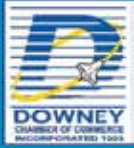


Downey Business



September 2018 • Volume 46, No. 9

www.downeychamber.org

email: info@downeychamber.com

Official Publication of the Downey Chamber of Commerce

Thank you Financial Partners!!

On August 23rd at the Rio Hondo Event Center, Financial Partners Credit Union hosted the 2nd Annual Gateway Cities Economic Forum. This event was attended not only by the entire City Council, along with our School District's Superintendent and School Board Members, but, was proudly supported by the Gateway Chamber of Commerce Alliance. The event featured a presentation from noted economist Christopher Thornberg who has been a guest expert on the Today Show, CNN, Nightline and NPR. Thank you FPCU for this informative and valuable event. We look forward to next year!!



Thank you, Financial Partners Credit Union Marketing team, for a great event. Posed here are the team members along with CEO Nader Moghaddam.



"The men of the hour," CEO of Financial Partners Credit Union, Nader Moghaddam and featured noted economist, Christopher Thornberg.



Enjoying the lunch and the amazing financial information are Mayor Pro Tem, Rick Rodriguez, former President of Downey Rotary, Raul Lopez and CEO Moghaddam

It was a hot afternoon, but August 7th proved to be a cool day for the recognition of two new Chamber members. Exp Realty and Kona Ice chose to have their ribbon cuttings at the Chamber Office which made for some great networking and a chance to "cool down" with a delicious icy treat served by Raul Duarte right out of the Kona Ice Truck. Gabriel Lopez-Fuentes of EXP Realty opened their new office located near the corner of Firestone and Woodruff. His staff of enthusiastic realtors and supports brought decorative flowers to enhance the festivities. Thank you, Mayor Ashton, Chamber Board of Directors and the many Chamber Ambassadors that came and made it a very lively occasion.



Welcome Kona Ice to the Downey Chamber!! Presenting their **Certificate of Recognition** is Downey Mayor Sean Ashton. Thanking the Mayor is Raul Duarte of Kona Ice with his family who are along for the support.



Accepting their Chamber plaque, presented by Carrie Uva, Chamber President-Elect are Gabriel Lopez-Fuentes along with the staff from EXP Realty.

Downey Business

--STAFF--

Michael Calvert, Executive Director
Sarah Sellers, Administrative Assistant
Leticia Arriaga, Events Coordinator

DOWNEY CHAMBER OF COMMERCE

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RAIN NEG, EPROS

The board of directors meets at the chamber office
on the third Monday of each month at 12:00 noon.

Message from the President



September, the end of summer, the beginning of the 4th Quarter and the start of the Holiday Season. For many businesses and organizations, this is the time you begin thinking of finishing the year strong and to align your plans for the start of 2019. But it is also the end of summer and when the kids go back to school. Much like the kids starting fresh with a new school year, their parents “go back” to work and review their 2018 goals and business plan with a “fresh start” and determine what has yet to be accomplished.

In any business we must analyze to see if we are truly working forward. Creating for the next generation a plan and resources to help in the company’s growth and profits. So how can the Chamber help? Last month’s City Affairs Meeting featured the team from SELACO a county-based employment resource for businesses in Downey and for Southeast LA County. They provide, talented candidates for your key job openings along with training plans and internships some provided with little or no cost to the company. The City Affairs meetings are held during the last week of each month features a speaker from City government or non-profit organizations that provide information which may help you achieve your annual goals.

Take advantage of the networking opportunities in the month of September. Let’s Do Lunch held the first week of each month, also the Women in Leadership Luncheon on September 12th featuring the inspiring story of Beatriz Porto, both events will give you the chance to talk up your business! The Chamber Website has all the dates and information for our events, including ribbon cuttings which are always a fun way to network and meet potential new clients.

I hope you had a great Labor Day Weekend and of course a wonderful Summer!

-- John F Casillas, President
Downey Chamber of Commerce

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Calendar of Events

Tuesday, September 11 @ 6:30 pm
City Council Meeting
City Hall Council Chamber

Wednesday, September 12
@ 11:30 am-2:00 pm
Women in Leadership
Location: Embassy Suites-Downey
8425 Firestone Blvd., Downey
Fee: \$40 per person

Monday, September 17 @ 12:00 pm
Board of Directors Meeting
Downey Chamber of Commerce
11131 Brookshire Ave. Downey

Wednesday, September 19 @ 12:00 pm
Ambassador Committee Meeting
Downey Chamber of Commerce
11131 Brookshire Ave. Downey,

Thursday, September 20 @ 12:00 pm
Ribbon Cutting Ceremony
JobSource
8041 Florence Ave. Suite 102, Downey

Thursday, September 20 @ 2:00 pm
Ribbon Cutting Ceremony
Body Soul Elite
8214 Phlox St. Suite E, Downey

Tuesday, September 25 @ 6:30 pm
City Council Meeting
City Hall Council Chamber

Wednesday, September 26 @ 12:00 pm
City Affairs
Topic: TBD
Downey Chamber of Commerce
11131 Brookshire Ave., Downey

Thank You for your Service Laurie Tyler

So far for the last couple of months the Chamber has had an opportunity to spotlight some great customer service stories of our members. This month I would like to say thank you to someone who is very special person who is leaving the Chamber Family after many years of service.

Laurie Tyler is moving to Texas to be closer to her family, including her grandson Greyson. Just over a year ago Laurie served as the Chamber President and last year she was our Immediate Past President. Not only did she serve on the Executive Board, but she was a wonderful mentor as I was developing my “skills” as the Executive Director. Laurie also served on the Board of the Downey YMCA, Columbia Memorial Space Center, The Credit Union for Kids at the Children’s Hospital, she was an



Executive Sponsor for Boeing Leadership Association as well as being the Chamber Representative for the Coordinating Council.

Laurie was a very special person in the Downey Volunteer Community and she will be missed very much. Good luck in Texas and please follow us on Facebook and on our Website we’ll follow you!!

Executive Director’s Message



I love September!! I do for two reasons. One, its still relatively warm, you can wear shorts and t-shirts and enjoy the end of Summer! Two, and most importantly, COLLEGE FOOTBALL!! Living in Downey, we have access to the best College Football in the entire country and that is _____!

Now I have my favorite team and you have your favorite team so let’s each of us, fill in the blank and we can all hope for the best. No arguing here!!

Now I’d like to add a third reason, planning the City’s annual Christmas Parade and Elf Run! This year looks like it

will be bigger and more entertaining than ever!! The theme is so key to the spirit of Downey and the Chamber is looking forward to putting on a memorable event. Once again, the Elf Run will be a Students Run Downey race. Last year we had some very quick times on the flat 3.1 miles course. So, students of the Downey Unified School District look for your registration form and start your training!! December 2nd is right around the corner!

Please check our website and Facebook Page for upcoming events this month. Let’s Do Lunch and Ambassador Luncheon are going to be very special functions and always prove to be great opportunities to network and make new business contacts.

As Frankie Valle always said, (or sang) “See you in September!”

-- Michael Calvert, Executive Director
Downey Chamber of Commerce

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Learn 4 Life Ribbon Cutting

It was a very happy occasion when the Learn 4 Life Center celebrated their one-year anniversary. Many City Officials along with our Chamber Directors and Ambassadors were there to join in wonderful food, games, and displays. Learn 4 Life is an independent learning experience where students can earn their high school diploma along with trade skills. What was so evident during this event was the commitment of the Administration and Teachers to every student. Many of the students “stayed after school” to participate in the anniversary celebration. It was just a very positive environment, not only to learn, but to have a good time!!



It’s a very happy group getting ready to cut the ribbon including (front row) Learn for Life teachers Sarah Cho and Maritza Carillo along with City Council Member Blanca Pacheco, Rachel Ruiz, student relation manager, Liliana Gutierrez, principal, from Congresswoman Lucille Roybal Allard’s office Kim Tachiki Chin. Downey Mayor, Sean Ashton, and Chamber President, John Casillas. Behind this happy group are Casey Doody, Christine Lee, Suzanne Jolgren, Magarita Mata, Toby Estes, Giovanna Ortega, Vanessa Lopez, Judith Arredondo and Sandra Valdivia. This group is responsible for the day to day successes of their students.



Enjoying some of the fun booths and attractions are Chamber President John Casillas of Farmers and Merchant Bank, Mayor Sean Ashton, Council Member Blanca Pacheco, Michael Calvert Chamber Executive Director, and Marianna Pacheco of Pacheco Realty.

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Congratulations and Thank You!

The following businesses have celebrated another year as members of the Downey Chamber of Commerce. Businesses listed are those that renewed last month and are marking another year with us. This is a monthly feature of Downey Business. All members will be recognized during the course of a year. The Downey Chamber thanks you for your support.

<u>72 Years</u> Southern California Gas Company	<u>24 Years</u> CalWest Lighting Services, Inc.	<u>5 Years</u> Wesley Health Centers-Downey	<u>3 Years</u> Golden Corral
<u>44 Years</u> Downey Land, Ltd.	<u>20 Years</u> Downey Pizza Company	<u>5 Years</u> Century 21 Jervis & Associates	<u>3 Years</u> Tacos Baja Inc.
<u>43 Years</u> Reynolds Carpet & Upholstery Cleaning	<u>12 Years</u> Law Offices of Steve Lopez	<u>5 Years</u> Time 24 Hour Insurance Agency, Inc.	<u>3 Years</u> Alta Med
<u>38 Years</u> The Arc Los Angeles & Orange Counties	<u>11 Years</u> Jesmar Properties	<u>5 Years</u> Chick-Fil-A	<u>2 Years</u> Sunrun Inc.
<u>29 Years</u> Advance Radiator, A/C & Auto Repairs	<u>10 Years</u> Benevolence Escrow	<u>5 Years</u> Keller Williams Realty	<u>2 Years</u> AME Medical Group
<u>29 Years</u> Laurie's Personal Pet & House Sitting	<u>9 Years</u> Rose Hills-Memorial Park & Mortuary	<u>4 Years</u> Desert Reign Church	<u>2 Years</u> Body Soul Elite
<u>26 Years</u> Lang Roofing Co., Inc.	<u>9 Years</u> Computer 1 Solution	<u>4 Years</u> Sylvan Learning	
<u>25 Years</u> Honda World Downey	<u>8 Years</u> Buffalo Wild Wings Grill & Bar	<u>3 Years</u> Raising Cane's Chicken Finger	
<u>8 Years</u> 1st Jon Inc.			

New Members

You have just joined the most prestigious business organization in the Mid-Cities area. We are happy with your decision to do so and welcome you! There are many benefits to being a member of the Downey Chamber of Commerce, chief among them networking, advertising opportunities, seminars, legislative advocacy, and community recognition. Attention, established members! Send a note or stop by and say hello to these new members. You both will be glad you did.

George Cervantes
Trading Post
www.tradingpostdowney.com
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Downey, CA 90240
(562)659-7677

Lifetime Members

Steve Allen	Meredith Perkins
Diane Boggs	Jim Reynolds
Dominick DiMario	Mary Stauffer
Maria Larkin	David R. Gafin
Susan Nordin	

Ambassador Profile



Our featured Ambassador for the month of September is Linda Joco. Linda works for Home Instead Senior Care located at 10445 Lakewood Blvd here in Downey. Their “major product” is to assist seniors in their daily living activities and Linda has been doing just that for over 15 years. Being a business owner was a long-term goal of Linda’s and she was very excited to accomplish that goal here, in Downey. Prior to her work in Downey, she was a 32 years professional at St. Mary’s Hospital in Long Beach.

Ambassador Linda was born in the Philippines and she is very proud of her heritage. To prove that point, Joco belongs to Kalayaan Inc. (a Filipino Association affiliated with the LA Philippines Consulate). She also volunteers for St Barnabas Long Beach Ministry Project which gives her the opportunity to feed the homeless in Long Beach. So, add in Linda’s Ambassador duties and then try and make room for her two children and two granddaughters....sounds pretty impossible.

Linda does take some time for herself. Her favorite hobby is Ballroom Dancing. She enjoys reading and her favorite book is “The Purpose Driven” and her favorite movie is the “First Wives Club”! Linda tells us that the best part of being an Ambassador is the chance to meet new people and to network while increasing her involvement with the Community. If Linda could choose anywhere in the world to live, her destination would be Copenhagen. Winning a million would be just another opportunity to be her generous self. After making sure her family was secure and happy, she would then donate the rest of the money to charity.

If you spend just a few minutes with Linda, you can tell what a generous and giving woman she is. Her parents taught her strength, faith, along with maintaining strong family ties and giving, to make a difference in someone’s life. Her personal hero is Mother Teresa and her the quote that defines a lot of what she does is “Alone we can do so little, together, we can do so much.” (Helen Keller)

Chamber on the Town



Thank you, Financial Partners Credit Union, for sponsoring, along with our own Columbia Space Museum, the annual Rocket Fever Event! Flying rockets were seen everywhere!! City Councilman Alex Saab, his son Dominic, Space Center Director Ben Dickow, City Council Member, Blanca Pacheco, US Congress Woman Lucille Roybal-Allard CEO of Financial Partners, Nader Moghaddam and Mayor Pro Tem, Rick Rodriguez were some of the “Astronauts” that attended.



Admiring the large ladder of the Downey Fire Department which was on display at the National Night Out are guest “selfie” expert, Esther Lee, Downey Council Member, Blanca Pacheco and Chamber Executive Director, Michael Calvert



Enjoying the annual National Night Out are Johnny del Cid, Kiwanis member Esther Lee, Chamber President Elect, Carrie Uva, along with Mayor and Mrs. Sean Ashton.

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Enjoying the annual Economic Forum held at the Rio Hondo Event Center and sponsored by Financial Partners Credit Union are (front row): Immediate Past President of the Chamber, Joanna Peterson of Gallatin Dental, Chamber Board Member, Cindy Kovach of US Bank, Ambassador Chairperson Monica Dien of Financial Partners Credit Union,(back row): Chamber Board Member Rain Neg of Eipros, Michael Calvert, Executive Director of the Chamber, Chamber President Elect Carrie Uva, and Chamber Ambassador Paula Mejia.

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Walking the Tight Rope of Lawful Restrictive Covenants: A Primer on Section 16600



California’s Hostility Toward Restrictive Covenants

California’s Business and Professions Code section 16600 provides that “every contract by which anyone is restrained from engaging in a lawful profession, trade, or business of any kind is to that extent void.” So what does this mean? Section 16600 is the enshrinement of California’s hostile public policy toward restrictive covenants. A restrictive covenant is essentially promise between two parties where one party agrees not to do something that could have undesired consequences for the other party. Common examples include non-compete agreements and non-solicitation agreements, whether to prevent the solicitation of one party’s customers or employees. The most common scenario in which

restrictive covenants come into play is where a business seeks to prevent an employee from engaging in some sort of competitive conduct with the business after the employment relationship has come to an end. Because restrictive covenants can, and often do, restrain a party’s ability to engage in a lawful profession, trade, or business of his or her choosing, they can violate section 16600 and be rendered void by a court.

Trade Secrets Exception to Section 16600 Is Questionable

Not all restrictive covenants are automatically void. For years, an exception to section 16600 has existed for the protection of trade secrets. A restrictive covenant not to compete may be upheld where the conduct restrained is that already prohibited by law such as the misappropriation of a business’ trade secrets. However, this trade secrets exception has been chiseled away over recent years by court decisions, leaving its continued viability in question. In one recent case, the California Court of Appeal ruled that the lower trial court did not have authority to grant an injunction to prevent former employees from soliciting their former employer’s customers because the court order would violate section 16600. This was a shocking development because it extended section 16600’s reach to a court’s order, not just to a private contract per the letter of the statute. It must be noted however, that in that case, the court did not do away with the trade secrets exception. Rather, the ruling was limited such that a court cannot order an injunction in violation of section 16600.

Recent Developments

More recently, the Ninth Circuit Court of Appeals (the federal appellate court including California in its jurisdiction applied section 16600 in an entirely new manner. That case involved a doctor and a medical group employing thousands of doctors across numerous states at facilities in which held contracts. The Court ruled that a “no-rehire” provision in a settlement agreement between the doctor and the medical group violated section 16600. Without going into too great of detail, the Court voided the entire settlement agreement because the parties agreed that there could be no contract without the unlawful no-rehire provision.

So why did the Court find the no-rehire provision violated section 16600? The no-rehire provision was so broad, it went beyond the commonly accepted idea that an employer does not have to employ an individual against the employer’s will. Instead, the no-rehire provision also contained language that would allow the medical group to terminate the doctor’s employment at other facilities at which he was already working and at which the medical group held contracts. The no-rehire provision also contained language that would have allowed the medical group to terminate the doctor’s employment at a medical facility at which the medical group later acquired an interest in after the doctor’s employment had already begun. These were not consequences the Court could tolerate, so it struck down the provision as an unlawful restraint on trade in violation of section 16600. In sum, the broad language of the no-rehire provision not only was unenforceable, but it robbed the medical group of the settlement agreement it had in place to resolve an active lawsuit with the doctor.

Takeaway

Section 16600 can frustrate company’s operating in California, but carefully crafted restrictive covenants such as non-compete and non-solicitation agreements remain an essential instrument in a business’ toolkit. This is especially true in the professional environment in which we work where employees no longer spend their entire career at a single company. Rather, the increasingly competitive economy sees employees jumping from one company to the next. This puts an increasing responsibility on businesses to proactively protect themselves to the greatest extent possible in order to remain competitive and profitable. Because the legal landscape regarding restrictive covenants is complicated and constantly changing, now is a good time to contact your labor and employment counsel for advice before your business takes a hit from defecting employees.

This article provides an overview of the law and is not intended to be, nor should it be construed as legal advice for any particular fact situation. Colin P. Calvert is a partner in the Irvine, California office of the labor and employment law firm Fisher Phillips. Please do not hesitate to contact him if you have any questions or seek additional information. Mr. Calvert may be reached at (949) 798-2160.

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