

MINUTES

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

July 16, 2019 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:34 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Garcia (Arrived at 6:51 p.m.) (Left
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, City Attorney, Martin de los Angeles, Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen, Assistant Engineer, Aaron Hernandez, and Junior Deputy City Clerk, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

4. PRESENTATIONS - NONE

5. PUBLIC COMMENTS

David Rodriguez, spoke in regards to reopening the fitness center. He thanked Council for having the fitness center open for limited hours, but mentioned that he is one of the individuals who attends the gym in the mornings as well. He informed he did not sign up with the new gym that opened up in the City because there are initiation fees, membership fees, and a contract. He then asked Council to consider leaving the gym open, at the same hours as before. Finally, he informed Council of the speeding taking place in Santa Ana Street, between Salt Lake, and Atlantic and requested speed bumps to be placed on those areas.

Mari Lopez, expressed her concern for planned developments for low income housing on the 2040 General Plan. She continued by saying that Cecilia Street has been single home families, and most people have been living in them for almost 30 years. She went on to say crime is not as high as other streets, and hopes that the 2040 plan is not successful in placing apartment buildings. She argued crime will rise if apartment buildings are allowed.

Pamela Munguia explained it is very important for the people of Cecilia Street that attended to have their voices heard as they are in danger of having their houses devaluated. She

expressed her concern about the two parking lots that belong to the Park. She also continued by saying that if it's legal for the city to sell that part of the park, as all maps appear that is public property as well as speaking against the Elizabeth apartment development projects. She further spoke against the City Manager and the previous City Council for changing the general plan to include high density housing on Cecilia Street. She concluded her comments by speaking against the Council for selling its properties to private parties.

Carmen Beltran, spoke against the Council for approving the General Plan that led to development projects like the Elizabeth apartments as well as high density dwellings on Cecilia. She further spoke against the former Council for approving the selling of City owned property to private parties, leading to displacement of Cudahy residents as well as even more burdens to Cudahy residents. She went on to speak against item 12A, arguing it is not worth spending \$100,000 to upgrade the City website.

Hector Lozano, introduced himself and told his experience as a resident of South Gate. He discussed the detrimental effects multiunit properties had on the City including, lack of parking, more trash and debris, overpopulation, and an increase in crime. He expressed his concern worrying the City will face the same problems South Gate suffered if it continues accepting multifamily housing units.

Erika Fausto, expressed her concern in regards to information she heard given to her family about the City Manager having the authority to sell City properties to investors. She asked Council to not approve more multifamily development projects as she fears they will disrupt her and her neighbors' way of life. She encouraged Council Members to reach out to residents and discuss future development opportunities and general plan amendments to residents before it is approved by Council.

Jack Guerrero, requested Council to extend public speaking time to three minutes at the earliest possible opportunity, arguing it is a deliberate effort by City Council to suppress free speech. He went on to stand in solidarity with Cudahy residents and demanded City Council to reopen the Lugo Fitness Center immediately. He argued if the Council approves one hundred thousand dollar contracts to consultants and contractors, it should do the same with public services like the City gym. He further noted the restrooms at Cudahy Park are a complete disgrace, filthy and repugnant. He then spoke against the City's stance on inviting cannabis developments to the City. He told the City Council he is in contact with Wells Fargo bank, the Justice Department of the United States, the Federal Reserve Board, and the Office of the Controller of Currency to investigate the City of Cudahy for potential violation of federal banking laws for storing money in a federally regulated bank like Wells Fargo.

Patricia Covarrubias, reminded Council it works for its residents not vice versa. She then reminded residents three Council Members are in favor of the City Manager, although Council Member Alcantar ran under the promise she was going to remove the City Manager once elected in office. She further spoke against Vice Mayor Alcantar for allegedly expanding City Manager authority. She spoke against the Council for approving multifamily units under the premise it prioritizes low income housing, although a low number of units is dedicated to incomes with low housing. She argued the City does not want more apartments; it wants youth and recreation services.

COUCIL MEMBER GARCIA ARRIVED AT 6:51 P.M.

Landeros, spoke against the high density units on Cecilia Street, telling Council to move the development project somewhere else. She further spoke against the Council for high parking

permit prices, and expressed her frustrations by saying she will be voting against all Council Members come the next election.

Irene Silvestre, thanked the City Council for reopening Lugo Fitness Center, but asked to retain the City's normal operation hours. She told Council the City Manager increased gym membership fees, under the premise marketing and maintenance upgrades would happen, both not happening to date. She went on to speak against the high density allocation on Cecilia arguing people are extremely worried about the potential of bringing in multifamily units to their street.

Maria Jimenez, reminded Council it is the residents' right to complain, further arguing City residents do not ask for much, they only require basic City services such as clean streets and public safety. She reminded Council of the recent shooting and asked what the Council did in regards to that. She concluded her comments by thanking Council Members Guerrero and Lozoya for working for the community.

Miranda Munguia, recommended Council that agenda items regarding contracts, such as the Liebert Cassidy Whitmore fourth amendment extension, should not be placed under the consent calendar, explaining she noticed a lack of information in the contract's scope of work. She asked Council to simplify staff reports to terms residents can comprehend, as legal jargon only makes a report unnecessarily confusing. She further asked for more clarification in regards to the fourth amendment item. She went on to speak in regards to the multifamily projects currently on Elizabeth Street. She noted the lack of low income housing, also speaking against the little notice and encouraging Cecilia to proactively speak against multifamily development projects before they started. She went on to recommend Council to change policies in the General Plan to avoid developers to come in and suffer public backlash from unpopular projects.

Susie de Santiago, spoke on behalf of several of residents who attend the gym. She noticed over the past two years, when she was a commissioner, she heard numerous complaints from residents in regards to constant short notices to close the gym. She went on to tell Council the City Manager had promised to bring more marketing and upgraded fitness machines to the fitness center, promises that did not happen. She told Council that a City Manager should come up with creative solutions to keep public services, not just reject all services. She further spoke against the City's Housing Rehabilitation program for its poor marketing, communication, and handling of her case when she applied for grant assistance. She further mentioned other residents who initially qualified based on the requirements specified on the flyer end up being rejected once they apply for the program. She concluded her comments by urging Council to prioritize having City operated services over outsourced services.

Marcos Covarrubias, spoke against the City Manager for implementing programs and policies that are unfriendly for residents as well as the lack of parking enforcement in the City. He asked Mayor Gonzalez to specify where cannabis revenues from the benefits fund is going as all recreation and city services are the same, without improvement. He brought to the City Manager's attention there are overgrown trees that are interrupting City sidewalks. He also noted many cars across the City are parking on the fire lane, without any help from the City Manager when he brought it to his attention.

6. CITY COUNCIL COMMENTS

Council Member Lozoya, thanked residents for coming and expressing their concerns and needs, as they are encouraged to continuously do that.

Council Member Guerrero asked to agendaize a discussion item for the next meeting to extend public speaking time to three minutes, arguing two minutes is not enough to express all residents' concerns. He agreed with the resident who brought to attention the drag racing on Santa Ana street, explaining that as a child he witnessed one of his neighbor's children get ran over by a vehicle. He noted that for years, residents have been asking for speed bumps on Santa Ana Street. He also expressed his solidarity for residents on Cecilia street, arguing the City is ill equipped to absorb more congestion from multifamily unit developments. He concluded his comments by translating in Spanish his direction to bring back public comment time to three minutes, reopening the Lugo Fitness Center to its original hours, and expressing his concern over how the City will store its cannabis revenues since it cannot legally store cannabis revenues to a federally regulated bank.

Council Member Garcia, reminded residents an election already happened and seven months in, Council has not established a plan to move the City forward. He went on to challenge the Council to provide a solid plan to move the City forward rather than criticizing and rejecting all policies and programs.

Vice Mayor Alcantar, thanked residents for attending the meeting. She went on to highlight the importance of immigration rights education. She also reminded residents there will be changes after the adoption of the new budget, including a dedicated deputy, in light of recent shootings. She went on to highlight a section in the budget allocated to renovating park restrooms, as she agrees they are not and have never been usable. She also asked to speak with residents to develop and implement a long term plan to keep the Lugo Fitness Center open. She also concluded her comments by reminding residents the City should not be anti-eviction and rent control.

Mayor Gonzalez, echoed the Vice Mayor's thoughts in confirming the Council is looking for solutions and methods to move the City forward. He noted the Council has passed a budget and there is a \$1 million revenue stream coming because of cannabis companies. He went on to highlight the importance of the General Plan Update. He also asked the City Manager to specify the Cecilia Development rumor that had been spreading in recent weeks. In regards to the multifamily development units on Elizabeth street, he referenced the Governors speech, reminding the state is currently in a housing crisis, therefore the City has to do something to address the problem.

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 - NONE

10. CONSENT CALENDAR (Items 10A-F were pulled by Council Member Guerrero)

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

Presented by the Finance Director

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

Motion: It was moved by Council Member Garcia, and seconded by Mayor Gonzalez to to approve the Local Agency Investment Fund (LAIF) Report for the month of May 2019 in the amount of \$5,984,107.03. 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

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of May 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 May 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 May 2019. The motion carried (2-2-0) by the following roll call vote.

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

C. Adoption of Proposed Resolution No. 19-22 Electing the Population and Inflation Factors and Establishing the City's Fiscal Year (FY) 2019-20 Appropriations Limit (Gann Limit)

Presented by the Finance Director

The City Council is requested to adopt proposed Resolution No. 19-22 confirming the population and inflation factors used to calculate the annual Appropriation Limit (Gann Limit) and establish the City's Gann Limit for Fiscal Year (FY) 2019-20.

Motion: It was moved by Vice Mayor Alcantar, and seconded by Mayor Gonzalez to adopt proposed Resolution No. 19-22 confirming the population and inflation factors used to calculate the annual Appropriation Limit (Gann Limit) and establish the City's Gann Limit for Fiscal Year (FY) 2019-20. The motion carried (3-2-0) by the following roll call vote.

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

D. Consideration to Review and Approve the Draft Minutes of July 2, 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 July 2, 2019.

Motion: It was moved by Vice Mayor Alcantar, and seconded by Mayor Gonzalez to review and approve the City Council / Successor Agency Draft Minutes for July 2, 2019. The motion carried (4-0-0) by the following roll call vote.

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

E. Consideration to Approve a Fourth Amendment to the Legal Services Agreement with Liebert Cassidy Whitmore (LCW) for Employment Matters

Presented by the City Manager

The City Council is requested to approve a Fourth Amendment to the Legal Services Agreement for a one year extension with Liebert Cassidy Whitmore (LCW) for employment related matters (i.e., July 1, 2019 through June 30, 2020).

Motion: It was moved by Vice Mayor Alcantar, and seconded by Mayor Gonzalez to approve a Fourth Amendment to the Legal Services Agreement for a one year extension with Liebert Cassidy Whitmore (LCW) for employment related matters (i.e., July 1, 2019 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

F. Adoption of Resolution No. 19-23, Opposing Changes to Current State Card Club Regulations

Presented by the City Manager

The City Council is requested to adopt Resolution No. 19-23, Opposing Changes to Current State Card Club Regulations.

Motion: It was moved by Council Member Garcia, and seconded by Mayor Gonzalez to adopt Resolution No. 19-23, Opposing Changes to Current State Card Club Regulations. 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

11. PUBLIC HEARING - NONE

A. A Public Hearing to Consider and Approve Resolution No. 19-24 Memorializing the Conduct of a Public Hearing and Levying the Annual Assessment to Maintain the City of Cudahy

Street Lighting District and Direct Staff to Forward the Resolution to the Los Angeles County Assessor

The City Council is requested to:

1. Adopt Resolution No. 19-24; memorializing a Public Hearing and Levying the Annual Assessment to maintain the City of Cudahy Street Lighting District; and
2. Direct staff to forward Resolution No. 19-24 to the Los Angeles County Assessor before the August 9, 2019 deadline.

Motion: It was moved by Vice Mayor Alcantar, and seconded by Mayor Gonzalez to Adopt Resolution No. 19-24; memorializing a Public Hearing and Levying the Annual Assessment to maintain the City of Cudahy Street Lighting District; and direct staff to forward Resolution No. 19-24 to the Los Angeles County Assessor before the August 9, 2019 deadline. 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

12. BUSINESS SESSION

- A. Approval of Professional Services Agreement (PSA) with Edgesoft, Inc. for Permit, Licensing, and Tracking System Software using the City of South Gate's Competitive Procurement Process (piggybacking)

Presented by the City Manager

The City Council is requested to:

1. Award a Professional Services Agreement (PSA) to Edgesoft, Inc. for permit, licensing, and tracking system software for a not-to-exceed one time setup fee of \$99,250 and an additional ongoing monthly maintenance cost of \$3,975 using the City of South Gate's Request for Proposal (RFP) competitive procurement process; and
2. A Adopt Resolution No. 19-25 authorizing the City Manager to execute a Professional Services Agreement (PSA) with Edgesoft, Inc. for permit and licensing software.

Motion: It was motioned by Council Member Garcia and Seconded by Vice Mayor Alcantar to award a Professional Services Agreement (PSA) to Edgesoft, Inc. for permit, licensing, and tracking system software for a not-to-exceed one time setup fee of \$99,250 and an additional ongoing monthly maintenance cost of \$3,975 using the City of South Gate's Request for Proposal (RFP) competitive procurement process; and adopt Resolution No. 19-25 authorizing the City Manager to execute a Professional Services Agreement (PSA) with Edgesoft, Inc. for permit and licensing software. The motion carried (3-1-0) by the following roll call vote.

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

ABSTAIN: Lozoya

B. Approval of the First Amendment to Master Services Contract with Willdan Engineering for On-Call Planning Services

Presented by the Finance Director

The City Council is requested to approve the First Amendment to Master Services Contract (MSC) with Willdan Engineering for On-Call Planning Services to remove the four month term established by the City Council which if not amended to remove this term would expire July 17, 2019.

Motion: It was motioned by Vice Mayor Alcantar and Seconded by Mayor Gonzalez to approve the First Amendment to Master Services Contract (MSC) with Willdan Engineering for On-Call Planning Services to remove the four month term established by the City Council which if not amended to remove this term would expire July 17, 2019. The motion carried (3-1-0) by the following roll call vote.

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

13. COUNCIL DISCUSSION – NONE

- i. Discussion to re-open Lugo Fitness Center
- ii. Audit for the City's internal controls

CITY COUNCIL RECESSED TO CLOSED SESSION AT 9:22 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 Matter – Zacarias v. Castro, et al. (LASC Case No. 19NWCV00202)
- B. Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation
Title of Employee: City Manager

CITY COUNCIL RECONVENED TO OPEN SESSION AT 9:40 P.M.

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney, Martin de Los Angeles announced that four out of the five Council Members were present; Council Member Guerrero did not participate in closed session.

Regarding closed session item 14A, direction was given; no final action was taken. Regarding closed session item 14B, update given; no final action was taken.

COUNCIL MEMBER GUERRERO WAS PRESENT IN OPEN SESSION

COUNCIL MEMBER GARCIA WAS NOT PRESENT IN OPEN SESSION (LEFT AT 9:39 P.M.)

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:22 p.m.

Jose R. Gonzalez
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk