

MINUTES

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

April 17, 2018 6:30 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

PRESENT: Council / Agency Member Markovich
Council / Agency Member Sanchez
Vice Mayor / Vice Chair Hernandez
Mayor / Chair Garcia

ABSENT: Council / Agency Member Guerrero

ALSO PRESENT: City Manager Jose E. Pulido, Deputy Attorney Richard Gonzalez, Deputy Attorney Martin de los Angeles, Deputy City Clerk Richard Iglesias, Finance Director Steven Dobrenen, Assistant City Engineer Aaron Hernandez, Parks and Recreation Coordinator Victor Santiago, and Administrative Aide Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Markovich.

4. PRESENTATIONS

- A. Rules of decorum presented by Mayor Chris Garcia and East Los Angeles County Sheriff's Department

Sergeant Bearse presented the rules of decorum.

- B. Proclamation – DMV/ Donate Life Month

The mayor presented a Proclamation in commemoration of the DMV's Donate Life Month.

- C. Certificate of Recognition Awarded to Boy Scout, Leonardo Lobato

The mayor awarded a certificate of recognition to Boy Scout Leonardo Lobato for his significant contributions in improving Lugo Teen Center.

D. Results of the City's Annual Financial Audit

Roger Joaquin, accountant from Vasquez and Company made a presentation in regards to the City's recent independent audit.

5. PUBLIC COMMENTS

Marlene Viera, spoke in regards to the potential closure of the Lugo Fitness Center. She went on to highlight the physical, academic, and social advantages the fitness center brings to the community's youth. She went on to advocate reintroducing the boxing program to the fitness center.

Michelle Gessner, spoke in regards to keeping the Lugo Fitness Center open. She went on to argue the City's alternative to the fitness center is not an effective one. She went on to speak about the physical, mental, and social advantages to keeping the fitness center open. She concluded her comments by suggesting using Measure A as a funding source to maintaining Lugo Fitness Center open.

Gustavo Mendez, formally introduced himself as an applicant for the Parks and Recreation commission.

Susie de Santiago, pointed out a few discrepancies on consent calendar item J's staff report compared to the Parks and Recreation Commission's staff report. She went on to discuss about past discourse with city staff in regards to maintaining the Lugo Fitness Center open, where numbers were allegedly constantly changed. She concluded her comments by arguing National Fitness Center's outdoor gym is not a viable alternative to the Lugo Fitness Center.

David Rodriguez, recited a brief history on the Lugo Fitness Center. He went on to argue that most charges referenced as Lugo Fitness Center's expenditures were exaggerated as Woodcraft Rangers and the Teen Center made up for the bulk of the energy in the building.

Irene Silvestre, argued that the Lugo Fitness Center does not get sufficient exposure as what initially promised. She urged the importance of placing a "GYM" sign in front of the building, as well as a more effective outreach effort such as flyers, social media, etc.

MAYOR GARCIA ALSO GAVE DIRECTION TO MOVE ITEM 6, COUNCIL COMMENTS TO THE BACK OF THE AGENDA WITH NO OPPOSITION

MAYOR GARCIA WENT ON TO MOVE CONSENT CALENDAR ITEM 10L TO BUSINESS SECTION 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

Vice Mayor Hernandez reported from the COG in regards to an announcement made by SCAG for a current promotional announcement that deals with safe pedestrian walkway projects. He also directed City Attorney's to emphasize on foreign investment in regards to economic development.

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 Vice Mayor Hernandez to waive full text reading of all Resolutions and Ordinances by single motion. The motion carried (4-0-1) by the following roll call vote.

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

ITEMS J AND K WERE PULLED FROM THE CONSENT CALENDAR FOR SEPARATE DISCUSSION

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

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

Presented by the Financial Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of February 2018 in the amount of \$4,114,542.70.

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 February 2018 in the amount of \$4,114,542.70. The motion carried (4-0-1) by the following roll call vote.

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

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

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$759,444.23 including Cash and Investment Report by Fund for the month of February 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 \$759,444.23 including Cash and Investment Report by Fund for the month of February 2018. The motion carried (4-0-1) by the following roll call vote.

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

C. Consideration to Approve Sub-recipient Agreement by and between the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (GWMA)

and the City of Cudahy for the design and construction of the Ford Park Infiltration Project – Phase 1.

Presented by Assistant City Engineer

The City Council is requested to approve the Sub-recipient Agreement with the Gateway Water Management Authority (GWMA) and authorize the City Manager to execute the agreement.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve the Sub-recipient Agreement with the Gateway Water Management Authority (GWMA) and authorize the City Manager to execute the agreement. The motion carried (4-0-1) by the following roll call vote.

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

D. Approve Resolution 18-09 Accepting Notice of Completion (NOC) of the Cudahy Citywide Pedestrian Crosswalk Improvement Project (Safe Routes to Schools SRTS) – Active Transportation Program Cycle 1 (ATP-1) Project No. 235-7088-6725

Presented by Assistant City Engineer

The City Council is requested to approve a Resolution 18-09 accepting Notice of Completion (NOC) of the Cudahy Citywide Pedestrian Crosswalk Improvement Project (Safe Routes to Schools SRTS) – Active Transportation Program Cycle 1 (ATP-1), thus authorizing the City Clerk to file the Notice of Completion with the Los Angeles County Recorder in order to comply with ATP and Caltrans/ Metro program guidelines.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to review and approve a Resolution 18-09 accepting Notice of Completion (NOC) of the Cudahy Citywide Pedestrian Crosswalk Improvement Project (Safe Routes to Schools SRTS) – Active Transportation Program Cycle 1 (ATP-1), thus authorizing the City Clerk to file the Notice of Completion with the Los Angeles County Recorder in order to comply with ATP and Caltrans/ Metro program guidelines. The motion carried (4-0-1) by the following roll call vote.

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

E. Adopt Resolution No. 18-10 Authorizing the City's participation in the PARS Post-Employment Benefits Trust Program to be administered by Public Agency Retirement Services (PARS) and U.S. Bank, appointing the City Manager as the City's Plan Administrator, and authorizing the City Manager to execute the documents to implement the program.

Presented by the City Manager

It is recommended that the City Council approve the City's establishment of the PARS Post-Employment Benefits Trust Program and adopt Resolution No. 18-10. It is also recommended that the City Council authorize the City Manager, subject to the review and approval of the City's legal counsel, to sign all necessary documents.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve the City's establishment of the PARS Post-Employment Benefits Trust Program and adopt Resolution No. 18-10. It is also recommended that the City Council authorize the City Manager, subject to the review and approval of the City's legal counsel, to sign all necessary documents. The motion carried (4-0-1) by the following roll call vote.

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

F. Adopt Resolution Nos. 18-11 and 18-12 Consenting to Inclusion of the City of Cudahy Properties in the Golden State Finance Authority PACE Programs and Associate Membership in Golden State Finance Authority

Presented by the City Manager

The City Council is requested to:

1. Review and adopt Resolution 18-11 consenting to inclusion of Properties within the City's Incorporated Area in GSFA Community Facilities District No. 2014-1 (Clean Energy) to finance Renewable Energy Generation, Energy Efficiency, Water Conservation and Electric Vehicle Charging Infrastructure Improvements and approving associate membership to GSFA; and
2. Review and adopt Resolution 18-12 consenting to Inclusion of Properties within the City's Incorporated Area in the GSFA PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and approving associate membership in GSFA.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to adopt Resolution Nos. 18-11 and 18-12 Consenting to Inclusion of the City of Cudahy Properties in the Golden State Finance Authority PACE Programs and Associate Membership in Golden State Finance Authority. The motion carried (4-0-1) by the following roll call vote.

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

G. Adopt Resolution 18-13 Consenting to the Inclusion of Properties within the Territory of the City of Cudahy in the CSCDA open PACE PROGRAM and other Matters Related Thereto

Presented by the City Manager

The City Council is requested to adopt Resolution 18-13 authorizing the City's participation in CSCDA Open PACE, which will enable property owners to finance permanently fixed renewable energy, energy efficiency, water efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to adopt Resolution 18-13 authorizing the City's participation in CSCDA Open PACE, which will enable property owners to finance permanently fixed renewable energy, energy efficiency, water

efficiency, and seismic strengthening improvements as well as electric vehicle charging infrastructure. The motion carried (4-0-1) by the following roll call vote.

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

H. Consideration to approve a Third Amendment to the existing Professional Service Agreement (PSA) with MIG to provide additional tasks and services for the preparation of the Cudahy Development Code Update

Presented by the Interim Community Development Director

The City Council is requested to:

1. Approve a Third Amendment to the Professional Service Agreement (PSA) with MIG to provide additional tasks and services for the continued preparation of the Development Code Update; and
2. Authorize the City Manager to budget an additional \$9,775 to be applied in Fiscal Year (FY) 2017-18.

Motion: It was moved by Council Member Markovich, and seconded by Vice Mayor Hernandez to approve a Third Amendment to the existing Professional Service Agreement (PSA) with MIG to provide additional tasks and services for the preparation of the Cudahy Development Code Update. The motion carried (4-0-1) by the following roll call vote.

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

I. Consideration to Review and Approve the Draft Minutes of April 24, 2017 and March 20, 2018, for the Regular Meetings of the City Council and the Joint Meetings 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 April 24, 2017 and March 20, 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 April 24, 2017 and March 20, 2018. The motion carried (4-0-1) by the following roll call vote.

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

J. Discuss Lugo Park Fitness Center Operations and National Fitness Campaign Opportunity

Presented by the City Manager

The City Council is requested to discuss the Lugo Park Fitness Center Operations, and the national Fitness Campaign (NFC) opportunity presented to the City last week.

Motion: It was moved by Mayor Garcia, and seconded by Council Member Sanchez to extend the Lugo Park Fitness Center Operations until the end of fiscal year 2019, as well as further explore the national Fitness Campaign (NFC) opportunity presented to the City last week. The motion carried (4-0-1) by the following roll call vote.

AYES: Markovich, Sanchez, Hernandez, and Garcia

NOES: None

ABSENT: Guerrero

ABSTAIN: None

K. Approve Resolution 18-14 to Move the meeting times of the Parks and Recreation Commission Meeting from 6:00 p.m. to 6:30 p.m.

Presented by the Parks and Recreation Coordinator

The City Council is requested to approve a Resolution 18-14 to move the regularly scheduled Parks and Recreation Commission meeting from 6:00 p.m. to 6:45 p.m.

Motion: It was moved by Mayor Garcia, and seconded by Council Member Sanchez to approve a Resolution 18-14 to move the regularly scheduled Parks and Recreation Commission meeting from 6:00 p.m. to 6:30 p.m. The motion carried (4-0-1) by the following roll call vote.

AYES: Markovich, Sanchez, Hernandez, and Garcia

NOES: None

ABSENT: Guerrero

ABSTAIN: None

AS SUCCESSOR AGENCY

L. Resolution SA 18-02 of the Board of Directors of the Successor Agency to the Former Cudahy Community Development Commission authorizing the issuance and sale of Tax Allocation Refunding Bonds in an amount not to exceed \$16,700,000 and approving the form of an Indenture of Trust, a form of Escrow Agreement, a form of Bond Purchase Agreement, and a Continuing Disclosure Certificate and authorizing certain other actions in connection therewith

Presented by the Finance Director

The Successor Agency Board is requested to adopt Resolution SA 18-02 confirming the issuance of the Successor Agency to the Former Cudahy Community Development Commission Taxable Tax Allocation Refunding Bonds, Series 2018 (the "2018 Bonds").

Motion: It was moved by Vice Mayor Hernandez, and seconded by Council Member Sanchez to adopt Resolution SA 18-02 confirming the issuance of the Successor Agency to the Former Cudahy Community Development Commission Taxable Tax Allocation Refunding Bonds, Series 2018. The motion carried (4-0-1) by the following roll call vote.

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

11. PUBLIC HEARING - NONE

AS CITY COUNCIL

12. BUSINESS SESSION

- A. An Ordinance of the City Council of the City of Cudahy Modifying and Enhancing Regulations Relating to the Abatement of Public Nuisances

Presented by City Prosecutor

The City Council is requested to:

1. Introduce Ordinance No. 675 for first reading by title only, modifying and enhancing regulations relating to the abatement of public nuisance [by repealing and deleting Chapters 8.16 (“Abatement of Nuisances”) and 15.20 (“Property Maintenance – Abatement of Nuisances”), and adopting a new Chapter 8.16 (“Public Nuisances”) of the Cudahy Municipal Code; and
2. Waive further reading of Ordinance No. 675.

Motion: It was moved by Vice Mayor Hernandez, and seconded by Council Member Sanchez to introduce Ordinance No. 675 for first reading by title only, modifying and enhancing regulations relating to the abatement of public nuisance [by repealing and deleting Chapters 8.16 (“Abatement of Nuisances”) and 15.20 (“Property Maintenance – Abatement of Nuisances”), and adopting a new Chapter 8.16 (“Public Nuisances”) of the Cudahy Municipal Code. The motion carried (4-0-1) by the following roll call vote.

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

- B. Selection of Mayor and Vice Mayor (April 17, 2018 to November 6, 2018)

Presented by the Deputy City Clerk

The City Council is requested to select a Mayor and Vice Mayor commencing April 17, 2018 to November 6, 2018.

MAYOR GARCIA OPENED UP THE FLOOR FOR NOMINATION OF MAYOR AND VICE MAYOR

Motion: It was moved by Vice Mayor Hernandez, and seconded by Council Member Markovich to select Council Member Garcia as Mayor and Council Member Hernandez as Vice Mayor commencing April 17, 2018 to November 6, 2018. The motion carried (4-0-1) by the following roll call vote.

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

C. Annual Council Member Appointments to Serve on Various Committees

Presented by the Deputy City Clerk

The City Council is requested to:

1. Consider appointing a delegate and an alternate member to the various committees (See Attachment A); or
2. Keep current delegate and alternate members on their respective committees.

Motion: It was moved by Vice Mayor Hernandez, and seconded by Council Member Sanchez to consider appointing a delegate and an alternate member to the various committees with the addition of appointing Vice Mayor Hernandez to the SCAG committee and Council Member Sanchez as his alternate with no opposition

D. Consideration to Appoint Board Members to City Commissions

Presented by the Deputy City Clerk

The City Council is requested to consider appointing Board Members to the following City Commissions: Parks and Recreation Commission; Public Safety Commission; Aging and Senior Citizens Commission; and Planning Commission.

Motion: It was moved by Mayor Garcia, and seconded by Council Member Sanchez to appoint David Rodriguez and reappoint Tevina Quintana to the Parks and Recreation Commission with no opposition

Motion: It was moved by Vice Mayor Hernandez, and seconded by Council Member Sanchez to reappoint Sandra Cabrera and Frank Gurule to the Senior Citizens Commission with no opposition

Motion: It was moved by Council Member Markovich and seconded by Council Member Sanchez to appoint Gustavo Mendez to the Public Safety Commission with no opposition

Motion: It was moved by Council Member Markovich, and seconded by Mayor Garcia to appoint Richard Becerra and reappoint Martin Fuentes to the Planning Commission with no opposition

COUNCIL MEMBER MARKOVICH MADE A MOTION AND WAS SECONDED BY VICE MAYOR HERNANDEZ TO INCLUDE AN ADD ON ITEM (ITEM 12E) PRESENTED FOLLOWING THE POSTING OF APRIL 17, 2018 AGENDA BY A 2/3 VOTE BY COUNCIL. THE MOTION CARRIED (4-0-1) BY THE FOLLOWING ROLL CALL VOTE:

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

- E. Adoption of Resolution 18-15 Approving the Local Streets and Road Funding Program Project List for Fiscal Year (FY) 2018/19 to Comply with the Road Repair and Accountability Act of 2017 (SB1 BEALL)

Presented by the Assistant City Engineer

The City Council is requested to adopt Resolution 18-15, approving the Local Streets and Road Funding Program Project List for Fiscal Year (FY) 2018-19 to comply with the Road Repair and Accountability Act of 2017 (SB1 Beall).

Motion: It was moved by Council Member Markovich, and seconded by Council Member Sanchez to adopt Resolution 18-15, approving the Local Streets and Road Funding Program Project List for Fiscal Year (FY) 2018-19 to comply with the Road Repair and Accountability Act of 2017 (SB1 Beall). The motion carried (4-0-1) by the following roll call vote.

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

13. COUNCIL DISCUSSION – NONE

RECESS TO CLOSED SESSION

Deputy City Attorney Martin De Los Angeles recessed the Regular Meeting to Closed Session at 8:45 p.m.

14. CLOSED SESSION

Closed Session Pursuant to Government Code Section 54956.9 (d)(4) – Anticipated litigation – One potential case.

RECONVENE TO OPEN SESSION

Deputy City Attorney Richard Gonzalez reconvened the Regular Meeting in Open Session at 9:14 p.m.

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Richard Gonzalez reported out that four out of the five Council Members were present. Direction was given, but no final action was taken.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:14 p.m.

Chris Garcia
Mayor

ATTEST:

Richard Iglesias
Deputy City Clerk