

MINUTES

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

March 16, 2020 6:00 P.M.

1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 6:08 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: 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.

ATTORNEY VICTOR PONTO RECOMMENDED COUNCIL TO MOVE ALL CLOSED SESSION ITEMS EXCEPT FOR CLOSED SESSION ITEM H TO ANOTHER COUNCIL MEETING. IT WAS MOTIONED BY VICE MAYOR GONZALEZ AND SECONDED BY MAYOR ALCANTAR TO MOVE THAT MOTION. THE MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

COUNCIL MEMBER GARCIA MADE A MOTION TO MOVE CLOSED SESSION ITEMS TO THE START OF THE AGENDA, THEN VOTE ON BUSINESS SESSION ITEM 6A TO THE END OF THE AGENDA. IT DID NOT RECEIVE A SECOND. THE MOTION DID NOT PASS.

4. PUBLIC COMMENTS

Jack Guerrero, spoke against the city council for scheduling this special meeting at the last minute while there was a regularly scheduled meeting tomorrow. He lamented a low turnout due to the last minute scheduling of this meeting.

Javier Flores, spoke against business item 6A stating the city is not being consistent with its messaging. He condemned that the issue was being politicized to further council ambitions. He

further asked why night clubs in the City were not closed if the council is prioritizing declaring a local state of emergency.

Rosario Pacheco, spoke against business item 6A, and spoke against the mayor for allegedly politicizing the issue. She further commented that the city will not be affected by the virus, and told the mayor the City will rally against her if she allows the item to pass.

Valerie Beltran, asked what would happen if business item 6A passed. She was concerned about the buying power the city manager would have if the item was passed, and asked the mayor to prove her wrong and effectively overcome the situation.

Carmen Beltran, asked why the City is declaring a local state of emergency if no other neighboring city has yet declared. She commented that approving business item 6A is unnecessary since there are no big businesses in the City, and further asked the mayor to not approve this item.

5. 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.

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

6. BUSINESS SESSION

A. Consideration and Adoption of a Resolution Declaring a Local Emergency Due to the Public Threat Caused by the Coronavirus (COVID-19)

Presented by the City Attorney's Office

The City Council is requested to adopt Resolution No. 20-06 (Attachment A) declaring a local emergency due to the public threat caused by the coronavirus (COVID-19).

Motion: It was motioned by Mayor Alcantar and Seconded by Vice Mayor Gonzalez to adopt Resolution No. 20-06 (Attachment A) declaring a local emergency due to the public threat caused by the coronavirus (COVID-19). The motion carried (2-3-0) by the following roll call vote.

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

Motion: It was motioned by Council Member Garcia and Seconded by Vice Mayor Gonzalez to table the declaration of a local state of emergency to a subsequent council meeting by the week of March 23, and in the meantime analyze the situation before acting. The motion carried (4-0-0) by the following roll call vote.

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

7. 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 – Three Matters
- I.** Closed Session Pursuant to Government Code Section 54957 – Public Employee Recruitment
Title of Position Under Consideration: City Manager
- J.** Closed Session Pursuant to Government Code Section 54957 – Public Employee Appointment/Employment – Title: City Manager.
- K.** Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation
Title of Employee: City Manager
- L.** Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator
City’s Designated Representative: Victor Ponto, City Attorney
Unrepresented Employee: City Manager

8. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Victor Ponto reported that for closed session item H, direction was received, no further reportable action.

9. ADJOURNMENT

The City Council / Agency meeting was adjourned at 8:23 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk