MINUTES
CUDAHY CITY COUNCIL
A Regular Meeting held in the City Council Chambers, 5240 Santa Ana Street, Cudahy, California
Tuesday – January 21, 2014 - 6:30 P.M. (OPEN SESSION)

1. CALL TO ORDER

Mayor Guerrero called the meeting to order at 6:44 p.m.

2. ROLL CALL

PRESENT: Councilmember Markovich
Councilmember Sanchez
Councilmember Oliva
Vice Mayor Garcia
Mayor Guerrero

Pledge of Allegiance: Vice Mayor Garcia

Invocation: Mayor Guerrero

Presentations:

- Certificate of Appreciation to Anabel Muñoz, from Channel 22 for the media coverage at Teresa Hughes Elementary.

Mayor Guerrero, on behalf of City Council, presented a Certificate of Appreciation to Anabel Muñoz, from Channel 22, for the media coverage at Teresa Hughes Elementary School.

- Certificate to parents and community activists focused on education issues at Teresa Hughes Elementary School.

Mayor Guerrero, on behalf of City Council, presented Certificates of Appreciation to parents and community member activists who acted and focused on education issues at Teresa Hughes Elementary School.

- A proclamation to Anabel Muñoz, Channel 22, and L.A Times for their investigative journalism in the City of Cudahy.

Mayor Guerrero, on behalf of City Council, presented a proclamation to Anabel Muñoz, Channel 22 and the L.A. Times for their investigative journalism in the City of Cudahy.

In addition, Mayor Guerrero recognized Berta Rodriguez from Latino California.

3. PUBLIC COMMENT

Mayor Guerrero opened public comments.

Lorenzo Martinez thanked Sergeant Valencia in his efforts to resolve an issue with several of Mr. Martinez's properties. He commented on the need to remove graffiti right away and on the casino, adding that the City of Cudahy needs increased revenues. He spoke in support of the casino and commented on overnight parking issues and car break-ins. He believed that the City is moving forward and noted the need for teamwork in order to move the City forward.

Martin Fuentes thanked City Council for their quick response in removing graffiti as well as for appointing him to the Planning Commission and EDC. He commented on Item 7L relative to a City casino and believed it is preliminary to be discussing the matter at City Council level. He suggested creating a steering committee to consider the matter.

Ayde Bravo, UTLA, thanked Council for acknowledging parents who took personal time to campaign on the Teresa Hughes Elementary School matter and the Mayor for his corroboration. She offered the help of her organization with any other schools in the City that may need help.

Brenda Rodriguez spoke regarding soccer and noted that the sport will help many of the City's youth stay out of gangs. She spoke in support of establishing a soccer program at Lugo Park adding that it could be another source of revenue for the City.

Everardo Navarro thanked City Council for recognizing those who work actively in the community and noted that Council has their support. He commented on casino licensing and suggested surveying the community to determine its position on the item. Additionally, he commented on Item No. 7K, questioning whether the current agency is doing its job and suggested seeking a new Public Relations company to provide services. Mr. Navarro addressed Item No. 7B noting that streets are not being cleaned properly.

Javier Flores commented positively on community participation during City Council meetings. Additionally, he spoke well of Interim City Manager Henry Garcia and hoped that a new City Manager can be hired with similar qualities. He encouraged everyone to work together and as a unified community and commented on the need for "new blood" in the City.

Sandra Orozco, activist, thanked Channel 22 and Anabel Muñoz for their coverage of the Teresa Hughes Elementary School matter. She commented negatively regarding Councilmember Sanchez and asked that he step down from his position as he is often absent at City Council meetings and has not engaged the community. Additionally, she announced that March is MS Awareness Month and commented positively regarding Interim City Manager Henry Garcia.

Rosario Pacheco presented a petition in support of ballet classes in the City of Cudahy. She encouraged residents to participate in City programs and commented on Bob's Tow

noting that the operators are residents of Cudahy but that the Sheriff's Department awarded a contract to another company in Huntington Park. She asked that the Sheriff's Department consider giving the contract to Bob's Tow.

Adelina Garcia spoke in support of ballet classes in the City and requested the use of a City facility for same. She commented positively on the work of Interim City Manager Henry Garcia.

Anabel Muñoz spoke regarding the Teresa Hughes Elementary School issue and thanked Council and the City's residents for their involvement in the matter.

Marcos Covarrubias spoke in support of Items No. 7A and 7M. Additionally, he commented on vandalism and commented positively on the Sheriff's Department efforts. He asked that the sign at Lugo Park be modified to remove "no soccer" from same. He commented positively on the efforts of Interim City Manager Henry Garcia and opined that the Citation Department should be eliminated. Mr. Covarrubias asked that Councilmember Sanchez consider stepping down from his position as Councilmember.

Cecilia thanked Council for making a difference. She commented on establishing a personal development class for women as well as classes to address childhood obesity. She spoke on the benefits of becoming involved in making positive changes.

Mercedes Garcia requested that Council consider providing a facility for an adult Zumba class.

There being no other speakers, Mayor Guerrero closed public comments.

CITY COUNCIL COMMENTS

Councilmember Markovich commented on the upcoming Book Fair and reported attending a meeting regarding the City's street-sweeping service. Additionally, he requested adding an item to the next meeting's agenda considering the implementation of a collegiate awareness program and explained same.

Councilmember Oliva asked about an emergency 911 station phone and asked whether it is operational. Interim City Manager Garcia stated he will have a response by tomorrow. Councilmember Oliva commented on graffiti on sidewalks and signs and Interim City Manager Garcia noted he is aware of the issue and that the City attempts to remove it the same day it is reported. He added he will have more information tomorrow. Additionally, Councilmember Oliva commented on the possibility of having a Sheriff's representative attend an upcoming Senior Commission meeting.

Councilmember Sanchez commented on the City's graffiti program and encouraged residents to call the City with problems. Additionally, he noted that often, there will be differences of opinion but that Council tries to make the best decisions for the City and its residents. He encouraged residents to contact him with questions or concerns.

Vice Mayor Garcia thanked parents who participated in the Teresa Hughes Elementary School matter as well as Anabel Muñoz as a member of the media. He commented positively on the efforts of Interim City Manager Garcia. Additionally, he announced office hours every Thursday at 1:00 p.m. at Chris's Burgers but that they will be cancelled on January 23, 2014, as Council will be in Sacramento. He commended Sergeant Valencia for his responsiveness to residents' concerns.

Mayor Guerrero thanked parents who participated in the Teresa Hughes Elementary School matter. He commented on how change can be obtained with the community working together towards a common goal. He commented on graffiti removal noting that the ordinance is now in full effect and encouraged residents to report instances of graffiti. He spoke positively on the efforts of Interim City Manager Garcia and commented on the challenges and changes faced by the City. He called for a special meeting to provide a "State of the City" address.

Vice Mayor Garcia proposed moving Items No. 7K, 7R, 7B and 7L earlier on the agenda. Additionally, he requested tabling Item No. 6B for the next City Council meeting.

Mayor Guerrero proposed addressing Items No. 7Q first and 7F prior to Vice Mayor Garcia's proposal.

Councilmember Sanchez proposed addressing Item No. 7I earlier on the agenda.

Brief discussion followed regarding discussing Item No. 7M as it is scheduled on the agenda.

A motion was made by Guerrero, seconded by Garcia, and carried (5 – 0) to prioritize Items No. 7Q, 7F, 7K, 7R, 7B, 7L and 7I, table Item No. 6B and continue with the rest of the agenda as scheduled.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

4. WAIVE FULL READING

4A. Approval to waive the full text reading of all resolutions and ordinances on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title only.

Recommendation: *Motion to waive the full text reading of all resolutions and ordinances on the agenda.*

Mayor Guerrero suggested revising the language of this item on future agendas adding

language that the matter is "subject to the discretion of the City Council to read a resolution".

City Attorney Padilla reported he will craft a resolution accordingly and that at this time, Council may move to waive further reading of resolutions/ordinances subject to the discretion of the Council to read selected resolutions/ordinances.

A motion was made by Guerrero, seconded by Markovich, and carried (5 – 0) to waive the full text reading of all resolutions and ordinances on the agenda, subject to the discretion of City Council to read selected resolutions/ordinances.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

5. CONSENT CALENDAR

Mayor Guerrero proposed hearing the following items individually.

5A. A request to approve the City Demands and Payroll for the month of November, 2013.
Assigned Department: Finance
(Staff Report and Warrants attached)

Discussion followed regarding the importance of paying City bills on time in order to maintain a good credit rating.

Mayor Guerrero referenced CALPERS recurring deposits and asked to add to the next City Council meeting agenda a discussion item on the employee pension programs.

A motion was made by Garcia, seconded by Oliva, and carried (4 – 1) to approve the City Demands and Payroll for the month of November.

AYES: Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: Guerrero

5B. A request to approve the City Treasurer's Financial Report (LAIF) for the month of November, 2013.
Assigned Department: Finance
(Staff Report attached)

5C. A request to approve the Cash and Investment report for the month of November, 2013
Assigned Department: Finance

(Staff Report attached)

Recommendation: *Motion to approve items 5A through 5C.*

Mayor Guerrero requested that the reports be presented closer to the month to which they correspond.

A motion was made by Guerrero, seconded by Garcia, and carried (5 – 0) to approve Items No. 5B and 5C.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

6. BUSINESS SESSION

6A. A request to approve a contract between the City and Cost Recovery Systems for State Mandate Claim Preparation Services for Fiscal 12/13.
Assigned Department: Finance Department
(Staff report attached)

Recommendation: *Motion to approve the agreement and authorize the interim City Manager to execute the agreement.*

Interim City Manager Garcia introduced the item noting that it is routine and approved on a yearly basis. He addressed the purpose of the matter and commented on the need for the City to hire someone to be able to review State unfunded mandates to determine where the City can secure some of its revenues and receive them back. He addressed the total amount of unfunded mandates that the City has received due to the efforts of the existing contractor and commented on the possibility of going through an RFP process for such services in the future. He added that the amount is so nominal that going through the RFP process would exceed the costs of the current contractor and it would not be prudent to attempt to reduce that amount. He provided recommendations as stated on the agenda.

Discussion followed regarding compensation provided to City and Cost Recovery Systems, unfunded State services provided to the community and recoverable amounts that the City can use for specific programs.

Interim City Manager Garcia suggested placing a list of unfunded State mandates on the City's website noting that the City is trying to recover funds for mandates that are imposed by the State.
Ensuing discussion pertained to the amount recovered during the last three (3) years.

A motion was made by Sanchez, seconded by Guerrero, and carried (5 – 0) to approve the agreement between the City and Cost Recovery Systems for State Mandate Claim Preparation Services for Fiscal 12/13 and authorize the interim City Manager to execute the agreement.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

6B. Consideration of an agreement between the City and IT Systemhouse, Inc. to provide professional consulting services for information technology (IT) services.

Recommendation: *Motion to approve the agreement and authorize the interim City Manager to execute the agreement.*

The aforementioned item was tabled to the next City Council meeting.

6C. Discussion and appointment of a delegate and/or alternate to represent the City to participate at the Southern California Association of Government (SCAG) General Assembly.
(Verbal report by Deputy City Clerk)

Recommendation: *It is recommended that the Council appoint a delegate and alternate to the Southern California Association of Government (SCAG).*

City Clerk Angela Bustamante reported receiving an email from SCAG requesting the appointment of a delegate and alternate to attend the General Assembly meeting on May 1 and 2, 2014.

Discussion followed regarding appointments made by SCAG and appointments made by Council to the General Assembly meeting, commitments necessary and allowing time to discuss the matter with Councilmember Oliva.

Mayor Guerrero suggested that City Council will vote on this matter on February 4, 2014.

6D. City Manager's report on City matters.

Recommendation: *Motion to receive and file.*

Interim City Manager Garcia announced the City-wide curbside address painting project will occur within the next several weeks at no cost to residents.

It was noted that the project will be for residential and commercial properties and will take place within a three (3) month period.

Discussion followed regarding the company providing the service and the total cost to the City.

7. COUNCIL BUSINESS

7A. Consideration of Resolution No. 14-03, a resolution to modify certain parking citation practices and related fees assessed by the City's Municipal Officers and/or Code Enforcement Officers.
(Verbal report by Mayor Guerrero and Councilmember Oliva)
(Resolution No. 14-03 attached)

Recommendation: *Motion to approve Resolution No. 14-03.*

Mayor Guerrero introduced the item and asked how much time the processing agency would need to implement the proposed changes in fees. He noted the City has a contract with a processing agency.

Interim City Manager Garcia reported he does not know the answer but could have that information by the next City Council meeting.

Mayor Guerrero proposed shifting the burden of proof to the City rather than residents but noted the need to understand the constraints of the processing agency.

Interim City Manager Garcia commented on items needing clarification before approving the resolution.

Mayor Guerrero gave direction to include the item on the next agenda.

7B. Discussion and review of contract between the City and Nationwide Environmental Services.
(Verbal report by Councilmember Markovich)

Recommendation: *Motion to receive and file.*

Councilmember Markovich provided a brief report addressing a recent meeting with representatives from Nationwide Environmental Services and announced they will be making a presentation to the public at the second City Council meeting in February.

Discussion followed regarding the schedule for street-sweeping.

7C. Consideration of Resolution No. 14-10, a resolution to establish policy and procedures for city sponsorship or co-sponsorship of certain events held at city facilities.
(Verbal report by Mayor Guerrero and Councilmember Oliva)
(Resolution No. 14-10 attached)

Recommendation: *Motion to approve Resolution No. 14-10.*

Mayor Guerrero introduced the item noting that it has been discussed on several occasions and that some refinement has been made to the language. He presented examples of when facilities could be offered free of charge.

Discussion followed regarding access to non-profit organizations or church groups, situations where products are being sold or donations required; the process for obtaining City sponsorship, a ministerial versus a discretionary process and allowing Council the flexibility to approve or disapprove sponsorships.

Mayor Guerrero proposed adding language that "The City Council, at its sole discretion, shall decide whether to accept a proposal for sponsorship or co-sponsorship and use of City facilities". This will apply to any organization that meets the requirements.

It was noted that a policy could be made that no donations are to be solicited.

Discussion followed regarding for-profit organizations, organizations requiring minimal entrance fees and events offered to Cudahy residents at no cost to residents.

Mayor Guerrero suggested language that "In all cases, the aforementioned events shall be open to residents of the City of Cudahy at no cost to the residents". Additionally, he recommended inserting a sentence stating that "In no case, shall the event facilitate for-profit, commercial activity. Notwithstanding this provision, event organizers shall be allowed to solicit De Minimis donations without pressure and without clear indication that contributions are strictly voluntary for the sole purpose of defraying event costs".

Direction was given to place this item on the next City Council agenda for approval.

Mayor Guerrero proposed restructuring the remaining agenda items to address Items No. 7H, 7M, 7P and 7E.

A motion was made by Guerrero, seconded by Garcia, and carried (5 – 0) to prioritize Items No. 7H, 7M, 7P and 7E at this time and proceed with the agenda as scheduled, following same.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

7D. Update and discussion on FY13-14 budget process.
Assigned Department: City Manager
(Verbal report by Mayor Guerrero and Vice Mayor Garcia)
(Budget summary attached)

Recommendation: *Motion to receive and file.*

Mayor Guerrero provided a brief report and reviewed his schedule and the finance worksheet. He noted that no action is needed at this time and commented on the possibility of convening a special meeting to discuss the FY 13-14 budget process. He addressed additional adjustments including proposed savings from the legal services contract and commented on excluding non-recurring items and listed same. He noted the importance of getting through this budget and beginning to focus on the FY 14-15 budget. He urged colleagues to review the matter carefully and be prepared to discuss it at the next Council meeting.

Interim City Manager Garcia stressed the importance of acting on this matter in February.

Councilmember Oliva asked regarding the allocation of $20,000 for fireworks.

Mayor Guerrero urged Council to be prepared to act on this matter.

City Attorney Padilla noted that Councilmembers are able to get information from City staff, as needed.

7E. Consideration of Resolution No. 14-06, a resolution to establish rules and procedures for initiating (and resolving) inquiries into City Council member conduct, as it relates specifically to any provision(s) of the City's code of ethics.
(Verbal report by Mayor Guerrero)
(Resolution No. 14-06 attached)

Recommendation: *Motion to approve Resolution No. 14-06.*

Mayor Guerrero reported that this matter cannot be applied retroactively and the intent is not to force an existing issue into these procedures. This matter applies to inquiries that may occur in the future and to create appropriate protections for an implicated Councilmember including due process and layers of review. He explained the goal of establishing an Ethics Commission, comprised of five (5) members and addressed the term, requesting to strike out the word, "only" from Section 1. Additionally, he suggested removing Section 8, Sub-category 1, and Sub-paragraph 1. It can be handled on a case-by-case basis. Mayor Guerrero requested striking out Section 12 as well.

Discussion followed regarding the possibility of the Sheriff's Department adjudicating the matter and a provision related to the City Attorney convening a Closed Session meeting, if/as permissible by law, of the Ethics Commission.

City Attorney Padilla recommended bringing the matter back on the next City Council agenda in order for his office to review the resolution as it is now amended.

The item was continued to February 4, 2014.

A motion was made by Sanchez to adjourn the meeting at this time. The motion died for lack of a second.

Ensuing discussion pertained to the need to be efficient in terms of time management and the possibility of staggering items on subsequent agendas.

7F. Consideration of Resolution No. 14-07, a resolution to endorse comprehensive immigration reform in The United States House of Representatives during the current legislative session, with the following legislative principles: (I) security of the border, (II) reform of the legal immigration system, and (III) pathway to legalization for otherwise law-abiding undocumented immigrants.
(Verbal report by Mayor Guerrero and Vice Mayor Garcia)
(Resolution No. 14-07 attached)

Recommendation: *Motion to approve Resolution No. 14-07.*

Mayor Guerrero introduced the item and provided a brief report. He noted that Councilmembers have been working hard to endorse immigration reform and commented on the need to let legislators know that the City is very committed to getting this issue resolved. This is an opportunity to build pressure on Congress to get something done on this important issue. He added that Council is involved in promoting this issue regionally, and that the proposal will be presented to neighboring cities. Mayor Guerrero read the resolution into the record. He suggested minor modifications including adding "all Members of the City Council" on Page 1.

Vice Mayor Garcia suggested a modification to the third paragraph to replace "should" with "could".

Mayor Guerrero noted that the debate in Congress is very contentious and addressed the intent of the resolution and highlighted the importance of the three (3) components to the resolution.

Councilmember Markovich commented on children who come to this country through no fault of their own adding that he sees the situation on a daily basis.

Mayor Guerrero noted the importance of addressing the issue.

Discussion followed regarding providing a pathway to citizenship versus a pathway to legalization and the possibility of striking Section 3 of the resolution. It was noted that once permanent residency status is established, there already exists a pathway to achieve citizenship.
Mayor Guerrero commented on the importance of having unanimous agreement.

Councilmember Oliva commented on the importance of moving forward with this matter.

City Attorney Padilla reported that his office reviewed this matter as to form.

Ensuing discussion pertained to retitling the resolution and Section 3 to include "Pathway to legalization **and/or** citizenship".

A motion was made by Guerrero, seconded by Garcia, and carried (5 – 0) to approve Resolution No. 14-07, as modified.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

7G. Consideration of Resolution No. 14-08, a resolution to establish rules and procedures for staff and City Council interactions with the City Attorney's office.
(Verbal report by Mayor Guerrero)
(Resolution No. 14-08 attached)

Recommendation: *Motion to approve Resolution No. 14-08.*

The aforementioned item was tabled to the next City Council meeting.

7H. Consideration of Resolution No. 14-09, a resolution to terminate membership in the California Joint Powers Insurance Authority (the "JPIA") at the earliest opportunity as provided for under article 24 of the JPIA's Joint Powers Agreement adopted August 12, 2011.
(Verbal report by Mayor Guerrero)
(Resolution No. 14-09)

Recommendation: *Motion to approve Resolution No. 14-09.*

Mayor Guerrero introduced the item adding that he is calling for a notice to JPIA of the City's intention to withdraw from same, pursuant to Article 24 of the agreement. He added that under the provisions of the agreement, the City has the right to withdraw from the JPIA, provided it gives one (1) year's notice falling at the end of the protection period. That will allow the City ample time to find alternative coverage.

A motion was made by Garcia, seconded by Guerrero, and carried (4 – 1) to approve Resolution No. 14-09.

AYES: Guerrero, Oliva, Markovich, Garcia
NOES: Sanchez
ABSENT: None
ABSTAIN: None

7I. Discussion item on City Manager recruitment process and advisory committee.

Assigned Department: City Manager
(Verbal report by Mayor Guerrero)

Recommendation: *Motion to receive and file.*

Mayor Guerrero commented on Interim City Manager Garcia's service and the need to begin the recruitment process for a new City Manager. He recommended establishing an advisory committee, Chairs of each City Commission, a representative from the Economic Development Corporation and a community representative selected by each Member of Council for a total of ten (10) members. The advisory committee would review applications and make a recommendation to Council. He added that ultimately, the decision rests with Council and Council only. He proposed presenting community representative designees at the February 4, 2014, City Council meeting.

Interim City Manager Garcia reported that the position has been advertised in Western City Management Magazine. He addressed the structure and role of the committee and thanked the community for their kind remarks in terms of his service.

Mayor Guerrero recommended that discussions on this matter continue to the City Council meeting of February 4, 2014.

7J. Discussion item on proposed State of the City Address by the Mayor.
(Verbal report by Mayor Guerrero)

Recommendation: *Motion to receive and file.*

The aforementioned item was discussed and acted upon during consideration of Item No. 7Q.

7K. Review and discussion of the contracts between the City and the three public relations firms.
(Verbal report by Vice Mayor Garcia)

Recommendation: *Motion to receive and file.*

Vice Chair Garcia provided a brief report noting that the City has contracts with three (3) public relations firms which involved enhancing the public image of predecessors. He requested that Council colleagues consider terminating those contracts.

City Attorney Padilla reported that the matter will require a review of the contracts and that it is not uncommon for terminations to be handled administratively, at the City Manager level. He commented on termination for convenience with a specified amount of notice and reiterated the need to review the contracts in terms of the termination provisions.

Interim City Manager Garcia reported that staff reviewed them and that termination is "at will". He added that Council may direct staff and recommend termination. He added that terms include a 30- or 60-day notice and that there is no penalty with those provisions.

Mayor Guerrero suggested directing staff to not engage the three (3) firms for services, going forward.

It was noted that it is possible that some of the contracts have already expired.

City Attorney Padilla agreed that it may be sufficient to direct the City Manager not to engage the firms' services any further.

The Interim City Manager, without objection, was directed to not engage the three (3) public relations firms currently under contract, going forward.

7L. Discussion item on the City's Casino License and exploration of a Casino in the City.
(Verbal report by Vice Mayor Garcia)

Recommendation: *Motion to receive and file.*

Vice Mayor Garcia presented a report noting the need to begin thinking "outside the box" and doing so in the long-term. He addressed major developments in the City of South Gate and expressed concerns with impacts to the City of Cudahy. He noted that the City needs revenue and commented on the revenue that could be generated with a casino in the City. He suggested that City Council explore the matter.

Interim City Manager Garcia addressed ownership of casino licenses and commented on a casino in the context of economic development along Atlantic Avenue.

Councilmember Oliva commented on the use of the casino building by homeless people.

Mayor Guerrero recommended alerting the Sheriff's Department about the situation. He suggested forwarding solicitations of interest for casino licenses to the City Manager's office.

Discussion followed regarding a casino generating money for the City in order to offer more and expand programs for residents and the possibility of opening a casino close to the new shopping center in South Gate.

Mayor Guerrero suggested continuing discussions on the matter at the City Council meeting of February 4, 2014.

7M. Discussion item on an overnight parking program in the City of Cudahy.

(Verbal report by Vice Mayor Garcia)

Recommendation: *Motion to receive and file.*

Vice Mayor Garcia introduced the item and provided a brief report. He recommended directing staff to develop three (3) proposals for the City for an overnight parking program. He added that currently, there is no overnight parking program or system in place to address existing problems.

Discussion followed regarding analyzing other cities to determine best practices, the possibility of a traffic study to determine needs and demands for different areas and obtaining resident feedback on the issue. Ensuing discussion pertained to characteristics of those opposed to a program and the possibility of having different regimes for different parts of the City.

7N. Discussion item to modify the existing municipal code for the purpose of allowing soccer to be played at Lugo Park.
(Verbal report by Mayor Guerrero and Councilmember Oliva)

Recommendation: *Motion to receive and file.*

The aforementioned item was tabled to the next City Council meeting.

7O. Discussion item – Hiring freeze pending approval of FY14/15 budget.
(Verbal report: Mayor Guerrero, Vice Mayor Garcia)

Recommendation: *Motion to receive and file.*

The aforementioned item was tabled to the next City Council meeting.

7P. Discussion item – Status of pending ethics inquiry.
(Verbal report: City Attorney.)

Recommendation: *Motion to receive and file.*

City Attorney Padilla indicated the aforementioned item may be more appropriately discussed during Closed Session. He recommended that Councilmembers coordinate with his office to review the report and discuss same.

Mayor Guerrero directed the City Attorney to determine if the item can be added to the Closed Session agenda for the next City Council meeting. He noted that the City Attorney will redact the report and provide it to the City Manager so that Council colleagues may review it, without obtaining copies (hard or electronic).

7Q. Discussion item – Schedule of next Neighborhood Watch Meeting/Town Hall.

Recommendation: *Motion to receive and file.*

Mayor Guerrero reported that the fourth Wednesday of the month is ordinarily reserved for a Neighborhood Watch/Town Hall meeting but noted that four (4) of the five (5) Councilmembers will be attending a training in Sacramento and will not be available for the next meeting. The next regularly-scheduled Neighborhood Watch/Town Hall meeting will be February 26, 2014. He suggested that in lieu of the meeting January meeting, a special meeting be scheduled to occur shortly after Council returns from Sacramento for the State of the City Address.

According to Vice Mayor Garcia's suggestion, Mayor Guerrero noted there will be no Neighborhood Watch/Town Hall meeting tomorrow and that the next meeting will be held on February 26, 2014.

City Attorney Padilla noted that if no action is taken and Council does not convene, the meeting does not qualify as a public meeting for purposes of the Brown Act. However, if action will be taken and Council convenes, it will be subject to the Brown Act. He added that out of an abundance of caution, it would be wise to treat it as a public meeting and therefore subject to requirements within the Brown Act.

Interim City Manager Garcia commented on the State of the City Address and potential topics to be included.

Mayor Guerrero proposed a Mayoral Address, transitioning to a City Manager update and subsequently opening the floor for questions and answers and Councilmember highlights.

Discussion followed regarding the format of the proposed meeting.

A motion was made by Guerrero, seconded by Oliva, and carried (4 – 1) to cancel the January 22, 2014, Neighborhood Watch/Town Hall meeting and schedule a State of the City Address for the Neighborhood Watch/Town Hall meeting of February 26, 2014.

AYES: Guerrero, Oliva, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: Sanchez

7R. Consideration of Resolution No. 14-11, a resolution authorizing the City Manager to promote the availability of funds to community members for group fitness classes.
(Verbal report by Vice Mayor Garcia and Councilmember Oliva)
(Resolution No. 14-11 attached)

Recommendation: *Motion to approve Resolution No. 14-11.*

Vice Mayor Garcia noted that during the last office-hours session, he received a lot of feedback from residents regarding implementing various fitness programs (Zumba and ballet). He added that there is funding for these types of services within the City and

addressed the substance and intent of the resolution.

Vice Mayor Garcia and Councilmember Oliva read the resolution into the record.

Brief discussion followed regarding the source of the funds to be allocated, encouraging community volunteers to provide services and including all approved fitness classes at any City facility not being utilized.

A motion was made by Oliva, seconded by Garcia, and carried (5 – 0) to approve Resolution No. 14-11.

AYES: Guerrero, Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: None
ABSTAIN: None

8. CLOSED SESSION

City Council adjourned to Closed Session at 10:53 p.m. to discuss matters listed on the Closed Session agenda.

City Attorney Padilla read title to each matter.

8A. Closed Session Pursuant to Government Code Section 54956.9(d)(1) and 54956.9(e)(1) - Conference with Legal Counsel to Discuss a Matter of Anticipated Litigation/Significant Exposure to Litigation – One (1) Matter

8B. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator
Location of Property:
4840 Clara Street, APN 6226 025 004
City's Negotiator(s): Saul Bolivar and City Attorney Rick Olivarez
Party Negotiating With: Emiglia and Chiara Gigliotti
Under Discussion: Discussion of both price and terms of payment as relates to purchase of subject property

8C. Closed Session Pursuant to Government Code Section 54957(b)(1) - Public Employee Evaluation of Performance
Title of Employee Subject to Evaluation: City Attorney

8D. Closed Session Pursuant to Government Code Section 54957.6(a) - Conference with Labor Negotiator – Unrepresented Employee
Title of Employee Subject to Negotiation: City Attorney
City's Negotiator: Henry Garcia, City Manager and Jack Guerrero, Mayor

City Attorney Padilla reported that with respect to Item 8A, there was a general discussion with Legal Counsel and no formal action was taken. With respect to Item 8B

and update was provided but no formal action was taken. With respect to Items 8C and 8D, discussion of possible compensation structure was had, direction was given and no formal action was taken.

9. ADJOURNMENT

The City Council meeting adjourned at 11:30 p.m.

ATTEST:

INTERIM CITY CLERK