



# City of Commerce

## Meeting Minutes

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Tuesday, August 20, 2019 - 5:00 PM

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**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 5:03 p.m. in the Council Chambers.*

**ROLL CALL**

*Councilmember Mendoza arrived at 5:16 p.m.*

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

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

*There were no individuals wishing to address 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 5:05 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: *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.
3. 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. 19STCP03166.
4. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *ZVI (aka) Harry Ryzman and Betty Ryzman, as Trustees of the Ryzman Family v the City of Commerce, acting in a separate limited capacity elected to serve as the Successor Agency to the Commerce Community Development Commission et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCP02821.
5. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1). One (1) case: *Richard Hernandez v the City of Commerce, & Lena Shumway et al.* - Superior Court of the State of California, County of Los Angeles, Case No. 19STCV27029.
6. 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.
7. Conference with Legal Counsel - Anticipated Litigation - pursuant to Government Code Section 54956.9(d)(4) to discuss potential litigation (1 case)
8. 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. 5550 Harbor St., Commerce, CA 90040 (6335-025-009), 2300 S. Eastern Ave. (6335-025-010)
  - B. 5625 Jillson St., Commerce, CA 90040 (6335-025-905)
  - C. 5555 Jillson St., Commerce, CA Property (APN 6335-025-906)

D. 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)

E. 5476 Jillson St. (APN 6335-019-023), 5530 Jillson St. (APN 6335-019-042), 2500 S Eastern Ave. (APN 6335-024-046), (APN 6335-024-03), (APN 6335-024-039), (APN 6335-024-048), (APN 6335-024-04), (APN 6335-024-043), (APN 6335-024-044), (APN 6335-024-045), 5600 Jillson St. (APN 6335-023-049), (APN 6335-023-0), (APN 6335-023-054), 5611 E Washington Blvd. (APN 6335-023-048), 5571 E Washington Blvd. (APN 6335-024-056), 5555 E. Washington, Commerce, CA 90040 (APN 6335024057).

F. 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.

G. Property located at 6364 Zindell Street, Commerce CA (APN 6357-015-900 and 6357-019-304)

## **RECONVENE TO OPEN SESSION**

*City Council/Successor Agency reconvened to Open Session at 6:03 p.m.*

## **ORAL CLOSED SESSION ANNOUNCEMENT**

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

*Items were taken out of order.*

*Item #5- Legal Counsel Arnold Glassman briefed the City Council, and the City Council provided further direction to Mr. Glassman. No reportable action was taken on this item.*

*Item #1.A and #1.B - Legal Counsel Moisa participated via conference call. Staff provided briefing to the City Council, and the City Council provided further direction to staff. No reportable action was taken on this item.*

*Item #2- City Administrator Cisneros provided an update to the City Council, and the City Council provided direction to engage another party by a unanimous vote. No reportable action was taken on this item.*

*Remainder of the items on the Closed Session agenda were discussed after the regular City Council meeting.*

*Item #1.C - City Manager Cisneros provided briefing to the City Council and no reportable action was taken on this item.*

*Item #3- was not discussed*

*Item #4 - Legal Counsel Scott Nichols briefed City Council and City Council provided further direction . No reportable action was taken on this item.*

*Items #6 and #7 - City Attorney Noel Tapia briefed City Council and no reportable action was taken on this item.*

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

#### **CALL TO ORDER**

*Mayor Soria called meeting to order at 6:04 p.m. in the Council Chambers*

#### **ROLL CALL**

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

#### **PLEDGE OF ALLEGIANCE**

*Director of Human Resources Pappo led the Pledge of Allegiance*

#### **INVOCATION**

*Mayor Soria offered the invocation.*

#### **APPEARANCES AND PRESENTATIONS**

1. Certificate of Recognition Congratulating Commerce United 14u Team for Bringing Home the Championship in the California State Games, Hosted by Copa De Mar Soccer Club

*Mayor and City Council congratulated Commerce United 14uTeam for their recent achievements.*

2. Presentation of the 2019 Cultural Excursion

*Video was shown regarding 2019 Cultural excursion.*

3. Presentation of Certificate of Recognition to Employee of the Quarter - Sonia Bautista

*Mayor and Councilmembers recognized Sonia Bautista as the Employee of the*

*Quarter.*

## **PUBLIC COMMENT**

*Gloria Nezahualcoya questioned why the seating at the dias at the Council meetings has changed. Ms. Nezahualcoya asked for respect for seniors.*

*Lourdes Haro praised City employees that helped her after hours with her dead dog and went far and beyond to assist her.*

*Javier Hernandez complained about the comment made by the Mayor, and also asked that Councilmembers get along.*

*Martha Murgas stated that seniors should be treated with respect.*

*James Herrmann asked that the City considers placing cannabis matter for a vote, and also spoke about dangers that cannabis industry could bring to the city including safety and environmental issues.*

## **CONSENT CALENDAR**

*Councilmember Mendoza asked to pull item #7 for discussion. Director of Human Resources Pappo*

*provided an overview of the staff report. Councilmember Mendoza recommended that grant writing requirements are included in this position as it is higher level.*

*Mayor Pro Tem Altamirano moved, seconded by Councilmember Argumedo, to adopt resolution amending the Classification and Compensation Plan by creating a new full-time specification of Transit Analyst. The motion carried by the following vote:*

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

**Councilmember Rebollo moved, seconded by Councilmember Argumedo, to approve the consent calendar minus item #7. The motion carried by the following vote:**

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

### **4. Approval of Warrant Register Nos. 2A, 2B and 26A**

5. State of Good Repair Funding Allocation for Fiscal Year 2019-2020
6. Installation of "ONCOMING TRAFFIC DOES NOT STOP" Signs Along the Median Island at Washington Boulevard & ARCO Gas Station / Bank of the West Driveway Locations
7. Revisions to the Personnel Classification and Compensation Plan - Creation of Transit Analyst Position

### SCHEDULED MATTERS

8. Award of Construction Contract to Sialic Contractors Corporation dba Shawnan for 2018- 2019 Pavement Rehabilitation Project; Authorize Transtech Engineers, Inc to Provide Construction Management and Inspection Services, and Geo-Advantec, Inc to Provide Geotechnical Investigation and Material Testing Services

*Finance Director Domic provided an overview of the staff report. Discussion took place whether recycling of existing asphalt will be utilized for this project, and whether the previous City projects with recycling technology were evaluated on efficiency, durability and condition over time. Transtech Representative Ali Cair stated that the recycling of asphalt will not be utilized for the proposed project. Previously the option of recycling was selected as the most cost efficient option with the limited budget. A more durable type of asphalt will be used for this project.*

*Further discussion took place regarding safety at the pavement construction sites and possibly expediting the project completion.*

**Mayor Pro Tem Altamirano moved, seconded by Councilmember Rebollo, to adopt Resolution awarding construction contract to Sialic Contractors Corporation dba Shawnan for the FY 2018-19 Pavement Rehabilitation Project; authorize Transtech Engineers, Inc. to proceed with Construction Management and Inspection Services; and Geo-Advantec, Inc. to proceed with Geotechnical Investigation and Material Testing Services. The motion carried by the following vote:**

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

### ORDINANCES

**9. Ordinance Amending Chapter 9.10 of the Commerce Municipal Code  
Relating to Sex Offender Residency Restrictions - First Reading**

*Assistant City Attorney Copado provided an overview of the staff report. Discussion took place on who is going to be monitoring parolees and sex offenders on case by case basis, and whether other cities had lawsuits filed as well. Assistant City Attorney stated that the law enforcement would be monitoring registration and requirements and the City would forward the ordinance to the Sheriff's department for enforcement.*

**Councilmember Rebollo moved, seconded by Mayor Pro Tem Altamirano, to read the ordinance by title only, and approve for first reading Ordinance of the City Council of the City of Commerce, California, amending Chapter 9.10 of the Commerce Municipal Code relating to sex offender residency restrictions. The motion carried by the following roll call vote:**

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

**CITY COUNCIL/SUCCESSOR AGENCY REPORTS**

*Councilmember Rebollo stated that it is a common practice for City Attorney and City Manager to sit at the dias with the Councilmembers. Councilmember Rebollo thanked Parks and Recreation staff for the outstanding job on Day Camp.*

*Councilmember Mendoza thanked Public Safety staff for National Night out. Councilmember Mendoza reported that he attended scholarship breakfast.*

*Councilmember Argumedo stated that cannabis matter was rushed and they need to stop and give community opportunity to vote. Councilmember Argumedo reported that he attended Soccer recognition event at Rosewood park, and Veteran's park, and attended scholarship program.*

*Mayor Pro Tem Altamirano stated that National Night Out was a great event, and expressed interest in growing neighborhood parties. This year some neighbors collaborated and had bigger parties.*

*All Councilmember expressed their opinion that seniors are always integral part of the community and treated with utmost respect.*

*Mayor Soria stated that that the statement about seniors was taken out of context. Mayor Soria stated that National Night Out was a great event, and reported that he*

*attended scholarship program events and school bash.*

*City Council adjourned to Closed Session at 7:51 pm*

**ADJOURNMENT**

*Meeting adjourned at 9:02 p.m.*