

MINUTES

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

April 21, 2020 6:30 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

PRESENT: Council / Agency Member Garcia (arrived at 6:39 p.m.)
Council / Agency Member Guerrero
Council / Agency Member Lozoya
Vice Mayor / Vice Chair Gonzalez (arrived at 6:36 p.m.)
Mayor / Chair Alcantar

ABSENT: None

ALSO PRESENT: Acting City Manager Santor Nishizaki, City Attorney, Victor Ponto, Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen Human Resources Manager Jennifer Hernandez, and Junior Deputy City Clerk, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Guerrero.

IT WAS MOTIONED BY COUNCIL MEMBER GUERRERO AND SECONDED BY COUNCIL MEMBER LOZOYA TO PULL BUSINESS SESSION ITEMS 12 A,B, AND D AS WELL AS CLOSED SESSION ITEMS A-G. 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. PUBLIC COMMENTS - NONE

6. CITY COUNCIL COMMENTS

Council Member Guerrero, welcomed Henry Garcia as executive advisor to the city, and asked staff why the agreement was not placed on tonight's agenda.

Council Member Lozoya, welcomed Henry Garcia to the City.

Vice Mayor Gonzalez, welcomed Henry Garcia to the City. He also thanked the city manager as staff for being proactive during the COVID pandemic.

Mayor Alcantar, welcomed Henry Garcia to the City. She went on to announce testing units in the city of Bell over the weekend.

7. CITY MANAGER REPORT (information only)

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

9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

10. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS A-F FOR DISCUSSION)

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

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2019 in the amount of \$5,048,584.71.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2019 in the amount of \$5,048,584.71. The motion carried (4-1-0) by the following roll call vote:

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

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

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$835,715.61 including Cash and Investment Report by Fund for the month of November 2019.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to approve the Demands and Payroll in the amount of \$835,715.61 including Cash and Investment Report by Fund for the month of November 2019. The motion carried (4-1-0) by the following roll call vote:

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

C. Approval of the Local Agency Investment Fund (LAIF) for the Month of December 2019

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of December 2019 in the amount of \$5,048,584.71.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to approve the Local Agency Investment Fund (LAIF) Report for the month of December 2019 in the amount of \$5,048,584.71. The motion carried (4-1-0) by the following roll call vote:

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

D. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of December 2019

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$2,866,576.51 including Cash and Investment Report by Fund for the month of December 2019.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to approve the Demands and Payroll in the amount of \$2,866,576.51 including Cash and Investment Report by Fund for the month of December 2019. The motion carried (4-1-0) by the following roll call vote:

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

E. Approval of the Local Agency Investment Fund (LAIF) for the Month of January 2020

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of January 2020 in the amount of \$5,077,584.51.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of January 2020 in the amount of \$5,077,584.51. The motion carried (4-1-0) by the following roll call vote:

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

F. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of January 2020

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$699,291.67 including Cash and Investment Report by Fund for the month of January 2020.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to approve the Demands and Payroll in the amount of \$699,291.67 including Cash and Investment Report by Fund for the month of January 2020. The motion carried (4-1-0) by the following roll call vote:

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

G. Consideration to Review and Approve the Draft Minutes of February 18, 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 and Special Meeting of the City Council and Successor Agency for March 16, 2020, March 23, 2020, and March 30, 2020

Presented by the City Clerk's Office

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for February 18, 2020, March 16, 2020, March 23, 2020, and March 30, 2020.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Council Member Guerrero to review and approve the City Council / Successor Agency Draft Minutes for February 18, 2020, March 16, 2020, March 23, 2020, and March 30, 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

11. PUBLIC HEARING

A. Conditional Use Permit No.38-371 to approve a 50% density bonus permitting three of the nine proposed dwelling units for the development at 7919 Wilcox Avenue in the High Density Residential (HDR) Zone, including associated concessions for the property located at 7919 Wilcox Avenue (APN 6224-003-021)

Presented by the Interim Community Development Director

The City Council is requested to:

1. Open the public hearing to receive comments on the proposed Conditional Use Permit request and then close the public hearing; and
2. Approve Resolution No. 20-11, approving Conditional Use Permit No. 38-371 to allow a 50 percent density bonus of the number of "base" units allowed in the underlying zone, and incorporating affordable housing units.

Motion: It was motioned by Council Member Guerrero and seconded by Council Member Lozoya to table this item to the next regularly scheduled council meeting on May 5, 2020. The motion carried (3-1-0) by the following roll call vote:

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

MAYOR ALCANTAR OPENED THE FLOOR TO PUBLIC COMMENT AT 7:37 PM

Susie de Santiago, asked council if there is a way to send notices to all residents, and not just property owners. She also asked if the public notices can also be translated in Spanish.

Jesse Estrada, asked if the KIPP development project be presented after the COVID pandemic and public notices be sent out in Spanish as well.

MAYOR ALCANTAR CLOSED THE FLOOR TO PUBLIC COMMENT AT 7:42 PM

12. BUSINESS SESSION

A. Consideration and Adoption of an Urgency Ordinance Enacting a Temporary Moratorium on Evictions for Residential and Non-Essential Commercial Tenants

Presented by the City Attorney's Office

The City Council is recommended to adopt an Urgency Ordinance enacting a temporary moratorium on evictions due to the nonpayment of rent for residential and non-essential commercial tenants where failure to pay rent results from income loss resulting from the novel Coronavirus (COVID-19).

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING.

B. Consideration and Adoption of an Urgency Ordinance Enacting a Temporary Moratorium on Utility Cutoffs for Both Residential and Commercial Tenants

Presented by the City Attorney's Office

The City Council is recommended to adopt an Urgency Ordinance enacting a temporary moratorium on utility cutoffs for both residential and commercial tenants due to nonpayment where the failure to pay results from income loss resulting from the novel Coronavirus (COVID-19).

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING.

C. Adoption of a Proposed Resolution No. 20-10 Amending the City of Cudahy Fiscal Year (FY) 2019-2020 City Budget

Presented by the Finance Director

The City Council is requested to:

1. Receive and file the Fiscal Year (FY) 2019-2020 Mid-Year Budget review and related reports; and
2. Adopt Proposed Resolution No. 20-10 approving the requested amendments to the FY 2019-2020 City Budget as follows: increasing certain revenues in the General Fund by \$305,500, increasing certain General Fund expenditures by \$485,950, and certain Special Revenue fund expenditures by \$24,900.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to table this item to the next regularly scheduled council 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

- D. Amendment No. 2 to Agreement for Solid Waste and Recyclable Materials Collection Services between the City of Cudahy and Consolidated Disposal Service, LLC. (the "Second Amendment")

Presented by the City Manager

The City Council is requested to approve the Second Amendment for execution between the City of Cudahy (City) and Consolidated Disposal Services (Republic Services).

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

13. COUNCIL DISCUSSION

A. Council Member Guerrero

- i. Adopted Ordinance No. 630, which added Chapter 2.56 of Title 2 of the Cudahy municipal code establishing post-government employment restrictions.

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

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

Property Location:

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

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

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

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

Property Location:

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

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

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

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

Properties:
– 8100 Atlantic Ave., 4720 Santa Ana St., 8110 Atlantic Ave., 4734 Santa Ana St. (APN 6224-018-068, 069, 070, 071, 008)
– 8135 Atlantic Ave., 4629 Cecilia St., 8201 S. Atlantic, 4633 Cecilia St., 8221 S. Atlantic Ave. (APN 6224-022-001, 004, 002, 003, 012)
– 4819 Patata, 8420 S. Atlantic Ave. (APN 6224-034-014, 032, 040, 041)
– 4613/4615 Clara St., 7630 Atlantic Blvd., 7660 Atlantic Blvd., 7638 Atlantic Blvd., 7644 Atlantic Blvd. (APN 6226-022-002, 019, 020, 008, 021, 022, 023, 024)
– 4610 Santa Ana St. (APN 6224-019-014)

City Negotiators: Acting City Manager, Santor Nishizaki and City Attorney
Negotiating Parties: Cudahy LF, LLC
Under Negotiation: Price and terms of payment

DELIBERATING AS CITY COUNCIL

H. Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to Discuss the Initiation of Litigation – One Matter

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Victor Ponto reported that for each closed session items, legal counsel was given, direction was received, no further reportable action.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:12 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk