

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 7, 2020 6:30 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

PRESENT: Council / Agency Member Garcia
Council / Agency Member Guerrero
Council / Agency Member Lozoya
Vice Mayor / Vice Chair Gonzalez (arrived at 6:39 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 Garcia.

4. PRESENTATIONS - NONE

DEPUTY CITY ATTORNEY PROPOSED COUNCIL TO CONSIDER A MOTION TO AMEND THE AGENDA TO MOVE ITEMS 14H-L AFTER PUBLIC COMMENT THEN CONSIDER ITEM 12F AND MOVE ALL OTHER ITEMS TO A SUBSEQUENT COUNCIL MEETING. COUNCIL DID NOT MOVE THE PROPOSED MOTION.

5. PUBLIC COMMENTS

Marcos Oliva, thanked the technologies that allow transparency through the pandemic. He further emphasized that the people require government transparency, especially now that the government has the potential to expand in authority and powers. He stressed civic participation, transparency, and outreach for every decision made by council.

Susie de Santiago, spoke on behalf the items regarding the city manager, speaking in favor of Acting City Manager, Santor Nishizaki. She asked council to continue with the process for a permanent city manager in a transparent and civically engaging way after the COVID pandemic subsides. Regarding the health crisis, she asks the Council to act for the benefit of the community.

VICE MAYOR JOSE GONZALEZ MADE A MOTION TO AMEND THE AGENDA TO MOVE CLOSED SESSION ITEMS 14H-L AFTER PUBLIC COMMENT, RECONVENE TO OPEN SESSION AND MOVE ALL OTHER ITEMS EXCEPT ITEM 12F TO A SUBSEQUENT COUNCIL MEETING. THE MOTION DID NOT RECEIVE A SECOND. THEREFORE, IT DID NOT CARRY.

IT WAS MOTIONED BY COUNCIL MEMBER GUERRERO AND SECONDED BY COUNCIL MEMBER LOZOYA TO MOVE ITEM 12F AFTER PUBLIC COMMENT, AND TABLE ALL OTHER ITEMS TO A SUBSEQUENT COUNCIL MEETING LATER IN THE WEEK, THEN PROCEED WITH CLOSED SESSION ITEMS H-L. 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

6. CITY COUNCIL COMMENTS - NONE

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

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.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

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.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

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.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

- 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.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

- E.** 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

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.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

- F.** Approval of the Renewal of the City's General Services Agreement with the County of Los Angeles

Presented by the Finance Director

The City Council is requested to approve and renew the City's General Services Agreement (GSA) with the County of Los Angeles and authorize the City Manager to sign a five-year agreement to be effective from July 1, 2020 to June 30, 2025.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

11. PUBLIC HEARING - NONE

12. 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 recommended to adopt a Resolution declaring a local emergency due to the public threat caused by the coronavirus (COVID-19).

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

- B.** 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

- C. 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

- D. Adoption of Proposed Resolution No. 20-09 A Resolution of the City Council of the City of Cudahy Recognizing the State of California-Governor's Office of Emergency Services, Form 130 For Designation of Authorized Agents for Non-State Agencies

Presented by the Human Resources Manager

The City Council is requested to authorize the Acting City Manager to execute the completion of the State of California-Governor's Office of Emergency Services (Cal-OES) Form 130 (attached), and the City Council representatives to confirm the document, and provide a resolution regarding the authorization, execution, and confirmation, and all said documents to be provide to the State of California-Governor's Office of Emergency Services (Cal-OES).

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

- E. Adoption of the Proposed City of Cudahy Emergency Covid-19 Policy Regarding Employee Leave Use and Advanced Paid Leave Policy

Presented by the Human Resources Manager

The City Council is requested to approve proposed City of Cudahy Emergency Covid-19 Policy Regarding Employee Leave Use and Advanced Paid Leave Policy.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

- F. Approve the Contract Services Agreement Between the City of Cudahy and Luis Alvarado Public Affairs LLC

Presented by the City Manager's Office

City Staff is recommending that the City Council approve the attached Contract Services Agreement between the City of Cudahy and Luis Alvarado Public Affairs LLC for certain strategic

planning design services, including but not limited to public relations, marketing and media outreach activities related to the Delta Air Lines Fuel Dump Incident.

Motion: It was motioned by Council Member Guerrero and seconded by Mayor Alcantar to direct staff to coordinate with Luis Alvarado Public Affairs LLC modify the fee structure to an hourly basis rate based on work performed for a not-to-exceed \$84,000 contract amount and then bring back the item to a subsequent council meeting for approval. 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

G. 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.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

H. Approve the First Amendment of the Master Services Contract with Willdan Engineering for Interim Building Official and Interim City Engineer Services

Presented by the City Manager's Office

City Staff is recommending that the City Council approve the attached First Amendment to Contract Services Agreement between the City of Cudahy and Willdan Engineering for interim building official and interim city engineer services.

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

13. COUNCIL DISCUSSION – NONE

RECESSED TO CLOSED SESSION AT 7:19 P.M.

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 – 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: Interim 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

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Victor Ponto reported that for closed sessions item 14I-L legal counsel was given, direction was received, no further reportable action.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:51 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk