

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 7, 2020 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 6:35 p.m.

2. ROLL CALL

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

ABSENT: None

ALSO PRESENT: Interim City Manager Henry Garcia, City Attorney, Victor Ponto, Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen, and Junior Deputy City Clerk, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lozoya.

IT WAS MOTIONED BY VICE MAYOR GONZALEZ AND SECONDED BY MAYOR ALCANTAR TO MOVE CLOSED SESSION ITEMS AFTER SECTION 8 OF THE AGENDA. 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, reserved his comments regarding potentially bringing an agenda item to a subsequent meeting until later in the meeting.

Mayor Alcantar, reminded residents to fill out their census form.

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-C FOR DISCUSSION)

A. Approval of the Local Agency Investment Fund (LAIF) for the Month of April 2020

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of April 2020 in the amount of \$6,607,124.65.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Council Member Lozoya to approve the Local Agency Investment Fund (LAIF) Report for the month of April 2020 in the amount of \$6,607,124.65. The motion carried (3-1-1) by the following roll call vote:

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

B. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of April 2020

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,162,474.42 including Cash and Investment Report by Fund for the month of April 2020.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Council Member Lozoya to approve the Demands and Payroll in the amount of \$1,162,474.42 including Cash and Investment Report by Fund for the month of April 2020. The motion carried (3-1-1) by the following roll call vote:

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

C. Adoption of Proposed Resolution No. 20-22 Electing the Population and Inflation Factors and Establishing the City's Fiscal Year (FY) 2020-2021 Appropriations Limit (Gann Limit)

Presented by the Finance Director

The City Council is requested to adopt proposed Resolution No. 20-22 confirming the population and inflation factors used to calculate the annual Appropriation Limit (Gann Limit) and establish the City's Gann Limit for Fiscal Year (FY) 2020-2021.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Mayor Alcantar to adopt proposed Resolution No. 20-22 confirming the population and inflation factors used to calculate the annual Appropriation Limit (Gann Limit) and establish the City's Gann Limit for Fiscal Year (FY) 2020-2021. The motion did not carry (2-1-1) by the following roll call vote:

AYES: Gonzalez, and Alcantar
NOES: Guerrero
ABSENT: Garcia
ABSTAIN: Lozoya

ITEM WAS TABLED TO A SUBSEQUENT COUNCIL MEETING

D. Adoption of Resolution No. 20-23 Approving the Street Lighting Assessment Report for Fiscal Year (FY) 2020-21 and Declaring the Intention of the City Council to Hold a Public Hearing and Levy the Annual Assessment to Maintain the City of Cudahy Street Lighting District

Presented by the Assistant Engineer

The City Council is requested to:

1. Adopt Resolution No. 20-23, approving the Street Lighting Assessment Report for Fiscal Year (FY) 2020-21; and
2. Declare the intention of the City Council to hold a Public Hearing and levy the annual assessment to maintain the City of Cudahy Street Lighting District and direct staff to publish the Resolution and Notice of Public Hearing for the July 21, 2020 City Council meeting.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Mayor Alcantar to adopt Resolution No. 20-23, approving the Street Lighting Assessment Report for Fiscal Year (FY) 2020-21. The motion carried (4-0-1) by the following roll call vote:

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

E. Consideration to Review and Approve the Draft Minutes of January 7, 2020, May 19, 2020, June 2, 2020, and June 16, 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 Draft Minutes of June 23, 2020 and June 30, 2020 Special Meeting of the City Council

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for January 7, 2020, May 19, 2020, June 2, 2020, June 16, 2020, June 23, 2020, and June 30, 2020.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Mayor Alcantar to review and approve the City Council / Successor Agency Draft Minutes for January 7, 2020, May 19, 2020,

June 2, 2020, June 16, 2020, June 23, 2020, and June 30, 2020. The motion carried (4-0-1) by the following roll call vote:

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

11. PUBLIC HEARING

A. Public Hearing Regarding Increased Fees for the Handling of Solid Waste and Recyclable Materials for Residential and Commercial Properties within the City and Adoption of proposed Resolution No. 20-24 levying fees for the handling of solid waste and recyclable materials

Presented by the Finance Director

The City Council is requested to:

1. Receive and file request from Republic Services to increase fees for the handling of solid waste and recyclable materials against residential properties by 5.15% or \$1.08 per dwelling unit per month to \$22.11 per month and commercial/industrial customers within the City by 6.57% to be applied to commercial and roll-off service rates; and
2. Adopt proposed Resolution No. 20-24 levying fees for the handling of solid waste and recyclable materials, also known as rubbish collection charge, against residential properties within the City.

MAYOR ALCANTAR OPENED THE FLOOR FOR PUBLIC COMMENT AT 9:00 P.M.

MAYOR ALCANTAR CLOSED THE FLOOR FOR PUBLIC COMMENT AT 9:02 P.M.

Motion: It was motioned by Mayor Alcantar and seconded by Council Member Garcia to adopt proposed Resolution No. 20-24 levying fees for the handling of solid waste and recyclable materials, also known as rubbish collection charge, against residential properties within the City with direction to not invoke the term extension for the agreement with Republic Services. 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

12. BUSINESS SESSION

A. Approve Second Amendment to Master Agreement for Solid Waste and Recyclable Materials Collection Services by and Between the City of Cudahy, and Consolidated Disposal Service, L.L.C., In Order to Come into Compliance with State Waste Mandates

Presented by the City Manager

The City Council is requested to approve the Second Amendment to Master Agreement for Solid Waste and Recyclable Materials Collection Services by and between the City of Cudahy, and Consolidated Disposal Service, L.L.C., in order to come into compliance with state waste mandates.

Motion: It was motioned by Mayor Alcantar and seconded by Council Member Garcia to approve the Second Amendment to Master Agreement for Solid Waste and Recyclable Materials Collection Services by and between the City of Cudahy, and Consolidated Disposal Service, L.L.C., in order to come into compliance with state waste mandates. The motion carried (5-0-0) by the following roll call vote:

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

B. Consideration and Adoption of Resolution No. 20-25 Urging Members of the California State Legislature and the Governor Explore New Progressive Revenue Options, including a Millionaire Tax to Ensure Safety Net Programs are Not Cut Due to an Unprecedented \$54.3 Billion Deficit as a Result of the COVID-19 Pandemic and Resulting Recession

Presented by the City Attorney's Office

The City Council is requested to adopt Resolution No. 20-25 urging members of the California State Legislature and the Governor to explore new progressive revenue options, including a millionaire tax to ensure safety net programs are not cut due to an unprecedented \$54.3 billion deficit as a result of the COVID-19 pandemic and resulting recession.

Motion: It was motioned by Council Member Garcia and seconded by Mayor Alcantar to adopt Resolution No. 20-25 urging members of the California State Legislature and the Governor to explore new progressive revenue options, including a millionaire tax to ensure safety net programs are not cut due to an unprecedented \$54.3 billion deficit as a result of the COVID-19 pandemic and resulting recession. The motion carried (3-1-0) by the following roll call vote:

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

13. COUNCIL DISCUSSION

A. Council Member Guerrero

- i. Municipal Code Hotel Permitting Process
- ii. Police Reform

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: Henry Garcia, 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: Henry Garcia, 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: Henry Garcia, 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: Henry Garcia, 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: Henry Garcia, 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: Henry Garcia, 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: Interim City Manager, Henry Garcia 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 – Two Matters

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 9:43 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk