

MINUTES

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

November 20, 2018 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Garcia called the meeting to order at 6:32 p.m.

2. ROLL CALL

PRESENT: Council/ Agency Member Gonzalez (arrived at 6:32 p.m. after roll call)
Council/ Agency Member Markovich
Vice Mayor / Vice Chair Hernandez
Mayor / Chair Garcia

ABSENT: Council / Agency Member Sanchez

ALSO PRESENT: City Manager Jose E. Pulido, City Attorney, Richard Padilla, Deputy Attorney Martin de los Angeles, Deputy City Clerk Richard Iglesias, and Administrative Aide, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Markovich.

4. PRESENTATIONS – NONE

5. PUBLIC COMMENTS

Susie de Santiago, asked City Council to provide support needed for item 12B.

MAYOR GARCIA DIRECTED TO MOVE CITY COUNCIL COMMENTS TO THE END OF THE MEETING AGENDA WITH NO OPPOSITION

6. CITY COUNCIL COMMENTS - NONE

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

Recommendation: Approve the Waiver of Full Reading of Resolutions and Ordinances.

Motion: It was moved by Vice Mayor Hernandez, and seconded by Mayor Garcia to waive full text reading of all Resolutions and Ordinances by single motion.

10. CONSENT CALENDAR (Items 10A through 10I)

CITY ATTORNEY REQUESTED TO PULL ITEM 10H

A. Approval of the Local Agency Investment Fund (LAIF) for the Month of September 2018

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2018 in the amount of \$4,853,141.21.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2018 in the amount of \$4,853,141.21. The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of September 2018

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,262,626.36 including Cash and Investment Report by Fund for the month of September 2018.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve the Demands and Payroll in the amount of \$1,262,626.36 including Cash and Investment Report by Fund for the month of September 2018. The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

C. Consideration to Adopt a Resolution No. 18-50, approving the City of Cudahy's Natural Hazard Mitigation Plan (NHMP)

Presented by the City Manager

The City Council is requested to adopt a Resolution No. 18-50, approving the City of Cudahy's NHMP.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to adopt a Resolution No. 18-50, approving the City of Cudahy's NHMP. The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

D. Adoption of a Proposed Resolution No. 18-51 Repealing and Superseding Resolution No. 18-27 for Employer Paid Member Contributions (EPMC) for Employees

Presented by the City Manager

The City Council is requested to adopt a proposed amended Resolution No. 18-51 that repeals and supersedes Resolution No. 18-27 for Employer Paid Member Contributions (EPMC) for City employees.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to adopt a proposed amended Resolution No. 18-51 that repeals and supersedes Resolution No. 18-27 for Employer Paid Member Contributions (EPMC) for City employees. The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

E. Consideration to Review and Approve the Draft Minutes of November 6, 2018, 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 Deputy City Clerk

The City Council is requested to review and approve the City Council / Agency Draft Minutes for November 6, 2018.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to review and approve the City Council / Agency Draft Minutes for November 6, 2018. The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

F. Adoption of Ordinance No. 696, by Second Reading Approving Development Agreement (DA) No. DA18-002C (Location: 4311 Santa Ana Street, Applicant: 420 Realty, LLC)

Presented by the Interim Community Development Manager

The City Council is requested to:

1. Authorize the City Manager to allow a payment plan, if requested, for the Community Benefit Program as outlined in the Development Agreement

(DA);

2. Allow the City Manager to select the alternative terms of payment of the Operating Fees, if requested, to begin accruing 90 days after the Effective Date of the DA rather than accrue beginning the month of the Effective Date of the DA;
3. Provide direction to City staff on whether to modify or not modify the DA to bind the operator to any future Cannabis Tax that may be imposed by the City and/or by a voter approved Cannabis Tax;
4. Approve DA No. DA18-002C publicly noticed November 6, 2018 City Council meeting and authorize the Mayor to execute said Agreements on behalf of the City; and
5. Adopt Ordinance No. 696 by Second Reading by title only, approving the DA by and between the City and 420 Realty, LLC.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to Adopt of Ordinance No. 696, by Second Reading Approving Development Agreement (DA) No. DA18-002C (Location: 4311 Santa Ana Street, Applicant: 420 Realty, LLC). The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

G. Adoption of Ordinance No. 697, by Second Reading Approving Development Agreement (DA) No. DA18-011C (Location: 8210 Atlantic Avenue Applicant: Aqua Tergere, LLC)

Presented by the Interim Community Development Manager

The City Council is requested to:

1. Authorize the City Manager to allow a payment plan, if requested, for the Community Benefit Program as outlined in the Development Agreement (DA);
2. Allow the City Manager to select the alternative terms of payment of the Operating Fees, if requested, to begin accruing 90 days after the Effective Date of the DA rather than accrue beginning the month of the Effective Date of the DA;
3. Provide direction to City staff on whether to modify or not modify the DA to bind the operator to any future Cannabis Tax that may be imposed by the City and/or by a voter approved Cannabis Tax;
4. Approve DA No. DA18-011C publicly noticed November 6, 2018 City Council meeting and authorize the Mayor to execute said Agreements on behalf of the City; and

5. Adopt Ordinance No. 697 by Second Reading by title only, approving the DA by and between the City and Aqua Tergere, LLC.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to adopt Ordinance No. 697, by Second Reading Approving Development Agreement (DA) No. DA18-011C (Location: 8210 Atlantic Avenue Applicant: Aqua Tergere, LLC). The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

H. Consideration to Approve the First Amendment to a Communications Site Lease Agreement T-Mobile West Tower LLC

Presented by the Interim Community Development Manager

The City Council is requested to approve the First Amendment to the Communications Site Lease Agreement with T-Mobile West Tower LLC.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to table this item to the next meeting.

I. Addendum to California Cities for Self-Reliance Joint Powers Authority (JPA) Agreement to Admit the City of Gardena as a Trade Member

Presented by the City Manager

The City Council is requested to approve an addendum to California Cities for Self-Reliance Joint Powers Authority (JPA) Agreement to reinstate the City of Gardena as a Trade Member.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve an addendum to California Cities for Self-Reliance Joint Powers Authority (JPA) Agreement to reinstate the City of Gardena as a Trade Member. The motion carried (4-0-1) by the following roll call vote.

AYES: Gonzalez, Markovich, Hernandez, and Garcia
NOES: None
ABSENT: Sanchez
ABSTAIN: None

11. PUBLIC HEARING - NONE

12. BUSINESS SESSION

A. Appointment of City representative to the Greater Los Angeles County Vector Control District Board of Trustees

Presented by the Deputy City Clerk

The City Council is requested to appoint a representative to the Board of Trustees of the Greater Los Angeles County Vector Control District Contributions (EPMC) for City employees.

Motion: It was moved to table this item to this next Council Meeting

B. Discuss From Lot to Spot's request to maintain the potential parklet which will be located across from Park Avenue Elementary School.

Presented by the City Manager

The City Council is requested to receive a presentation by "From Lot to Spot" and discuss and/or provide direction in regards to the proposed parklet.

Motion: City Council received presentation, and directed staff to go over all options possible, and bring back item at a later Council meeting.

13. COUNCIL DISCUSSION – NONE

RECESS TO CLOSED SESSION

City Attorney, Richard Padilla recessed the meeting to close session at 7:11 p.m.

14. CLOSED SESSION

CUDAHY SUCCESSOR AGENCY CLOSED SESSION ITEM

Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to discuss facts and circumstances that may form the basis of initiating litigation on behalf of the Successor Agency and/or City – [One (1) Matter]

RECONVENE TO OPEN SESSION

City Attorney Richard Padilla reconvened the Regular Meeting in Open Session at 7:23 p.m.

15. CLOSED SESSION ANNOUNCEMENT

City Attorney Richard Padilla announced that with respect to item 14, direction was given, but no final action was taken.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 7:24 p.m.

Chris Garcia
Mayor

ATTEST:

Richard Iglesias
Deputy City Clerk