

MINUTES

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

July 5, 2022 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 6:33 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Jack M. Guerrero
Council / Agency Member Blanca Lozoya
Council / Agency Member Daisy Lomelí
Vice Mayor / Vice Chair Jose R. Gonzalez (arrived at 6:36 p.m.)
Mayor / Chair Elizabeth Alcantar

ABSENT: NONE

ALSO PRESENT: City Manager, Alfonso Noyola, Deputy City Attorney Stephanie Archiaga, Deputy City Attorney, Susie Altamirano, City Clerk, Richard Iglesias, Junior Deputy City Clerk, Estefania Zamora, Finance Director, Joshua Calhoun, Administrative Services Director, Brenda Rodriguez, and Interim Community Development Director Salvador Lopez.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Guerrero.

4. LAND ACKNOWLEDGEMENT

The Land Acknowledgment was led by Council Member Lomelí.

We would like to acknowledge that the land we inhabit today was once known as Tovangaar, the home of the Gabrieleño-Tongva people. We show our respects to the Gabrieleño-Tongva people, as well as all Indigenous people, past, present, and future, and honor their labor as original caretakers of this land. We commit to uplifting the Gabrieleño-Tongva people, invite you to acknowledge the history, and join us in caring for this land.

5. PRESENTATIONS – NONE

6. CLOSED SESSION PUBLIC COMMENTS

Jack Guerrero announced he would be withdrawing from closed session proceeding due to not having sufficient background of item 7A to justify the classification under the government code, mentioned he is unable to make an independent corroboration, the risk of Council members exceeding the parameters of the limited scope for discussion, reminded colleagues that any breach of the Brown Act subjects Council individually to civil sanction and worst case to criminal misdemeanor prosecution, and alleged a pattern of deviating from the brown act in the past.

7. CLOSED SESSION

- A. Session Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel to Discuss Matter Involving Potential Litigation – One Matter

At 6:41 p.m., Deputy City Attorney, Stephanie Arechiga recessed to closed session.

At 7:33 p.m., Mayor Alcantar reconvened to open session.

8. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Stephanie Arechiga announced no reportable action at this time.

9. PUBLIC COMMENTS

Gerardo Hernandez asked the Council to not support Council Member Guerrero's resolution to declare the city a sanctuary city for unborn children, shared a story of a 10-year-old victim who had to travel for an abortion, passing Council Member Guerrero's resolution affirms the City of Cudahy to ban abortion procedures even in the event of rape and life threatening pregnancies, stated this is a war against woman bodily autonomy.

Tevina Q. spoke against Council Member Guerrero's resolution to declare the city a sanctuary city for unborn children.

Abigail Mejia spoke in opposition of Council Member Guerrero's resolution and support Council Member Lomeli's resolution, mentioned Senator Lena Gonzalez has been fighting to ensure all women not just those in California know that the state continues to protect women fundamental rights of abortion, stated the Senator Gonzalez wrote SB 245 extending access to reproductive health care eliminating out of pocket costs. Senator Gonzalez will continue to protect and advocate reproductive freedom for all.

Krystal Markovich spoke against Council Member Guerrero's resolution to declare the city a sanctuary city for unborn children.

Jack Guerrero commented on the recent modifications of the consent calendar protocols, alleged it violates the Brown Act, summarized the changes to the public, mentioned the ordinance does not include who in the City is powered to determine which items are consent and which are not.

Star expressed her support for Council Member Lomeli resolution and spoke against Council Member Guerrero's resolution to declare the city a sanctuary city for unborn children.

Reyna Lopez shared her embarrassment to see the resolution on this agenda, spoke against Council Member Guerrero, and shared a personal story.

10. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS

Council Member Guerrero Council Member Guerrero announced he attended the NALEO conference and commented on the changes to the consent calendar and his evaluation of the consent calendar protocols.

Council Member Lomelí thanked everyone who attended tonight's meeting and opposing her colleague's item, congratulated all grads, covid rates increase and give an update where residents can get tested.

Vice Mayor Gonzalez thanked everyone, stated women reproductive rights are women decisions and should be individually made with no restrictions, thanked the team for the 4th of July festival, congratulated all grads, and mentioned his attendance at the NALEO conference.

Mayor Alcantar thanked everyone that attended the meeting, shared her attendance at the 7th annual purple lily award with Latino Equality Alliance, mentioned she sent out a letter on behalf of the City supporting SB 972 street vendors, also commented on her attendance at the 4th of July event, thanked staff and wants to host a workshop for youth that skateboard in the city, lastly asked Council to adjourn the meeting in memory of 53 migrants that were left abandoned in a semi-truck and the 7 that were murdered at the July 4th event in Chicago.

11. CITY MANAGER REPORT (information only)

12. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS – NONE

13. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

Motion: Vice Mayor Gonzalez motioned to waive full reading of resolutions and ordinances, seconded by Council Member Lozoya. Motion passed 4-1 by the following roll call vote:

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

14. CONSENT CALENDAR

Council Member Guerrero stated minutes missing material points and important commentary directly related to the matter. He shared an example from a meeting last year in October and stated he will be voting against item 14A.

- A. Consideration to Review and Approve the Draft Minutes of June 7, 2022 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

Recommendation: The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for June 7, 2022.

- B. Consideration to Receive and File City Council Calendar for Fiscal Year 2022-23

Recommendation: The City Council is requested to receive and file the City Council Calendar, which indicates the Fiscal Year (FY) 2022-23 council meeting dates, draft staff report and attachments due date, draft council agenda packet delivery dates and the City's designated holidays

Motion: Mayor Alcantar motioned to approve Consent Calendar items, seconded by Council Member Lomelí. Motion passed 4-1 by the following roll call vote:

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

15. PUBLIC HEARING – NONE

16. BUSINESS SESSION

- A. Resolution of public interest and convenience, declaring the city's intent to sell real property at 5256 Elizabeth Street and 5260 Elizabeth Street (APN 6224-001-901 and APN 6224-001-902) for the construction of a multifamily residential development

Presented by the Interim Community Development Director

Recommendation: Staff recommends that the City Council of the City of Cudahy (the "City"): 1. Adopt the Resolution of Public Interest and Convenience No. 22-39, declaring the City's intent to sell the real property located at 5256 Elizabeth Street and 5260 Elizabeth Street, Cudahy, California with the following Los Angeles County Assessor Parcel Numbers: 6224- 001-901 and 6224-001-902, in order to allow for the development of multifamily residential development ("Project").

Motion: Vice Mayor Gonzalez motioned to adopt the Resolution of Public Interest and Convenience No. 22-39, declaring the City's intent to sell the real property located at 5256 Elizabeth Street and 5260 Elizabeth Street, Cudahy, California with the following Los Angeles County Assessor Parcel Numbers: 6224- 001-901 and 6224-001-902, in

order to allow for the development of multifamily residential development (“Project”), seconded by Council Member Lomelí. Motion passed 3-1 by the following roll call vote:

AYES: Lomelí, Gonzalez, and Alcantar
NOES: Guerrero
ABSENT: None
ABSTAIN: Lozoya (Recused herself due to proximity of property)

B. Declaration of surplus property pursuant to Government Code 54220 et. seq. in the City of Cudahy, California, County of Los Angeles, (APNs: 6226-022-904, 6226-022-905, 6226-022-906, 6226-022-907, 6226-022-908, 6226-022-909, 6226-022-910, 6226-022-911)

Presented by the Interim Community Development Director

Recommendation: Staff recommends that the City Council of the City of Cudahy (the “City”), sitting as Successor Agency to the former Redevelopment Agency of the City of Cudahy (“Successor Agency”): Find that the declaration of surplus property is exempt from environmental review pursuant to the California Environmental Quality Act; and adopt a resolution declaring that the properties located at 4613 Clara Street, 4615 Clara Street, 7638 Atlantic Ave., 7660 Atlantic Ave., 7644 Atlantic Ave., 7630 Atlantic Ave. (APNs: 6226-022-904, 6226-022-905, 6226-022-906, 6226-022-907, 6226-022-908, 6226-022-909, 6226-022-910 6226-022-911) are surplus land and are no longer necessary for the Successor Agency’s use, and directing the Executive Director, or their designee, to follow the procedures set forth in the Surplus Land Act, California Government Code Section 54220, et seq., for the sale of surplus land.

Motion: Agency Member/Council Member Lomelí motioned to Find that the declaration of surplus property is exempt from environmental review pursuant to the California Environmental Quality Act; and adopt a resolution declaring that the properties located at 4613 Clara Street, 4615 Clara Street, 7638 Atlantic Ave., 7660 Atlantic Ave., 7644 Atlantic Ave., 7630 Atlantic Ave. (APNs: 6226-022-904, 6226-022-905, 6226-022-906, 6226-022-907, 6226-022-908, 6226-022-909, 6226-022-910 6226-022-911) are surplus land and are no longer necessary for the Successor Agency’s use, and directing the Executive Director, or their designee, to follow the procedures set forth in the Surplus Land Act, California Government Code Section 54220, et seq., for the sale of surplus land, seconded by Agency Member/Council Member Lozoya. Motion passed 4-0 by the following roll call vote:

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

C. Adoption of Proposed Ordinance Amending Section 20 (Appointment, Reappointment, and Removal) of Chapter 2.32 (City Commissioners) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code

Presented by the City Attorney

Recommendation: The City Council is requested to approve an Ordinance by first reading, amending Section 20 of Chapter 2.32 (City Commissioners) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code.

Motion: Council Member Lozoya motioned to approve an Ordinance by first reading, amending Section 20 of Chapter 2.32 (City Commissioners) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code, seconded by Council Member Lomelí. Motion passed 5-0 by the following roll call vote:

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

D. Adoption of Proposed Resolution No. 22-40 Establishing the Objectives and Policies for the Planning Commission

Presented by the City Attorney

Recommendation: The City Council is requested to adopt proposed Resolution No. 22-40 establishing the objectives and policies for the Planning Commission.

Motion: Council Member Lomelí motioned to adopt proposed Resolution No. 22-40 establishing the objectives and policies for the Planning Commission, seconded by Mayor Alcantar. Motion passed 5-0 by the following roll call vote:

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

E. Consideration to Adopt a Proposed Urgency Ordinance of the City Council of the City of Cudahy Establishing an Interim Prohibition on Residential Rent Increases and Creating an Ad Hoc Rent Control City Council Subcommittee

Presented by the City Attorney

Recommendation: It is staff's recommendation that the City Council take one of the following actions: 1. Adopt Urgency Ordinance No. 724 establishing a temporary prohibition on residential rent increases for a period of 90 days with the ability to extend further; or 2. Take no further action and receive and file this report.

Motion: Vice Mayor Gonzalez motioned to adopt Urgency Ordinance No. 724 establishing a temporary prohibition on residential rent increases for a period of 90 days with the ability to extend further with exemption of any properties under 4 units, seconded by Mayor Alcantar. Motion failed 3-2 by the following roll call vote:

AYES: Lomelí, Gonzalez, and Alcantar

NOES: Lozoya, and Guerrero
ABSENT: None
ABSTAIN: None

Subsequent Motion: Council Member Lomelí motioned to adopt Urgency Ordinance No. 724 establishing a temporary prohibition on residential rent increases for a period of 90 days with the ability to extend further, seconded by Mayor Alcantar. Motion failed 3-2 by the following roll call vote:

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

17. COUNCIL DISCUSSION

A. Council Member Guerrero

- i. Resolution to declare the City of Cudahy a sanctuary city for unborn children.

B. Council Member Lomelí

- i. Support of Countywide pilot project to expand and improve access to sexual and reproductive health care services via LA County Abortion Access Safe Haven Pilot Program

18. ADJOURNMENT

Council Member Lomelí motioned to adjourn the City Council / Agency meeting at 9:18 p.m. in memory of the 53 migrants from San Antonio, Texas, and the 7 victims from Highland Park Parade, seconded by Vice Mayor Gonzalez. Motion passed 5-0 by the following roll call vote:

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

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
City Clerk