



City of Commerce

Meeting Minutes

Tuesday, July 7, 2020 - 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 Altamirano called meeting to order at 5:09 p.m.

ROLL CALL

Mayor Pro Tem Rebollo joined at 5:11 p.m.

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

PUBLIC COMMENT ON CLOSED SESSION ITEMS

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

RECESS TO CLOSED SESSION

Assistant City Attorney Copado stated that the matter came after the posting of the agenda and requires immediate action. Pursuant to Government Code Section 54954.2(b)(2) the majority vote of the Council would be required in order to add this item to the Closed Session agenda.

Councilmember Soria moved, seconded by Councilmember Argumedo, to add the following item to the Closed Session agenda as item #1.C. - real estate negotiations regarding properties located at 7155, 7165, & 7169 E Gage Avenue, Commerce, CA, Los Angeles County Assessor Parcel Numbers (APN) 6357-016-906 through 6357-016-909. The motion carried by the following vote:

AYES: Councilmembers Argumedo, Mendoza, Soria, and Mayor Altamirano

Absent: Councilmember Rebollo

1. 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 and properties located at:
 - A. 1338 S. Eastern Ave (APN: 5241-013-904), 1350 S. Eastern Ave (APN: 5241-013-908), 1362 S. Eastern Ave (APN: 5241-013-905), 1368 S. Eastern Ave (APN: 5241-013-906), 4519 Triggs St (APN: 5241-013-907).
 - B. Burger Partners, LLC for property located at 6350 East Washington Boulevard.
2. 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.

RECONVENE TO OPEN SESSION

City Council/Sucessor Agency reconvened to Open Session at 6:43 p.m. via teleconferencing.

ORAL CLOSED SESSION ANNOUNCEMENT

Assistant City Attorney Copado reported on Closed Session items:

Item 1.B. - City Manager Cisneros briefed City Council. The City Council provided further direction to staff, and this item is agendized under regular City Council meeting agenda as item #10.

Item 1.A- Director of Economic Development and Planning Jimenez briefed City Council. No reportable action was taken on this item.

Item 1.C - this item was added to the agenda by the majority vote of the City Council. Further direction was provided to staff and no reportable action was taken on this item.

Item #2 - City Manager Cisneros and Assistant City Manager Domic provided briefing, further direction was provided to staff. No reportable action was taken on this item. Closed Session concluded at 6:45 p.m.

6:00 P.M. - CITY COUNCIL MEETING

CALL TO ORDER

Mayor Altamirano called regular City Council meeting to order at 6:46 p.m.

ROLL CALL

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

PUBLIC COMMENT

Director of Administrative Services and City Clerk Shumway read the following comments for the record:

Nancy Becerra, Janelle Ocampo, and Amparo Solorzano wrote in support of the aquatics programs.

Ann Arnow, James Herrmann, Cathy Morfopoulos, Camila Miranda, and Richard Hernandez wrote comments in opposition of cannabis and asked to repeal all eleven ordinances related to referendum petitions.

PRESENTATIONS

1. A Proclamation Declaring the Month of July as Parks & Recreation Month

Parks and Recreation Director Alaniz announced that the month of July is the Parks and Recreation month and presented a video featuring different parks and facilities and events.

CONSENT CALENDAR

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

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

2. Approval of Warrant Register Nos. 25A, and 25B
3. Approval of Minutes
4. Authorize the City Manager to Accept a Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant from the United States Department of Transportation
5. Amendment No.7 to the Interstate-5 Consortium Cities Joint Powers Authority Agreement
6. A Resolution Authorizing the Continuing of Operations into Fiscal Year 2020-2021 at Fiscal Year 2019-2020 Appropriation Levels
7. Declaration of Results of June 2, 2020, Special Municipal Election
8. CalRecycle Update for Completion of Compliance Order
9. Memorandum of Understanding Between the City of Commerce and the County of Los Angeles for Lead-Based Paint Hazard Mitigation Program Management Services
10. Transfer of Property Located at 6350 East Washington Boulevard from the City of Commerce to the Successor Agency to the Community Development Commission
11. Councilmembers Handbook

SCHEDULED MATTERS

12. Presentation by ABM Building Solutions, on a Preliminary Assessment of City Facilities for Current Utilities and Proposed Cost Savings

Director of Public Works Hernandez provided a brief overview of the staff report. Dominic Cardenas provided an overview of the program and the necessary measures/needs to improve the City's utilities and generate cost savings.

Discussion took place regarding the letter of intent and the cost of \$60,000 in case the City does not contract out with the company follow their recommendations. Mayor Pro Tem Rebollo expressed concerns with the unknown due to the current situation with COVID and estimates not been correctly calculated due to the closure of all facilities. Further discussion took place regarding the cost and financing of the replacements. According to Mr. Cardenas, if the company does not come up with the measurable financing and results that save money for the City, the fee of \$60,000 is not going to be charged to the City.

Councilmember Soria and Mayor Altamirano stressed the need for preventive measures, and also greater return over the long term, and zero cost to the City based on this proposal. Further discussion took place about newer equipment versus replacing and repairing older equipment, which over time, becomes costly.

Mayor Pro Tem Rebollo moved, seconded by Councilmember Argumedo, to table this item and look at other companies that don't offer services with any financial obligation or fee for the initial services. The motion carried by the following vote:

Ayes: 3 - Councilmember Argumedo, Councilmember Mendoza, and Mayor Pro Tem Rebollo

Nayes: 2 - Councilmember Soria, and Mayor Altamirano

- 13. Referendum Petitions Submitted Against Commerce Ordinance Nos. 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, And 746 - Consideration of Options: (1) Repealing Any or All Ordinances Nos. 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, and 746; and/or (2) Calling Special Municipal Election on a Date to be Determined for Submitting to the Voters Ordinances Subject to the Referendum Measures; or 3) Consolidating with the November 3, 2020 Election**

Assistant City Attorney provided a brief presentation of the staff report and overview of the actions and options available. City Manager Cisneros stated that the cannabis program will pay for the measures being presented to the voters should the City Council choose that option. There are two operators that are in good standing and they are not moving with the project.

Discussion took place regarding rescinding five Ordinances and moving forward with the November 3, 2020, election for the remainder six ordinances.

Mayor Pro Tem Rebollo recommended that the other two applicants that are not in

good standing, are allowed to pay outstanding fees and be included in the upcoming election for the voters to decide.

Mayor Pro Tem Rebollo moved, seconded by Councilmember Mendoza, to approve a Resolution calling a Special Election to be held November 3, 2020, and consolidate with the November 3, 2020 election to submit to the voters of the City of Commerce six referendum measures; setting deadlines for filing written arguments for and against referendum measures, and rebuttal thereof; directing the City Attorney to prepare an impartial analysis, and related matters to said Special Municipal Election. The motion carried by the following vote:

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

Councilmember Soria moved, seconded by Mayor Altamirano, to repeal 736, 742, 739, 745, and 746, and bring the remainder of six ordinances to the November 3, 2020, election and consolidate election with the statewide election. The motion carried by the following vote:

Ayes: 4 - Councilmember Soria, Mayor Altamirano, Councilmember Argumedo, and Councilmember Mendoza

Nayes: 1 - Mayor Pro Tem Rebollo

ORDINANCES

- 14. An Ordinance Amending Commerce Municipal Code, Title 19 (Zoning), Chapter 19.27 (Antennas and Other Wireless Communication Facilities) by Repealing and Revising Section 19.27.030 (Antennas Requiring Conditional Use Permit), and Adding Section 19.27.100 (Wireless Telecommunication Facilities in The Public Right -OF-Way) and Section 19.27.110 (Design Guidelines for Small Wireless Facilities) -First Reading**

City Clerk Shumway stated that the public comment was received from AT&T and read it for the record.

Austin Chiang, Alvarez and Glassman, provided a response for the comments received from AT&T and made a presentation.

Discussion took place about the health effects of the 5G, to which Mr. Ching stated that as it relates to the health effects claims by 5G, no proven results are available to this date.

Further discussion took place, and Director Hernandez noted that these regulations are only related to 5G for small cells on the poles and design standards.

Councilmember Mendoza moved, seconded by Mayor Pro Tem Rebollo, to read by title only and introduce for first reading an Ordinance Amending Title 19 (Zoning), Chapter 19.27 (Antennas and Other Wireless Communication Facilities) by Repealing and Revising Section 19.27.030 (Antennas Requiring Conditional Use Permit), and Adding Section 19.27.100 (Wireless Telecommunication Facilities in The Public Right-Of -Way), and Adding Section 19.27.110 (Design Guidelines for Small Wireless Facilities). Director Shumway read the title of the Ordinance. The motion carried by the following vote:

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

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

Councilmembers talked about community coming together, staff moving City forward with the program planned to be reopened; Councilmembers urged to support local businesses and restaurants. Mayor Altamirano warned about break ins the cars.

ADJOURNMENT

Meeting adjourned at 9:06 p.m.