Elizabeth Alcantar, Mayor
Jose R. Gonzalez, Vice Mayor
Chris Garcia, Council Member
Jack M. Guerrero, Council Member
Blanca Lozoya, Council Member

REMOTE TELECONFERENCE AND ELECTRONICALLY
This meeting will be conducted telephonically and electronically pursuant to the State of California Executive Order No. 29-20.

Teleconference Phone Number:
1 (253) 215-8782
Meeting ID: 852 8955 5501
https://us02web.zoom.us/j/85289555501

AGENDA

A REGULAR MEETING
OF THE CUDAHY CITY COUNCIL
and JOINT MEETING of the
CITY OF CUDAHY AS SUCCESSOR AGENCY and HOUSING SUCCESSOR AGENCY
TO THE CUDAHY DEVELOPMENT COMMISSION
Tuesday, October 6, 2020 – 6:30 P.M.

Written materials distributed to the City Council within 72 hours of the City Council meeting shall be available for public inspection at www.cityofcudahy.com

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at (323) 773-5143 at least 72 hours in advance of the meeting.

Rules of Decorum

Under the Government Code, the City Council may regulate disruptive behavior that impedes the City Council Meeting.

Disruptive conduct may include, but is not limited to:

- Screaming or yelling during another audience member's public comments period;
- Profane language directed at individuals in the meeting room;
- Throwing objects at other individuals in the meeting room;
- Verbal altercations with other individuals in the meeting room; and
- Going beyond the allotted three-minute public comment period granted.

When a person's or group's conduct disrupts the meeting, the Mayor or presiding officer will request that the person or group stop the disruptive behavior, and WARN the person or group that they will be asked to leave the meeting room if the behavior continues.

If the person or group refuses to stop the disruptive behavior, the Mayor or presiding officer may order the person or group to leave the meeting room, and may request that those persons be escorted from the meeting room. Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403.)

1. CALL TO ORDER

2. ROLL CALL

Council / Agency Member Garcia
Council / Agency Member Guerrero
Council / Agency Member Lozoya
Vice Mayor / Vice Chair Gonzalez
Mayor / Chair Alcantar

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

A. USC Health Study (Tirando Muros) Salud Sin Fronteras
B. Electric Vehicle Infrastructure Training Program (EVITP)

5. CLOSED SESSION PUBLIC COMMENTS

(Each member of the public may provide a public comment telephonically or electronically if he or she wishes to address the City Council on closed session matters. During this time, members of the public are permitted to speak for three (3) minutes concerning only items on closed session.)

RECESS TO CLOSED SESSION

At this time, City Council will meet in closed session to go over items of business on the closed session agenda. Closed session discussion will end at 7:30 p.m. At that time, City Council will have the option to continue discussing closed session items after deliberating on all agenda items or continue the discussion to the next regular meeting. Once closed session is complete and the City Council returns from closed session into open session, members of the public may then rejoin the proceedings.

6. CLOSED SESSION

DELIBERATING AS CUDAHY SUCCESSOR AGENCY

A. 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: Henry Garcia, Executive Director, Dave Gondek, Deputy City

Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer Under Negotiation: Price and Terms

B. 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: Henry Garcia, 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. 3 Santa Ana Street Residential Property 4610 Santa Ana Street APN: 6224-019-014

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

DELIBERATING AS CITY COUNCIL

G. Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to Discuss Matter Involving Potential Litigation – One Matter

RECONVENE TO OPEN SESSION

7. CLOSED SESSION ANNOUNCEMENT

8. PUBLIC COMMENTS

(Each member of the public may provide a public comment telephonically or electronically if he or she wishes to address the City Council. Members of the public are permitted to speak for three (3) minutes concerning items under the City Council's jurisdiction, including items on the council agenda.)

(Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403).)

9. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS (Each Council Member is limited to three minutes.)

(This is the time for the City Council / Agency to comment on any topics related to "City Business," including announcements, reflections on city / regional events, response to public comments, suggested discussion topics for future council meetings, general concerns about particular city matters, questions to the staff, and directives to the staff (subject to approval / consent of the City Council majority members present, regarding staff directives). Each Council / Agency Member will be allowed to speak for a period not to exceed three (3) minutes. Notwithstanding the foregoing, the City Council Members shall not use this comment period for serial discussions or debate between members on City business matters not properly agendized. The City Attorney shall be responsible for regulating this aspect of the proceeding.)

10. CITY MANAGER REPORT (information only)

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

12. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

(Consideration to waive full text reading of all Resolutions and Ordinances by single motion made at the start of each meeting, subject to the ability of the City Council / Agency to read the full text of selected resolutions and ordinances when the item is addressed by subsequent motion.)
(COUNCIL / AGENCY)

Recommendation: Approve the Waiver of Full Reading of Resolutions and Ordinances.

13. CONSENT CALENDAR

(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. Approval of National Transit Database Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy for Report Years 2016, 2017, and 2018 *(page 9)*

Presented by Finance Director

Recommendation: The City Council is requested to:

1. Approve the Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy; and

2. Authorize the Mayor to execute the MOUs.

B. Consideration to Approve a Proposition A Exchange Agreement with Palos Verdes Peninsula Transit Authority (PVPTA) *(page 33)*

Presented by Finance Director

Recommendation: The City Council is requested to approve the exchange of $313,300 in available Proposition A (Prop A) funds with the Palos Verdes Peninsula Transit Authority (PVPTA) which was included in the Fiscal Year (FY) 2020-21 City Budget.

C. Consideration to Review and Approve the Draft Minutes of September 15, 2020, 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 *(page 37)*

Presented by Assistant City Clerk

Recommendation: The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for September 15, 2020.

14. PUBLIC HEARING - NONE

15. BUSINESS SESSION

A. Consideration and Adoption of an Ordinance Amending Section 20.84.100 of the Cudahy City Municipal Code to Enact Additional Noticing Requirements *(page 59)*

Presented by City Attorney's Office

Recommendation: The City Council is recommended to adopt Ordinance No. 708, enacting an Ordinance Amending Section 20.84.100 (Notice of Public Hearing) of the Cudahy City Municipal Code to Enact Additional Noticing Requirements.

16. COUNCIL DISCUSSION - NONE

17. ADJOURNMENT

I, Richard Iglesias, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City's Website not less than 72 hours prior to the meeting. A copy of said Agenda is on file in the City Clerk's Office.

Dated this 2nd day of October 2020

Richard Iglesias
Assistant City Clerk

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Item Number
13A

STAFF REPORT

Date: October 6, 2020

To: Honorable Mayor / Chair and City Council / Agency Members

From: Henry Garcia, Interim City Manager/Executive Director
By: Steven Dobrenen, Finance Director

Subject: **Approval of National Transit Database Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy for Report Years 2016, 2017, and 2018**

RECOMMENDATION

The City Council is requested to:

1. Approve the Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy; and

2. Authorize the Mayor to execute the MOUs.

BACKGROUND

1. On November 14, 1980, the voters of the County of Los Angeles approved by majority vote Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes.

2. On September 26, 2001, the LACMTA authorized payment of Proposition A Discretionary Incentive funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data.

3. On July 16, 2018, LACMTA approved the Fiscal Year (FY) 2017-18 transit fund allocations, which included funds to make payments to all cities that voluntarily reported National Transit Database data for FY 2015-16 / Report Year 2016.

4. On April 9, 2019, LACMTA approved the Fiscal Year (FY) 2018-19 transit fund allocations, which included funds to make payments to all cities that voluntarily reported National

Transit Database data for FY 2016-17 / Report Year 2017.

5. On February 9, 2020, LACMTA approved the Fiscal Year (FY) 2019-20 transit fund allocations, which included funds to make payments to all cities that voluntarily reported National Transit Database data for FY 2017-18 / Report Year 2018.

ANALYSIS

A reporting system called the National Transit Database (NTD) is a consolidated report of the LACMTA that cities can participate in to generate additional monies for the LACMTA region and the City, dollar for dollar less the cost of the annual audits. The purpose of the NTD is to generate federal capital funds for the region and to use as a planning tool. For cities, the local funds received from this voluntary reporting augment the City's Proposition A and C Local Return resources.

The City uses Proposition A Transportation funds to pay for a demand response Dial-A-Ride service in Cudahy and Proposition C Transportation funds to pay for fixed route service, Cudahy Area Rapid Transit (CART), in Cudahy. The demand response transportation service and fixed route service are identified by the federal government to be eligible for payment to the City for voluntary reporting to LACMTA.

The proposed MOUs with LACMTA provides the City agrees that expenditure of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit and lapsing requirements of the Proposition A and Proposition C Local Return guidelines most recently adopted by the LACMTA Board.

The City was a participant in LACMTA's Consolidated National Transit Database Reporters Random Sampling Program for FY 2015-16, 2016-17, and 2017-18 and has voluntarily submitted NTD data to the LACMTA for FY 2015-16, 2016-17, and 2017-18 which successfully passed independent audit without any findings.

CONCLUSION

Staff recommends that the City Council authorize Mayor to execute the LACMTA MOU, as it is a mechanism to release the much needed transportation funds to the City.

For having collected and reported data for the National Transit Database for report year 2016, 2017, 2018, Cudahy will be the recipient of additional funding for $17,841, $17,819, and $22,688.

FINANCIAL IMPACT

Upon approval of the MOU by the City, the City can request to receive $58,348 in discretionary Proposition A funding to use on future projects.

ATTACHMENTS

A. Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and reporting Data for the National Transit Database for Report Year 2016
B. Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and reporting Data for the National Transit Database for Report Year 2017
C. Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and reporting Data for the National Transit Database for Report Year 2018

PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING FOR COLLECTING AND REPORTING DATA FOR THE NATIONAL TRANSIT DATABASE FOR REPORT YEAR 2016

This Memorandum of Understanding (MOU) is entered into as of July 31, 2018 by and between Los Angeles County Metropolitan Transportation Authority ("LACMTA") and the City of Cudahy (the "City").

WHEREAS, on November 14, 1980, the voters of the County of Los Angeles approved by majority vote Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes; and

WHEREAS, at its September 26, 2001 meeting, the LACMTA authorized payment of Proposition A Discretionary Incentive funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data; and

WHEREAS, at its June 14, 2017 meeting, LACMTA approved the Fiscal Year FY 2017-18 transit fund allocations, which included funds to make payments to all cities that voluntarily reported NTD data for FY 2015-16; and

WHEREAS, the City has been a participant in LACMTA's Consolidated National Transit Database (NTD) Reporters Random Sampling Program for FY 2015-16 and has voluntarily submitted NTD data to the LACMTA for FY 2015-16 which successfully passed independent audit without findings; and

WHEREAS, the City has requested funds under the Proposition A Discretionary Incentive Program for collecting and reporting data for the NTD from the FY 2015-16 Report Year (the "Project"); and

WHEREAS, on July 16, 2018, the Federal Transit Administration (FTA) published in the Federal Register the FY 2017-18 Apportionments, Allocations, and Program Information including unit values for the data reported to the NTD; and

WHEREAS, the parties desire to agree on the terms and conditions for payment for the Project.

NOW, THEREFORE, LACMTA and the City hereby agree to the following terms and procedures:

ARTICLE 1. TERM

1.0 This Memorandum of Understanding ("MOU") will be in effect from **July 1, 2018**, through **June 30, 2022** at which time all unused funds shall lapse.

ARTICLE 2. STANDARDS

2.0 To receive payment for the submittal of the FY 2015-16 NTD statistics, the City warrants that it:

A. Adhered to the Federal Guidelines for collecting and Reporting NTD statistics including all audit requirements;

B. Prepared and submitted the FY 2015-16 **ANNUAL NTD REPORT** of the City's fixed-route and/or demand response transit service to the LACMTA on or before **October 31, 2017**;

ARTICLE 3. PAYMENT OF FUNDS TO CITY

3.0 LACMTA shall pay the City for collecting and reporting FY 2015-16 NTD statistics. LACMTA shall pay the City for submitting the FY 2015-16 **ANNUAL NTD REPORT** for the applicable transit services as follows:

MOTOR BUS SERVICE
For City's motor bus service, LACMTA shall pay an amount equal to the 34,307 revenue vehicle miles reported by the City multiplied by the FTA unit value of $0.4239291 per revenue vehicle mile. See Attachment A for detail.

DEMAND RESPONSE TAXI SERVICE
For City's demand response taxi service, LACMTA shall pay an amount equal to the 7,779 revenue vehicle miles reported by the City multiplied by the FTA unit value of $0.4239291 per revenue vehicle mile. See Attachment A for detail.

3.1 The City shall submit one invoice to LACMTA prior to **December 31, 2020**, in the amount of **$17,841** in order to receive its payment described above.

3.2 INVOICE BY CITY:

Send invoice with supporting documentation to:
Los Angeles County Metropolitan Transportation Authority
Accounts Payable
P. O. Box 512296
Los Angeles, CA 90051-0296
accountspayable@metro.net

Re: LACMTA MOU# MOUPAICUDA18000 M.S. Chelsea Meister (99-4-3)

ARTICLE 4. CONDITIONS

4.0 The City agrees to comply with all requirements specified by the FTA guidelines for reporting NTD statistics.

4.1 The City understands and agrees that LACMTA shall have no liability in connection with the City's use of the funds. The City shall indemnify, defend, and hold harmless LACMTA and its officers, agents, and employees from and against any and all liability and expenses including defense costs and legal fees and claims for damages of any nature whatsoever, arising out of any act or omission of the City, its officers, agents, employees, and subcontractors in performing the services under this MOU.

4.2 The City is not a contractor, agent or employee of LACMTA. The City shall not represent itself as a contractor, agent or employee of LACMTA and shall have no power to bind LACMTA in contract or otherwise.

4.3 The City agrees that expenditure of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit and lapsing requirements of the Proposition A and Proposition C Local Return guidelines most recently adopted by the LACMTA Board.

4.4 These expenditures will be subject to **AUDIT** as part of LACMTA's annual Consolidated Audit.

ARTICLE 5. REMEDIES

5.0 LACMTA reserves the right to terminate this MOU and withhold or recoup funds if it determines that the City has not met the requirements specified by the FTA for collecting and submitting NTD statistics through LACMTA.

ARTICLE 6. MISCELLANEOUS

6.0 This MOU constitutes the entire understanding between the parties, with respect to the subject matter herein.

6.1 The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the original MOU or the same level of authority.

ARTICLE 7. CONTACT INFORMATION

7.0 LACMTA's Address:
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012
Attention: Chelsea Meister (99-4-3)

7.1 City's Address:
Cudahy
5220 Santa Ana St.
Cudahy,CA 90201
Attn: Steven Dobrenen
sdobrenen@cityofcudahyca.gov

IN WITNESS WHEREOF, the City and LACMTA have caused this MOU to be executed by their duly authorized representatives on the date noted below:

CITY:

City of Cudahy

_____

Mayor/City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Legal Counsel

Date: _____

Los Angeles County Metropolitan Transportation Authority

By: _____
PHILLIP A. WASHINGTON
Chief Executive Officer

Date: _____

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____
Deputy

Date: 5/2/19

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY16
Using FY18 FTA Formula Programs Apportionment Data Values

Jurisdiction	MODE	Number of Vehicles in Operation	Total Vehicle Revenue Miles	$ from VRM	Tier II Operator Deduction	Total ($)Due to Jurisdiction
Alhambra	MB	9	169,763	71,967.48		71,967
Alhambra	DR	8	119,797	50,785.44		50,785
Artesia	DR (DT)	5	4,943	2,095.48		2,095
Azusa	DR	6	101,187	42,896.12		42,896
Baldwin Park	MB	6	195,034	82,680.60		82,681
Baldwin Park	DR	2	45,774	19,404.93		19,405
Bell	MB	1	33,863	14,355.51		14,356
Bell	DT	5	25,925	10,990.36		10,990
Bell	DR	3	17,331	7,347.12		7,347
Bellflower	MB	2	73,305	31,076.13		31,076
Bellflower	DR	2	35,530	15,062.20		15,062
Bell Gardens	MB	3	96,597	40,950.28		40,950
Bell Gardens	DR	3	52,307	22,174.46		22,174
Burbank	MB	14	313,510	132,906.02	(21,776)	111,130
Calabasas	MB	11	173,266	73,452.51		73,453
Calabasas	DR	1	15,013	6,364.45		6,364
Carson	MB	7	355,026	150,505.87		150,506
Carson	DT	8	97,626	41,386.51		41,387
Cerritos	MB	5	174,118	73,813.69		73,814
Cerritos	DT	10	54,305	23,021.47		23,021
Compton	MB	5	140,539	59,578.58		59,579
Covina	DR	4	57,961	24,571.36		24,571
Cudahy	MB	1	34,307	14,543.74		14,544
Cudahy	DT	5	7,779	3,297.74		3,298
Downey	MB	6	143,679	60,909.71		60,910
Downey	DR	10	78,787	33,400.10		33,400
Duarte	MB	2	79,037	33,506.09		33,506
El Monte	MB	7	259,146	109,859.54		109,860
El Monte	DR	6	95,719	40,578.07		40,578
Glendora	MB	3	52,613	22,304.18		22,304
Glendora	DR	10	103,955	44,069.55		44,070
Huntington Park	MB	5	107,834	45,713.97		45,714
Huntington Park	DT	12	172,727	73,224.01		73,224
LACDPWAvocado	MB	1	36,945	15,662.06		15,662
LACDPWELA	MB	6	252,345	106,976.40		106,976
LACDPWELA	DR	7	82,277	34,879.62		34,880
LACDPWEast Valinda	MB	1	52,030	22,057.03		22,057
LACDPWKing Medical	MB	1	18,245	7,734.59		7,735
LACDPWWillowbrook Shuttle	MB	2	82,979	35,177.22		35,177
LACDPWS.Whittier	MB	4	233,850	99,135.83		99,136
Lawndale	MB	2	82,630	35,029.26		35,029
Lynwood	MB	4	141,787	60,107.64		60,108
Malibu	DT	9	55,137	23,374.18		23,374
ManhattanBeach	DR	4	46,175	19,574.93		19,575
Maywood	MB	2	28,496	12,080.28		12,080
Maywood	DR	2	12,119	5,137.60		5,138
MontereyPark	MB	6	222,763	94,435.73		94,436
MontereyPark	DR	3	25,549	10,830.97		10,831
Pasadena	MB	19	666,959	282,743.35	(46,326)	236,417
Pico Rivera	DR	3	42,093	17,844.45		17,844
Rosemead	MB	2	122,302	51,847.38		51,847
Rosemead	DR	3	52,494	22,253.74		22,254
Santa Fe Springs	DR	2	14,864	6,301.28		6,301
South Gate	MB	5	188,267	79,811.87		79,812
South Gate	DT	9	159,051	67,426.35		67,426
SouthPasadena	DR	5	28,674	12,155.74		12,156
WestCovina	MB	4	167,817	71,142.52		71,143
WestCovina	DR	4	80,627	34,180.13		34,180
West Hollywood	MB	4	90,273	38,269.35		38,269
Total		**301**	**6,384,778**	**2,706,693**	**(68,102)**	**2,638,592**
FY18 Revenue Mile Rate		**0.423929137**				

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY '16
Using FY '18 FTA Formula Programs Apportionment Data Unit Values

Jurisdiction	MODE	Number of Vehicles in Operation	Total Vehicle Revenue Miles	Total Vehicle Revenue Hours	Total Passenger Miles	Total Operating Costs	$ from VRM	$from OPCOST	Total Generated	Tier II Operator Deduction	Total ($)Due to Jurisdiction
Glendale	MB	28	703,061	79,806	3,983,520	6,504,172	298,048.04	29,324	$ 327,372	(52,768)	274,603
LADOT COMMUNITY DASH	MB	169	2,769,800	286,085	13,364,977	27,761,626	1,174,199	77,334	$ 1,251,533	(206,751)	1,044,782
LADOT DEPARTMENT OF AGING	DR	88	465,179	60,135	583,287	4,297,653	197,203	952	$ 198,154		198,154
Total LADOT		**257**	**3,234,979**	**346,220**	**13,948,264**	**32,059,279**	**1,371,402**	**78,285**	**$ 1,449,687**		**1,242,936**
Total NTD 9166 Funds		**291**	**4,079,010**	**436,712**	**18,151,119**	**39,623,326**	**1,729,211**	**108,154**	**1,837,366**	**(259,519)**	**1,577,846**

FY18 Revenue Mile Rate 0.4239291
FY18 Passenger Mile Rate 0.0120192

PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING FOR COLLECTING AND REPORTING DATA FOR THE NATIONAL TRANSIT DATABASE FOR REPORT YEAR 2017

This Memorandum of Understanding (MOU) is entered into as of July 1, 2019 by and between Los Angeles County Metropolitan Transportation Authority ("LACMTA") and the City of Cudahy (the "City").

WHEREAS, on November 14, 1980, the voters of the County of Los Angeles approved by majority vote Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes; and

WHEREAS, at its September 26, 2001 meeting, the LACMTA authorized payment of Proposition A Discretionary Incentive funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data; and

WHEREAS, at its June 21, 2018 meeting, LACMTA approved the Fiscal Year FY 2018-19 transit fund allocations, which included funds to make payments to all cities that voluntarily reported NTD data for FY 2016-17; and

WHEREAS, the City has been a participant in LACMTA's Consolidated National Transit Database (NTD) Reporters Random Sampling Program for FY 2016-17 and has voluntarily submitted NTD data to the LACMTA for FY 2016-17 which successfully passed independent audit without findings; and

WHEREAS, the City has requested funds under the Proposition A Discretionary Incentive Program for collecting and reporting data for the NTD from the FY 2016-17 Report Year (the "Project"); and

WHEREAS, on April 9, 2019, the Federal Transit Administration (FTA) published in the Federal Register the FY 2018-19 Apportionments, Allocations, and Program Information including unit values for the data reported to the NTD; and

WHEREAS, the parties desire to agree on the terms and conditions for payment for the Project.

NOW, THEREFORE, LACMTA and the City hereby agree to the following terms and procedures:

ARTICLE 1. TERM

1.0 This Memorandum of Understanding ("MOU") will be in effect from July **1, 2019,** through June **30, 2023** at which time all unused funds shall lapse.

ARTICLE 2. STANDARDS

2.0 To receive payment for the submittal of the FY 2016-17 NTD statistics, the City warrants that it:

A. Adhered to the Federal Guidelines for collecting and Reporting NTD statistics including all audit requirements;

B. Prepared and submitted the FY 2016-17 **ANNUAL NTD REPORT** of the City's fixed-route and/or demand response transit service to the LACMTA on or before **October 31, 2018;**

ARTICLE 3. PAYMENT OF FUNDS TO CITY

3.0 LACMTA shall pay the City for collecting and reporting FY 2016-17 NTD statistics. LACMTA shall pay the City for submitting the FY 2016-17 **ANNUAL NTD REPORT** for the applicable transit services as follows:

MOTOR BUS SERVICE
For City's motor bus service, LACMTA shall pay an amount equal to the 34,129 revenue vehicle miles reported by the City multiplied by the FTA unit value of $0.4239291 per revenue vehicle mile. See Attachment A for detail.

DEMAND RESPONSE TAXI SERVICE
For City's demand response taxi service, LACMTA shall pay an amount equal to the 7,305 revenue vehicle miles reported by the City multiplied by the FTA unit value of $0.4239291 per revenue vehicle mile. See Attachment A for detail.

3.1 The City shall submit one invoice to LACMTA prior to **June 30, 2023,** in the amount of **$17,819** in order to receive its payment described above.

3.2 INVOICE BY CITY:

Send invoice with supporting documentation to:
Los Angeles County Metropolitan Transportation Authority
Accounts Payable
P. 0. Box 512296
Los Angeles, CA 90051-0296
accountspayable@metro.net

Re: LACMTA MOU# MOUPAICUDA19000 M.S. Chelsea Meister (99-4-3)

ARTICLE 4. CONDITIONS

4.0 The City agrees to comply with all requirements specified by the FTA guidelines for reporting NTD statistics.

4.1 The City understands and agrees that LACMTA shall have no liability in connection with the City's use of the funds. The City shall indemnify, defend, and hold harmless LACMTA and its officers, agents, and employees from and against any and all liability and expenses including defense costs and legal fees and claims for damages of any nature whatsoever, arising out of any act or omission of the City, its officers, agents, employees, and subcontractors in performing the services under this MOU.

4.2 The City is not a contractor, agent or employee of LACMTA. The City shall not represent itself as a contractor, agent or employee of LACMTA and shall have no power to bind LACMTA in contract or otherwise.

4.3 The City agrees that expenditure of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit and lapsing requirements of the Proposition A and Proposition C Local Return guidelines most recently adopted by the LACMTA Board.

4.4 These expenditures will be subject to **AUDIT** as part of LACMTA's annual Consolidated Audit.

ARTICLE 5. REMEDIES

5.0 LACMTA reserves the right to terminate this MOU and withhold or recoup funds if it determines that the City has not met the requirements specified by the FTA for collecting and submitting NTD statistics through LACMTA.

ARTICLE 6. MISCELLANEOUS

6.0 This MOU constitutes the entire understanding between the parties, with respect to the subject matter herein.

6.1 The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the original MOU or the same level of authority.

ARTICLE 7. CONTACT INFORMATION

7.0 LACMTA's Address:
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012
Attention: Chelsea Meister (99-4-3)

7.1 City's Address:
Cudahy
5220 Santa Ana St.
Cudahy,CA 90201
Attn: Steven Dobrenen
sdobrenen@cityofcudahyca.gov

IN WITNESS WHEREOF, the City and LACMTA have caused this MOU to be executed by their duly authorized representatives on the date noted below:

CITY:

City of Cudahy

_____

Mayor/City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Legal Counsel

Date: _____

Los Angeles County Metropolitan Transportation Authority

By: _____
PHILLIP A. WASHINGTON
Chief Executive Officer

Date: _____

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____
Deputy

Date: 3/16/2020

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY17
Using FY19 FTA Formula Programs Apportionment Data Values

Jurisdiction	MODE	Number of Vehicles in Operation	Total Vehicle Revenue Miles	$ from VRM	Tier II Operator Deduction	Total ($)Due to Jurisdiction
Alhambra	MB	9	69,198	29,759.94		29,760
Alhambra	DR	8	162,154	69,737.47		69,737
Artesia	DR (DT)	5	11,575	4,978.05		4,978
Azusa	DR	6	94,149	40,490.60		40,491
Baldwin Park	MB	6	173,323	74,540.91		74,541
Baldwin Park	DR	2	36,327	15,623.13		15,623
Bell	MB	1	34,565	14,865.35		14,865
Bell	DT	5	22,722	9,772.04		9,772
Bell	DR	3	16,819	7,233.34		7,233
Bellflower	MB	2	73,667	31,681.92		31,682
Bellflower	DR	2	31,669	13,619.87		13,620
Bell Gardens	MB	3	96,701	41,588.14		41,588
Bell Gardens	DR	3	52,562	22,605.31		22,605
Burbank	MB	14	311,638	134,025.96	(18,646)	115,380
Calabasas	MB	11	140,038	60,226.05		60,226
Calabasas	DR	1	14,574	6,267.83		6,268
Carson	MB	7	349,898	150,480.41		150,480
Carson	DT	8	96,771	41,618.24		41,618
Cerritos	MB	5	175,131	75,318.48		75,318
Cerritos	DT	10	53,855	23,161.39		23,161
Compton	DR	2	24,508	10,540.14		10,540
Compton	MB	5	129,242	55,583.03		55,583
Covina	DR	4	55,544	23,887.77		23,888
Cudahy	MB	1	34,129	14,677.84		14,678
Cudahy	DT	5	7,305	3,141.66		3,142
Downey	MB	6	139,422	59,961.13		59,961
Downey	DR	10	80,871	34,780.14		34,780
Duarte	MB	2	82,183	35,344.39		35,344
El Monte	MB	7	264,834	113,896.99		113,897
El Monte	DR	6	81,567	35,079.47		35,079
Glendora	MB	3	81,576	35,083.34		35,083
Glendora	DR	9	99,573	42,823.30		42,823
Huntington Park	MB		DID NOT REPORT IN FY17			
Huntington Park	DT		DID NOT REPORT IN FY17			
LACDPWAvocado	MB	1	38,720	16,652.29		16,652
LACDPWELA	MB	6	248,495	106,870.09		106,870
LACDPWELA	DR	7	78,968	33,961.72		33,962
LACDPWEast Valinda	MB	1	44,801	19,267.54		19,268
LACDPWKing Medical	MB	1	18,244	7,846.19		7,846
LACDPWWillowbrook Shuttle	MB	2	37,865	16,284.58		16,285
LACDPWS.Whittier	MB	4	203,122	87,356.55		87,357
LACDPWAthens	MB	1	38,450	16,536.17		16,536
LACDPWLennox	MB	1	30,572	13,148.08		13,148
LACDPWFloranceFirestone	MB	2	57,249	24,621.04		24,621
Lawndale	MB	2	80,762	34,733.26		34,733
Lynwood	MB	4	139,584	60,030.80		60,031
Malibu	DT	9	52,385	22,529.18		22,529
ManhattanBeach	DR	4	40,981	17,624.67		17,625
Maywood	MB	2	29,551	12,708.98		12,709
Maywood	DR	2	20,943	9,006.94		9,007
MontereyPark	MB	6	222,956	95,886.55		95,887
MontereyPark	DR	3	25,179	10,828.72		10,829
Pico Rivera	DR	3	27,586	11,863.89		11,864
Rosemead	MB	2	114,471	49,230.47		49,230
Rosemead	DR	3	39,195	16,856.57		16,857
Santa Fe Springs	DR	2	12,748	5,482.52		5,483
South Gate	MB	5	175,994	75,689.63		75,690
South Gate	DT	9	178,731	76,866.73		76,867
SouthPasadena	DR	5	33,925	14,590.10		14,590
WestCovina	MB	4	167,897	72,207.36		72,207
WestCovina	DR	4	69,592	29,929.39		29,929
West Hollywood	MB	4	103,769	44,627.87		44,628
Total		**270**	**5,327,056**	**2,291,004**	**(18,646)**	**2,272,357**
FY19 Revenue Mile Rate		**0.430069369**				

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY '20
Using FY '18 FTA Formula Programs Apportionment Data Unit Values

Jurisdiction	MODE	Number of Vehicles in Operation	Total Vehicle Revenue Miles	Total Vehicle Revenue Hours	Total Passenger Miles	Total Operating Costs	$ from VRM	$from OPCOST	Total Generated	Tier II Operator Deduction	Total ($)Due to Jurisdiction
Glendale	MB	28	719,209	80,357	3,300,627	6,933,059	309,309.76	22,024	$ 331,334	(45,590)	285,744
Pasadena	MB		672,330	63,393	2,749,102	4,869,162	289,148.54	21,755	$ 310,903	(42,759)	268,144
LADOT COMMUNITY DASH	MB	170	2,686,782	286,342	14,152,044	31,305,519	1,155,503	89,669	$ 1,245,171	(186,479)	1,058,692
LADOT DEPARTMENT OF AGING	DR	86	423,604	57,022	536,982	4,200,405	182,179	962	$ 183,141		183,141
Total LADOT		256	3,110,386	343,364	14,689,026	35,505,924	1,337,682	90,631	$ 1,428,313		1,241,834
Total NTD 9166 Funds		290	4,642,895	497,800	20,958,090	48,368,020	1,996,767	135,045	2,131,812	(274,828)	1,856,984

FY19 Revenue Mile Rate	0.4300694 *
FY19 Passenger Mile Rate	0.0140160

PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING FOR COLLECTING AND REPORTING DATA FOR THE NATIONAL TRANSIT DATABASE FOR REPORT YEAR 2018

This Memorandum of Understanding (MOU) is entered into as of May 1, 2020 by and between Los Angeles County Metropolitan Transportation Authority ("LACMTA") and the City of Cudahy (the "City").

WHEREAS, on November 14, 1980, the voters of the County of Los Angeles approved by majority vote Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes; and

WHEREAS, at its September 26, 2001 meeting, the LACMTA authorized payment of Proposition A Discretionary Incentive funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data; and

WHEREAS, at its June 20, 2019 meeting, LACMTA approved the Fiscal Year FY 2019-20 transit fund allocations, which included funds to make payments to all cities that voluntarily reported NTD data for FY 2017-18; and

WHEREAS, the City has voluntarily submitted their FY2017-18 data to the National Transit Database (NTD) and have successfully met all NTD and Federal Transit Administration (FTA) requirements in order to generate Federal 5307 funds for the Los Angeles County region; and

WHEREAS, the City has requested funds under the Proposition A Discretionary Incentive Program for collecting and reporting data for the NTD from the FY 2017-18 Report Year (the "Project"); and

WHEREAS, on February 9, 2020, the Federal Transit Administration (FTA) published in the Federal Register the FY 2019-20 Apportionments, Allocations, and Program Information including unit values for the data reported to the NTD; and

WHEREAS, the parties desire to agree on the terms and conditions for payment for the Project.

NOW, THEREFORE, LACMTA and the City hereby agree to the following terms and procedures:

ARTICLE 1. TERM

1.0 This Memorandum of Understanding ("MOU") will be in effect from **May 1, 2020**, through **June 30, 2023** at which time all unused funds shall lapse.

ARTICLE 2. STANDARDS

2.0 To receive payment for the submittal of the FY 2017-18 NTD statistics, the City warrants that it:

A. Adhered to the Federal Guidelines for collecting and Reporting NTD statistics including all audit requirements;

B. Prepared and submitted the FY 2017-18 **ANNUAL NTD REPORT** of the City's fixed-route and/or demand response transit service to the LACMTA on or before **October 31, 2018**;

ARTICLE 3. PAYMENT OF FUNDS TO CITY

3.0 LACMTA shall pay the City for collecting and reporting FY 2017-18 NTD statistics. LACMTA shall pay the City for submitting the FY 2017-18 **ANNUAL NTD REPORT** for the applicable transit services as follows:

MOTOR BUS SERVICE
For City's motor bus service, LACMTA shall pay an amount equal to the 34,548 revenue vehicle miles reported by the City multiplied by the FTA unit value of $0.438026446 per revenue vehicle mile. See Attachment A for detail.

DEMAND RESPONSE TAXI SERVICE
For City's demand response taxi service, LACMTA shall pay an amount equal to the 17,248 revenue vehicle miles reported by the City multiplied by the FTA unit value of $0.438026446 per revenue vehicle mile. See Attachment A for detail.

3.1 The City shall submit one invoice to LACMTA prior to **June 30, 2023**, in the amount of **$22,688** in order to receive its payment described above.

3.2 INVOICE BY CITY:

Send invoice with supporting documentation to:
Los Angeles County Metropolitan Transportation Authority
Accounts Payable
P. O. Box 512296
Los Angeles, CA 90051-0296
accountspayable@metro.net

Re: LACMTA MOU# MOUPAICUDA20000 M.S. Chelsea Meister (99-4-3)

ARTICLE 4. CONDITIONS

4.0 The City agrees to comply with all requirements specified by the FTA guidelines for reporting NTD statistics.

4.1 The City understands and agrees that LACMTA shall have no liability in connection with the City's use of the funds. The City shall indemnify, defend, and hold harmless LACMTA and its officers, agents, and employees from and against any and all liability and expenses including defense costs and legal fees and claims for damages of any nature whatsoever, arising out of any act or omission of the City, its officers, agents, employees, and subcontractors in performing the services under this MOU.

4.2 The City is not a contractor, agent or employee of LACMTA. The City shall not represent itself as a contractor, agent or employee of LACMTA and shall have no power to bind LACMTA in contract or otherwise.

4.3 The City agrees that expenditure of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit and lapsing requirements of the Proposition A and Proposition C Local Return guidelines most recently adopted by the LACMTA Board.

4.4 These expenditures will be subject to **AUDIT** as part of LACMTA's annual Consolidated Audit.

ARTICLE 5. REMEDIES

5.0 LACMTA reserves the right to terminate this MOU and withhold or recoup funds if it determines that the City has not met the requirements specified by the FTA for collecting and submitting NTD statistics through LACMTA.

ARTICLE 6. MISCELLANEOUS

6.0 This MOU constitutes the entire understanding between the parties, with respect to the subject matter herein.

6.1 The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the original MOU or the same level of authority.

ARTICLE 7. CONTACT INFORMATION

7.0 LACMTA's Address:
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012
Attention: Chelsea Meister (99-4-3)

7.1 City's Address:
Cudahy
5220 Santa Ana St.
Cudahy,CA 90201
Attn: Steven Dobrenen
sdobrenen@cityofcudahyca.gov

IN WITNESS WHEREOF, the City and LACMTA have caused this MOU to be executed by their duly authorized representatives on the date noted below:

CITY:

City of Cudahy

_____

Mayor/City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Legal Counsel

Date: _____

Los Angeles County Metropolitan Transportation Authority

By: _____
PHILLIP A. WASHINGTON
Chief Executive Officer

Date: _____

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____
Deputy

Date: 5/20/2020

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY '20
Using FY '18 FTA Formula Programs Apportionment Data Unit Values

Jurisdiction	MODE	Number of Vehicles in Operation	Total Vehicle Revenue Miles	Total Vehicle Revenue Hours	Total Passenger Miles	Total Operating Costs	$ from VRM	$from OPCOST	Total Generated	Tier II Operator Deduction	Total ($)Due to Jurisdiction
Glendale	MB	28	719,209	80,357	3,300,627	6,933,059	315,032.56	24,708	$ 339,741	(47,837)	291,904
Pasadena	MB	19	672,330	63,393	2,749,102	4,869,162	294,498.32	24,406	$ 318,905	(44,903)	274,001
LADOT COMMUNITY DASH	MB	169	2,594,003	285,403	14,502,162	34,519,839	1,136,242	95,802	$ 1,232,044	(173,478)	1,058,566
LADOT DEPARTMENT OF AGING	DR	88	418,923	56,548	531,535	4,319,733	183,499	1,028	$ 184,528		184,528
Total LADOT		**257**	**3,012,926**	**341,951**	**15,033,697**	**38,839,572**	**1,319,741**	**96,830**	**$ 1,416,572**		**1,243,094**
Total NTD 9166 Funds		**310**	**4,545,435**	**496,387**	**21,302,761**	**51,701,668**	**1,991,021**	**146,659**	**2,137,680**	**(266,219)**	**1,871,461**

FY20 Revenue Mile Rate	**0.4380264 ***
FY20 Passenger Mile Rate	**0.0157245**

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY20
Using FY18 FTA Formula Programs Apportionment Data Values

Jurisdiction	MODE	Number of Vehicles in Operation	Total Vehicle Revenue Miles	$ from VRM	Tier II Operator Deduction	Total ($)Due to Jurisdiction
Alhambra	MB	9	165,419	72,457.90		72,458
Alhambra	DR	8	102,289	44,805.29		44,805
Artesia	DR (DT)	5	13,018	5,702.23		5,702
Azusa	DR	6	95,307	41,746.99		41,747
Baldwin Park	MB	6	170,315	74,602.47		74,602
Baldwin Park	DR	2	36,514	15,994.10		15,994
Bell	MB	1	33,467	14,659.43		14,659
Bell	DT	5	23,395	10,247.63		10,248
Bell	DR	3	10,366	4,540.58		4,541
Bellflower	MB	2	72,453	31,736.33		31,736
Bellflower	DR	2	28,718	12,579.24		12,579
Bell Gardens	MB	3	96,419	42,234.07		42,234
Bell Gardens	DR	3	52,500	22,996.39		22,996
Burbank	MB	14	309,680	135,648.03	(19,100)	116,548
Calabasas	MB	11	145,520	63,741.61		63,742
Calabasas	DR	1	16,517	7,234.88		7,235
Carson	MB	7	345,915	151,519.92		151,520
Carson	DT	8	94,330	41,319.03		41,319
Cerritos	MB	5	174,367	76,377.36		76,377
Cerritos	DT	10	62,183	27,237.80		27,238
Compton	MB	5	129,233	56,607.47		56,607
Compton	DR	2	21,230	9,299.30		9,299
Covina	DR	4	58,773	25,744.13		25,744
Cudahy	MB	1	34,548	15,132.94		15,133
Cudahy	DT	5	17,248	7,555.08		7,555
Downey	MB	6	115,807	50,726.53		50,727
Downey	DR	10	75,729	33,171.30		33,171
Duarte	MB	2	81,471	35,686.45		35,686
El Monte	MB	7	248,237	108,734.37		108,734
El Monte	DR	6	79,335	34,750.83		34,751
Glendora	MB	3	89,070	39,015.02		39,015
Glendora	DR	10	117,169	51,323.12		51,323
Huntington Park	MB		DID NOT REPORT FOR FY18			
Huntington Park	DT		DID NOT REPORT FOR FY18			
LACDPWAvocado	MB	1	39,169	17,157.06		17,157
LACDPWELA	MB	6	248,646	108,913.52		108,914
LACDPWELA	DR	7	78,793	34,513.42		34,513
LACDPWEast Valinda	MB	1	43,863	19,213.15		19,213
LACDPWKing Medical	MB	1	34,782	15,235.44		15,235
LACDPWWillowbrook Shuttle	MB	2	78,299	34,297.03		34,297
LACDPWS.Whittier	MB	4	210,244	92,092.43		92,092
LACDPWAthens	MB	1	37,312	16,343.64		16,344
LACDPWLennox	MB	1	29,651	12,987.92		12,988
LACDPWFloranceFirestone	MB	2	56,647	24,812.88		24,813
Lakewood	DR	14	81,479	35,689.96		35,690
Lawndale	MB	2	77,378	33,893.61		33,894
Lynwood	MB	4	134,510	58,918.94		58,919
Malibu	DT	9	53,514	23,440.55		23,441
ManhattanBeach	DR	4	42,535	18,631.45		18,631
Maywood	MB	2	32,140	14,078.17		14,078
Maywood	DR	2	23,820	10,433.79		10,434
MontereyPark	MB	6	224,033	98,132.38		98,132
MontereyPark	DR	3	25,428	11,138.14		11,138
Pico Rivera	DR	3	21,737	9,521.38		9,521
Rosemead	MB	2	115,949	50,788.73		50,789
Rosemead	DR	3	42,854	18,771.19		18,771
Santa Fe Springs	DR	2	13,166	5,767.06		5,767
South Gate	MB	5	176,395	77,265.67		77,266
South Gate	DT	9	185,992	81,469.41		81,469
SouthPasadena	DR	5	36,012	15,774.21		15,774
WestCovina	MB	4	164,341	71,985.70		71,986
WestCovina	DR	4	67,766	29,683.30		29,683
West Hollywood	MB	4	104,163	45,626.15		45,626
Total		**285**	**5,492,997**	**2,406,078**	**(19,100)**	**2,386,978**
FY20 Revenue Mile Rate		**0.438026446**				

Item Number 13B

STAFF REPORT

Date: October 6, 2020

To: Honorable Mayor/Chair and City Council/Agency Members

From: Henry Garcia, Interim City Manager/Executive Director
By: Steven Dobrenen, Finance Director

Subject: **Consideration to Approve a Proposition A Exchange Agreement with Palos Verdes Peninsula Transit Authority (PVPTA)**

RECOMMENDATION

The City Council is requested to approve the exchange of $313,300 in available Proposition A (Prop A) funds with the Palos Verdes Peninsula Transit Authority (PVPTA) which was included in the Fiscal Year (FY) 2020-21 City Budget.

BACKGROUND

On June 30, 2020, the City Council passed a Resolution 20-21 adopting the Fiscal Year 2020-2021 City Budget which included an exchange of $461,000 of Prop A funds for receipt of $336,750 in unrestricted general fund monies

ANALYSIS

Prop A funds in the County of Los Angeles are restricted for transit purposes only. As a result, many cities have difficulties spending their Prop A funds. MTA has allowed exchanges of funds to cities that can spend these restricted Prop A funds on approved projects. The Prop A funds may be exchanged for General Funds and there is no restriction on the use of the General Funds received through this exchange.

The City has the opportunity to sell $313,300 in available Prop A funds to PVPTA for $0.75 on the dollar which would yield $234,875 in General Fund monies. The proceeds of this Fund Exchange were approved as part of the FY 2020-21 City Budget to augment General Fund revenues to enable the City to provide services to its residents.

CONCLUSION

Approval of the above mentioned agreement would allow the City to enact the exchange of Prop A funds as anticipated in FY 2020-21 City Budget.

FINANCIAL IMPACT

The City would receive $234,875 of General Fund revenues because of the Prop A funds exchange with PVPTA at $ 0.75 cents on the dollar. The City is searching for an entity that will exchange unrestricted general funds for the remaining $147,700 of City's Prop A funds.

ATTACHMENTS

Proposition A Fund Exchange Agreement

PROPOSITION 'A' FUND EXCHANGE AGREEMENT

This Fund Exchange Agreement (Agreement) is made and entered into this 24th day of September 2020, by and between the Palos Verdes Peninsula Transit Authority (PVPTA) and the City of Cudahy, with respect to the following facts:

A. The PVPTA operates a municipal transit system and has a need for additional Proposition A Local Return funds to assist in the financing of its fixed route transit operations, and to provide funds for acquisition of a new transit related equipment.

B. The City of Cudahy has an accumulation of uncommitted Proposition A Local Return funds which could be made available to the PVPTA to assist in providing the project described in Paragraph A of this Agreement.

C. In exchange for the transfer by the PVPTA of the amount of its general funds indicated in Section 1 below, the City of Cudahy is willing to transfer uncommitted Proposition A Local Return funds to the PVPTA for the purpose identified in Paragraph A.

D. The Los Angeles County Metropolitan Transportation Authority approved this Fund Exchange and the PVPTA's project description Form (Form A) covering the services discussed in Paragraph A above.

NOW THEREFORE, in consideration of the mutual benefits to be derived by the parties and of the premises herein contained, it is mutually agreed as follows:

1. Exchange. The City of Cudahy shall transfer $313,300 of its Fiscal Year 2020-2021 uncommitted Proposition A Local Return funds to the PVPTA. In return, the PVPTA shall transfer $234,975 in general funds to the City of Cudahy.

2. Consideration. The City of Cudahy shall transfer the agreed upon Proposition A Local Return funds to the PVPTA in one (1) lump sum payment no later than December 31, 2020. The PVPTA shall transfer the agreed upon general funds to the City of Cudahy in one (1) lump sum payment no later than December 31, 2020.

3. Term. This Agreement is effective on the date above written and for such time as is necessary for both parties to complete their mutual obligations under this Agreement.

4. Termination. Termination of this Agreement may be made by either party prior to the transfer of funds pursuant to Section 2 of this Agreement, so long as written notice of intent to terminate is given to the other party at least five (5) days prior to the termination.

5. Notices. Notices shall be given pursuant to this Agreement by personal service on the party to be notified, or by written notice upon such party deposited in the custody of the United States Postal Service addressed as follows:

Henry Garcia, Interim City Manager, c/o Steven Dobrenen, Finance Director
5220 Santa Ana St., Cudahy, California 90201.

Mr. Martin Gombert Administrator
PVPTA P.O. Box 2656 Palos Verdes Peninsula, California 90274

6. Assurances.

a. The PVPTA shall use the assigned Proposition A Local Return Funds only for the purpose of providing the project discussed in Paragraph A of this Agreement and within the time limits specified in Metropolitan Transportation Authority's Proposition A Local Return Program Guidelines.

b. Concurrently with the Execution of this Agreement, the PVPTA shall provide the Metropolitan Transportation Authority with the Standard Assurances and Understandings Regarding Receipt and Use of Proposition A Funds specified in the Guidelines regarding the use of the assigned Proposition A Local Return Funds.

7. Entire Agreement. This Agreement constitutes the entire understanding between the parties, with respect to the subject matter herein. This Agreement shall not be amended nor any provisions or breach hereof waived, except in writing signed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Fund Exchange Agreement to be executed by their respective officers, duly authorized, on the day and year written above.

PALOS VERDES PENINSULA TRANSIT	CITY OF CUDAHY
By:_____	By:_____
Chairperson	Mayor
Attest:	Attest:
_____	_____
Martin Gombert, Administrator	Richard Iglesias, Assistant City Clerk

Item Number 13C

STAFF REPORT

Date: October 6, 2020

To: Honorable Mayor/Chair and City Council/Agency Members

From: Henry Garcia, Interim City Manager/Executive Director
By: Richard Iglesias, Assistant City Clerk

Subject: **Consideration to Review and Approve the Draft Minutes of September 15, 2020, 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**

RECOMMENDATION

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for September 15, 2020.

BACKGROUND / ANALYSIS

Historically

The Municipal Clerk is one of the oldest professions in government, dating back to 1272 A.D., originating in England. The record keeper then was called Remembrancer, an English official whose job was to remind the Lord Treasurer and Barons of Court, of business pending.

Years later, in the 1600s, when early colonists came to America, the office of the Clerk was one of the first offices to be established. Over the years, the City Clerk's office has become the core for local government, and the liaison to the residents of the Community. The Municipal Clerk (City Clerk) is the record keeper of a City's recorded history.

William Bennett Munro, a Canadian historian, and political scientist, who taught at Harvard University and the California Institute of Technology, stated in one of his first textbooks written: "No other office in municipal service has so many contacts. It serves the Mayor, the City Council, the City Manager (when there is one), and all administrative departments,

without exception. All of them call upon it, almost daily, for some service or information. Its work is not spectacular, but it demands versatility, alertness, accuracy, and no end of patience. The public does not realize how many loose ends of city administration this office pulls together."

Moving forward to the present time, the City Clerk's office today is generally responsible for keeping a record of City Council meetings; agreements; recordings of official documents; legal advertisements; municipal elections; commissions and committees current files; claims against the city; and other legal or official documents.

City Clerks in General Law cities are required to keep a record (minutes) of the proceedings of Council meetings (Government Code Sections 36814 and 40801). Minutes are the official record of a meeting which provides a history of the Council's decisions and actions.

CONCLUSION

City Council is requested to approve the attached City Council / Agency Draft Minutes of the proceedings of September 15, 2020 City Council meeting.

FINANCIAL IMPACT

No Financial Impact.

ATTACHMENT

A. Draft Minutes September 15, 2020
B. Resolution No. 16-38, approving the City Clerk's use of Summary Action Minutes as the Official Record of the City Council proceedings.

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 15, 2020 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 7:20 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Garcia
Council / Agency Member Guerrero
Council / Agency Member Lozoya
Vice Mayor / Vice Chair Gonzalez
Mayor / Chair Alcantar

ABSENT: None

ALSO PRESENT: Interim City Manager Henry Garcia, City Attorney, Victor Ponto, Deputy City Attorney, Stephanie Arechiga, Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen, and Interim Community Development Manager, Salvador Lopez and Junior Deputy City Clerk, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Gonzalez.

IT WAS MOTIONED BY COUNCIL MEMBER GUERRERO AND SECONDED BY COUNCIL MEMBER LOZOYA TO TABLE CLOSED SESSION TO A SUBSEQUENT MEETING. THE MOTION CARRIED (5-0-0) BY THE FOLLOWING ROLL CALL VOTE:

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

4. PRESENTATIONS - NONE

5. CLOSED SESSION PUBLIC COMMENTS – NONE

6. CLOSED SESSION

DELIBERATING AS CUDAHY SUCCESSOR AGENCY

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

DRAFT

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: Henry Garcia, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer Under Negotiation: Price and Terms

B. 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: Henry Garcia, 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. 3 Santa Ana Street Residential Property 4610 Santa Ana Street APN: 6224-019-014

Successor Agency Negotiator: Henry Garcia, 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. 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: Henry Garcia, 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:

DRAFT

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: Henry Garcia, 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. 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: Henry Garcia, Executive Director, Dave Gondek, Deputy City Attorney, Victor Ponto, City Attorney
Negotiating parties: Chief Administrative Officer Under Negotiation: Price and Terms

7. CLOSED SESSION ANNOUNCEMENT - NONE

IT WAS MOTIONED BY COUNCIL MEMBER GUERRERO AND SECONDED BY COUNCIL MEMBER LOZOYA TO REDUCE PUBLIC SPEAKING TIME TO ONE MINUTE AND THIRTY SECONDS. THE MOTION CARRIED (5-0-0) BY THE FOLLOWING ROLL CALL VOTE:

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

8. PUBLIC COMMENTS

Susana Alvarado, spoke in favor of item 14A. She argued that KIPP provides a rigorous educational program as well as a nurturing environment that maximizes a child's potential. She specifically recommended KIPP due to the care they provide for students with disabilities.

Lorena Cuevas, spoke in favor of item 14A, citing the positive impacts the charter school had on her children.

A resident, spoke in favor of item 14A. She commented on the positive experience her child had attending KIPP.

Eva Beltran, spoke in favor of item 14A. She commented that she has two daughters in KIPP, and recommends the school based on their experiences.

Tevina Quintana, spoke against item 14A. She argued that KIPP is the wrong choice for Cudahy due to allegedly pretending to be diverse and for the community. She further commented on

scandals the charter school has experienced with its board members, as well as argued that KIPP is not exempt from CEQA.

Edin Enamorado, spoke against item 14A. He argued that KIPP is not exempt from a CEQA report. He mentioned that lot's history, citing smog centers, testing bombs, and other activities that contaminated the land.

Saraid Espinoza, spoke in favor of item 14A. She commented on the positive experience her child had attending KIPP, as well as the care that KIPP faculty provide for students.

Rob Pollard, spoke in favor of item 14A. He commented on his child's academic growth since attending KIPP. He also commented that both sides of this debate want what is best for children and wishes they could come together to maximize educational opportunities for their children. He concluded his comments by asking both sides to remain civil during the discourse.

Patty Contreras, spoke in favor of item 14A. She commented on the bad experience she had in public schools, and how that has changed after switching to KIPP charter schools. She further commented that the choice to choose KIPP should not be taken away from the opposing side.

Jessica Reece, spoke in favor of item 14A. She commented that she chose KIPP to give her children a better opportunity, and her children in turn have received a positive experience from attending KIPP.

Adae Bravo, spoke against item 14A. She expressed her disappointment with KIPP leadership, specifically arguing that KIPP has only released a traffic report, not an environmental impact report. Given the lot's history of pollution activities such as processing motor oil, metal, and bomb testing, an environmental impact report is required to know how contaminated that land is.

Natalie, spoke in favor of item 14A. she commented on the positive experience her child had attending KIPP.

Zoe Estrada, spoke in favor of item 14A, citing the faculty's substantial efforts to give her child a positive learning experience. She concluded her comments by asking the public to allow both public and charter schools to operate in the community.

A resident, spoke in favor of item 14A. She commented that she is currently working on becoming a teacher, and KIPP's core values are consistent with what she is learning while getting certified. In contrast, she does not see those values being followed in LAUSD public schools.

Karla Amendariz, spoke in favor of item 14A. She commented that KIPP represents core values that maximize a child's education, as well as meeting a child's needs.

Bertha Martinez, spoke against item 14A. She commented that the community does not want KIPP to operate. She further argued that public schools already provide the core values that KIPP offers. She concluded her comments by arguing that the City should not let KIPP build on contaminated soil.

Victor Frias, spoke against item 14A. He argued that there is no need for a new school in Cudahy. He further argued that no charter school developed in Cudahy when student over population was a concern. He also argued that KIPP needs to provide an environmental report due to the lot's potential contaminated soil due to historic pollution activities.

Queztali, spoke against item 14A. She argued that KIPP is not truthful, and not in favor of the community. She further argued that public schools already meet the core values provided by KIPP schools, as well as preparing students to attend prestigious universities.

Eloisa, spoke against item 14A. She argued that KIPP developments are an attempt for corporations to privatize education. She further argued for KIPP investors to reinvest in public education that need funding, rather than create new schools.

Estrella Galindo, spoke in favor of 14A, commenting on the positive impact KIPP has made on her and her family's life. She recalled on the difficulties she had attending LAUSD schools, and is now grateful she has the choice to send her children to other schools.

Mariana, spoke in favor of 14A, commenting that she graduated from an LAUSD school, but is impressed by the values and success KIPP has on communities and its children.

Anabelle Morales, spoke in favor of 14A, emphasizing on the positive values KIPP instills on its children.

Carla Gonzalez, spoke in favor of 14A, commenting on her teaching experience in both public and private education. She mentioned that her children are currently attending KIPP, and appreciates the services that KIPP offers such as speech therapy classes, the option to choose different schools, and the values that it instils to its children.

Fatima Familla, spoke against item 14A, arguing that Council members should fund existing public schools rather than building a charter school. She further emphasized the negative effects the City's public schools will experience if the KIPP development is approved.

Susie de Santiago, spoke against item 14A, advocating for the success public schools have on children. She further noted that the public hearing is in violation of municipal code 20.84.100(C)(D), citing that publishing needed to be made in a newspaper or public facilities. Since the notice was not published in parking facilities or the website, then it is in violation of the Brown Act.

Martha Macillas, spoke in favor of item 14A, commenting that her children would enroll in Park Avenue Elementary, but her child's permanent teacher no longer worked there. She further cited that her children suffered from bullying and school mismanagement, due to a lack of teachers. For those reasons, she enrolled her children in KIPP.

Carissa, spoke against item 14A, asking the Cudahy City Council to vote against the KIPP development. She further argued that what is needed is more funding for public schools, rather than allowing a charter school to come in the community and reduce public school funding.

Laura Banderas-Alvaros, spoke in favor of 14A, commenting that her children have excelled academically since attending a KIPP charter school.

Teresa, spoke against item 14A, testifying the success Cudahy public schools have on its students. She further invited council to visit Teresa Hughes to see its successful environment, and further reminded the Council that it is elected by Cudahy residents, and resonating that Cudahy does not need KIPP.

Quines Marcia, spoke against item 14A, commenting that KIPP board members met with President Trump and Betsy Devos, and argues that like Trump bypassing environment regulation policies, KIPP is doing the same thing, trying to bypass the CEQA environment report.

Sarah, spoke in favor of item 14A, arguing that the core values she found in KIPP were not available in public schools. She emphasized issues such as environmental justice, anti-racism, and justice are prioritized in KIPP charter schools, and are evident in its curriculum. She further argued that public schools are a great educational option, but are not for everybody.

Elizabeth Chavez, spoke in favor of 14A, testifying the on KIPP's success in created an environment that allows its students to thrive academically, as well as be prepared for college.

Annabelle Samperio, spoke against item 14A. She agreed both sides want to make the best choice for the children. However, she expressed her disappointment of KIPP developing on a land that may be contaminated without preparing an environmental report.

Evelyn, spoke in favor of item 14A. She was grateful for KIPP's quality education being offered for free, as well as catering to students with special needs.

Carlos Montes, commented that he has been a lifelong advocate for public schools. He expressed his opposition to KIPP, arguing that KIPP is a corporate entity, that proliferates across urban areas, and in the case of Cudahy, does so without preparing an environmental report.

Carla Banuelos, voted in favor of item 14A, commenting that KIPP gives her child with a disability the support he needs to be successful. She contrasted that with her negative experience with the public system.

Lorena Alcala, spoke against item 14A, instead asking the City Council to support existing public schools. She cited the poor environmental conditions current public schools bear, and ask the Council to consider the environmental impacts KIPP's development would have to its children.

Marco Rodriguez, spoke against item 14A, arguing that privatization hurts students and communities. He instead asked the Council to support existing public schools, emphasizing the accomplishments Teresa Hughes have made.

A resident, spoke against item 14A, reminding the public that public schools already offer services that have been highlighted by KIPP. She further argued that public schools could offer more services, if it were not for charter schools limiting public funding.

Tania Sanchez, spoke in favor of item 14A, describing her positive experiences working with KIPP. She further commented on the accomplishments KIPP has made in Huntington Park, as well as how school choice is beneficial to the community.

Brenda Lopez, spoke in favor of item 14A, and thanked all parents for participating in tonight's meeting. She further acknowledged and thanked KIPP parents for attending the meeting to speak in favor of KIPP.

Consuela A., spoke in favor of item 14A, describing her positive experiences with KIPP. She commented that she is excited about the prospect of having a charter school close to her, emphasizing the positive experiences her children had in KIPP. She concluded her comments by reminding that choice provides more educational opportunities for parents.

Rodolfo, spoke against item 14A, attesting that public education gave him the tools needed to succeed in college. He further argued that studies show that students are not successful in college, and KIPP's lack of transparency regarding test scores is questionable. He concluded his comments by arguing that KIPP is a corporate entity that only cares about maximizing profit.

Joey, spoke against item 14A, arguing that it is politically irrational to approve an item that is tied to Betsy Devos. He further argued that it is not right to build a school on contaminated land. He told Council that any Council member who votes in favor of this item will be thoroughly investigated, and protested in their homes. He concluded his comments by arguing that any investment should be allocated to funding public schools.

Saraid, spoke in favor of item 14A, noting the positive experiences she and her children received in KIPP. She contrasted that to her negative experiences in public school. Regarding the environmental concerns, she argued that Cudahy public schools have also been built in hazardous lots.

Marty, spoke against item 14A, arguing that as a former KIPP teacher, the charter school only seeks to maximize profit. She further argued that many pro KIPP speakers tonight do not live in the City, and therefore do not have the City's best interest in mind.

Edin Sanchez, spoke in favor of item 14A, commenting that KIPP provides quality education that prepares students for college.

Adriana Cortez, welcomed KIPP parents that are looking for a school to enroll their children to Teresa Hughes.

A resident, spoke against item 14A, argued that there is no evidence that charter schools perform at a higher level than public schools.

A resident, spoke against item 14A, reminding the Council that President Trump and Betsy Devos support charter schools like KIPP. He further argued that KIPP steals from the public, equating it to Trump University. He concluded his comments by condemning KIPP for encouraging students and families to take out student loans for private universities.

A resident, spoke against item 14A, recalling the bullying and chastising remarks he would receive when attending a charter school.

Teresa Pando, spoke against item 14A, arguing that public schools create positive experiences for children and its quality education prepares students for college success.

Fidencio Joel Gallardo, spoke on behalf of board member Jackie Goldberg, against item 14A. He argued that KIPP charter school would detrimentally affect current public schools, as well as noting KIPP's track record of turning away students who have more needs to success. He concluded his comments by arguing that charter schools like KIPP only exist for profit.

Gustavo Mendez, spoke against item 14A, arguing that the biggest takeaway tonight is the lack of commitment from KIPP to conduct an environmental report on the lot. He further reminded the Council that the City has already experienced the harmful impacts from building in a contaminated area in Park Avenue. He concluded his comments by arguing that it is shameful for KIPP to take funding from public schools, despite receiving generous donations.

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A resident, spoke against item 14A, arguing that this project relates to Betsy Devos, allegedly stealing millions of dollars from local communities. He further argued that the lot site has not been tested for contamination.

A resident, spoke against item 14A, arguing that funding would be taken away from public schools if charter schools are developed. She recommended City Council members to fund public education instead appropriately before supporting charter schools.

Laura Collins, spoke in favor of item 14A, arguing that parents have the right to choose where they can place their children to school. She further argued that KIPP offers quality teachers that prepare students to succeed in college.

Nina Trujillo, spoke in favor of item 14A, recognizing the accolades its teachers and schools have received. She concluded her comments by explaining that KIPP is not there to hurt anyone, simply to allow parents to have a choice.

A resident, spoke in favor of item 14A, arguing that public schools did not give him the support needed to excel in college. However, he found that support for his children in KIPP charter schools. He further argued that students are being treated as future leaders, as well as advocating for the right for parents to choose where they can send their children.

Joseph Moreno, spoke against item 14A, recalling his negative experiences when attending a charter school. He further argued that the school only cared about standards, rather than providing resources or support. He concluded his comments by arguing that public schools gave him the resources to succeed academically.

Jas, spoke against item 14A, arguing that KIPP would add one more environmental health risk, adding to the long history of environmental discrimination SELA has experienced.

Erika Loera, spoke in favor of item 14A, explaining that the attention charter schools gave to her child exceeded the attention that was given by public schools. She further argued that parents have the right to choose what school their child attends.

Betty, spoke against item 14A, highlighting the Teresa Hughes' dedicated teachers, working long hours for the benefit of the students. She further clarified that Teresa Hughes educates students about college opportunities.

Laura, spoke in favor of item 14A, arguing that she did not receive the best education in public schools. However, her children have received a quality education, and the resources needed to excel academically.

Davin, spoke in favor of item 14A, arguing that KIPP will have its students the resources needed to thrive. She further argued that charter schools are not actively trying to take away funding from public schools, rather it wants to ensure that schools have the resources needed to succeed.

Lucia, spoke in favor of item 14A.

9. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS

Mayor Alcantar, thanked participants for being patient and bearing the technical difficulties experienced at the beginning of the meeting. She further mentioned that if anyone has experienced symptoms of COVID, the City of South Gate provides free testing. She urged

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residents to fill out the census, stressing the importance an accurate representation has on resources provided to the City.

10. CITY MANAGER REPORT (information only)

11. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS - NONE

12. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

13. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS C FOR DISCUSSION)

A. Consideration to Review and Approve the Draft Minutes of August 25, 2020, for the Special Meeting of the City Council and September 1, 2020 for the Regular Meeting 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 25, 2020 and September 1, 2020.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Council Member Lozoya to approve the City Council / Successor Agency Draft Minutes for August 25, 2020 and September 1, 2020. The motion carried (5-0-0) by the following roll call vote:

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

B. Receive and File 2020 California Fair Political Practices Commission Local Agency Biennial Notice

Presented by the Assistant City Clerk

The City Council is requested to:

1. Receive and file the attached California Fair Political Practices Commission Local Agency Biennial Notice; and

2. Direct City of Cudahy ("City") staff to effectuate the necessary amendments to the Conflict of Interest Code within 90 days, in accordance with the Political Reform Act.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Council Member Lozoya to receive and file the California Fair Political Practices Commission Local Agency Biennial Notice. The motion carried (5-0-0) by the following roll call vote:

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

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ABSENT: None
ABSTAIN: None

C. Consideration and Adoption of an Ordinance Enacting a Temporary Moratorium on Evictions Due to the Nonpayment of Rent

Presented by the City Attorney's Office

The City Council is recommended to adopt Ordinance No. 710 by Second Reading, enacting a temporary moratorium on evictions due to the nonpayment of rent for tenants after the expiration of both State and County eviction protections. The proposed Ordinance has a six-month term and a six-month repayment period for unpaid rent.

Motion: It was motioned by Mayor Alcantar and seconded by Council Member Garcia to bring back a new ordinance consistent with AB 1488 to the next available City Council meeting. The motion carried (3-0-0) by the following roll call vote:

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

14. PUBLIC HEARING

A. Appeal of the Planning Commission's decision to deny Development Review Permit No. 41-532 to allow the construction of a 67,148 square foot charter school located at 7801-7835 Otis Avenue (APN 6225-026-0201/002/003/013/014)

Presented by the Community Development Manager

The City Council is requested to:

1. Reverse the Planning Commission's decision and adopt Resolution No. 20-15, approving Development Review Permit No. 41-532 (DRP 41-532) to allow the design, site layout, and construction of a new 67,148 square foot sate of the art charter school; or

2. Uphold the Planning Commission's decision and deny the project.

IT WAS MOTIONED BY COUNCIL MEMBER GUERRERO AND SECONDED BY MAYOR ALCANTAR TO LIMIT PUBLIC SPEAKING TIME TO ONE MINUTE. THE MOTION CARRIED (4-0-1) BY THE FOLLOWING ROLL CALL VOTE:

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

THE MAYOR OPENED THE FLOOR FOR PUBLIC COMMENT AT 11:02 P.M.

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EMAILED COMMENTS

Emiliana Adore, I was writing to object to the approval of a new KIPP charter school in Cudahy. There are always five elementary schools within just over mile of this proposed school. A new school would negatively impact those schools, as well as the surrounding community. In this time of COVID, when our educators have been working so hard, and our families are struggling to survive, we MUST support the schools we already have. This is not the time to weaken them. It is unconscionable to consider approving a new school right now – especially a school with a long history of harming minority and special needs students. I'm attaching an article below for anyone who would like to read more about KIPP 'no excuses' policy and the harm that it has caused on other communities.

Jonathan Gomez, Hello, I'm Jonathan Gomez. I am deeply concerned about constructing a new school on that specific property/land. That land has not been tested and certified safe to build on. But I'm also curious as to why there should be another school built in this area when there's already 5 of them. Lastly, I've called and emailed KiPP twice in regards to "serving all students" and my concern is why they won't respond to me when I ask if they accept or work with students with disabilities. Let me tell you, the schools in the area offer great programs for all students including those with disabilities.

Please think of the safety of the children before you vote. Many citizens have spoken against building this new school, so the question is, will the city council, who represents the city and its people actually listen to the people. The people have a voice, right? Will it be heard? Or will their voice not matter? These people voted for you in good faith.

Enrique Guzman, My name is Enrique Guzman. I am a resident of Cudahy. I am in solidarity with the affected schools in our area that stand to lose resources if KIPP builds their unnecessary charter school-- they are: Ellen Ochoa Learning Center, Jaime Escalante Elementary School, Corona Elementary, Teresa Hughes Elementary, Park Elementary, Elizabeth Learning Center. KIPP SoCal has enough to buy a $4 million piece of land in our community and to pay an undisclosed amount of money to Sheppard and Mullin, Richter & Hampton LLP to bypass, silence, and segregate our community. KIPP, please rescind your appeal and project to build on 7801-7835 Otis Ave. We have a petition circulating that has over 1,000 signatures in opposition to KIPP Pueblo Unido.

--We are experiencing a deadly pandemic, COVID-19 and we are experiencing important uprisings against police brutality. To our dismay, KIPP SoCal continues to push their construction plans on our community amidst these attacks on people of color, black and immigrant communities. Even though we have shown time and time again that the Cudahy Community rejects KIPP's plans to build their school. KIPP's disregard of democracy shows them to already be a bad community "partner".

--I will not allow re-iteration of segregation. Our community has great schools, 5 in the 1.23 mile radius KIPP proposes to build. We cannot allow our community to be segregated. We should look for ways to fund our public schools amidst possible budget cuts. As you know, all government sectors face looming cuts. A new school is not necessary.

--KIPP is a privately-run charter school. Although they received large public funds to operate, you lack public accountability. Their board of directors is not selected by public vote; and it is made up of members with careers in Real estate, investment, private equity such as Oaktree Capital (credit, private equity, real assets and listed equities) and Paul Hastings (real estate investors).

They are wall street. They the 1%-- not people actually representative of the communities they invade.

--We question KIPP's use of public funds, intended to be for public education. These funds are diverted to expensive law firms and consultants, such as Sheppard and Mullin. This is from Sheppard and Mullin own website, "We have participated in the early stage representation of for profit educational companies and taken them through early rounds of venture funding and liquidity funding. We assist these companies in acquiring or merging with other companies". This is how they describe their Education work portfolio! Nothing about education itself.

--There is not an independent traffic, environmental, air pollution, report produced. Our city has one experienced environmental hardship after the other. We cannot accept KIPP's reports.

Adonia Burciaga, I OPPOSE KIPP.

Chrisine Dimas, Please listen to the voices of your residents in the community. They are requesting that you vote against the KIPP Charter. Support the students, parents and teachers. Thank you.

Carlos Alvarez, As an attendee of Park Ave and graduate of Elizabeth street learning center I STRONGLY APPOSE KIPP. The community does not need an organization like Kipp so I STRONGLY OPPOSE KIPP!!!

Susana Alvarado, My name is Susana Alvarado, and I am one of the special education teachers at KIPP Pueblo Unido. I am the lead teacher for our Unidos We Strive specialized program that supports our students with moderate server needs. It is my pleasure to speak to you all today. I am not for district or charter schools, I am for effective, results oriented public education, and KIPP Pueblo Unido embodies these characteristics. Growing up, I saw the disparities and lack of resources for students with disabilities. My brother was one of those students. I entered the field of special education to advocate for my students and provide them with rigorous educational experiences, like the once my brother should have had. I want to provide my students with the academic knowledge that will motivate them to continue learning and pursue higher education, which is what I strive for every day. I love my job and love watching my students learn and grow academically and socially emotionally. We are here because we all want what is best for kids. KIPP Pueblo Unido provides all f our students with a safe, nurturing learning environment where all students will learn. I chose to enroll my own son, who has a disability at KIPP Pueblo Unido. My child has grown so much under the rigorous teaching practices of our teachers. Before KIPP Pueblo Unido my son had limited speech, which resulted in him felling frustrated. I was worried about him keeping up with peers and making friends. My son can now speak in full sentences and talk your ear off about Minecraft. He now has a best friend that he prioritizes over anyone. This was all possible because of the amount of love and dedication his teachers and speech therapist provided him. I want other students with disabilities to be provided with the same opportunities my son was. I can full heartedly recommend KIPP Pueblo Unido, not just as a teacher but as a mom. Thank you for your time. I hope for our permanent site's approval, so our students can have a permanent location where they can continue to learn and thrive.

Claudia Pardo Barriga, My name is Captain Claudia Pardo-Barriga and I work with the salvation army California south division. I am submitting this letter to express my support for the construction of the KIPP Charter school at 7801-7835 Otis Avenue in Cudahy, CA. As a community based organization, community involvement in education is an important factor in ensuring students are set up for success in life. KIPP SoCal focuses on academic excellence, supporting a diverse range of learners, and partnering with families and communities to create an

environment where students can thrive. The Otis avenue campus will create a physical space that not only provides an enriching learning environment for the students of Cudahy, but also creates opportunity for connection, collaboration and partnership with the broader community. KIPP SoCal is an organization that puts students and families first. We value our relationships with KIPP and trust that they will work in partnership with the Cudahy community to create a campus that complements the great work already taking place in the city. For these reasons, we urge you to approve the Otis Avenue campus for the benefit of Cudahy's students, as well as for the greater community.

Alejandra Leon, Good evening city council members and city staff,

My name is Alejandra Leon and I am a lifelong resident of the Southeast community and specifically in the City of South Gate. I attended LAUSD schools for K-12 and decided to work within my community for Boardmember Jackie Goldberg to advocate on behalf of our public schools.

As someone who has visited every school in the Southeast and witnessed firsthand the lack of money and resources that our schools have access to, it is important that you vote no on the construction of the new KIPP school in Cudahy. I have seen firsthand the negative effects of charter schools on local public schools when they are constructed nearby each other. The construction of KIPP would affect schools such as Teresa Hughes Elementary that is around the corner by taking their students and replicating programs that they already offer. The City of Cudahy has more than enough amazing schools, many of them who are currently under-enrolled and struggling to fill their seats.

Opening a new school is not the solution. Charter schools are publicly funded and privately run, meaning they are taking away tax money from public schools that can highly benefit from the money being redirected from them. We need to invest in our LAUSD public schools and protect public education. I urge you to please consider voting no on the construction of the new KIPP school.

Abby Jaramillo, Hello my name is Abby Jaramillo. I am a Cudahy Educator. I object to the appeal and project to build on 7801-7835 Otis Ave. I am in solidarity with the affected schools in our area that stand to lose resources if the project is approved: Ellen Ochoa Learning Center, Jaime Escalante Elementary School, Corona Elementary, Teresa Hughes Elementary, Park Elementary, Elizabeth Learning Center.

With the scientific alarms of climate change, it is disrespectful both to the community and to the environment for the city to argue it is exempt from California Environmental Quality Act (CEQA). Saying this huge project, as we all can see in the packet. It is beyond what a ministerial project is which is rooftop replacement and alteration to landscape. The project is BEYOND these minor changes. It is our view that it is NOT exempt from CEQA based on the state guidelines. The project is bigger in scope, and requires exercise of judgment, the decision is discretionary not ministerial. The organization the Advocates for the Environment, submitted a letter to city council regarding this issue on April 17, 2020.
Please do the right thing for the community. DO NOT let corporations intimidate you.

Lorelita Gutierrez, My name is Belen Gutierrez and I am an educator and resident in Cudahy. My daughter currently attends public school in Cudahy. It is my understanding that the City of Cudahy does not feel that KIPP requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA test. This project should not qualify as

a “ministerial project” because building a school is not comparable to roof replacements or interior alterations. If this “ministerial project” is approved, you will see the health effects in time. The health and safety of the community should be the number one priority of City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP SoCal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP’s appeal.

Linda Hernandez, I am a resident of the City of Bell Gardens , and I support the KIPP Pueblo Unido Project because my child is a KIPP student and we need a permanent campus nearby. My child whom is currently attending 1st grade is showing a huge improvement in his learning. I prefer KIPP as an option because my son is now more engaged and wants to participate in the learning experience , versus in his previous school (Garfield Elementary) i was having trouble getting him engaged and he did not want to participate in any class activities. Since he started in the KIPP program , he always looks towards doing his school work and participating in class.

Therefore, I'm in support of the KIPP Pueblo Unido Project.

Cindy Gutierrez, My name is Cindy Gutierrez and I am a social worker and resident of the city of Cudahy. My niece currently attends a public school in Cudahy. It is my understanding that the City of Cudahy does not feel that KIPP requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA test. This project should not qualify as a “ministerial project” because building a school is not comparable to roof replacements or interior alterations. If this “ministerial project” is approved, you will see the health effects in time. The health and safety of the community should be the number one priority of the City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP SoCal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP’s appeal.

Amy Hernandez, My name is Amy Hernández and I am an educator in SELA. I stand in solidarity with the educators and community members of Cudahy. It is my understanding that the City of Cudahy does not feel that KIPP requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA test. This project should not qualify as a “ministerial project” because building a school is not comparable to roof replacements or interior alterations. If this “ministerial project” is approved, you will see the health effects in time. The health and safety of the community should be the number one priority of City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP SoCal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP’s appeal.

Aaron Ruiz, My name is Aaron Ruiz and I am an educator in Garden Grove, CA. I stand in solidarity with the educators and community members of Cudahy. It is my understanding that the City of Cudahy does not feel that KIPP requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA test. This project should not qualify as a “ministerial project” because building a school is not comparable to roof replacements or interior alterations. If this “ministerial project” is approved, you will see the health effects in time. The health and safety of the community should be the number one priority of City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP SoCal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP’s appeal.

Sandra Perez-Pizano, Hello my name is Sandra Perez-Pizano. I am a teacher in Cudahy. I am from Teresa Hughes Elementary School.I am in solidarity with the affected schools in our area that stand to lose resources if KIPP SoCal forces these construction plans: Ellen Ochoa Learning Center, Jaime Escalante Elementary School, Corona Elementary, Teresa Hughes Elementary, Park Elementary, Elizabeth Learning Center. I object to KIPP's appeal and project to build on 7801-7835 Otis Ave. We have a petition circulating that over 1,300 signatures in opposition to KIPP Pueblo Unido.

But most importantly the reason I object is because of the lack of environmental studies of the proposed sight. Regardless of whatever building/construction permit KIPP has obtained, a school cannot be built there because that land had been used for many years where toxic chemicals were used or stored. This will have a direct effect on children and adults' health. Please, I implore to the Cudahy council to really look at the impact of the environment as well as the flow of traffic that a new school built there may have.

David Garcia, It is my understanding that the City of Cudahy does not feel that KIPP Pueblo Unido requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing a COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA testing. This project should not qualify as a "Ministerial Project" because building a school is not comparable to roof replacements or interior alterations, If this "Ministerial Project" is approved, you will see the health effects in time.The health and safety of the community should be the number one priority of City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP So Cal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP's appeal.

Tracy Cook, I am writing to object the approval of a new KIPP charter school in Cudahy. This August, LAUSD put on notice 22 charter schools that they are low performing and will lose their license in LAUSD next year if they have not improved. Two of the 22 are KIPP charter schools. The NAACP and BLM have both asked for a moratorium on charter schools. The federal government lost over 1 billion dollars to charter frauds and hundreds of millions were lost in California. Cudahy does not have the luxury to lose any funding to charter fraud especially during Covid. It is also worth noting that one of the founders of KIPP was fired for sexual misconduct of a student and employees. Is this the group that Cudahy wants in the community? Do not let KIPP into Cudahy. Instead stand by your public schools and reinvest in the community schools.

Cristina Saldivar, My name is Cristina Salazar and I stand in solidarity with the educators and community members of Cudahy. It is my understanding that the City of Cudahy does not feel that KIPP requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA test. This project should not qualify as a "ministerial project" because building a school is not comparable to roof replacements or interior alterations. If this "ministerial project" is approved, you will see the health effects in time. The health and safety of the community should be the number one priority of City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP SoCal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP's appeal.

Manuela Cisneros Hibert,

Businesses on the corner

- In WW2 they used to cast hand grenade bodies there
- They casted them in sand molds on the ground
- WELDING- They used to throw slag in the ground
- Smog/Auto Repair - poured oils
- Recycle Center

Reasons NOT to put a school
- They said they would only have 100 parking spaces for teachers and staff
- What about the ones who drive?
- What about graduation day?
- What about parent/teacher conferences?

Where will they park!?? HERE!! On OLIVE STREET

- THE BUSINESSES WE HAVE ON THE STREET GET DELIVERIES BY BIG RIGS (which the sign states are NOT allowed over 3 tons!) EVERY DAY EVEN ON WEEKENDS AND HOLIDAYS AND BLOCK THE ROADS. THEY EVEN GET DELIVERIES AT 2-4am AND WHEN WE CALL PD, THEY TELL US THAT WE CAN'T STOP THEM FROM WORKING, YET THEIR WORKING HOURS ARE FROM 6am-4pm DAILY.
- ALEX ALONE HAS 11 VEHICLES AND 1 TOW TRUCK THAT ARE ALL PARKED AND STORED THERE
- JOSE HAS ANOTHER 11 VEHICLES AND A BOAT THERE STORED. NOT TO MENTION THE OLD VEHICLES HE GETS DELIVERED FROM TIME TO TIME AND STORES INSIDE
- TACAZO GETS DELIVERIES SOMETIMES AT 2 AM!
- WE HAVE HAD MULTIPLE SHOOTINGS ON OUR STREET, SEVERAL OF THEM AS RECENT AS LAST WEEK, NOT TO MENTION SOMEONE COMING OVER THE TRACKS AND CAUSING AN EXPLOSION THAT SOUNDED LIKE A BOMB IN THE MIDDLE OF THE NIGHT
- THE NEW STOP SIGN IS WORSE THAN THE LAST ONE! PEOPLE RUN THROUGH THE STOP SIGN AT HIGH SPEEDS AND HAVE ALMOST HIT ON SEVERAL OCCASIONS- THANK GOODNESS FOR US KNOWING TO BE MORE CAUTIOUS WHEN EXITING OUR OWN STREET! THEY'RE GOING TO KILL ONE OF THOSE KIDS CROSSING THE STREET!
- THE MAP: YOU LIED! YOU SAID OUR AREA WAS LOW DENSITY AND WE LOOKED IT UP ON YOUR OWN WEBSITE ONLY TO FIND THAT THE ONLY LOW DENSITY AREA IS ON THE OTHER SIDE OF LIVE OAK.... ALL OF THIS IS HIGH DENSITY
- ENVIRONMENTAL TESTING & TRAFFIC IMPACT REPORT: YOU LIED AGAIN! THERE WAS NONE ON THE WEBSITE AS STATED ON THE LAST MEETING
- THE SPEED BUMBS HAVE BEEN BROKEN SINCE BEFORE DECEMBER 2019 — THEY HAVE HUGE BOLTS STICKING UP AND WE HAVE HAD POPPED TIRES AND FALLEN OVER THE BROKEN PIECES AND HAD TO DISPOSAL THE BROKEN PORTIONS OURSELVES BECAUSE THE CITY JUST WALKS AWAY FROM THEIR RESPONSIBILITIES AND SAYS TO "TAKE IT TO COURT." THEY DO NOT TAKE CARE OF OUR CITY AS PROMISED AND NEVER REPOND TO THE COMPLAINTS OF OUR RESIDENTS!
- THERE'S HEAVY TRAFFIC ALL HOURS OF THE DAY DOWN CLARA STREET AND OTIS WITH THE SCHOOLS WE HAVE NOW, IMAGINE WITH ANOTHER? TERESA HAS 760 STUDENTS AND ELIZABETH HAS 1,750 STUDENTS, AND KIPP WANTS TO BRING IN ANOTHER 1,008 STUDENTS!!!

Maria Bautista, My name is Maria Bautista and I am a Resident in the City of Cudahy. It is my understanding that the City of Cudahy does not feel that KIPP requires a CEQA test. Given that Cudahy continues to be the victim of environmental injustice and we are currently experiencing COVID-19 pandemic, it is in the best interest of the community that the city conducts the CEQA

test. This project should not qualify as a “ministerial project” because building a school is not comparable to roof replacements or interior alterations. If this “ministerial project” is approved, you will see the health effects in time. The health and safety of the community should be the number one priority of City Council. Shame on any member of City Council who votes to approve this project without pushing for a CEQA test. Shame on KIPP SoCal Board of Directors for using their big money to intimidate the community. Vote NO on KIPP’s appeal.

PUBLIC COMMENTS

Anallela Lopez, spoke against item 14A, emphasizing her strong commitment and investment to the South East Los Angeles area. She discussed her experiences in both charter and public education. She further elaborated based on experience, charter schools will not take certain students. She concluded her comments by reminding Council that public schools do not turn down any students.

Katherine Alvarez, argued that the discourse for tonight has taught students to not tolerate opposing views. She further argued that instead the Council should see the root of the problem, and KIPP charter schools is not part of the problem.

Rodolfo Cortes, argued that KIPP is engaging in racist colonial language that further hurts the community. He concluded his comments by saying that if the item passes he will try to recall the Council.

A resident, spoke against item 14A.

Juana Hernandez, spoke in favor of item 14A, arguing that public schools made her children fall behind. She further argued that KIPP helped her children get back on track.

Edgar Machuca, spoke against item 14A, arguing that KIPP operates like a business and therefore only seeks monopolize education in the city rather than care for students. He further argued that KIPP is choosing to develop at the worst time, during a pandemic when families are prioritizing other issues.

Michelle Jimenez, spoke in favor of item 14A, arguing that the item is about the community’s children and the right for parents to choose the best school for their children. She further argued that KIPP has met or exceeded or requirements needed to operate as a school.

David, spoke against item 14A, supporting public schools. He further commented that he would be against any construction, public or charter, that would build on contaminated land.

THE MAYOR CLOSED THE FLOOR FOR PUBLIC COMMENT AT 12:02 PM

Motion: It was motioned by Council Member Guerrero and seconded by Council Member Garcia to reverse the Planning Commission’s decision and adopt Resolution No. 20-15, approving Development Review Permit No. 41-532 (DRP 41-532) to allow the design, site layout, and construction of a new 67,148 square foot sate of the art charter school. The motion carried (3-1-1) by the following roll call vote:

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

15. BUSINESS SESSION - NONE

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 12:32 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk

DRAFT

RESOLUTION NO. 16-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDHAY APPROVING THE CITY CLERK'S USE OF SUMMARY ACTION MINUTES AS THE OFFICIAL RECORD OF THE MEETINGS OF THE CITY COUNCIL OF THE CITY OF CUDAHY

WHEREAS, pursuant to Section 2.20.010(1) of the Municipal Code of the City of Cudahy, the City clerk is required to perform such duties as are set forth in the Government Code and in the City's Municipal Code and as the City Council from time to time shall direct or authorize; and

WHEREAS, under Government Code Section 40801, the City Clerk is tasked with keeping accurate records of the proceeding of the legislative body; and

WHEREAS, pursuant to Government Code Section 36814, the City Council shall cause the City Clerk to keep a correct record of its proceedings;

WHEREAS, the City Clerk currently prepares and keeps full written minutes of the City Council's meetings and proceedings; and

WHEREAS, instead of summary minutes, the City Council now wishes for the City Clerk to prepare and keep summary action minutes as the official record of its meetings or proceedings; and

BASED UPON THE ABOVE RECITALS, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The City Council hereby approves the use of summary action minutes as the official record of its meetings or proceedings in lieu of full form written minutes.

SECTION 3. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 12th day of December, 2016.

Baru Sanchez
Mayor

ATTEST:

Richard Iglesias
Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF CUDAHY)

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 16-38 was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 12th day of December, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES: Garcia, Markovich, Hernandez, Sanchez

NOES: None

ABSENT: None

ABSTAIN: Guerrero

Richard Iglesias
Deputy City Clerk

Item Number
15A

STAFF REPORT

Date: October 6, 2020

To: Honorable Mayor/Chair and City Council/Successor Agency Members

From: Henry Garcia, Interim City Manager/Executive Director
By: City Attorney's Office

Subject: **Consideration and Adoption of an Ordinance Amending Section 20.84.100 of the Cudahy City Municipal Code to Enact Additional Noticing Requirements**

RECOMMENDATION

The City Council is recommended to adopt Ordinance No. 708 (Attachment A), enacting an Ordinance Amending Section 20.84.100 (Notice of Public Hearing) of the Cudahy City Municipal Code to Enact Additional Noticing Requirements.

BACKGROUND/JUSTIFICATION OF RECOMMENDED ACTION:

On July 17, 2018, the City Council for the City of Cudahy ("City Council") passed Ordinance No. 630 amending Title 20 of the City of Cudahy's Municipal Code. Section 20.84.100 (Notice of Public Hearing) currently sets forth the requirements necessary for noticing a public hearing related to a Planning Commission decision. The current requirements include distribution to owners of the subject real property, local agencies expected to provide essential facilities or services, and all persons whose names and addresses are listed on the latest equalized assessment roll of the County of Los Angeles as the owners of real property situated within 300 feet of the exterior boundary.

The Amendment extends the noticing requirement to include all tenants located on all real property situated within 300 feet of the exterior boundary of the real property that is the subject of the hearing. The Amendment also adds the requirement that the notices be provided in English and Spanish. A majority of City of Cudahy residents are tenants as opposed to owners, as such the municipal code should be updated to include tenants in noticing requirements for

planning commission decisions. Additionally, many residents would likely feel more comfortable having the option of reviewing the notice in either English or Spanish.

FISCAL IMPACT

There is currently no fiscal impact on the City's budget.

RECOMMENDATION

Accordingly, it is recommended that the City Council approve the attached Ordinance.

ATTACHMENTS

A. Ordinance No. 708

ORDINANCE NO. 708

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA AMENDING SECTION 20.84.100 (NOTICE OF PUBLIC HEARING) OF THE CUDAHY CITY MUNICIPAL CODE TO ENACT ADDITIONAL NOTICING REQUIREMENTS

WHEREAS, Article XI, Section 7 of the California Constitution provides that the City of Cudahy ("City") may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, Government Code Section 65091 sets forth the minimum noticing requirements for public hearings for planning and zoning decisions; and

WHEREAS, on July 17, 2018 the City Council for the City of Cudahy ("City Council") passed Ordinance 690 amending Title 20 of the City's Municipal Code; and

WHEREAS, the City Council is proposing updated noticing requirements to best meet the needs of the City's residents by expanding the distribution to include tenants around the affected property area, as well be available in both English and Spanish to ensure all residents are made aware of the hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The recitals above are true and correct and incorporated herein by reference.

SECTION 2. Section 20.84.100 (Notice of Public Hearing) of the Cudahy Municipal Code is amended in its entirety to read as follows:

"Public hearings shall be required for all quasi-judicial permits and legislative actions. The hearing shall be held before the designated approving authority and shall be noticed in accordance with the following provisions:

A. Public Notice. The approving authority shall give a public notice not less than 10 days before the scheduled date of a hearing for discretionary actions requiring a public hearing.

B. Notice Content. The notice shall be distributed both in English and Spanish and state the date, time, and place of the hearing; identify the hearing body; provide a general explanation of the matter to be considered; and provide a general description of the property (text or diagram), if any, which is the subject of the hearing, not.

C. Notice Distribution. Notice of the public hearing shall be mailed, postage prepaid, to all of the following:

1. The owner of the subject real property or the owner's designated agent;

2. Each local agency expected to provide essential facilities or services to the location of the application or proposed project, or whose ability to provide services may be significantly altered by approval of the application or proposed project; and

3. All persons whose names and addresses are listed on the latest equalized assessment roll of the county as the owners of real property situated within 300 feet of the exterior boundary of the real property that is the subject of the hearing. If the number of owners of property within 300 feet of the subject property exceeds 1,000, notice may instead be given as provided in subsection (D) of this section.

4. All tenants located on all the real property situated within 300 feet of the exterior boundary of the real property that is the subject of the hearing. If the number of tenants located on the properties within 300 feet of the subject property exceeds 1,000, notice may instead be given as provided in subsection (D) of this section.

D. Notice in Newspaper. Notice shall be published in at least one newspaper of general circulation in the city. If there is no newspaper of general circulation in the city, then notice shall be posted in not less than three public places in the city established by city ordinance.

E. Other Notices. This notice shall be given in addition to any other notice required by law for other actions that are to be considered concurrently with an application or proposed project. This notice may be consolidated with any other notice required for other actions being considered concurrently with the action on the application or proposed project.

F. Mailing List. Any person who requests inclusion on a mailing list for notice of hearing for development projects shall submit such request in writing to the city clerk. The city may impose a reasonable fee for the purpose of recovering the cost of such notification.

G. Failure to Receive Notice. Pursuant to California Government Code Section 65093, failure of any person or entity to receive notice required by law of any hearing shall not constitute grounds for any court to invalidate the actions of a designated approving authority for which the notice was given.

H. Special Noticing for Temporary Uses. Upon receipt of a complete application for approval of a temporary carnival, circus, fair, or similar event, the director of community development shall mail notice to the recorded owners of all property within 300 feet of the development. The notice shall contain all of the following:

1. A general description of the location of the subject property;

2. The time and manner in which comments on the proposal may be submitted for the director of community development's consideration;

3. A description of the manner in which requests for notice of the director of community development decision on the application may be made; and

4. A description of the manner in which decisions of the director of community development may be appealed."

SECTION 3. Environmental. This Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (Cal. Code Regs., tit.14, § 15378, subd. (a).) Further, this Ordinance is exempt from CEQA as there is no possibility that it or its implementation would have a significant negative effect on the environment. (Cal. Code Regs., tit.14, § 15061, subd. (b)(3).)

SECTION 4. Inconsistent Provisions. Any provision of the Cudahy Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 6. Construction. The Ordinance is intended to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of the Cudahy Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 7. Publication and Effective Date. The Mayor shall sign, and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at the regular meeting of this ___ day of October 2020.

_____
Elizabeth Alcantar
Mayor

ATTEST:

_____
Richard Iglesias
Assistant City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF CUDAHY)

I, Richard Iglesias, Assistant City Clerk of the City of Cudahy, hereby certify that the foregoing Ordinance No._____ was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the ___ day of October 2020 and that said Ordinance was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Richard Iglesias
Assistant City Clerk