

MINUTES

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

January 21, 2020 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:36 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Guerrero
Council / Agency Member Lozoya
Council / Agency Member Garcia (arrived at 6:40 p.m.)
Vice Mayor / Vice Chair Gonzalez (arrived at 6:41 p.m.)
Mayor / Chair Alcantar

ABSENT: None

ALSO PRESENT: 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.

4. PRESENTATIONS – NONE

Presentation by Club de Oro

5. PUBLIC COMMENTS

Lucille Roybal Allard, discussed how her office is contributing in finding out what was in the fuel during the delta incident. She also wants to talk to other organizations like CDC among others to understand the health impact and the safety and well being of the community. With regards to cleanup and examination studies, her office is taking a proactive role in obtaining the information necessary. She noted that she is contributing with other members to formulate questions to get the information needed in an accurate and timely manner. She also wants to find out if Delta did follow protocol. She encouraged the Council to take a proactive role in moving forward with the appropriate steps to manage this crisis, and highlighted that other members of congress will be cosigning her proposed bill to assist with the incident.

Joseph Bartolo, spoke against the renter eviction ordinance. He argued that the ordinance would lead to high administrative costs, and more unnecessary burdens to City staff. He further argued that the ordinance would not protect renters as new developments would not be subject to rent control.

Jack Guerrero, addressed last week's dangerous and affecting Delta jet fuel incident. He reminded residents that the incident greatly impacted the nearby elementary school, as well as the community. He asked Council to rise to the occasion and not just monitor and independent investigation, like many other elected officials have requested. He asked to call out violations of the law and inconsistencies if and as it becomes available for the public. He further asked for a broader set of investigations. As an example he noted he is in contact with the Justice Department of the United States, believing its jurisdictional scope regarding this incident is necessary. He specifically wants to know if the pilot violated any laws, regulations, or protocols in respect to the handling of the jet fuel dump, as well as if the existing laws and regulations are adequate themselves to preserve the health and well being of flight path communities, or if they should be modified to ensure some measure of justice for communities like Cudahy. On another note, he reminded Council on its commitment on a community engaged and transparent search for a permanent city manager, ideally with the competence and experience to address the many challenges lying ahead, with the temperament and integrity to inspire approbation of the people. He looked forward to the establishment of a citizen advisory commission to be developed immediately whose evaluation of candidates would form an integral part of the recruitment process. He continued to highlight his concern for the City's lack of internal control environment, with the hope that Council can work to addressing these conditions in union. He referenced the state controller's description of the City's dire predicament, highlighting only six control elements were addressed by the city out of 79 control elements. He further quoted the state auditor on its recommendation that the City should develop a comprehensive remedial plan to address its deficiencies. The plan should also identify City tasks to be performed as well as milestones and timelines for completion. Additionally, the City should provide Council periodic public updates explaining its progress to addressing the remedial plan.

Azucena Toruno, spoke in favor of the City bringing Club de Oro to provide senior services to the community. He commented on the great quality services the organization provided when it used to provide senior services at Turner Hall, highlighting its fun activities, and important health education lessons. She concluded her comments by asking the City to allow Club de Oro to provide senior services at Turner Hall again.

Victor Ramirez, spoke in favor of the City bringing Club de Oro to provide senior services to the community, arguing it is an essential service for the City's senior citizen community. He emphasized the organization's educational and health education campaigns when it provided services for the City in the past.

Cristina Lopez, spoke in favor of bringing Club de Oro to provide senior services to the community.

MAYOR GONZALEZ DIRECTED ITEM 12B TO BE MOVED AFTER CLOSED SESSION WITH NO OPPOSITION

6. CITY COUNCIL COMMENTS

Council Member Garcia, commented that the City will have a closed session item to discuss what it would do regarding the Delta incident. He believed that the City could do more and take a proactive role to providing services for the residents affected in the community.

Council Member Guerrero, commended the Council for hosting a townhall meeting last Friday, explaining he was not able to attend due to being out of the country on business. He expressed he has been in contact with the media and investigative agencies relating to the incident. He commented on the Roe vs. Wade Supreme Court case decision. He expressed his solidarity with

the national march on Washington, women, children, and the City's catholic community, in opposing abortion. He went on to relay his comments during public comment in Spanish. Council Member Lozoya, apologized for not being able to attend the townhall meeting due to commitments. She expressed her sadness, especially as a teacher. She hoped the situation gets resolved with a just decision.

Vice Mayor Gonzalez, informed the audience the steps the City took to address the Delta incident in an efficient and appropriate manner. He commented he is coordinating with City staff to move forward with finding a just outcome to the incident. He commended Mayor Alcantar for her fast response to the incident, highlighting how quick she got to City Hall to handle the situation. He also spoke in favor of Club de Oro's services, commended Commissioner Covarrubias for inviting them to speak to Council, and directed city staff to coordinate with Club de Oro to bring back those services to Turner Hall.

Mayor Alcantar, thanked residents for having such a strong turnout for last week's townhall meeting. She clarified that Delta dumped jet fuel across the southeast area last week, and reminded residents of past environmental injustices the southeast area has experienced. She further commented residents that they were affected because they are directly under a flight path, therefore making them vulnerable to these sorts of incidents.

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

Motion: It was moved by Vice Mayor Gonzalez and seconded by Council Member Lozoya to waive the full reading of resolutions and ordinances. The motion carried (3-2-0) by the following roll call vote.

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

10. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS A, B, C, AND F FOR DISCUSSION)

VICE MAYOR GONZALEZ MADE A MOTION TO GROUP ITEMS A, B, D, AND E TO ONE ROLL CALL VOTE. THE MOTION WAS SECONDED BY MAYOR ALCANTAR.

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

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2019 in the amount of \$5,014,345.41.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2019 in the amount of \$5,014,345.41. The motion carried (3-2-0) by the following roll call vote.

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

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

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,125,330.79 including Cash and Investment Report by Fund for the month of September 2019.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Demands and Payroll in the amount of \$1,125,330.79 including Cash and Investment Report by Fund for the month of September 2019. The motion carried (3-2-0) by the following roll call vote.

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

C. Consideration to Review and Approve the Draft Minutes of December 17, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for December 17, 2019.

ITEM WAS TABLED TO A FUTURE COUNCIL MEETING.

D. Consideration to Adopt Resolution No. 20-02, Updating the Authorizing Agents for Operation and Management of the City 's Wells Fargo Bank Fund Accounts

Presented by the Finance Director

The City Council is requested to approve Resolution No. 20-02 to update the authorized agents for the City's Wells Fargo Bank Fund Accounts.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve Resolution No. 20-02 to update the authorized agents for the City's Wells Fargo Bank Fund Accounts. The motion carried (3-2-0) by the following roll call vote.

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

AS SUCCESSOR AGENCY

E. Approval of the Recognized Obligation Payment Schedule for the Fiscal Period of July 1, 2020 to June 30, 2021 (ROPS 20-21)

Presented by the Finance Director

The Successor Agency is requested to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21), for submission to the City of Cudahy Oversight Board.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21), for submission to the City of Cudahy Oversight Board. The motion carried (3-2-0) by the following roll call vote.

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

F. Consideration to Adopt Resolution No. SA 20-01 for Approval of the Administrative Budget for Fiscal Period of July 1, 2020 to June 30, 2021)

Presented by the Finance Director

The Successor Agency is requested to adopt a proposed Resolution No. SA 20-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21).

Motion: It was moved by Vice Mayor Gonzalez and seconded by Mayor Alcantar to adopt a proposed Resolution No. SA 20-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2020 to June 30, 2021 (ROPS 20-21). 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. A Public Hearing to Consider and Adopt Resolution No. 20-03 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2020-21

Presented by the CDBG Consultant

The City Council is requested to:

1. Consider the analysis performed by city staff pertaining to the Public/Planning Commission recommendations made for the FY 2020-21 CDBG Projects/Budget public hearing; and

2. Adopt Resolution No. 20-03, Approving Projects / Programs for Community Development Block Grant Funding during the 2020-21 Fiscal Year.

MAYOR ALCANTAR OPENED THE FLOOR FOR PUBLIC COMMENT AT 7:52 P.M.

Susie de Santiago, expressed her concerns about this item, specifically that residents typically are not able to take advantage of this benefit. She brought to the attention the slow response time, inefficient, slow process, and inaccurate statements that have been given by Avant Garde. She asked that if funds are approved, a knowledgeable administrator should be responsible for providing the services to residents.

Patricia Covarrubias, asked Council if Council can transfer funds from the business assistance program, approximately \$5,000, to senior services. She noted that not many businesses may be taking full advantage of that funding and is therefore better spent to fund senior services.

MAYOR ALCANTAR CLOSED THE FLOOR FOR PUBLIC COMMENT AT 7:57 P.M.

Motion: It was moved by Vice Mayor Gonzalez and seconded by Council Member Garcia to adopt Resolution No. 20-03 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2020-21. The motion carried (3-1-0) by the following roll call vote.

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

- B.** Adoption of Proposed Urgency Ordinance Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes

Presented by the Building Official

The City Council is requested to:

1. Open the public hearing to receive comments on the proposed Urgency Ordinance No. 705, and then close the public hearing after receiving public comments; and
2. Consider Approving attached Urgency Ordinance No. 705, amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the Los Angeles County Titles 26, 27, 28, 29, 30, 31, and 33.

Motion: It was moved by Mayor Alcantar and seconded by Council Member Garcia to adopt a Proposed Urgency Ordinance Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes. 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

Motion: It was moved by Vice Mayor Gonzalez and seconded by Council Member Garcia to adopt a Proposed Urgency Ordinance Amending Chapters 15.04 Through 15.34 of the Cudahy Municipal Code to Adopt the 2019 Los Angeles County Title 26,27,28,29,30,31, and 33 2019 Los Angeles County Amendments to the 2019 Edition of the California Building Codes Including the Building, Residential, Plumbing, Mechanical, Electrical, Green Building Standards and Existing Building Codes with the condition that staff comes back to agendaize a traditional first and potentially second reading of this ordinance. 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

12. BUSINESS SESSION

A. Approval of Professional Services Agreement (PSA) with Global Urban Strategies, Inc. For Public Relations and Community Outreach Services

Presented by the City Manager

The City Council is requested to Award a Professional Services Agreement (PSA) to Global Urban Strategies, Inc. for Public Relations and Community Outreach Services for a three year term and a not-to-exceed three year amount of \$249,000.

Motion: It was motioned by Council Member Guerrero and seconded by Council Member Lozoya to approve this agreement for a not to exceed amount of \$50,000. Staff would then include the remaining balance of the three year contract in the fiscal year 2020-21 budget for City Council approval. The motion carried (2-2-0) by the following roll call vote:

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

Motion: It was motioned by Council Member Garcia and Seconded by Mayor Alcantar to Award a Professional Services Agreement (PSA) to Global Urban Strategies, Inc. for Public Relations and Community Outreach Services for a three year term and a not-to-exceed three year amount of \$249,000 with the condition that city staff does its due diligence and explore all cost recovery avenues to reimburse costs for work pertaining to crisis management for this contract. The motion carried (4-0-0) by the following roll call vote.

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

B. Consideration to Adopt Proposed Ordinance No. 706 of the City Council of the City of Cudahy Adding Chapter 5.10 to the Cudahy Municipal Code Relating to the Collection of Eviction Data

in the City of Cudahy

ITEM WAS TABLED TO THE NEXT COUNCIL MEETING

13. COUNCIL DISCUSSION

Council Member Guerrero

- i. Update on Status of City Properties

Mayor Alcantar

- i. Traffic Studies

RECESSED TO CLOSE SESSION AT 9:07 P.M.

14. CLOSED SESSION

- A. 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

- B. Closed Session Pursuant to Government Code Section 54957 – Public Employee Employment/Appointment
Title: City Manager

- C. 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 item, counsel was given, direction was given, no final action was taken.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 10:30 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk