

## MINUTES

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

September 17, 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 Garcia (Arrived at 6:57 p.m.)  
Council / Agency Member Guerrero  
Council / Agency Member Lozoya  
Vice Mayor / Vice Chair Alcantar  
Mayor / Chair Gonzalez

ABSENT:

ALSO PRESENT: City Manager Jose E. Pulido, City Attorney, Victor Ponto, 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

Anthony Rendon's Office, Adrian Landa, Water Resources Consultant (WRD), Maria Elena Kennedy, Planning Commissioner, Gustavo Mendez reporting on Tract 349 Water Company.

#### 5. PUBLIC COMMENTS

Edin Enamorado, spoke against Council Member Guerrero for allegedly inciting his constituents to intimidate other commissioners to vote in a certain way.

Jack Guerrero, protested the City's ineffective internal controls. He further cited the State auditor's website update ranking it as the seventh worst city in the state of California, with a high potential of waste, fraud, abuse, and mismanagement. He went on to note that two council members received campaign contributions from the developer that had its multi-unit project approved by Council in the most recent meeting. He asked residents to be concerned about this breach in public trust. He urged residents that the time is now to call for a forensic audit in the City's internal controls by an impartial third-party government authority which is not beholden to the City Manager, Council, nor does it give financial contributions to members of Council. He went on to renew his call for a complete and truthful information about the safekeeping and accounting practices regarding marijuana proceeds.

Nai H., spoke against Council Member Guerrero for his affiliation with right wing groups and remaining silent when those groups bad mouth City residents and the Council. He further spoke Council Member Guerrero for being a Trump supporter, as well as only using the Council seat as a political stepping stone.

#### **COUNCIL MEMBER GARCIA ARRIVED AT 6:57 p.m.**

Pamela Munguia, spoke against Council for removing planning commissioners that were speaking against a project in the last meeting. She went on to speak in favor of Council Member Guerrero and Lozoya for supporting a forensic audit on the City's internal controls. She went on to speak against the Council for approving a multi-unit project from developers that contributed to Council Members' campaigns. She went on to tell Vice Mayor Alcantar, she would tell the local high school what she is doing as Council Member. She went on to urge Council to remove the City Manager.

Ivan Uriel, spoke about the Cudahy skate park and its importance to his life. He went on to urge Council to renovate the skate park as it is in detrimental conditions and doing so would be beneficial to City residents and its youth.

Martin, asked the Council to renovate the park as it is a public good for the city, benefitting youth and opening opportunities to sponsorships.

Dawn Lowe, explained to Council that people from Orange County and South Bay have been coming to state racial slurs against Cudahy residents. She apologized on behalf of the South Bay, stating the importance of immigrants to the economy. She went on to speak against the alt right group that used to attend City Council meetings to intimidate its residents.

Marcos Oliva, spoke in favor of increasing public speaking time to three minutes. He went on to speak about ítems 10C and 10D, reminding Council that they are risking oversaturation of cannabis businesses. Specifically for ítem 10D, he reminded City Council that the Los Angeles Superior Court favored on behalf of the defendant regarding reimbursing litigation fees.

Gustavo Mendez, thanked the City for its recent successful events such as painting Lugo gym as well as the movie night. He went on to inform the Council that the state found high levels of lead in the soil next to the technology plant in Vernon. He further explained there would be lead testing and lead clean up pending application and qualification for the free services.

Patricia Covarrubias, She agrees with Mrs. Dawn that they shouldn't allow people from other cities to come and instigate our city. She also supports Martin and Ivan with the rebuilding of the skate park. She went on to inform Council that on September 1<sup>st</sup> at approximately at 10:00 p.m. a local resident was attacked and almost killed by a person in the City. She urged the sheriff's department to be more vigilant in the City rather than engaging in ineffective tactics that have made the City less safe.

Marcos Covarrubias, spoke in favor of previous speakers' insistence to renovate the skate park at Cudahy Park. Secondly, he agreed with Mrs. Covarrubias urging for more police presence considering recent incidents that have made the City much less safe. He further asked Mayor Gonzalez where cannabis proceeds are being allocated. He concluded his comments by disagreeing with a prior comment denouncing Council Member Guerrero a racist.

## 6. CITY COUNCIL COMMENTS

Council Member Guerrero, reiterated comments made during public comment in Spanish.

Council Member Garcia, elaborated to residents that projects such as the skate park need fiscal planning and budgeting. He went on to encourage the youth for speaking about bettering the community, reminding residents in attendance that politicians have recently been instilling fear to further their agenda, rather than implement policies than better the community.

Vice Mayor Alcantar, highlighted several community events that happened in the last month. She went on to discuss several meetings that herself and the mayor attended. She announced the upcoming movie night event and mock election that will be happening in the City, as well as a legal fair for immigrant right issues. She also announced she will be taking a trip to El Paso, Texas to see firsthand the immigrant prisons. She concluded her comments by expressing her support to renovate the skate park in Cudahy Park.

Mayor Gonzalez, discussed a potential private public partnership with the Office of Hilda Solis to develop a civic center on Atlantic Avenue. He highlighted several burdens to developing the project. However, he is optimistic that with creative thinking it can become a reality. He went on to report from the recent economic development ad hoc committee with Council Member Garcia. He clarified that the city budget specifies there is approximately \$1 million in revenues coming from cannabis proceeds, which was used to staff another dedicated sheriff deputy in the City. He concluded his comments by commending Mr. Mendez as well as Anthony Rendon's office for taking the initiative to provide clean water to the City.

## 7. CITY MANAGER REPORT (information only)

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

Mayor Gonzalez reported out on the Eco Rapid Transit Authority and the Economic Development Ad Hoc Committee.

## 9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES - NONE

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

(Items under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council / Agency Member so requests, in which event the item will be removed from the Consent Calendar and considered separately.)

- A. Consideration to Review and Approve the Draft Minutes of August 20, 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 August 20, 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 August 20, 2019. The motion carried (4-1-0) by the following roll call vote.

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

**B. Consideration to Approve Proposition A Exchange Agreement with Palos Verdes Peninsula Transit Authority**

Presented by the Finance Director

The City Council is requested to approve the exchange of \$449,000 in available Proposition A (Prop A) funds with the Palos Verdes Peninsula Transit Authority (PVPTA) which was included in the Fiscal Year (FY) 2019-20 City Budget.

**Motion:** It was moved by Council Member Garcia and seconded by Vice Mayor Alcantar to approve the exchange of \$449,000 in available Proposition A (Prop A) funds with the Palos Verdes Peninsula Transit Authority (PVPTA) which was included in the Fiscal Year (FY) 2019-20 City Budget. The motion carried (3-2-0) by the following roll call vote.

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

**C. Consider and Approval of a Proposed Second Amendment to the Professional Services Agreement (PSA) with ejma Planning + Development Services (ejma)**

Presented by the City Manager

The City Council is requested to consider and approve a proposed Second Amendment to ejma Planning + Development Services (ejma) contract extending the term by one (1) years from September 26, 2019 to September 25, 2020 and increasing the original Professional Services Agreement (PSA) amount to \$660,000.

**Motion:** It was moved by Council Member Garcia and seconded by Mayor Gonzalez to consider and approve a proposed Second Amendment to ejma Planning + Development Services (ejma) contract extending the term by one (1) years from September 26, 2019 to September 25, 2020 and increasing the original Professional Services Agreement (PSA) amount to \$660,000. 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

**D. Consideration and Approval of a Proposed Second Amendment to the First Amended and Restated Professional Services Agreement (PSA) with the Law Office of Glenn Ward Calsada for Cannabis Regulation Consulting and Litigation Services**

Presented by the City Manager

The City Council is requested to consider and approve a Proposed Second Amendment to the First Amended Restated Professional Services Agreement (PSA) with the Law Office of Glenn Ward Calsada for Cannabis Regulation Consulting and Litigation Services by one year from September 26, 2019 through September 25, 2020 for the new not to exceed PSA amount of \$270,000.

**Motion:** It was moved by Council Member Garcia and seconded by Mayor Gonzalez to consider and approve a Proposed Second Amendment to the First Amended Restated Professional Services Agreement (PSA) with the Law Office of Glenn Ward Calsada for Cannabis Regulation Consulting and Litigation Services by one year from September 26, 2019 through September 25, 2020 for the new not to exceed PSA amount of \$270,000. The motion carried (3-1-0) by the following roll call vote.

**COUNCIL MEMBER GUERRERO RECUSED HIMSELF FROM VOTING ON THIS AGENDA ITEM**

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

**11. PUBLIC HEARING - NONE**

**12. BUSINESS SESSION**

**A. Discuss and Consider Placing a Resolution on the Council Agenda, Amending the Rules Regarding Public Comment Speaking Time at City Council Meetings**

The City Council is requested to discuss and consider placing a Resolution on the Council agenda amending the rules regarding public comment speaking time at City Council Meetings.

**Motion:** It was motioned by Council Member Garcia and Seconded by Vice Mayor Alcantar to discuss and consider placing a Resolution on the Council agenda amending the rules regarding public comment speaking time at City Council Meetings. 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. Audit for the City's internal controls

**CITY COUNCIL RECESSED TO CLOSED SESSION AT 8:08 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(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)

**CITY COUNCIL RECONVENED TO OPEN SESSION AT 8:44 P.M.**

**15. CLOSED SESSION ANNOUNCEMENT**

Deputy City Attorney Victor Ponto announced there were two items that were read into the record considering closed session. Council was given, direction was received, and there was no reportable action.

**16. ADJOURNMENT**

The City Council / Agency meeting was adjourned at 8:44 p.m.

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Jose R. Gonzalez  
Mayor

ATTEST:

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Richard Iglesias  
Assistant City Clerk