revenue provided by the games offered at the Casino*

*Edeny Casey stated that the residents of Commerce are in favor of the proposed cannabis ordinance and submitted a petition containing 800 signatures.*

*Antonia Lupercio stated that there were no input from residents as it relates to*

*cannabis businesses being allowed in the City of Commerce. Ms. Lupecio asked that cannabis businesses are not allowed to operate in the City.*

## **CONSENT CALENDAR**

*Councilmember Mendoza asked to pull item #2 from Consent Calendar.*

*Item #2 - Councilmember Mendoza questioned whether staff follows RFP process. Public Works and Development Services Director Babaki stated that having more on-call consultants allows staff to reach out to those on a list and get responses faster, however, RFP process is always followed. Councilmember Mendoza moved, seconded by Councilmember Rebollo, to adopt Resolution adding "Lost West Landscape Architecture & Construction" to the on-call professional services for landscape architecture. The motion carried by the following vote:*

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

**Councilmember Rebollo moved, seconded by Mayor Pro Tem Soria, to approve Consent Calendar minus item #2. The motion carried by the following vote:**

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

1. Approval of Warrant Register Nos. 9A and 9B
2. Addition of Lost West Landscape Architecture & Construction to the On-Call Professional Services list for Landscape Architecture

## **SCHEDULED MATTERS**

3. Consideration and/or Selection of Commercial Cannabis Permit Applications; Approval of the Issuance of Notice of Selection if Commercial Cannabis Permit Applications are Selected

*Ebony Anderson, Ejma Principle, provided an overview of the staff report and outlined minor changes that were made to staff report since it was published. Ms. Anderson stated that the hard copies of the updated staff reports were provided to the Council and available for public.*

*Councilmember Mendoza expressed concerns with the application process and how cannabis businesses would affect the public safety. Councilmember Mendoza*

*stated that residents expressed their concerns and questioned how the signatures in support of the cannabis ordinance were collected by Ms. Edeny Casey who spoke under the public comment.*

*Elliot Lewis expressed his concerns with the scoring process.*

*James Herrmann, Commerce resident, asked to delay the process and let residents to vote on allowing cannabis business in Commerce.*

*Michael Ehernis, Attorney, questioned the scoring process. Mr. Ehernis asked whether his client application would receive higher scoring if they would provide information on the location for the proposed business.*

*Kevin Fauler stated that the application was rejected due to non-payment, and provided a confirmation that this was a bank error.*

*James Raza Lawrence, McGoura and Lawrence, expressed concerns about the process, transparency and scoring. Mr. Raza Lawrence asked that applications are scored one more time.*

*Carlos Camara, representing applicant, stated that applicants did not receive clear guidelines in regards to scoring process.*

*Richard Hernandez stated that number of businesses allowed operating cannabis business could be increased.*

*Bruce Kafil stated that the City of Los Angeles has a longer process, and asked that the process is extended, which would allow other people to apply.*

*Ebony Anderson, Ejma Principle, stated that the process was far from being arbitrary with the application packet being 30 pages including guidelines. Forty five applications were received. According to Ms. Anderson, notifications and updates were posted timely on the City's website. Discussion followed on evaluation process.*

*City Administrator Cisneros added that staff is not recommending all 45 applications being approved, and the number of eligible applicants could be decided by the City Council. City Administrator Cisneros added that the petition*

submitted by Ms. Edeny Casey in support of the cannabis ordinance was not related or organized by the City. In addition, in terms of the timing, application was released for three weeks, and notices were sent to the residents and property owners for today's hearing. This was not a requirement, but an additional effort by staff to inform residents about the upcoming hearing related to cannabis.

Mayor Argumedo asked that the City Clerk provides a copy of the petition submitted by Ms. Edeny Casey to all Councilmembers.

Discussion took place on the number of applicants that the City Council would like to approve. Councilmember Altamirano made a motion to approve/select those applications that scored highest in two categories (23 applicants), and add top two in the other two categories to selected Commercial Cannabis Permit applicants. The motion failed for the lack of second.

Further discussion ensued. Mayor Pro Tem Soria recommended to increase number of applicants from just two top categories as not all applicants will potentially complete the process. Some of the applicants will not be able to complete the process, and Council would later decide on certain locations that are not desirable for the City.

Mayor Pro Tem Soria moved, Councilmember Altamirano seconded, to approve Commercial Cannabis Permit applicants identified in red and white scoring categories (23), and add those in blue scoring category #47, 53 and 94, and in orange scoring category # 59, 23, 64, 77, and 91 to ensure that they are providing opportunity to some that had expressed concerns (total 33 operators). The motion carried by the following vote:

AYES: Councilmembers Altamirano, Rebollo, and Mayor Pro Tem Soria (3).

NAYES: Councilmember Mendoza and Mayor Argumedo (2)

Assistant City Attorney Copado stated that "the notice of selection" is contingent and conditional on applicants adhering to all legal, state and other requirements in order to operate cannabis business in Commerce.

4. General Plan Update - City Council Workshop Regarding Potential Early Action Items for the Washington and Atlantic Boulevard Corridors and the Housing Opportunity Overlay Zone

Mayor Argumedo called a recess at 7:54 pm. City Council returned from the break

at 8:04 pm. Councilmember Altamirano excused himself and left the meeting at 8:05 p.m.

Public Works and Development Services Director Babaki and Esmeralda Garcia, MIG, provided an overview of the staff report.

Discussion ensued about affordable housing and whether the stress would be placed into allowing more single home housing versus apartment complexes. It was stated that Atlantic Boulevard area would be planned as high density. Director Babaki stated that this is first discussion of what is proposed and what the consultant and General Plan committee would be looking at based on feedback received from the City Council. Mayor Pro Tem Soria spoke about importance of preserving the look and feel of the community, and being cautious about housing overlay. Councilmember Mendoza recommended that senior complex is included in the upcoming plan. Director Babaki spoke about community benefits when it comes to increased density. Further discussion took place about subterranean parking.

No action was taking on this item. It was informational only.

**5. Update Regarding General Plan and Bicycle and Pedestrian Master Plan Technical Advisory Committees**

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

**6. Update on City of Commerce EIR Comments for I-710 Expansion, and a Discussion of "De Minimis" Finding**

Director of Public Works and Development Services Babaki provided an overview of the staff report. Following discussion, it was a consensus among the City Council to reject the de minimus finding. Discussion took place about impacts to those that will be relocated. Mayor Argumedo recommended hiring legal Council to review all impacts and come with the recommendations.

Richard Hernandez spoke for the record.

Mayor Pro Tem Soria moved, seconded by Councilmember Rebollo, to approve option A, not accept "de minimus impact" finding at this time and pursue negotiations with LA Metro, Caltrans, and authorize hiring adequate representation/ legal representation in order to represent City on these negotiations. The motion carried by the following vote:

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

**7. City of Commerce - Bureau of Gambling Control Issues**

*This item was tabled to November 20, 2018 Council meeting.*

*City Administrator Cisneros invited residents to attend November 14, 2018 meeting with Bureau of Gaming regarding gaming issues. City Administrator Cisneros stated that transportation to and from the venue for attendees will be provided from City Hall at 7am and 8am.*

**8. Special Holiday Schedule for City Hall**

*This item was tabled to November 20, 2018 City Council meeting.*

**9. Committee and Commission Appointments**

*Mayor Argumedo appointed Brandon Argumedo to Youth Commission.*

*Mayor Pro Tem Soria appointed Gabriele Talule.*

**CITY COUNCIL/SUCCESSOR AGENCY REPORTS**

*Councilmember Rebollo congratulated Girls Water Polo Team for placing second in the tournament and Jesus Padilla who helped leading High School for first CIF Championship. Councilmember Rebollo asked to adjourn meeting in memory of Martha Martinez. Councilmember Rebollo asked for update whether there is a construction on Astor Avenue. Councilmember Rebollo reported that she attended Veteran's Day ceremony.*

*Councilmember Mendoza reported that he attended Senior Halloween Dance, Bandini Halloween Parade, Dia de Muertos in Bristow Park, and Veteran's Day celebration. Councilmember Mendoza stated that Council will stand by and look into any ways to help those displaced by the I-710 expansion project. Councilmember Mendoza announced that his mother and father were naturalized and congratulated them on that occasion.*

*Mayor Pro Tem Soria stated that he represented the City on the Sister City visit to Aguascalientes, attended Dia De Muertos in Bristow Park, and participated in Trunk or Treat organized by Councilmember Rebollo, attended Tree Lightening Ceremony event at the Citadel and Veteran's Day celebration.*

*Mayor Argumedo reported that he attended Dia De Muertos in Bristow Park,*

*Veteran's park ceremony and Christmas Tree Lightening.*

**ADJOURNMENT**

*Meeting adjourned at 9:41pm. in memory of Martha Martinez.*