

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 5, 2019 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:35 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Guerrero
Council / Agency Member Lozoya
Council / Agency Member Garcia (arrived at 8:00 p.m.)
Vice Mayor / Vice Chair Alcantar
Mayor / Chair Gonzalez

ABSENT: None

ALSO PRESENT: City Manager, Jose E. Pulido, City Attorney, Martin de los Angeles,
Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

4. PRESENTATIONS – NONE

Presentation by California Youth Karate Club, Inc.

5. PUBLIC COMMENTS

Lucia Perez, spoke about her experiences as an evicted renter. She argued that 60 days is not enough for a renter to move out to another City. She concluded her comments by asking Council what they will do to protect the community's renters.

Gustavo Mendez, spoke on behalf of River in Action (RIA). He formally requested the City to co-host a river cleanup event in the City's river section.

Jessica Prieto, spoke on behalf of Communities for Environmental Justice. She mentioned the numerous regional development projects that will affect the City, and potentially displace a sizable population of the City. She commented that other Cities are currently contemplating imposing temporary rent control measures to protect its renters, and requests that the City Council do the same, considering its substantial working class renter constituents.

Jack Guerrero, spoke against the City's alleged insufficient internal control environment. He asked the council to cooperate with him to remediate the current ineffective fiscal conditions together. 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, all verified by an independent party.

Isidra Leyva, requested Council to adopt the rent control urgency ordinance as people like her are in great need for it.

Cesar, spoke in favor of rent control arguing that current salaries do not match with current rent prices. He spoke against senator Lena Gonzalez, urging to remove corrupt politicians out of office and vote for himself as well as Dr. Rodolfo Cortes and Maria Estrada in office. He further argued that the exide cleanup needs to happen as it affects Cudahy's constituents. She spoke against the Vice Mayor for supporting the allegedly ineffective rent control state legislation.

Jonathan Jager, spoke on behalf of his non profit law firm. He offered a legal perspective on amending a certain section on urgency ordinance 703 for the sake of clarification.

Roberto Cabrales, commented about the high renter population in the City as well as how they consistently use his organization's services. He went on to speak in support of the City's rent stabilization ordinance being discussed tonight, arguing the high levels of renters in the Southeast Los Angeles areas.

Javier Beltran, spoke on behalf of Legal Aid Los Angeles expressing his support of urgency ordinance 703, highlighting the positive effects it would have to alleviate the homeless population, as high rent rates and evictions contribute to homelessness.

Dayana Ortega, spoke in favor of urgency ordinance 703 arguing that many renters are already struggling to pay the rent and regional development projects will only exacerbate the situation.

Maria Guadalupe, spoke in favor of rent control and urgency ordinance 703 emphasizing the importance of rent stabilization to herself as well as many renters throughout Los Angeles.

Edin Enamorado, spoke against the consequences of privatization, and how capitalism has led to skyrocketing rent increases that have substantially affected vulnerable tenants.

Irma Lopez, spoke in favor of urgency ordinance 703 asking for rent control in the City. She commented on the allegedly unfair rules she has to follow as a tenant to avoid getting increased fees from her landlord.

Susie de Santiago, spoke in favor of urgency ordinance 703 asking for rent control in the City. She further asked council to pass the crossing guard agenda item, commenting that this is the second time crossing guard services are cancelled without notice, affecting pedestrian safety. She concluded her comments by asking council to reconsider extending the city manager's contract.

Javier Flores, thanked Council Members Guerrero and Lozoya for speaking on behalf of Cudahy's residents. He further asked to clarify how urgency ordinance 703 works, arguing the verbiage in its current state is confusing. He further suggested to freeze rent rates if Council really wants to help the City's renters. He requested Council to not extend the city manager's contract, and look for a new city manager, arguing he has not done anything to improve the City. He concluded his comments by telling Council there are capable City residents that can assume position as city manager.

Nancy Meza, spoke in favor of urgency ordinance 703 asking for rent control in the City. She argued that rent control would greatly help the immigrant community in the City as well as throughout Los Angeles.

Maria Guillen, spoke in favor of urgency ordinance 703 asking for rent control in the City. She further commented that the City has an overpopulation problem citing the high volume of apartments, its current parking crisis, and high school attendance. She asked the Council to be more visible in the community and its events, arguing the Council only speaks with the community during election cycles. She spoke against the City's handling of park access, arguing it is not accessible to City residents and youth due to the high fees that typically are paid by organizations outside the City.

Leticia Guzman, spoke in favor of rent control, telling council that her rent rate has been increasing to the point where it is very difficult to maintain a family as well as pay for rent. She urged Council to support renters in the City.

Kayleigh Wade, spoke in favor of urgency ordinance 703 asking for rent control in the City. She urged Council that adopting ordinance 703 would lead to a spillover effect across Los Angeles.

MAYOR GONZALEZ DIRECTED ITEM 12B TO BE MOVED AFTER CLOSED SESSION WITH NO OPPOSITION

6. CITY COUNCIL COMMENTS

Council Member Guerrero, expressed his sadness with the events in Mexico where a family of nine members were murdered including children. He asked Council to consider closing tonight's meeting in their memory. He directed staff to add getting an update on the status on the permit approval process for Sagrado Corazon catholic church and some of the upcoming December events in an effort to alleviate tensions between the City's catholic community and city hall. 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.

Vice Mayor Alcantar, thanked those in attendance for coming out. She cited that over the last several years, rent in Cudahy has increased by over 20%, many residents of whom she knows have personally experienced the increase, and the catastrophic impact rent increases have had on the City's substantial renter population. She went on to give specific examples of rent properties that have substantially increased in rent rates. She concluded her comments by giving personal testimonials of residents who have been greatly affected by increased rents.

Mayor Gonzalez, agreed with the Vice Mayor, commenting the ordinance coincides with legislation that has been approved by neighboring cities in the area. He thanked community members who came out to express their opinions regarding this item tonight. He further suggested residents to take advantage and connect with rent protection non-profit organizations and resources that are available tonight in the Council meeting.

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

Motion: It was moved by Vice Mayor Alcantar and seconded by Council Member Guerrero to waive the full reading of resolutions and ordinances. The motion carried (4-0-1) by the following roll call vote.

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

10. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS A, B, AND D FOR DISCUSSION)

A. Approval of the Local Agency Investment Fund (LAIF) for the Month of June 2019

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of June 2019 in the amount of \$5,984,107.03

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 June 2019 in the amount of \$5,984,107.03. The motion carried (4-1-0) by the following roll call vote.

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

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of June 2019

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$890,623.88 including Cash and Investment Report by Fund for the month of June 2019.

Motion: It was moved by Council Member Garcia and seconded by Mayor Gonzalez to approve the Demands and Payroll in the amount of \$890,623.88 including Cash and Investment Report by Fund for the month of June 2019. The motion carried (4-1-0) by the following roll call vote.

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

C. Consideration to Review and Approve the Draft Minutes of October 15, 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 15, 2019.

Motion: It was moved by Council Member Garcia and seconded by Mayor Gonzalez review and approve the City Council / Successor Agency Draft Minutes for October 15, 2019. 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

D. Adopt Resolution No. 19-29 Authorizing the City Manager, or Designee, to Submit a Grant Application to the California Department of Housing and Community Development for Planning Grants Program Funding Under Senate Bill 2 (SB 2)

Presented by the Interim Community Development Manager

The City Council is requested to adopt Resolution No. 19-29, authorizing staff to pursue State Senate Bill 2 (SB 2) grant funding and submit an application (i.e., Development of an Inclusionary Housing Ordinance; and CEQA Streamlining, eliminating the need for project specific review) to the California Department of Housing and Community Development.

Motion: It was moved by Mayor Gonzalez and seconded by Council Member Garcia to adopt Resolution No. 19-29, authorizing staff to pursue State Senate Bill 2 (SB 2) grant funding and submit an application (i.e., Development of an Inclusionary Housing Ordinance; and CEQA Streamlining, eliminating the need for project specific review) to the California Department of Housing and Community Development. 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

11. PUBLIC HEARING - NONE

12. BUSINESS SESSION

A. Approval of a Professional Services Agreement (PSA) for Crossing Guard Services with All City Management Services (ACMS)

Presented by the City Manager

The City Council is requested to approve a Professional Services Agreement (PSA) for Crossing Guard Services with All City Management Services (ACMS) utilizing the City of Tracy's Request for Proposal (RFP) and contract award on May 1, 2019. This PSA if approved by the City Council would be in effect for a three-year commencing July 1, 2019 through June 30, 2022, for a total not to exceed amount of \$149,256, subject to City Attorney review and concurrence.

Motion: It was motioned by Council Member Garcia and Seconded by Council Member Lozoya to approve a Professional Services Agreement (PSA) for Crossing Guard Services with All City

Management Services (ACMS) utilizing the City of Tracy's Request for Proposal (RFP) and contract award on May 1, 2019. This PSA if approved by the City Council would be in effect for a three-year commencing July 1, 2019 through June 30, 2022, for a total not to exceed amount of \$149,256, subject to City Attorney review and concurrence. 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

B. Approval of Fourth Amendment to Extend Existing City Manager Employment Agreement Along with Certain Other Amendments

Presented by the City Attorney

It is recommended that the City Council approve the attached Fourth Amendment instrument to the City Manager's Employment Agreement with the City. The attached Fourth Amendment extends the underlying Employment Agreement on a month-to-month basis for a maximum of three (3) months so that the City Council has additional time to consider and approve the terms of a longer-term extension instrument. All other provisions of the Employment Agreement remain the same.

Motion: It was motioned by Council Member Garcia and Seconded by Council Member Lozoya to approve the attached Fourth Amendment instrument to the City Manager's Employment Agreement with the City. The attached Fourth Amendment extends the underlying Employment Agreement on a month-to-month basis for a maximum of three (3) months so that the City Council has additional time to consider and approve the terms of a longer-term extension instrument. All other provisions of the Employment Agreement remain the same. The motion carried (4-0-0) by the following roll call vote.

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

C. Consideration and Adoption of Urgency Ordinance No. 703 Establishing Interim Rent Control Measures for a 45-day Period

Presented by the City Attorney

It is recommended that the City Council adopt Urgency Ordinance No. 703 establishing interim rent control measures for multi-family properties citywide for a 45-day period with the ability to extend further.

Motion: It was motioned by Council Member Garcia and Seconded by Vice Mayor Alcantar to adopt Urgency Ordinance No. 703 establishing interim rent control measures for multi-family properties citywide for a 45-day period with the ability to extend further. The motion carried (3-1-0) by the following roll call vote.

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

MAYOR GONZALEZ MOTIONED FOR A FIVE-MINUTE RECESS AT 8:23 P.M.

MAYOR GONZALEZ MOTIONED TO RECONVENE FROM THE RECESS AT 8:28 P.M.

D. Consideration to Adopt Proposed Urgency Ordinance No. 704 of the City Council of the City of Cudahy Adding Chapter 5.10 to the Cudahy Municipal Code Relating to the Collection of Eviction Data in the City of Cudahy

Presented by the City Attorney

The City Council is requested to adopt proposed Urgency Ordinance No. 704 Adding Chapter 5.10 to Title 5, Business Licenses and Regulations, of the Cudahy Municipal Code Relating to the Collection of Eviction Data in the City of Cudahy.

Motion: It was motioned by Council Member Garcia and Seconded by Vice Mayor Alcantar to adopt proposed Urgency Ordinance No. 704 Adding Chapter 5.10 to Title 5, Business Licenses and Regulations, of the Cudahy Municipal Code Relating to the Collection of Eviction Data in the City of Cudahy. 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

RECESSED TO CLOSE SESSION AT 9:07 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 – Public Employee Dismissal/Release
- D.** 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)

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Martin de los Angeles reported that for each closed session item, direction was given, no final action was taken.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:27 p.m.

Jose R. Gonzalez
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk