



City of Commerce

Meeting Minutes

Tuesday, July 2, 2019 - 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 at 5:00 p.m. in the Council Chambers.

ROLL CALL

Councilmember Argumedo and Councilmember Mendoza arrived at 5:05 p.m.

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

PUBLIC COMMENT ON CLOSED SESSION ITEMS

Laura Logan spoke about negotiations and asked that the employee requests are considered.

RECESS TO CLOSED SESSION

Assistant City Attorney Copado stated that the urgent matter came after the posting of the agenda and asked that the following item added to the agenda: 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.

Mayor Pro Tem Altamirano moved, seconded by Councilmember Rebollo, to add anticipated/potential litigation one matter item to Closed Session agenda. The motion carried by the following vote:

AYES: Councilmember Rebollo, Mayor Pro Tem Altamirano and Mayor Soria

Absent: Councilmembers Argumedo and Mendoza.

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. Pursuant to Government Code 54957, the City Council will consider personnel matters related to the recruitment of a Parks and Recreation Director and Assistant City Manager.
3. 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. 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.
- B. 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.
- 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)
4. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *County Sanitation District No. 2 of Los Angeles County v Commerce Refuse-To-Energy Authority (respondent and defendant), and the City of Commerce (real party in Interest), et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCP02428.

RECONVENE TO OPEN SESSION

City Council/Successor Agency reconvened to Open Session at 6:10 p.m.

ORAL CLOSED SESSION ANNOUNCEMENT

Assistant City Attorney Copado reported on Closed Session items. All Councilmembers were present during the Closed Session.

Item #1- City Council provided further direction to staff and no reportable action

was taken on this item.

Item #2- Staff provided an update, and no reportable action was taken on this item.

Item #3 A and #3C - Staff provided an update, and no reportable action was taken on these items. Item #3.B and item #4 were not discussed at the Closed Session.

There was an item added to the agenda - potential litigation. Legal Counsel provided an update and 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 6:10 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Former Parks and Recreation Director Lipton led the Pledge of Allegiance

INVOCATION

Councilmember Mendoza offered the invocation.

APPEARANCES AND PRESENTATIONS

1. Commendation Recognizing Joe Aguilar for Receiving the Older American Recognition Award from the Los Angeles County Commission for Older Americans.

Councilmembers and the Mayor recognized Joe Aguilar for receiving the Older American Recognition Award.

2. Commendation Recognizing Robert Lipton on the Occasion of his Retirement after 31 Years of Exceptional Service to the City

Councilmembers and the Mayor recognized Robert Lipton on the occasion of this retirement.

PUBLIC COMMENT

Juan Luna, South Regional Council of local 213, spoke regarding item #12 and

stated that EIR failed to accurately describe the project and that air quality conditions were not properly disclosed.

Sara Dudley spoke on item #12 and stated that EIR should not be approved before all the deficiencies are corrected and added that some comments received were never answered .

George Mungia spoke on item #12, and stated that residents opinions and suggestions should be included in the development of this project.

Kate Spear, United Local 11, spoke on item #12 and expressed her concerns with the project. According to Ms. Spear, CEQA review was rushed and EIR was prepared improperly. In order to accommodate this project, housing element should be added.

Jose Colderon spoke on item #12 and stated that this area is in need of housing, especially for low income housing.

Jonathan Contreras spoke on item #12 and opposed the proposed project.

Ron Miller, LA and Orange County Building Trades Representative, spoke on item #12 and supported the project. According to Mr. Miller, Silverado company has work agreement with the Building Trades organization. In addition, Mr. Miller spoke in support of jobs going to locals and veterans.

Jennifer Osborne, works for Civilian Oversight Commission at Los Angeles County, and invited everyone to attend Community Meeting concerning East L.A. Sheriff's station. The event would take place on Thursday , July 11 at East Los Angeles Service Center.

Gus Torres spoke on item #12 and opposed the proposed project. Mr. Torres stated that jobs will not go to locals, and that developer did not reach out to community.

Albert Duarte, Representative of Local 416, spoke on item #12 and in support of the project.

Chris Cheeh, Plumbers Local 78, spoke on item #12 and opposed the project

project based on final EIR and air quality impacts. In addition, Mr. Cheeh stated that the project should be providing well paid jobs with benefits.

Steve Grerdes, Representative of Local 105, spoke on item #12 and opposed the proposal. The project did not provide good paying jobs and stated that jobs offered should include benefits.

Tommy Faave, Local 11, spoke on item #12 and opposed the project based on significant environmental impacts and that the safe environment was not offered for the workers.

Herberto Sanchez, Latino Educational Fund, spoke on item #12 and opposed the project. According to Mr. Sanchez, there will be no community benefits and air and traffic conditions would get worse.

Gina Burnett spoke on item #12 and opposed the project, and stated that EIR did not provide any mitigation to lessen the effects.

Jose Pina and Godfrey Washira spoke on item #12 and opposed the project.

Jordan Sissan, Krakov Law Offices, spoke on item #12 and opposed the project. According to Mr. Sissan, there were no responses on the issues raised in CEQA, and added that those impacts need to be analyzed and mitigation offered.

Richard Hernandez spoke on item #12 and opposed of the project.

Sharon Basic asked for better notification to residents and businesses.

CONSENT CALENDAR

Mayor Pro Tem Altamirano asked to pull item #7 for discussion and Councilmember Argumedo asked to pull item #10.

Item #7 - City Manager Cisneros stated that the current contract with West Coast Arborist expires in October. There are several options available such as issuing RFP, extending existing contract, and issue RFP in 2022 or consider other alternative options. Discussion took place regarding RFP process.

Mayor Pro Tem Altamirano moved to approve Alternative #3 extending existing

contract and return with the RFP in 2022. Motion died for the lack of second.

Councilmember Rebollo moved, seconded by Councilmember Argumedo, to approve Alternative #1 and direct staff to issue an RFP. The motion carried by the following vote:

AYES: Councilmembers Argumedo, Mendoza, Rebollo, Mayor Pro Tem Altamirano and Mayor Soria (5)

Item #10 - Deputy Director of Engineering Yang provided an overview of the staff report. Discussion took place of reasons for rebidding the project, and whether the City would like to go with the second lowest bidder. Assistant Director of Engineering Yang stated that the second bid was at \$244,000, which is above the estimated amount for this project and recommended that the City Council authorizes staff to release RFP again. Further discussion took place whether the City would like to use the bond protection option. Assistant City Attorney Copado stated that she could review RFP and see if this language was added that company could not rebid and whether with the bond there are provisions to be reimbursed for not correctly submitted bid.

Councilmember Argumedo moved, seconded by Councilmember Rebollo, to unaward and rescind the construction contract agreement with Myers & Sons Hi-Way Safety, Inc, and therefore, also rescind in its entirety Resolution No. 19-60, adopted June 4, 2019, reject all construction bids, and authorize staff to advertise for bids for the Citywide Wayfinding Vehicular Directional Signs Project. The motion carried by the following vote:

AYES: Councilmembers Argumedo, Mendoza, Rebollo, Mayor Pro Tem Altamirano and Mayor Soria (5)

Councilmember Rebollo moved, seconded by Mayor Pro Tem Altamirano, to approve the Consent Calendar minus item #7 and item #10. The motion carried by the following vote:

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

3. Approval of Warrant Register Nos. 23A, and 23B

4. Approval of Minutes

5. A Proclamation Declaring the Month of July as Parks & Recreation Month
6. City of Commerce Tree Planting Program
7. Authorize Staff to Issue an RFP for Tree Maintenance Services
8. Contingent Agreement to Purchase and Sell Real Estate to Ramez Karkafi
9. Installation of Red Curb Markings Along Driveway at 7222 East Gage Avenue
10. Un-award Construction Contract Agreement to Myers & Sons Hi-Way Safety, Inc. and Rescind Resolution 10-060; Reject All Construction Bids; Approve Revised Contract Documents; and Authorize Staff to Advertise for Bids for the Citywide Wayfinding Vehicular Directional Signs Project
11. South Coast Air Quality Management District (Carl Moyer Program) Grant Funds

ORDINANCES

12. Introduction and First Reading of Uncodified Ordinance Approving Development Agreement with Citadel Holdings Group, LLC; and Uncodified Ordinance Approving Development Agreement with Wash-Tel Commerce, LLC and Citadel Holdings Group, LLC; and the Master Sign Plan for Area 1, Area 2, and Area 3; and Approval the Final Environmental Impact Report for the Citadel Outlets Expansion and 10-Acre Development Project, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.

Mark Blodget, Blodget Environmental Planning, provided overview of the EIR process.

Steve Craig, Craig Realty, stated that this project has been in a works for five years, and originally the plan included 115 housing units, but that component was removed per City's request. According to Mr. Craig, the City is bringing more housing in other areas of the City, and also the proposed project would include Tesla charging station, and will be entirely solar powered.

Councilmember Rebollo asked if the union labor could be involved more in the project. In order to mitigate traffic concerns, Councilmember Rebollo

recommended potentially having another Citadel Express, and possibly looking into adding more deputies for safety purposes. Mr. Craig stated that staff will be better trained, they have new head of security and hiring more qualified people in the area of safety. Mr. Craig also added that they are looking into additional Citadel Express and also the extension of the Gold Line would help with traffic concerns. Mr. Craig spoke about wages for Citadel managers, and also stated that Citadel utilized 100% union labor during the parking structure construction. As for the individual stores within the mall, Citadel does not have any control of those hires.

Further discussion took place about contribution to scholarship fund. Mr. Craig spoke about various contributions to the community through the years including donation to youth programs, Miss Commerce, road pavement, etc. Following discussion, Mr. Craig committed that some contributions will be made to scholarship fund.

Councilmember Mendoza left Council Chambers at 8:42 p.m. and returned at 8:51 p.m.

Mayor Pro Tem Altamirano stated that he would like to see housing element to be put back in the project

Mayor Soria opened Public Hearing.

John Griffo spoke in support of this project, and stated that he is a little concerned about the increased traffic. Nobody else besides previous speakers during Public Comment wished to speak on this item. Mayor Soria closed Public Hearing.

Councilmember Rebollo moved, seconded by Mayor Pro Tem Altamirano, to introduce for first reading and read by title only Uncodified Ordinance Approving Development Agreement with Citadel Holdings Group, LLC; and Uncodified Ordinance Approving Development Agreement with Wash-Tel Commerce, LLC and Citadel Holdings Group, LLC; and the Master Sign Plan for Area 1, Area 2, and Area 3; and Approval the Final Environmental Impact Report for the Citadel Outlets Expansion and 10-Acre Development Project, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program. The motion carried by the following vote:

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

13. Adoption and Second Reading of Ordinance Approving Development Agreement for the Operation of Commercial Cannabis Activities, for Commercial Cannabis Permit Application No. 18-023

Councilmember Mendoza stated that he is opposing this ordinance.

Councilmember Rebollo moved, seconded by Mayor Pro Tem Altamirano, to adopt Ordinance approving Development Agreement for the Operation of Commercial Cannabis Activities, for Commercial Cannabis Permit Application No. 18-023; approving findings consistent with Government Code Section 65867.5; approve the Conditions of Approval; and finding the Development Agreement is exempt from further CEQA review and direct staff to prepare and file corresponding Notice of Exemption. The motion carried by the following vote:

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

Nayes: 2 - Councilmember Argumedo, and Councilmember Mendoza

SCHEDULED MATTERS

14. Approval of 2019-2024 Municipal Law Enforcement Services Agreement with the Los Angeles County Sheriff's Department

City Manager Cisneros provided an overview of the staff report.

Mayor Pro Tem Altamirano moved, seconded by Councilmember Argumedo, to approve Resolution authorizing the City Manager to execute a Municipal Law Enforcement Services Agreement between the City and the County of Los Angeles for law enforcement services provided by the Los Angeles County Sheriffs Department for the period of July 1, 2019 through June 30, 2024. The motion carried by the following vote:

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

15. Agreement with Matrix Consulting Group for Police Services Alternatives Analysis

City Manager Cisneros provided an overview of the staff report. In response to Councilmember Argumedo's question about selection process, City Manager Cisneros stated that two bids had been received and Matrix Consulting has an extensive experience on conducting those analysis.

Discussion took place regarding the scope of work to be performed, and City Manager Cisneros stated that the current law enforcement services would be

evaluated, as well as other alternatives evaluated. Councilmember Mendoza stated that Captain Chavez relied to him that they are evaluating the current service levels and the report will be provided to the City Council at a later date whether the service level is adequate and/or more deputies will be needed. Further discussion took place on the cost for assessment and whether LAFCO would be the deciding factor should the City choose to decide on any alternative courses. Mayor Soria added that the City should first evaluate the service level as it stands currently.

Councilmember Rebollo moved, seconded by Mayor Pro Tem Altamirano, to adopt The City Council will consider for adoption a Resolution approving Professional Services Agreement with Matrix Consulting Group for a Police Services Alternatives Analysis.. 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

Councilmembers and the Mayor extended invitation for everyone for Fourth of July celebration and wished everyone Happy Independence Day.

Councilmember Rebollo reported that she attended Community Meeting at Senior Center regarding AB17. According to Councilmember Rebollo, hot spots are identified for air quality testing. Councilmember Rebollo reminded everyone about Library Summer reading program.

Councilmember Mendoza thanked residents for sending him good wishes on recovery.

Mayor Pro Tem Altamirano stated that he attended NALEO conference and a lot of discussion was about the citizenship question potentially being included on census.

Mayor Soria extended his condolences to Carolyn Gomez who lost her husband Kelly Gomez.

ADJOURNMENT

Meeting adjourned 10:03 p.m.