

## MINUTES

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

January 15, 2019 6:30 P.M.

#### 1. CALL TO ORDER

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

#### 2. ROLL CALL

PRESENT: Council / Agency Member Garcia  
Council / Agency Member Guerrero  
Council / Agency Member Lozoya  
Vice Mayor / Vice Chair Alcantar  
Mayor / Chair Gonzalez

ABSENT: None

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

#### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Garcia.

#### 4. PRESENTATIONS – NONE

#### 5. PUBLIC COMMENTS

Jack Guerrero, protested the city's alleged unconscionable and morally reprehensible scheme to ram through additional marijuana businesses onto the City's family friendly Christian-Catholic community, doing so before the installation of the new City Council on December 18<sup>th</sup>. He argued that the City is small and ill equipped to suddenly absorb the industry without public endorsement. He reminded the Council that the November election results should have sent a clear message that the community rejects corruption, lavish contracts for friends of the Council, excessive taxation, and the "marijuana ghettoization" of the community. He went on to tell Council the community deserved to live in peace, free of government exploitation. He questioned last month's City Council proceeding, arguing there were several violations on display such as ordinances being amended by single reading resolution and sloppy interjections on behalf of the City Attorney, following Mr. Guerrero's request for an administrative stay of implementation, which was also seconded by a fellow Cudahy Council Member Blanca Lozoya, and therefore should have been voted by Council Members. He spoke against the City Attorney for not allowing the motion to be voted, arguing the City Attorney's office was overstepping its boundaries. He concluded his comments by speaking against the majority of the Council for prioritizing the cannabis industry in Cudahy over youth services and education.

Margott Hinostrroza, spoke on behalf of the Los Angeles County Sanitation District, announcing its labor dispute with its management for almost two years. She highlighted her organization's work and its utility with the City's sewage, comparing its effectiveness with other organizations. She further argued that despite successes employees still suffer pay cuts while management continue to increase its salary.

Gustavo Mendez, invited residents and Council Members to the first Neighborhood Watch Meeting of the year to be held on January 30<sup>th</sup> at Clara Street block.

Carmen Beltran, reminded the Council they were elected by the people and therefore need to listen to their voices. She went on to remind Council Member Alcantar she ran against bringing cannabis sites to the City, and closing down previously approved sites during her campaign, further saying she should prioritize the will of the people over her money and her political career. She then asked Mayor Gonzalez to listen to the community, reminding both him and Council Member Alcantar they can be the difference to lead the City in the right track.

Corina Menquiva, spoke against Mayor Gonzalez alleging community members are not familiar with him. She further reminded him it is the Council's job to make Cudahy a respected, clean, dignified City, asking the Mayor and Council Member Alcantar to not be influenced by Council Member Garcia.

Patricia Covarrubias, congratulated Council Member Guerrero and Lozoya for winning a seat at the City Council. She spoke in favor of business session 12A, proceeding with plans for a parklet in front of Park Avenue Elementary. She also spoke against the Council for allowing recreational cannabis sites in the City, despite initially explaining only medicinal sites would be allowed to operate in the City. She spoke against Council Member Alcantar for not siding with Council Member Guerrero last meeting when he requested a vote for an administrative stay of implementation.

Gerardo Mayagoitia, City Clerk for Maywood congratulated all newly elected Council Members. He went on to express his excitement for the opening of the Maywood sheriff's substation, and the good it will do serving Cudahy as well. He went on to introduce Captain Chavez, highlighting the good he has done in East Los Angeles. He concluded his comments by inviting the City Council to the City of Bell's State of the City.

#### **MAYOR GONZALEZ REOPENED PUBLIC COMMENT AT 6:56 P.M.**

Denise Campos, public affairs manager for SoCal Gas introduced herself to the new Council as well as provided an update from her company.

Susie de Santiago, asked Council to consider agenda item 12A, explaining it is a great opportunity to add more green space in the City.

#### **MAYOR GONZALEZ CLOSED PUBLIC COMMENT AT 7:01 P.M.**

### **6. CITY COUNCIL COMMENTS**

Council Member Guerrero, reiterated his comments against the City Attorney's Office for its very sloppy advice provided during the last council meeting, arguing the City Attorney allegedly took it upon himself to legislate, stating he believed the City Attorney's Office deserves a propium for its conduct. He then requested items for the following City Council Meeting under City Council discussion. The first to discuss a resolution to overturn the last resolution from December 18,

extending permissible marijuana commercial activity to recreational use, arguing the proper proceeding was to amend the ordinance itself. The second is to begin a discussion on the removal of the City Manager, asking to kick off a conversation about the matter, as there will be no voting on it for the next Council Meeting.

Council Member Lozoya, thanked everyone who supported and voted for her, promising she will work hard to work for the people, stating the City is in need of improvements since she first moved to Cudahy.

Vice Mayor Alcantar, thanked members in the audience for attending the Council Meeting. She agreed with Council Member Guerrero's item to discuss overturning Resolution 18-68, arguing she believes a resolution is not the right way to change an ordinance. She asked to add an item to the next City Council agenda discussing a mid-year adjustment to the budget to include crossing guards, citing community members believe crossing guards are a dire need for the community, despite the recent pedestrian safety improvement projects that have been completed by the City. She cited several deaths on bikes suffered by the City, as well as pedestrians being hit along Clara, stating there should not be casualties on the table due to missing crossing guards. She asked to add a letter of support for UTLA teachers, if protests are still happening by the next Council Meeting, inviting residents to join her in protesting in support of teachers at Cudahy's local schools. She concluded her comments by expressing her support with business item 12A.

Mayor Gonzalez, asked City staff to add a Council retreat as a discussion item for the next Council meeting, in hopes of having a unifying vision for the City.

## **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 Council Member Garcia, and seconded by Vice Mayor Alcantar to waive full text reading of all Resolutions and Ordinances by single motion.

## **10. CONSENT CALENDAR** (Items 10A, B, C, D, E, F, and G were pulled by Council Member Guerrero.)

### **A. Approval of the Local Agency Investment Fund (LAIF) for the Month of November 2018**

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2018 in the amount of \$4,231,903.12.

**Motion:** It was moved by Council Member Garcia, and seconded by Mayor Gonzalez to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2018 in the amount of \$4,231,903.12. The motion carried (3-2-0) by the following roll call vote.

AYES: Garcia, Alcantar, and Gonzalez  
NOES: Guererro and Lozoya

ABSENT: None  
ABSTAIN: None

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

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,547,043.44 including Cash and Investment Report by Fund for the month of November 2018.

**Motion:** It was moved by Council Member Garcia, and seconded by Mayor Gonzalez to approve the Demands and Payroll in the amount of \$1,547,043.44 including Cash and Investment Report by Fund for the month of November 2018. The motion carried (3-2-0) by the following roll call vote.

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

**C. Consideration to Review and Approve the Draft Minutes of December 18, 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 / Successor Agency Draft Minutes for December 18, 2018.

**Motion:** Motion was made to table item to the next meeting.

**D. Consideration to Adopt Proposed Resolution No. 19-01, Updating the Authorizing Agents for Operation and Management of the City's Wells Fargo Bank Fund Accounts**

Presented by the Finance Director

The City Council is requested to approve Resolution No. 19-01 to update the authorized agents for the City's Wells Fargo Bank Fund Accounts.

**Motion:** It was moved by Council Member Garcia, and seconded by Mayor Gonzalez to approve Resolution No. 19-01 to update the authorized agents for the City's Wells Fargo Bank Fund Accounts. The motion carried (5-0-0) by the following roll call vote.

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

**E. Adoption of Proposed Resolution No. 19-02 Amending Resolution No. 18-48, Fringe Benefits and Salary Plan Establishing Provisions for All Full-time Employees, Hourly Employees**

Presented by the Finance Director

The City Council is requested to approve proposed Resolution No. 19-02 amending Resolution No. 18-48, fringe benefits and salary plan establishing provisions for all full-time employees, hourly employees, and appointed officials.

**Motion:** It was moved by Council Member Garcia, and seconded by Vice Mayor Alcantar to approve proposed Resolution No. 19-02 amending Resolution No. 18-48, fringe benefits and salary plan establishing provisions for all full-time employees, hourly employees, and appointed officials. 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

### **AS CUDAHY SUCCESSOR AGENCY**

**F.** Approval of the Recognized Obligation Payment Schedule for the Fiscal Period of July 1, 2019 to June 30, 2020 (ROPS 19-20)

Presented by the Finance Director

The Successor Agency is requested to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2019 to June 30, 2020 (ROPS 19-20), for submission to the City of Cudahy Oversight Board.

**Motion:** It was moved by Agency Member Garcia, and seconded by Chairperson Gonzalez to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2019 to June 30, 2020 (ROPS 19-20), for submission to the City of Cudahy Oversight Board. The motion carried (4-0-0) by the following roll call vote.

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

**G.** Consideration to Adopt Resolution No. SA 19-01 for Approval of the Administrative Budget for Fiscal Period of July 1, 2019 to June 30, 2020

Presented by the Finance Director

The Successor Agency is requested to adopt proposed Resolution No. SA 19-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2019 to June 30, 2020 (ROPS 19-20).

**Motion:** It was moved by Agency Member Garcia, and seconded by Chairperson Gonzalez to adopt proposed Resolution No. SA 19-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2019 to June 30, 2020 (ROPS 19-20). The motion carried (3-1-0) by the following roll call vote.

AYES: Garcia, Alcantar, and Gonzalez

NOES: Guerrero  
ABSENT: None  
ABSTAIN: Lozoya

**11. PUBLIC HEARING - NONE**

**12. BUSINESS SESSION**

**A. Review and Consider Approving the Los Angeles Unified School District's (LAUSD) Terms For the Proposed From Lot to Spot Project in Cudahy**

Presented by the City Manager

The City Council is requested to review and consider and receive direction regarding LAUSD's Terms (Attachment A) for the proposed From Lot to Spot project located in our City across from Park Avenue Elementary School in order to allow the LAUSD Board to consider approval of a Joint Powers Agreement (JPA) with the City. In considering these proposed terms, it is also recommended that the City reengage with LAUSD to discuss other potential options for carrying out the From Lot to Spot project, including a joint use agreement or license agreement between the City and LAUSD.

**Motion:** It was motioned by Council Member Garcia to review and consider and receive direction regarding LAUSD's Terms (Attachment A) for the proposed From Lot to Spot project located in our City across from Park Avenue Elementary School in order to allow the LAUSD Board to consider approval of a Joint Powers Agreement (JPA) with the City. In considering these proposed terms, it is also recommended that the City reengage with LAUSD to discuss other potential options for carrying out the From Lot to Spot project, including a joint use agreement or license agreement between the City and LAUSD with no objection.

**B. Consideration to Adopt Proposed Resolution No. 19-03 Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration ("CDTFA") for Implementation of a Local Transactions and Use Tax; Proposed Resolution No. 19-04 Authorizing the Examination of Transactions and Use (Sales) and Use Tax Records; and Authorize the City Manager to Execute and File Additional Agreements, Letters and Forms with CDTFA and other Appropriate State Agencies as Required for Implementation of the City's Transactions and Use Tax**

Presented by the City Attorney's Office

The City Council is requested to adopt proposed Resolution No. 19-03 authorizing the City Manager to execute agreements with the California Department of Tax and Fee Administration ("CDTFA") for implementation of a local transactions and use tax; proposed Resolution No. 19-04 authorizing the examination of transactions and use (sales) and use tax records; and authorize the City Manager to execute and file additional agreements, letters and forms with CDTFA and other appropriate State agencies as required for implementation of the City's transactions and use tax.

**Motion:** It was moved by Council Member Garcia and seconded Mayor Gonzalez to adopt proposed Resolution No. 19-03 authorizing the City Manager to execute agreements with the California Department of Tax and Fee Administration ("CDTFA") for implementation of a local transactions and use tax; proposed Resolution No. 19-04 authorizing the examination of transactions and use (sales) and use tax records; and authorize the City Manager to execute and file additional agreements, letters and forms with CDTFA and other appropriate State

agencies as required for implementation of the City's transactions and use tax. The motion carried (3-2-0) by the following roll call vote.

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

**C. Annual Council Member Appointments to Serve on Various Committees**

Presented by the Deputy City Clerk

The City Council is requested to consider appointing a delegate and an alternate member to the various committees.

**CITY COUNCIL APPOINTED A DELEGATE AND ALTERNATE ON THE FOLLOWING COMMITTEES:**

1. Southeast Regional Forum  
Delegate – Lozoya                      Alternate - Garcia
2. California Contract Cities Association (CCCA)  
Delegate – Gonzalez                      Alternate - Garcia
3. Gateway Cities Council of Governments Board of Directors  
Delegate – Alcantar                      Alternate - Gonzalez
4. California Cities For Self-Reliance Joint Powers Authority (JPA)  
Delegate - Garcia                      Alternate - Gonzalez
5. Gateway Cities Council of Governments I-710 EIS/EIR Project Committee  
Delegate - Garcia                      Alternate - Alcantar
6. Hub Cities Consortium  
Delegate – Alcantar                      Alternate – Gonzalez
7. League of California Cities  
Delegate – Garcia                      Alternate – Alcantar
8. League of California Cities Los Angeles Division (City Selection Committee)  
Delegate – Garcia                      Alternate - Lozoya
9. Los Angeles County Sanitation District No. 1  
Delegate – Gonzalez                      Alternate – Garcia
10. Eco Rapid Transit Committee  
Delegate – Gonzalez                      Alternate – Alcantar
11. Southern California Association of Governments  
Delegate – Lozoya                      Alternate - Alcantar
12. Los Angeles County City Selection Committee  
Delegate – Gonzalez                      Alternate - Alcantar

**13. COUNCIL DISCUSSION – NONE**

**RECESS TO CLOSED SESSION**

City Attorney, Martin de los Angeles recessed the meeting to close session at 8:43 p.m.

**14. CLOSED SESSION**

Closed Session Pursuant to Government Code section 54956.9(d)(1) - Conference with Legal Counsel to Discuss Existing Litigation - Name of Case: Cudahy Citizens v. City of Cudahy, et al. (Case No. BS174212)

**15. CLOSED SESSION ANNOUNCEMENT**

Update was provided by special council, feedback was given by the Council, and no direction was given.

**16. ADJOURNMENT**

The City Council / Agency meeting was adjourned at 9:12 p.m.

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Jose Gonzalez  
Mayor

ATTEST:

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Richard Iglesias  
Deputy City Clerk