

**MINUTES
CUDAHY CITY COUNCIL
CITY OF CUDAHY AS SUCCESSOR AGENCY TO
THE CUDAHY DEVELOPMENT COMMISSION
A Regular/Special Joint Meeting to be held in the City Council Chambers,
5240 Santa Ana Street, Cudahy, California
Tuesday – May 6, 2014 - 6:30 P.M.**

1. CALL TO ORDER

Mayor/Chair Garcia called the meeting to order at 6:33 p.m.

2. ROLL CALL

Council/Agency Member Guerrero
Council/Agency Member Oliva
Vice Mayor/Vice Chair Markovich
Mayor/Chair Garcia

Council/Agency Member Sanchez was noted absent for the record. He arrived at the time the Council recessed to discuss the first Closed Session Item (9E) and remained for the duration of the meeting.

Pledge of Allegiance: Ms. Adriana Cortez, Teresa Hughes Elementary Principal

Invocation: Council/Agency Member Guerrero

Presentations:

- Certificate of Recognition of Maria Barajas (presented by Council/Agency Member Olivas)
- Representatives from Senator Ricardo Lara's Office presenting the Youth Senator's Program.

3. PUBLIC COMMENT

At this time the Mayor/Chair opened public comments for Agenda Item No. 9e only. There were no members of the public who elected to speak at this time. The Mayor/Chair closed public comments on Agenda Item No. 9e.

City Attorney Birrueta announced that the Council/Agency would recess at this time to Closed Session to discuss Agenda Item 9e only. She read the title of the item. The Council/Agency recessed to Closed Session at approximately 6:40 p.m. The Council/Agency reconvened at 7:45 p.m.

Marcos Covarrubias expressed his support for Agenda Items 5a and 5c. In regard to Agenda Item 8a. he was interested in hearing the comments of City Council. He thanked the residents and Council for their participation in Cinco de Mayo. He wished to notify the City Manager that there was homeless sleeping in the corner of the park and that he heard somebody in City Hall authorized them to sleep overnight. The house on Atlantic/Santa Ana needs attention and poses a safety threat.

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

Nelly Blaeker thanked members of the City Council for the Cinco de Mayo event. She expressed her wishes that the City Council members remain united, the City is small and will not move forward if the elected officials are not united. She inquired regarding the lottery system for home assistance program as she requires fumigation of termites in her home. She thanked members of the City Council for their recent assistance with inspectors.

Patricia Covarrubias spoke in support of 5a, 5c, 7e, and 8a. She inquired regarding her request for financial assistance for mariachis for the Mother's Day celebration. She thanked members of the community who helped find a salon for the ballet rehearsals.

Jose Cortes spoke regarding the Cinco de Mayo festival which the community really enjoyed. He spoke requesting badges or identification for Commissioners to be properly identified when they attend community events. He expressed concerns regarding reports of homeless persons living in the park and the safety impacts on children and the community. He also reported possible drug use occurring. In closing, he requested that the City Council address the substandard level of the bathroom in the park.

William Tejada thanked the City for the Cinco de Mayo events and expressed concerns regarding the homeless persons living in the community and the reports regarding drug use happening the park. He expressed concerns regarding safety impacts including prostitution, drug use, and the increase in crime if this problem is not addressed.

Noemi Preciado spoke regarding the illegal street vendors in the community, especially those who are surrounding the schools. She expressed concerns regarding the potential for these vendors to be selling illegal materials to students and requested the City to address the problem.

Brenda Rodriguez spoke regarding requested that the trailers be brought back to the City. She noted that she does not have anywhere to go. She expressed concerns regarding the new expectations required of trailer owners which were not expected at the time they purchased their trailer.

Maria Rodriguez expressed her concerns regarding the trailers and the new requirements by the State. She expressed the difficulties she has had obtaining information showing that she owns the trailer.

Susie de Santiago expressed concerns regarding receiving timely notification about certain events, including Item No. 7d and the Book Fair. The Cinco de Mayo event was not properly noticed. She noted that the flyer had typographic errors. She expressed concerns regarding Council transparency. In regard to Item 7a, she stated this would adversely affect businesses and residents.

Pamela Mungia spoke regarding her support for the campaign ethics and transparency in the community. She expressed concerns that the trailer issue is being politicized and that this is the responsibility of the trailer park owner.

Carmen Hernandez expressed concerns that fees are not being reduced for tickets. She expressed concerns regarding a Councilmember.

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

Adelina Garcia spoke in support for the Cinco de Mayo event and expressed concerns regarding the typographical error on the flyer. She also spoke regarding item 8a and supported the reduction in ticket fees and in support of Item 5a.

The Mayor/Chair closed public comments.

CITY COUNCIL COMMENTS

Council/Agency Member Guerrero reported on the Cinco de Mayo event, gang graffiti on the Cudahy Park sign, Cinco de Mayo flyer, Sheriff's Citizen Academy, and the State Controller's audit.

Council/Agency Member Oliva reported on the Cinco de Mayo event, request for the City Manager to have future events on the City marquees, trailer park issue, Sheriff's Program, ballet dancer program, and volunteers at the Cinco de Mayo event.

Council/Agency Member Sanchez reported on the mariachi support request, Cinco de Mayo event, Fourth of July, trailer park issue, and request for study session regarding community issues.

Vice Mayor/Vice Chair Markovich reported on request for agenda item (Resolution to support the expansion of childhood education programs), resolving community issues, Book Fair, and Counsel General's Office of Mexico's donation of books,

There was Council consensus to place an item on the next agenda regarding a proposed Resolution to support the expansion of childhood education program. The proposed Resolution was given to the City Attorney for review.

Mayor/Chair Garcia reported on his attendance at the Homeboy Industries gala, Sheriff's Academy graduates, State Controller's audit, thanked Vice Mayor for his efforts with the State Controller, and the Cinco de Mayo event.

4. WAIVE FULL READING

- 4A.** Consideration to waive full text reading of all Resolutions and Ordinances by single motion made at the start of each meeting, subject to the ability of the City Council to read the full text of selected resolutions and ordinances when the item is addressed by subsequent motion.

Recommendation: Motion to approve as stated.

A motion was made by Guerrero, seconded by Garcia, and carried (5 – 0) to waive full text reading of all Resolutions and Ordinances subject to the ability of the City Council to read the full text of selected resolutions and ordinances when the item is addressed by subsequent motion.

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

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

5. PUBLIC HEARING

- 5A.** A public hearing to consider Resolution No. 14-20, a Resolution of the City of Cudahy City Council approving projects/programs for Community Development Block Grant funding during the 2014-15 fiscal year.
(Staff report, Resolution No. 14-20, and Code Cost Analysis attached)

Recommendation: Motion to approve Resolution No. 14-20.

Jennifer Hernandez, Human Resources Specialist, provided a staff report.

Council/Agency Member Garcia clarified that the amounts in the proposed resolution would be used to get the projects "up and going" and for example, Requests for Proposals could be issued for specific work. He noted that these projects, such as Lugo Park, economic development, and community projects, are his highest priority.

Council/Agency Member Oliva expressed her support to fix the Lugo Park field. There is a need for a matching amount for certain types of funding (Prop A funding from Gloria Molina's Office) for which she has been advocating. She requested the phrase "Lugo Park restroom rehabilitation" be struck and modify the wording so that other park restrooms, such as the restroom at Santa Ana Park, could also be included for rehabilitation.

Michael Allen, Acting Community Development Director, noted he could get a cost estimate for the rehabilitation of other park restrooms. Ms. Hernandez noted that a specific cost analysis would need to be provided and expressed concerns that spreading the funding too thin could possibly prevent certain projects from being completed. It would be best to leave the project intact as Cudahy Park and identify other sources of funding for specific restrooms.

Council/Agency Member Sanchez and Vice Mayor/Vice Chair Markovich expressed support for the resolution as proposed.

The Mayor/Chair opened the public hearing and public comments.

Marcos Covarrubias expressed his support for the projects mentioned in the resolution and requested the entire funding go towards the rehabilitation of Lugo Park.

Adeline Garcia expressed support for the rehabilitation of Lugo Park.

Triny Barajas expressed support for the rehabilitation of Lugo Park.

Elizabeth Alcantar expressed support for the rehabilitation of Lugo Park.

Noting there were no further individuals who elected to speak, the Mayor/Chair closed the public hearing and public comments.

A motion was made by Oliva, seconded by Sanchez, and carried (4 – 0, 1 abstention) to approve Resolution No. 14-20, a Resolution of the City of Cudahy City Council approving projects/programs for Community Development Block Grant funding during the 2014-15

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

fiscal year, with the condition that City staff look for additional funding for the restroom at Santa Ana Park.

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

- 5B.** A public hearing to consider approval of Zoning Ordinance No. 634, an Ordinance of the City Council of the City of Cudahy approving Zone Text Amendment 14-01 to add new definitions to subsection 20.08.10 adding "emergency shelters" and "transitional and supportive housing," modifying CMC subsection 20.64.040 to add "transitional and supportive housing," and modifying CMC subsection 20.68.080 to add "emergency shelters."
(Staff report, SB2, Letter of Certification, and Ordinance No. 634)

Recommendation: Motion to approve Ordinance No. 634 (second reading)

A staff report was made by Michael Allen, Acting Community Development Director. He noted this was the second reading for approval of the item. A PowerPoint Presentation was displayed. He noted that staff recommended Option No. One.

Council/Agency Member Sanchez inquired as to whether there is interest from anyone opening a shelter. Mr. Allen responded that there has been no interest to date. Council/Agency Member Sanchez inquired as to whether the State could pull the funding.

Council/Agency Member Guerrero inquired as to which zone should be designated for this activity. In response to an inquiry from Council/Agency Member Guerrero regarding the concerns relative to mixed use in the industrial zone, Mr. Allen responded that there was concern regarding the environmental impacts to the homeless shelter residents by living within an industrial zone.

Isabel Birrueta, City Attorney, noted that if there was substantive changes to the Ordinance, they may need to revisit the item at the Planning Commission meeting before the Council could adopt.

Council/Agency Member Guerrero stated that if the industrial zone was the appropriate zone for the shelter, most organizations would find it an unattractive location for establishment. He noted that he does not support a shelter on Atlantic Boulevard as it is the City's "gateway." He is in support of Option Two.

Council/Agency Member Sanchez noted that because of the open space in the commercial district, interested agencies may be interested in the flexibility and availability of additional space.

Mayor/Chair opened the public hearing and public comments on this item.

Joaquin Carrera noted that in the southwest area of the City there are already existing trailers. He requested the Council approve the area near Cecilia.

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

Elizabeth Alcantar expressed that it would not be pleasant to have the shelter located on Atlantic. She suggested that homeless people tend to be left out of society and it may be detrimental to them to be forced into the industrial area.

Martin Markovich expressed concerns regarding placing the shelter near the Casino. He could not determine where the City would find a vacant lot in the "Patata" area to build a shelter.

The Mayor/Chair closed public comments and the public hearing.

Council/Agency Member Guerrero stated that he felt Atlantic Boulevard should be reserved for commercial development only as it is the gateway into the City. He expressed support for Option Two.

Mayor/Chair Garcia expressed support to have other communities absorb the homeless shelter. Mr. Allen noted that discretionary approval is not required; the agency seeking to establish the shelter would only have to comply with the Municipal Code provisions. However, he did note that if the approved Ordinance is too restrictive, it may not comply with SB 2.

City Attorney Birrueta stated that the proposed Ordinance could contain limitations, however the City should not subject itself to challenges.

In response to an inquiry from Vice Mayor/Vice Chair Markovich, Mr. Allen noted that he does not believe there are eminent domain issues that are applicable. Vice Mayor/Vice Chair Markovich noted that the City's layout is conducive to the restrictions the Council is looking for to be in compliance with the law.

City Attorney Birrueta requested time to review the Ordinance so as to not craft the wording to be so restrictive that the City is not in compliance with State law

In response to an inquiry from Council/Agency Member Sanchez, Mr. Allen affirmed that the shelter is restricted to a fifteen (15) bed maximum. Mr. Allen further noted that the time for the City to be in compliance was the end of March 2014, however, because the Housing Element was adopted on time, the State did provide some flexibility to the City. He will ascertain whether a "drop dead" date has been established.

City Attorney Birrueta recommended the Council/Agency does not take action tonight in order to research an area within the City that is feasible to be compliant with the law. She also affirmed that there was no previous first reading on this item and that it would return for first reading at the next Regular Meeting.

The Council directed staff to continue this item for first reading to the next Regular Meeting to allow the City Attorney and staff to review the Ordinance and also conduct a comparison analysis of Options One and Two as presented in the staff report.

- 5C.** A public hearing to consider introduction of Ordinance No. 629, an Ordinance of the City Council of the City of Cudahy adding Chapter 2.54 of title 2 of the Cudahy Municipal Code establishing City campaign ethics regulations.
(Ordinance No. 629 attached)
(Verbal report by Councilmember Guerrero)

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

Recommendation: Motion to introduce Ordinance 629 (first reading)

Mayor/Chair Garcia expressed concerns that the Ordinance as drafted was not in compliance with State law.

City Attorney Birrueta reported there first needs to be a motion and vote by Council on whether this item will be heard tonight before discussion can ensue. City Attorney Birrueta noted that the City Attorney's Office had reviewed the proposed Ordinance and had a redline recommendations copy which they wished to review in light of compliance with State law. She inquired as to why the proposed Ordinance was seeking to have stricter rules, especially in light of the recent federal ruling, and this may subject the City to future legal challenges.

Mayor/Chair Garcia motioned to table the item until research and analysis was completed so as to not expose the City to future liability.

Mayor/Chair Garcia withdrew his motion to table the item.

Council/Agency Member Sanchez stated that the item needs to be in compliance with State law.

Council/Agency Member Oliva affirmed that she is in favor of ethics regulations in regard to transparency and agrees with the City Attorney's suggestions that the Ordinance should be in compliance with State law and properly reviewed. She suggested that Council/Agency Member Guerrero meet with the City Attorney to ensure the item is in compliance with State law.

City Attorney Birrueta reported that Council/Agency Member Guerrero did discuss this item with City Attorney's office and in response; the City Attorney's Office developed a "redline" version of the proposed Ordinance with recommendations. She had the document with her this evening in the event Council wanted to open the public hearing to have a full discussion on the item.

Council/Agency Member Guerrero noted that he did consult with the City Attorney and also obtained an outside legal opinion. He asserted his opinion that there is no legal standard that would preclude this Ordinance from being adopted and there is no financial impact. He did note that there is a First Amendment issue; however, the proposed Ordinance does not limit contributions under the law. It provides limits on Councilmembers and their ability to participate in contract approvals with contributors. It governs behavior and conduct of Councilmembers and candidates for office.

City Attorney Birrueta reported that the item would provide limits for certain campaign contributions.

Council/Agency Member Guerrero stated he would prefer to make a motion to discuss the item, as he has been working diligently on this item and it has already been tabled. He also asserted that, in his opinion, this would not affect the City's liability.

Mayor/Chair Garcia wanted to make sure that the Council/Agency are conducting proper due diligence on the introduction and approval of Ordinances.

Council/Agency Member Oliva stated she would prefer to make a motion to review the item, increase the amount to \$250, and limit this item to one year versus two, however, she also commented that she would like the appropriate time to review the redline recommendations

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

document from the City Attorney's Office. She suggested the redline document be distributed to Council for their review in advance of the next Regular Meeting, and schedule the item for Council/Agency review at the next Regular Meeting.

City Attorney Birrueta suggested to have the redline version attached as part of the staff report and bring the entire item back at the next Regular Meeting. She noted the redline version would be forwarded to Council prior to the next Regular Meeting for their review.

A motion was made by Oliva, seconded by Garcia, and carried (2 – 1, 2 abstentions) to table this item to the next Regular Meeting, to include the redline recommendations document provided by the City Attorney as part of the staff report, and to also provide the redline recommendations document in advance for their review.

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

- 5D.** A public hearing to consider introduction of Ordinance No. 633, an Ordinance of the City Council of the City of Cudahy amending section 2.04.020 of the Cudahy Municipal Code regarding meeting dates and times.
(Ordinance No. 633 attached)
(Verbal report by Councilmember Guerrero)

Recommendation: Motion to introduce Ordinance 633 (first reading).

A verbal report was given by Council/Agency Member Guerrero. He expressed concerns with meetings lasting too long on Tuesday and suggested that the second Tuesday meeting of the month be retained, and defer the first meeting of the month to Saturday morning. His idea was to have the Saturday meeting for discussion purposes, where Council would work together in a round table discussion which would be open to the public. He suggested that the discussion would advance the items far enough so they could be acted upon at the second meeting of the month. Council/Agency Member Guerrero asserted that there would be no difference in the overtime compensation to staff, as they routinely stay beyond their regular hours to attend the Tuesday evening meetings.

Mayor/Chair Garcia noted that the Council recently adopted a Resolution in order to limit the items on the Agenda in order to keep the meetings to a reasonable hour. He also noted the Council made the change to increase the number of meetings per month from one to two in order to limit the excessive hours spent at each meeting. He felt that those changes are moving in the right direction, however, the hours are still excessive. He also expressed concerns that staffing hours would be negatively impacted.

In response to an inquiry from Mayor/Chair Garcia, Council/Agency Member Guerrero advocated for having the Ordinance change to reflect the Saturday meeting as a Regular Meeting, so as to hold the Council accountable for having the Regular Meetings. He did not feel strongly that the Council would adhere to hosting Special Meetings for discussion purposes.

City Attorney Birrueta commented that staff has been challenged with going over hours with part-time staff, and if the overtime can be managed, from a legal perspective, this would be

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

more of a management issue.

Henry Garcia, City Manager, stated that there are probably no cities that have meetings on Saturday. In terms of realizing efficiencies, he suggested the potential for changing the meeting dates to the "off" Tuesdays during the business week. City Manager Garcia expressed concerns regarding requiring employees to give up their family/personal time on the weekend. He did affirm the merits of Council/Agency Member Guerrero's suggestion and that his concerns could be addressed by hosting regular strategic plan meetings and/or Council workshops/retreats.

Vice Mayor/Vice Chair Markovich stated he would support a Saturday meeting on a quarterly basis.

Council/Agency Member Oliva remarked that staff has every other Friday off and could possibly accommodate a once a month Saturday meeting with a specific start and end time. She suggested that a workshop be conducted so the community could provide input on a Saturday. She stated she understands the reason why it should be included as part of an Ordinance.

Council/Agency Member Sanchez suggested reserving one of the regular Tuesday meetings as a "discussion" meeting and the second meeting for the actual business transactions. He also suggested hosting a Town Hall meeting to inquire as to what the community would prefer. Council/Agency Member Sanchez was also in favor of converting to the second and fourth Tuesday of each month.

Mayor/Chair Garcia stated that Saturday meetings would be ideal for quarterly or yearly strategic planning sessions or retreats.

The Mayor/Chair opened the public hearing and public comments. There were no individuals who elected to speak on this item. The Mayor/Chair closed public comments and the public hearing.

City Manager Garcia noted that it may be difficult to manage time off for employees during the week if the Council moves to Saturday meetings.

Council/Agency Member Guerrero reaffirmed that he was not asking for more work from staff, rather, he was asking for a shift from Tuesday to Saturday for only one of the monthly meetings.

In response to an inquiry from Council/Agency Member Guerrero, City Attorney Birrueta affirmed that the minimally required staff to attend a meeting would include the City Attorney, City Clerk, and City Manager.

A motion made by Oliva and seconded by Guerrero to defer the introduction of the Ordinance and have the City Manager research and report back to Council the feasibility of a regular workshop for Council to discuss various items, failed pursuant to a (2 – 3) vote as follows:

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

There was no further action on this item.

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

6. CONSENT CALENDAR

- 6A.** A request to approve procurement of a Taxicab Operator's License from the City Council by Futura Taxi.
(Staff report attached)

This item was pulled from the Consent Calendar for separate consideration.

City Attorney Birrueta reported that it was alleged that there may be relevant legal matters to investigate pursuant to the proposed taxi operator and requested that the City Council direct staff to bring back a report at the next meeting related to this item in order to analyze the matter in compliance with the Municipal Code and ensure that due process rights are being adhered to.

Council/Agency Member Guerrero stated that the letter referenced from the Lynwood Mayor was not implying his, Jack Guerrero's support of this item, but rather, the Lynwood Mayor's support for the taxi operator.

The Council unanimously (5 – 0) directed staff to continue this item to the next Regular Meeting in order to allow the City Attorney to review the allegations of unlawful conduct and ensure that due process rights are being followed by the City.

- 6B.** A request to approve the purchase of a replacement server.
(Staff report attached)

This item was pulled from the Consent Calendar for separate consideration.

A staff report was given by Henry Garcia, City Manager. He provided the recent history of the failed server and the immediate need for replacement to maintain City technology services.

A motion was made by Garcia, seconded by Markovich, and carried (4 – 0, 1 absent) to approve the purchase of a replacement server described as a PowerEdge R720, Intel Xeon E-2 6xx Processors for the price of \$9,356.54 including tax.

AYES: Oliva, Sanchez, Markovich, Garcia
NOES: None
ABSENT: Guerrero (out of Chamber)
ABSTAIN: None

- 6C.** Consideration and approval of a Retainer Agreement with Arent Fox to provide specialized legal services and consultation regarding bond financing matters for the City as Successor Agency to the Former Cudahy Community Development Commission/Cudahy Redevelopment Agency and authorization for execution of the agreement by the appropriate officer or official of the City as Successor Agency.
(Staff Report and agreement attached)

This item was pulled from the Consent Calendar for separate consideration.

Staff reports were given by City Manager Garcia and City Attorney Birrueta. Both affirmed the need for specialized legal services and guidance are needed by the City and Successor Agency

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

for the issuance of bonds.

A motion was made by Oliva, seconded by Garcia, and carried (4 – 0, 1 abstention) to approve a Retainer Agreement with Arent Fox LLP to be administered on behalf of the City of Cudahy as Successor Agency to the Former Cudahy Community Development Commission/Cudahy Redevelopment Agency by the City Attorney's Office of the City of Cudahy, with a cap of no more than \$15,000 to \$20,000, at which time the item must come back to the City/Agency for further review.

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

7. BUSINESS SESSION

- 7A.** Consideration of Resolution No.14-32, a Resolution of the City Council, revising various development fees payable to the City under Ordinance No. 376 adopted on August 31, 1987 enabling from time to time, the updating, amending, and implementing alternative methods for the collection of said fees by resolution enabling the City to recover certain development project application costs incurred by City during the course of processing of the application.
(Staff report, Fee vs. Cost Table, Preparation Breakdown, and Resolution No. 14-32 attached)

Recommendation: Motion to adopt Resolution No. 14-32

The Council unanimously directed staff to table this item indefinitely.

- 7B.** Discussion of potential ad hoc committee to select a new Sergeant from the Los Angeles County Sheriff's Department to serve Cudahy.
(Staff report attached)

Recommendation: Motion to receive and file.

A staff report was given by City Manager Garcia.

Mayor/Chair Garcia noted that he would rather have Captain Wallack select the new Sergeant.

Council/Agency Member Guerrero inquired as to whether the City wanted to have a Spanish speaking candidate or a more qualified candidate who did not speak Spanish.

Mayor/Chair Garcia commented it was his understanding that there are currently no Spanish speaking candidates who are qualified for the position.

The Council directed staff to defer the decision back to Captain Wallack.

- 7C.** Discussion of establishing a joint facility agreement between LAUSD (specific to Elizabeth Learning Center) and the City of Cudahy.
(Staff report attached)

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

Recommendation: Motion to receive and file

The Council unanimously directed staff to table this item indefinitely.

- 7D. Discussion to join the Veterans of Foreign Wars (V.F.W.) Post 2830 and American Legion Post 120 Memorial Day Ceremony along with surrounding the Cities of Commerce, Maywood, Vernon, Bell, Bell Gardens and South Gate, Monday, May 26, 2014 at 11:00 a.m.
(Staff report and flyer attached)

Recommendation: Motion to receive and file.

A motion was made by Markovich, seconded by Garcia, and carried (5 – 0) to join the V.F.W. Post 2830 and the American Legion Post 120 for a Memorial Day Ceremony to be held at Park Lawn Cemetery on May 26, 2014 at 11:00 a.m.

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

- 7E. Consideration of Ordinance No. 635, an Ordinance amending section 5.08.070 (bingo) of Chapter 5.08 (business license tax – particular businesses) of title 5 (business licenses and regulation) of the Cudahy municipal code relating to the regulation of bingo games and remote caller bingo games.
(Staff Report and ordinance attached)

Recommendation: Motion to introduce Ordinance 635 (first reading).

The Council unanimously directed staff to table this item indefinitely.

- 7F. City Manager's report on City matters.

City Manager Garcia provided a brief report on the improvements to City parks, including the soccer net and other items expressed within the Community Development Block Grant agenda item.

Acting Community Development Director Allen noted that the request for funding for the mariachi's for the Mother's Day Celebration was on hold temporarily so as to enact the correct processes to provide a cash "up front" payment to secure the mariachi performers. It was Director Allen's understanding that the "up front" payment would be less than \$1,000 and would cover the mariachi performers, floral arrangements, and other incidentals related to the event.

The Council voted unanimously to receive and file the report.

8. COUNCIL BUSINESS

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

- 8A.** Consideration of Resolution No. 14-03, a Resolution of the City Council of the City of Cudahy to modify certain parking citation practices and related fees assessed by the City's municipal officers and/or code enforcement officers.
(Resolution No. 14-03 attached)
(Verbal report by Councilmember Guerrero and Councilmember Oliva)

Recommendation: Motion to approve Resolution No. 14-03

The Council unanimously directed staff to table this item indefinitely.

- 8B.** Discussion item on pension reform.
(Verbal report by Councilmember Guerrero)

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item to the next Regular Meeting.

- 8C.** Discussion item on loud noise ordinance.
(Verbal report by Councilmember Guerrero and Councilmember Oliva)

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item to the first Regular Meeting in June.

- 8D.** Discussion item and direction/feedback to City Staff regarding graffiti removal process.
(Verbal report by Councilmember Guerrero)

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item indefinitely.

- 8E.** Discussion item on gang intervention strategies including gang intervention subcommittee. **(Verbal report by Councilmember Guerrero)**

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item indefinitely.

- 8F.** Discussion item on State Controller's audit status.
(Verbal report by Councilmember Guerrero)

The Council unanimously directed staff to table this item indefinitely.

- 8G.** Update on Overnight Parking.
(Verbal report by Mayor Garcia)

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item indefinitely.

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

**8H. Discussion item on banning of smoking tobacco products.
(Verbal report by Vice Mayor Markovich)**

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item indefinitely.

**8I. Discussion item and update from staff regarding the development of an overnight parking program in the City of Cudahy.
(Verbal report by Mayor Garcia)**

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item indefinitely.

**8J. Discussion item on status of relationship with California Joint Powers Insurance Authority.
(Verbal report by Councilmember Guerrero)**

Recommendation: Motion to receive and file.

The Council unanimously directed staff to table this item indefinitely.

8K. Discussion item on City Manager Recruitment Process.

Recommendation: Motion to receive and file.

A staff report was given by City Manager Garcia. He recommended that the City Council select a date and time to meet for the purpose of establishing criteria for vetting qualified candidates and narrowing the candidate pool.

City Attorney Birrueta affirmed that the City Council had previously adopted a Resolution outlining the steps for the City Manager recruitment process and that she would provide a copy of the Resolution to the full Council.

The Council unanimously directed staff to prepare a Special City Council Meeting notice to discuss the City Manager Recruitment Process in Closed Session on Tuesday, May 13, 2014, at 6:00 p.m.

9. CLOSED SESSION

City Attorney Birrueta announced that the City Council/Agency would recess to Closed Session to discuss Items 9A, 9B, 9C, and 9D on the Closed Session agenda. The Council/Agency had recessed earlier to discuss Item 9E on the Closed Session agenda. City Attorney Birrueta announced that she would report out on all items after the Council/Agency reconvened into Open Session.

9A. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION. (1) One matter regarding possible initiation of litigation pursuant to Government Code section 54956.9(d)(4).

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

9B. Closed Session pursuant to Government Code Section 54956.9(d) (2) and 54956.9(e) (1) - Conference with Legal Counsel to Discuss Matter Involving Potential Litigation and/or Significant Exposure to Litigation – [One (1) Matter] - This Matter will be heard jointly by the Cudahy City Council and the Cudahy City Council in its capacity as Successor Agency to the Cudahy Redevelopment Agency.

9C. 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): City Manager Henry Garcia and City Attorney Isabel Birrueta
Party Negotiating With: Emiglia and Chiara Gigliotti
Under Discussion: Discussion of both price and terms of payment as relates to purchase of subject property

9D. Closed Session pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator
Location of Property: 4846 Clara Street, APN 6226-025-004
City's Negotiator(s): City Manager Henry Garcia and City Attorney Isabel Birrueta
Party Negotiating With: Estrada Othon / Estrada Maria A
Under Discussion: Discussion of both price and terms of payment as relates to purchase of subject property

9E. Closed Session pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator(s) - Represented and Unrepresented Employees
City Designated Negotiator(s): Henry Garcia, Interim City Manager
Employees and Employee Groups Subject to Discussion: Cudahy Miscellaneous Employees Association and all other Represented and Unrepresented Full Time and Part Time Employees of the City

The City Council/Agency reconvened into Open Session.

CITY ATTORNEY REPORT:

City Attorney Birrueta reported that the City Council/Agency met in Closed Session to discuss Items 9A, 9B, 9C, 9D and 9E. Direction was given however there was no reportable action taken and there was nothing further to report.

10. ADJOURNMENT

The City Council/Agency meeting adjourned at 11:45 p.m.



MAYOR

REGULAR/SPECIAL JOINT MEETING AGENDA
Cudahy City Council/Successor Agency
Tuesday, May 6, 2014

ATTEST:

 _____

INTERIM CITY CLERK

APPROVED: May 20, 2014