

## MINUTES

### CUDAHY CITY COUNCIL REGUAR MEETING and CITY OF CUDAHY AS SUCCESSOR AGENCY and HOUSING SUCCESSOR AGENCY TO THE CUDAHY DEVELOPMENT COMMISSION JOINT MEETING

October 15, 2019 6:30 P.M.

#### 1. CALL TO ORDER

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

#### 2. ROLL CALL

PRESENT: Council / Agency Member Guerrero  
Council / Agency Member Lozoya  
Council / Agency Member Garcia (arrived at 6:58 p.m.)  
Vice Mayor / Vice Chair Alcantar  
Mayor / Chair Gonzalez

ABSENT: None

ALSO PRESENT: City Manager, Jose E. Pulido, City Attorney, Victor Ponto, Assistant City Clerk, Richard Iglesias, Assistant Engineer, Aaron Torres-Hernandez,

#### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

#### 4. PRESENTATIONS - NONE

#### 5. PUBLIC COMMENTS

Jack Guerrero, spoke against the City's alleged insufficient internal control environment. He cited the latest list from the California State Auditor ranking the City in the bottom seven in the state with the highest evaluation of risk with the potential of waste, fraud, abuse, and mismanagement, reflecting years of severe financial mismanagement. He further cited the OC Register, reporting on Cudahy for its evaluation by the California State Auditor. He further cited the City developing a remediation plan to address such financial deficiencies including highlighting tasks to be performed as well as milestones and timelines of objectives to be completed, as well as Council preparing periodic updates of implementation progress.

Pamela Munguia, spoke regarding item number 11A. She asked for clarification expressing concerns about the high construction costs proposed to remodel restroom facilities in the City. She asked the contractor to provide a price breakdown to understand how tax funds will be spent on this project. She further commented on the closed session item regarding City Manager labor contract, arguing that the City Manager should not be given more authority than what he already has, and asking Council to be more active in the policy making process, and limit the City Manager's authority. She further asked Council to transparently disclose what successor properties are up for sale as well as provide an update on its status.

Heather Hightower, spoke on behalf of Legal Aid Foundation, and spoke favorably toward the City's commitment to track evictions in the City.

Jonathan Jager, also spoke on behalf of Legal Aid Foundation Los Angeles and echoed some of the points the previous speaker mentioned. He further expressed how the recently approved state legislation for renters works, and when it is going to be taking effect. He further asked the City to offer renter protections as the new piece of legislation is set to take place.

Jessica Prieto, spoke on behalf of her organization concerned with rising rents and gentrification, citing rents in Cudahy have increased by 20% since 2009. She further cited several economic demographic statistics pertaining Cudahy residents, arguing the importance of renter protection policies and the importance of the recently approved piece of legislation by the state.

Alex Flores, spoke on behalf of the Legal Aid Foundation of Los Angeles, thanked the Council for bringing such an important issue for the City, as well as spoke on the current state of renter laws in the City of Los Angeles and California. He further mentioned the City to consider implementing a policy where a renter can get a refund.

Javier Flores, spoke in favor of Council Member Guerrero for supporting residents, reminding the Council Member that residents support him as well. He went on to speak against item 12A, first asking if other bidders submitted for the RFP, due to the high cost. He further argued that the bidder considered to be awarded in the staff report is too high, with an estimated cost of \$500,000. He further argued CDBG should not be going toward this project, at least not at such a high cost, and asked to invite more bidders who can offer at a lower price.

Marcos Oliva, spoke regarding the introduced legislative bill AB 1482, stating that although the bill has good intentions, it will cause local municipalities to absorb most of the bureaucratic costs, which in turn would give cities like Cudahy unnecessary burdens, without any guarantees or mention from the state assuring it will subsidize the extra bureaucratic costs. He further asked Council if the City would enforce accountability for compliance, as well as highlighted the longevity it would take to implement supplemental ordinances and policies to comply. Ultimately, he argued, the burden will be passed down to the taxpayers. He concluded his comments by urging Council to contact the State Legislature and ask them to provide funding and establish a budget to implement the law.

## **6. CITY COUNCIL COMMENTS**

Council Member Lozoya, commented on item 12A asking city staff to clarify what the bid covered regarding the City restrooms restoration project. Specifically, she asked for what the contractor is going to change and improve in the restrooms.

Council Member Guerrero, asked to place any transparent information that can be offered from the contemplated property sales discussed under closed session on the next agenda, stating there is very little transparency to the public about what the City is doing to those properties. He further added the City needs to be aware about those properties. in Spanish, Mr. Guerrero reiterated against the City's alleged insufficient internal control environment. He cited the latest list from the California State Auditor ranking the City in the bottom seven in the state with the highest evaluation of risk with the potential of waste, fraud, abuse, and mismanagement, reflecting years of severe financial mismanagement. He further cited the OC Register, reporting on Cudahy for its evaluation by the California State Auditor. He called for a forensic audit from an impartial third-party state auditor. He asked residents interested in signing a petition calling for an audit from the state auditor to contact him or other watchdog residents in the community. He further

asked City staff to explain how it is planning to store cannabis proceeds, explaining such funds cannot be stored at a federally regulated bank.

**COUNCIL MEMBER GARCIA ARRIVED AT 6:58 P.M.**

Vice Mayor Alcantar, wished members of the public a happy Indigenous Peoples Day. She further provided a update on her visit at the El Paso border to see the nature on how immigrants are living due to the white house administration policies. She urged residents of South East Los Angeles to donate to immigrant shelters in El Paso, Texas. She further mentioned a second trip regarding an affordable housing summit, noting neither trips were funded by the City. Rather, the funding came from non-profit organizations.

Mayor Gonzalez, clarified to residents that City owned properties can be found online, but agreed that there can be more information disclosed to the public, noting that more information will be made to the public as it becomes available. He expressed his excitement about establishing rental protections to City residents. He further commented that he attended a California Contract Cities Executive Board of Directors meeting and are working on acquiring more data on law enforcement Sheriff's Department to better understand the types of issues that are faced in the City, which would also be available to the public. He further expressed his excitement about improving the City restrooms, lamenting their current state, and reminded the public it is a popular issue that has been brought up to Council on numerous occasions. He concluded his comments by announcing his participation on the National Walk to School Night.

**7. CITY MANAGER REPORT (information only)**

**8. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS - NONE**

**9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES - NONE**

**10. CONSENT CALENDAR**

- A. Consideration to Review and Approve the Draft Minutes of October 1, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for October 1, 2019.

**Motion:** It was moved by Council Member Garcia and seconded by Vice Mayor Alcantar to review and approve the City Council / Successor Agency Draft Minutes for October 1, 2019. The motion carried (4-1-0) by the following roll call vote.

AYES: Lozoya, Garcia, Alcantar, and Gonzalez  
NOES: Guerrero  
ABSENT: None  
ABSTAIN: None

**11. PUBLIC HEARING - NONE**

**12. BUSINESS SESSION**

**A. Consideration and Approval of a Proposed Contract Agreement for Construction Services for the Clara & Cudahy Park Restroom Rehabilitation Project Funded Through the City's Community Development Block Grant (CDBG) Program**

Presented by the Assistant Engineer

The City Council is requested to award a Section 3 Contract for Construction Services for the Clara & Cudahy Park Restroom Rehabilitation Project funded through the Community Development Block Grant (CDBG) to RS Construction & Development, Inc. in an amount not to exceed \$288,556.

**Motion:** It was motioned by Vice Mayor Alcantar and Seconded by Council Member Garcia to award a Section 3 Contract for Construction Services for the Clara & Cudahy Park Restroom Rehabilitation Project funded through the Community Development Block Grant (CDBG) to RS Construction & Development, Inc. in an amount not to exceed \$288,556. The motion carried (3-0-0) by the following roll call vote.

AYES: Garcia, Alcantar, and Gonzalez  
NOES: None  
ABSENT: None  
ABSTAIN: Guerrero and Lozoya

**13. COUNCIL DISCUSSION**

Council Member Garcia

- i. Cudahy Skate Park Renovation Project

Mayor Gonzalez

- i. Eviction Tracking

Vice Mayor Alcantar

- i. Tenant Protection

**RECESSED TO CLOSE SESSION AT 7:39 P.M.**

**14. CLOSED SESSION**

- A.** Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation  
Title of Employee: City Manager
- B.** Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator  
City's Designated Representative: Victor Ponto, City Attorney  
Unrepresented Employee: City Manager
- C.** Closed Session Pursuant to Government Code Section 54957.6(a) – Conference with Labor Negotiator Regarding Represented Employees

City's Designated Representative(s) for Negotiations: City Manager Jose E. Pulido and Special Counsel Oliver Yee  
Employee Organization: Cudahy Miscellaneous Employees Association (CMEA)

**D.** Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 1 Elizabeth Street Residential Property  
5256 Elizabeth Street APN: 6224-001-014  
5260 Elizabeth Street APN: 6224-001-015

Successor Agency Negotiator: Jose Pulido, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**E.** Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 2 Atlantic Avenue/Santa Ana Street Commercial Property  
4734 Santa Ana Street APN: 6224-018-008  
8110 South Atlantic Avenue APN: 6224-018-071  
8100 South Atlantic Avenue APN: 6224-018-068  
Santa Ana Street APN: 6224-018-070  
4720 Santa Ana Street APN: 6224-018-069

Successor Agency Negotiator: Jose Pulido, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**F.** Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 3 Santa Ana Street Residential Property  
4610 Santa Ana Street APN: 6224-019-014

Successor Agency Negotiator: Jose Pulido, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**G.** Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:

Site No. 4 Atlantic Avenue/Cecilia Street Commercial Property  
8135 South Atlantic Avenue APN: 6224-022-001  
4629 Cecilia Street APN: 6224-022-004  
8201 South Atlantic Avenue APN: 6224-022-002

8221 South Atlantic Avenue APN: 6224-022-012  
4633 Cecilia Street APN: 6224-022-003

Successor Agency Negotiator: Jose Pulido, Executive Director, Dave Gondek,  
Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**H. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators**

Property Location:  
Site No. 5 Atlantic Avenue/Patata Street Commercial Property  
4819 Patata Street APN: 6224-034-014  
8420 South Atlantic Avenue APN: 6224-034-032 APN: 6224-034-040  
Patata Street APN: 6224-034-041

Successor Agency Negotiator: Jose Pulido, Executive Director, Dave Gondek,  
Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**I. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators**

Property Location:  
Site No. 6 Atlantic Avenue/Clara Street Commercial Property  
4613 Clara Street APN: 6226-022-002  
7660 South Atlantic Avenue APN: 6226-022-008  
7630 South Atlantic Avenue APN: 6226-022-019 APN: 6226-022-020  
7638 South Atlantic Avenue APN: 6226-022-023  
7644 South Atlantic Avenue APN: 6226-022-022  
No address APN: 6226-022-021 APN: 6226-022-024

Successor Agency Negotiator: Jose Pulido, Executive Director, Dave Gondek,  
Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**RECONVENED TO OPEN SESSION AT 9:58 P.M.**

**15. CLOSED SESSION ANNOUNCEMENT**

Deputy City Attorney Victor Ponto reported that for each closed session item, counsel was given, and direction was received.

**16. ADJOURNMENT**

The City Council / Agency meeting was adjourned at 9:58 p.m.

---

Jose R. Gonzalez  
Mayor

ATTEST:

---

Richard Iglesias  
Assistant City Clerk