

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:** 882 7109 9786

<https://us02web.zoom.us/j/88271099786>

---

## **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, November 17, 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](http://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**

**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 CITY COUNCIL AND 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, Karin Briggs, 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, Karin Briggs, 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, Karin Briggs, Deputy City Attorney, Victor Ponto, City Attorney

Negotiating parties: Prima Development, Inc.

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

G. Closed Session Pursuant to Government Code Section 54956.9(d)(2) – 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 the Local Agency Investment Fund (LAIF) for the Month of August 2020**

*Presented by the Finance Director*

**Recommendation:** The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of August 2020 in the amount of \$6,882,920.11.

**B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of August 2020**

*Presented by the Finance Director*

**Recommendation:** The City Council is requested to approve the Demands and Payroll in the amount of \$846,431.38 including Cash and Investment Report by Fund for the month of August 2020.

C. Approval of the Local Agency Investment Fund (LAIF) for the Month of September 2020

Presented by the Finance Director

**Recommendation:** The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2020 in the amount of \$6,882,920.11.

D. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of September 2020

Presented by the Finance Director

**Recommendation:** The City Council is requested to approve the Demands and Payroll in the amount of \$846,431.38 including Cash and Investment Report by Fund for the month of September 2020.

E. Consideration to Review and Approve the Draft Minutes of September 21, 2020 October 13, 2020, and November 4, 2020 for the Regular, Adjourned, and Special Meetings of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by the Assistant City Clerk

**Recommendation:** The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for September 21, 2020, October 13, 2020, and November 4, 2020.

**14. PUBLIC HEARING**

A. Majority Protest Public Hearing for Receiving Written Protests in Opposition to Proposed Solid Waste Charges Increase and Consider and Approve Resolution No. 20-36 Levying Fees for the Handling of Solid Waste and Recyclable Materials Pursuant to Section 8.12.170 (Billing and Collection of Rates, Fees, and Charges) of the Cudahy Municipal Code and Article XIII D of the California Constitution

Presented by the City Attorney's Office

**Recommendation:** The City Council is requested to:

1. Open the Majority Protest Public Hearing;
2. Receive presentation of City staff for purposes of establishing record of proceedings, including establishing City's compliance with requirements of Proposition 218 and the adequacy of the solid waste rate study;

3. Pose questions to City staff;
4. Receive comments from members of the public, including comments by those wishing to object to the proposed rate increase. (Persons eligible to submit written protests on behalf of an individual parcel must submit the written protest to the City Clerk before the close of the majority protest hearing in order for the written protest to be counted. Only one protest may be counted per parcel.);
5. Pose final closing questions to City staff;
6. Announce, on the record, a final call for submission of written protests in opposition to solid waste rate increase;
7. Recess hearing to allow for count of written protests;
8. Reconvene the hearing upon the completion of the vote count and announce the results on the record;
9. If less than 50% of the eligible parcels had written protests submitted on their behalf, then it is recommended that the City Council make a motion which:
  - a. Ratifies and accepts the findings and recommendations of the solid waste rate study prepared by R3 Consulting Group, Inc. in consultation with City staff;
  - b. Ratifies Resolution No. 20-36, levying fees for the handling of solid waste and recyclable materials, also known as rubbish collection charge, against commercial properties within the City, pursuant to section 8.12.170 (Billing and Collection of Rates, Fees, and Charges) of the Cudahy Municipal Code and Article XIII D of the California Constitution.

## 15. BUSINESS SESSION

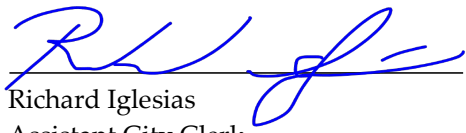
- A. Adoption of Resolution of the City Council of the City of Cudahy Approving the transfer of six (6) parcels of land from the Successor Agency the former Cudahy Community Development Commission of the City of Cudahy pursuant to the 2015 Long Range Property Management Plan in accordance with Part Five of each such Quitclaim Deed – Staff Report, Resolution and Quitclaim deeds.
- B. A Resolution of the Successor Agency to the former Cudahy Community Development Commission providing formal Notice of Rejection of all bids received on or about September 1, 2020 through October 9, 2020, and Cancellation of Request for Proposal in connection the Sites, pursuant to Long Range Property Management Plan of 2015.
- C. A Resolution of the Successor Agency to the former Cudahy Community Development Commission to the City of Cudahy approving a Mutual Release and Waiver between the City of Cudahy Successor Agency and Prima Development, Inc. and General Release of Claims Agreement.
- D. Adoption of Resolution of the City Council of the City of Cudahy Approving an Exclusive Negotiating Agreement by and between the City of Cudahy and Prima Development, Inc. of Site

3 from the City of Cudahy Long Range Property Management Plan (mixed-use affordable rental housing project) Prima ENA with City Council – ENA, Staff Report and Resolution

## 16. 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 14<sup>th</sup> day of November 2020

  
Richard Iglesias  
Assistant City Clerk