

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 22, 2018 6:30 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

PRESENT: Council / Agency Member Guerrero (Arrived at 6:36 p.m. and Left at 8:26 p.m.)
Council / Agency Member Markovich
Council / Agency Member Sanchez
Vice Mayor / Vice Chair Hernandez
Mayor / Chair Garcia

ABSENT: None

ALSO PRESENT: City Manager Jose E. Pulido, Associate Attorney Richard Gonzalez, Associate Attorney Martin de los Angeles, Deputy City Clerk Richard Iglesias, Finance Director Steven Dobrenen, Acting Human Resources Manager Jennifer Hernandez, and Administrative Aide Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Garcia.

4. PRESENTATIONS

A. Rules of decorum presented by the East Los Angeles County Sheriff's Department

Sergeant Bears presented the rules of decorum

B. Proclamation Awarded to East Los Angeles Sheriff's, Lieutenant Arellano in recognition of his retirement

Mayor Garcia presented a proclamation awarded to Lieutenant Arellano for his 35 years of public service in the East Los Angeles Sheriff's Department

5. PUBLIC COMMENTS

Jack Guerrero, denounced the Council for serial cancelation of meetings; mentioned that as a civil matter, the Los Angeles County District Attorney's Office agrees with him in regards to Council's conduct being a violation of the law; reminded the audience that the number of absences has now amounted to seven for the current fiscal year; He went on to condemn

the Council for the allegedly violating the Brown Act during the Tree Lighting Ceremony in which the presiding Council Member inappropriately spoke in favor of taxation; and concluded his comments by expressing the resident's unfavorable views on a taxation, and efforts to ensure no taxation measures will pass by the people.

Dilia Ortega, spoke on behalf of Communities for a Better Environment in regards to an upcoming meeting taking place on Thursday regarding the 710 freeway project. She went on to highlight some of the issues her organization tackles as well as asked Council Member Sanchez if he could attend the meeting considering he is the organization's PC representative. She also distributed a packet containing information about the meeting as well as her business card.

Ricardo Gastelum, spoke on behalf of the aforementioned Communities for a Better Environment, in regards to the environmental good they bring to the community. He went on to urge Council Member Baru Sanchez to attend the meeting, and mentioned that Motion 22.1 which calls for zero emissions, local jobs, and investment in local infrastructure has not been respected. He finished by highlighting the environmental significance of attending the 710 project freeway meeting by providing feedback on its impact report.

Nai Huitzilopochtli, spoke against Council Member Jack Guerrero and his alleged reluctance to denounce a specific group that regularly attends City Council meetings. He spoke against Council Member Guerrero for allegedly still being in campaign mode during Council meetings as well as allegedly inciting a specific group. He concluded his comments by denouncing all groups that spew hate and racism to communities, spoke in regards to sanctuary cities, and asked to fight back against Donald Trump's policies.

6. CITY COUNCIL COMMENTS

Council Member Guerrero, asked a member of the public where was he and his group when the City passed Ordinance 673. He reminded the public that in 2017 a majority of City residents opposed the parcel tax measure that was advocated by four other council members as well as argued that the tax revenue made from that measure would have allegedly been mismanaged, and went on to quote Edmund Burke. He reaffirmed his protest against the City's alleged pay to play schemes, history of delinquent budgets, quarter million compensation for the city manager, half a million dollar compensation for the city attorney, hundreds of thousands of dollars of consulting fees to campaign contributors, repeated illegal violation of the Brown Act, and the flagrant disregard for the recommendations of the California State Controller and LA County Civil Grand Jury. He went on to speak against the City Council and announced he will report its actions to the US Civil Rights Commission of the Justice Department. He concluded his comments by denouncing the Council for allegedly silencing the City's financial statement auditors during a presentation made last year highlighting concerns over the City's pension debt.

Council Member Sanchez, started his comments by wishing the public a happy new year. He directed staff to add two items to the agenda: discussion over the strategic plan and the mid-year as well as upcoming budget discussion. He asked if there is a plan from the Human Resources Department to fill City vacancies. He responded to 710 freeway meeting questions made during public comment by announcing he will not be attending the meeting, but Vice Mayor Hernandez will be attending. He recommended that Council Member Guerrero should be audited by the FPCC for allegedly not reporting non-monetary contributions during the 2017 elections. He argued Council Member Guerrero did not report expenses made to place billboard campaign advertisements throughout the City. Therefore, it should have been reported to the FPCC as a non-monetary contribution. He requested a meeting with the city manager to plan the future for the City of Cudahy. He went on to thank

the Sheriff's Department for contributing to the City's safety rankings, but also advised that cost for the Sheriff's Department should be controlled. He concluded his comments by stating that he wants to have a good year.

Council Member Markovich, welcomed the audience in attendance. He announced that he will not make it to the upcoming 710 meeting, but invited the public to contact him at City Hall or social media if they wish to discuss issue in regards to the environmental issues in the southeast and how it impacts the youth and senior citizens. He concluded his comments by thanking the public for attending.

Vice Mayor Hernandez, thanked the public for attending and wished them a new year. He expressed gratitude to Lieutenant Arellano for him hard work. He announced that the YMCA and Los Angeles Dodgers will sponsor the baseball program in Cudahy. Training and coaching will be provided by the Los Angeles Dodgers, and it will all take place in Cudahy Park. He went on to announce there are plans to establish a dream stadium in coordination with the Los Angeles Dodgers, as well as announced the basketball program ran by the Los Angeles Clippers. He hopes that there will eventually be a competitive league in Cudahy. He concluded his comments by announcing that he will be attending the 710 corridor meeting, and announced the popularity prop 64 had on the community as well as the community benefits cannabis cultivation businesses will have for Cudahy such as local jobs for residents.

Mayor Garcia, wished staff, Sheriff's Department, and the public a happy new year. He mentioned that there will be a lot happening in 2018 and thanked the activists representing the 710 project, and further expressed the importance of having a voice in the community. He explained that Council Members are assigned different responsibilities, and the job, and responsibility of activists to educate Council Members and in turn educate the community. He confirmed there will be elections in November to coincide with the General Election in efforts to increase voter turnout and community participation. He argued coinciding with the General Elections will decrease voter exhaustion and therefore bring more awareness to issues in the City. He gave two directions to staff: Develop and report recommendations to create alternative sources of revenue to fund the various projects and the Sheriff's Department increasing costs, such as a parcel and/or sales tax, or public safety tax. In regards to cannabis, he will direct his comments off for staff to bring back or come up with a new ordinance to include recreational.

7. CITY MANAGER REPORT (information only)

8. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS

Vice Mayor Hernandez spoke in regards to augmenting the YMCA agreement to provide more youth programs such as family services, day care centers, and expanding its curriculum. He concluded his comments by directing staff to amend its agreement with YMCA in efforts to receive more services with no opposition from Council.

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 Markovich, and seconded by Council Member Sanchez to waive full text reading of all Resolutions and Ordinances by single motion. The motion carried (3-1-1) by the following roll call vote.

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

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

ALL ITEMS FROM THE CONSENT CALENDAR WERE PULLED FOR SEPARATE DISCUSSION

AS CITY COUNCIL

A. Approval of the Local Agency Investment Fund (LAIF) for the Month of November 2017

Presented by the Financial Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2017 in the amount of \$4,101,826.71.

Motion: It was moved by Council Member Markovich and seconded by Mayor Garcia to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2017 in the amount of \$4,101,826.71. The motion carried (4-1-0) by the following roll call vote.

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

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of November 2017

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,070,805.72 including Cash and Investment Report by Fund for the month of November 2017.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve the Demands and Payroll in the amount of \$1,070,805.72 including Cash and Investment Report by Fund for the month of November 2017. The motion carried (4-1-0) by the following roll call vote.

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

C. Adoption of Proposed Resolution No. 18-01, Superseding and Repealing Resolution No. 17-13, and Amending the Adopted Fringe Benefits and Salary Plan Establishing Provisions for All Full-time Employees, Hourly Employees

Presented by Acting Human Resources Manager

The City Council is requested to approve proposed Resolution No. 18-01, amending the fringe benefits and salary plan establishing provisions for all full-time employees, hourly employees,

and appointed officials and repealing Resolution No. 17-13.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve proposed Resolution No. 18-01, amending the fringe benefits and salary plan establishing provisions for all full-time employees, hourly employees, and appointed officials and repealing Resolution No. 17-13. The motion carried (4-1-0) by the following roll call vote.

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

D. Consideration to Review and Approve the Draft Minutes of June 26, 2017 and December 11, 2017, for the Regular Meetings 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 Deputy City Clerk

The City Council is requested to review and approve the City Council / Agency Draft Minutes for June 26, 2017 and December 11, 2017.

Motion: It was moved by Council Member Markovich, and seconded by Mayor Garcia to review and approve the City Council / Agency Draft Minutes for June 26, 2017 and December 11, 2017. The motion carried (3-1-0) by the following roll call vote.

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

E. Consideration to Approve Ordinance No. 674 by Second Reading, Amending Cudahy Municipal Code Section 2.04.02 to Change the Schedule for Regular City Council Meetings

Presented by Deputy City Clerk

The City Council is requested to approve Ordinance No. 674 by Second Reading, to change the schedule for regular City Council meetings from every second and fourth Monday of each month, to every first and third Tuesday of each month at 6:30 p.m.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve Ordinance No. 674 by second reading, to change the schedule for regular City Council meetings from every second and fourth Monday of each month, to every first and third Tuesday of each month at 6:30 p.m. The motion carried (4-1-0) by the following roll call vote.

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

F. Consideration to Approve Ordinance No. 671 by Second Reading Amending Section 10.04.040 of Chapter 10.04 (Traffic Code) of Title 10 (Vehicles and Traffic) of the Cudahy Municipal Code

Presented by City Attorney's Office

The City Council is requested to approve Ordinance No. 671 by second reading, amending Cudahy Municipal Code Section 10.04.040 to prohibit parking between the hours of 12:00 a.m. and 7:00 a.m. on Mondays and 3:00 a.m. and 6:00 a.m. Tuesdays through Sundays.

Motion: It was moved by Mayor Garcia, and seconded by Vice Mayor Hernandez to approve Ordinance No. 671 by second reading, amending Cudahy Municipal Code Section 10.04.040 to prohibit parking between the hours of 12:00 a.m. and 7:00 a.m. on Mondays and 3:00 a.m. and 6:00 a.m. Tuesdays through Sundays. The motion carried (4-1-0) by the following roll call vote.

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

AS SUCCESSOR AGENCY

G. Approval of the Recognized Obligation Payment Schedule for the Fiscal Period of July 1, 2018 to June 30, 2019 (ROPS 18-19)

Presented by Finance Director

The Successor Agency is requested to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2018 to June 30, 2019 (ROPS 18-19), for submission to the City of Cudahy Oversight Board.

Motion: It was moved by Vice Chair Hernandez, and seconded by Chair Garcia to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2018 to June 30, 2019 (ROPS 18-19), for submission to the City of Cudahy Oversight Board.. The motion carried (4-1-0) by the following roll call vote.

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

H. Adoption of a Proposed Resolution for Approval of the Administrative Budget for Fiscal Period of July 1, 2018 to June 30, 2019

Presented by Finance Director

The Successor Agency is requested to adopt a proposed resolution approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2018 to June 30, 2019 (ROPS 18-19).

Motion: It was moved by Agency Member Markovich, and seconded by Agency Member Sanchez to adopt a proposed resolution approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2018 to June 30, 2019 (ROPS 18-19). The motion carried (4-1-0) by the following roll call vote.

AYES: Markovich, Sanchez, Hernandez, and Garcia
NOES: Guerrero
ABSENT: None

ABSTAIN: None

11. PUBLIC HEARING

A. A Proposed Resolution No. 18-02 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2018-19 (i.e., July 1, 2018 to June 30, 2019)

Presented by Acting Human Resources Manager

The City Council is requested to:

1. Consider the analysis performed by City staff pertaining to Public / Community Development Advisory Board (Planning Commission) recommendations made for the FY 2018-19 CDBG Projects / Budget Public Hearing; and
2. Adopt Resolution No. 18-02, Approving Projects / Programs to for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2018-19.

MAYOR/CHAIR MEMBER GARCIA OPENED PUBLIC HEARING AT 8:11 P.M.

PUBLIC COMMENT

Susie de Santiago, mentioned that it is time to upgrade, and repair the City restrooms, requested more information regarding the business assistance portion, and mentioned that \$43,000 is being allocated for training, workshops, and programs to help business. Lastly she requested that business assistance and single-unit housing program be more publicized.

Nai Huitzilopochtli, mentioned that the people always complaining about the budget, and Council Member Guerrero's support are not present.

MAYOR/CHAIR MEMBER GARCIA CLOSED PUBLIC HEARING AT 8:14 P.M.

Motion: Moved by Council Member Markovich, and seconded by Council Member Sanchez to approve Resolution No. 18-02 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2018-19 (i.e., July 1, 2018 to June 30, 2019). The motion carried (4-1-0) by the following roll call vote.

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

12. BUSINESS SESSION - NONE

13. COUNCIL DISCUSSION – NONE

RECESS TO CLOSED SESSION

Associate Attorney Richard Gonzalez recessed the Regular Meeting to Closed Session.

14. CLOSED SESSION

Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Existing litigation – Conference with Legal Counsel to Discuss Existing Litigation Matter – George A. Perez v. City of Cudahy, Los Angeles Superior Court Case No. BC570130.

RECONVENE TO OPEN SESSION

Associate Attorney Richard Gonzalez reconvened the Regular Meeting in Open Session.

15. CLOSED SESSION ANNOUNCEMENT

Report out that Council Member Guerrero left at approximately 8:25 p.m. and did not participate in closed session.

In regard to case number BC570130, council was advised by legal counsel. Direction was given, but no final action was taken.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 8:40 p.m.

Chris Garcia
Mayor

ATTEST:

Richard Iglesias
Deputy City Clerk