

## MINUTES

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

December 3, 2019 6:30 P.M.

#### 1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:36 p.m.

#### 2. ROLL CALL

PRESENT: Council / Agency Member Guerrero  
Council / Agency Member Lozoya  
Council / Agency Member Garcia (arrived at 6:42 p.m.)  
Vice Mayor / Vice Chair Alcantar  
Mayor / Chair Gonzalez

ABSENT: None

ALSO PRESENT: Acting City Manager Santor Nishizaki, Deputy City Attorney, Martin de los Angeles, Assistant City Clerk, Richard Iglesias, Finance Director Steven Dobrenen, Assistant City Engineer, Aaron Torres-Hernandez, and Junior Deputy City Clerk, Andres Rangel

#### 3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

#### 4. PRESENTATIONS

Certificate of Recognition awarded to Jose Manuel Jimenez.

#### 5. PUBLIC COMMENTS

Jack Guerrero, reflected on the most recent special meeting of the city council convening the weekend before Thanksgiving to discuss serious and consequential city matters. He expressed his relief and encouragement that the Council unanimously endorsed a new direction for the City, including the temporary appointment of an acting city manager, and the commitment from Council to initiate a methodical, community engaged, and transparent search for a permanent city manager, ideally with the competence and experiences to steer through the many challenged ahead, with temperament and integrity to inspire approbation of the people. He further noted the Council dynamic has reached a point of inflection, and therefore invited his colleagues to seize this unique moment. He continued to highlight his concern with the City's internal control environment, extending an olive branch with the hope the Council can remediate the current conditions together. He referenced the state controllers recommendations during its authoritative report from 2014. He specifically cited that the city should develop a comprehensive remedial plan to address the deficiencies, as well as identifying milestones and timelines for completion, and requiring periodic public updates on the progress in implementing the remedial plan. He proposed

the initial convening of the internal controls remediation committee, which he would chair due to his subject matter expertise and extensive financial background, as early as this week. He notified Mr. Nishizaki that he would coordinate with his office to schedule a meeting on these matters at his earliest convenience, as well as invited the mayor to join the meeting.

Patricia Covarrubias, congratulated new Acting City Manager, Santor Nishizaki, wishing him luck, and hoping for progress during his time with the City. She further spoke in favor of item 12B, asking council to approve the blue curb policy to help the disabled community.

Marcos Covarrubias, welcomed and congratulated new Acting City Manager, Santor Nishizaki. He understands the next few months will not be easy. However, he believes that progress can be made if the Council, community, and staff work together. He further thanked the Council and hoped to get more cooperation amongst the Council. He concluded his comments by speaking in favor of item 12B.

Susie de Santiago, welcomed new Acting City Manager, Santor Nishizaki, hoping he can guide the city toward progress during his time in Cudahy. Regarding handicap placards, she commented that the application does not consider the DMV section that exempts residents with handicap placards from having to pay additional fees for overnight parking and asked to include this provision in the application.

Carmen Beltran, welcomed new Acting City Manager, Santor Nishizaki, urging him to prioritize public safety in the City. She highlighted the homeless problem in the City as well as past instances of vandalism, delinquency, and violent assault toward city residents. She further thanked city staff and Council as well as residents for working together to develop and approve a blue curb handicap policy for handicapped residents who are in need of additional handicap parking. She further commented her concerns over the disposition of city owned properties, urging to make an ordinance to prohibit current and former city employees to engage in any business with city owned properties.

## **6. CITY COUNCIL COMMENTS**

Council Member Lozoya, welcomed New Acting City Manager, Santor Nishizaki, to the City of Cudahy.

Council Member Guerrero, translated a few of his original public comments in Spanish, commenting on the results from the most recent special meeting, appointing a temporary Acting City Manager, and starting a methodical search for a new City Manager, and improving the City's image and Council working relation to attract well qualified City Manager candidates. He also expressed his concerns over the City's internal controls and offered an olive branch to have those concerns adequately addressed. He cited recommendations from the state auditor, and notified the Acting City Manager that the internal controls remediation committee will coordinate with his office to schedule a meeting as early as this week.

Council Member Garcia, welcomed new Acting City Manager, Santor Nishizaki, thanking him for taking this leadership role, and spearheading the projects that have been pending, as well as having an open door policy for residents and council members, citing the recent positive feedback residents have given him regarding Mr. Nishizaki. He completed his comments by noting there will be problems ahead, but also recognizing that the City can capitalize on opportunities to progress.

Vice Mayor Alcantar, reminded residents of Mr. Nishizaki's open door policy as well as announced upcoming opportunities for residents to meet and speak with Mr. Nishizaki regarding the issues

and concerns they find most important. She also announced that a Cudahy resident will be fighting semi-professionally at MMA, representing the City. She went on to mention that it would have been a month of temporary rent control in the City, unfortunately the urgency ordinance did not pass. She emphasized the spike in rent increases in the City, that could have potentially been averted. She urged Council to revisit this topic at a future council meeting.

Mayor Gonzalez, welcomed new Acting City Manager, Santor Nishizaki, highlighting his experiences and qualifications. He highlighted the various opportunities that residents will have to meet with Mr. Nishizaki. He thanked Council Member Guerrero for spearheading the internal controls remediation committee, looking forward to meet and discuss how to improve City internal controls. He notified residents that Glo Green is hoping to establish a headquarters in the City. He therefore directed city staff to present a letter of interest for the next council meeting as well as a presentation by Glo Green to talk about what their company does. He concluded his comments by giving an update about finding sponsorships to renovate the skate park.

## **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 Council Member Garcia and seconded by Vice Mayor Alcantar to waive the full reading of resolutions and ordinances. 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

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

### **A. Approval of the Local Agency Investment Fund (LAIF) for the Month of July 2019**

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of July 2019 in the amount of \$6,014,345.41

**Motion:** It was moved by Council Member Garcia and seconded by Council Member Lozoya to approve the Local Agency Investment Fund (LAIF) Report for the month of July 2019 in the amount of \$6,014,345.41. The motion carried (4-0-0) by the following roll call vote.

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

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

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,452,569.67 including Cash and Investment Report by Fund for the month of July 2019.

**Motion:** It was moved by Council Member Garcia and seconded by Council Member Lozoya to approve the Demands and Payroll in the amount of \$1,452,569.67 including Cash and Investment Report by Fund for the month of July 2019. 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 to Review and Approve the Draft Minutes of October 1, 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 1, 2019.

**Motion:** It was moved by Council Member Garcia and seconded by Vice Mayor Alcantar to review and approve the City Council / Successor Agency Draft Minutes for October 1, 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.** Consideration to Review and Approve the Draft Minutes of November 19, 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 November 19, 2019.

**Motion:** Council Member Garcia and seconded by Vice Mayor Alcantar review and approve the City Council / Successor Agency Draft Minutes for November 19, 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

- E. Consideration to Review and Approve the Draft Minutes of November 23, 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 November 23, 2019.

**Motion:** It was motioned by Council Member Garcia and seconded by Vice Mayor Alcantar review and approve the City Council / Successor Agency Draft Minutes for November 23, 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

#### 11. PUBLIC HEARING - NONE

#### 12. BUSINESS SESSION

- A. Consideration to Approve First Amendment to Professional Services Agreement Between the City of Cudahy and MV Cheng & Associates Inc. for Technical and Practical Accounting Services

Presented by the Finance Director

The City Council is requested to approve the First Amendment to the Professional Services Agreement between the City of Cudahy and MV Cheng & Associates Inc. for technical and practical accounting / payroll support through June 30, 2020.

**Motion:** It was motioned by Council Member Garcia and Seconded by Vice Mayor Alcantar to approve the First Amendment to the Professional Services Agreement between the City of Cudahy and MV Cheng & Associates Inc. for technical and practical accounting / payroll support through June 30, 2020. 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 Resolution No. 19-31, Adopting Policies and Procedures for Installation of On-Street Disability Parking

Presented by the Assistant City Engineer

The City Council is requested to approve Resolution No. 19-31, adopting policies and procedures for installation of on-street disability parking.

**Motion:** It was motioned by Vice Mayor Alcantar and Seconded by Mayor Gonzalez to approve Resolution No. 19-31, adopting policies and procedures for installation of on-street disability parking. 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

**C. Consideration to Approve a Professional Services Agreement Between the City of Cudahy and Go Green Consultants, LLC to Prepare and Implement a Program Development Agreement**

Presented by the Acting City Manager

The City Council is requested to Consider Approving a Professional Services Agreement Between the City of Cudahy and Go Green Consultants, LLC to prepare and implement a Program Development Agreement.

**Motion:** It was motioned by Council Member Garcia and Seconded by Council Member Lozoya to adopt a Professional Services Agreement Between the City of Cudahy and Go Green Consultants, LLC to prepare and implement a Program Development Agreement as well as have any additional financing that surpasses the 1% interest rate be approved by the designated sub-committee and Council. 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

**13. COUNCIL DISCUSSION**

**A. Council Member Guerrero**

- i. Status update on permit for Sagrado Corazon y Santa Maria de Guadalupe Church

**B. Council Member Lozoya**

- i. Information regarding Clara and River Road Park Maintenance

**RECESSED TO CLOSE SESSION AT 7:51 P.M.**

**14. CLOSED SESSION**

- A. 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 (Case No. BS174212).
- B. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:  
Site No. 1 Elizabeth Street Residential Property  
5256 Elizabeth Street APN: 6224-001-014  
5260 Elizabeth Street APN: 6224-001-015

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

C. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:  
Site No. 2 Atlantic Avenue/Santa Ana Street Commercial Property  
4734 Santa Ana Street APN: 6224-018-008  
8110 South Atlantic Avenue APN: 6224-018-071  
8100 South Atlantic Avenue APN: 6224-018-068  
Santa Ana Street APN: 6224-018-070  
4720 Santa Ana Street APN: 6224-018-069

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

D. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:  
Site No. 3 Santa Ana Street Residential Property  
4610 Santa Ana Street APN: 6224-019-014

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

E. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:  
Site No. 4 Atlantic Avenue/Cecilia Street Commercial Property  
8135 South Atlantic Avenue APN: 6224-022-001  
4629 Cecilia Street APN: 6224-022-004  
8201 South Atlantic Avenue APN: 6224-022-002  
8221 South Atlantic Avenue APN: 6224-022-012  
4633 Cecilia Street APN: 6224-022-003

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

F. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:  
Site No. 5 Atlantic Avenue/Patata Street Commercial Property  
4819 Patata Street APN: 6224-034-014  
8420 South Atlantic Avenue APN: 6224-034-032 APN: 6224-034-040  
Patata Street APN: 6224-034-041

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

G. Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators

Property Location:  
Site No. 6 Atlantic Avenue/Clara Street Commercial Property  
4613 Clara Street APN: 6226-022-002  
7660 South Atlantic Avenue APN: 6226-022-008  
7630 South Atlantic Avenue APN: 6226-022-019 APN: 6226-022-020  
7638 South Atlantic Avenue APN: 6226-022-023  
7644 South Atlantic Avenue APN: 6226-022-022  
No address APN: 6226-022-021 APN: 6226-022-024

Successor Agency Negotiator: Santor Nishizaki, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney  
Negotiating parties: Chief Administrative Officer  
Under Negotiation: Price and Terms

**RECONVENE TO OPEN SESSION AT 8:49 P.M.**

**15. CLOSED SESSION ANNOUNCEMENT**

Deputy City Attorney Martin de los Angeles reported that for each closed session item 14A, Council Member Guerrero did not participate. City legal counsel provided an update. Direction was given, no final action was taken.

Regarding Item 14B-14G, all five members participated. Direction was given, no final action was taken.

**16. ADJOURNMENT**

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



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Jose R. Gonzalez  
Mayor

ATTEST:

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Richard Iglesias  
Assistant City Clerk