

MINUTES

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

October 6, 2020 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 6:34 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Garcia (arrived at 7:59 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, Deputy
City Attorney, Stephanie Arechiga, Assistant City Clerk, Richard Iglesias,
Finance Director, Steven Dobrenen.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Gonzalez.

**IT WAS MOTIONED BY VICE MAYOR GONZALEZ AND SECONDED BY MAYOR ALCANTAR
TO MOVE ITEM 4A AND 4B AFTER ITEM 7. THE MOTION CARRIED (4-0-1) BY THE
FOLLOWING ROLL CALL VOTE:**

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

4. PRESENTATIONS

- A. USC Health Study (Tirando Muros) Salud Sin Fronteras
- B. Electric Vehicle Infrastructure Training Program (EVITP)

5. CLOSED SESSION PUBLIC COMMENTS – NONE

6. 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

City Council/Successor Agency Minutes of 10/6/2020

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

DELIBERATING AS CITY COUNCIL

G. Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel to Discuss Matter Involving Potential Litigation – One Matter

7. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney, Victor Ponto, announced that for items A-G, counsel was given, direction was received. No further reportable action.

8. PUBLIC COMMENTS

Tevina Quintana, commented on item 15A, requesting there be a public notice sent out to at least 2,000 households. If it exceeds 2,000 households then it should be published on social media rather than a newspaper. She also alleged that Council Member Garcia is a resident of Lawndale, and therefore violates state government code. She further commented that the Council has an obligation to make sure everyone on the Council follows the laws, and have this issue investigated. She argued that any Council member that knew about the issue and did not report it is also guilty. She further cited previous statements made by Vice Mayor Gonzalez asking Council members to be held to a high ethical standard, and argued that this situation should not be different. She concluded her comments by arguing that she is not a politician but wants what is best for the City, arguing that Council member Garcia does not have the best interest of the City.

Star Laca, expressed her frustration with the current City Council. She explained that she is tired of having to explain to her children that Council members are not always honest. She further spoke against Council member Garcia for using her child's photo during a Walk to School Day for

political purposes. She further called for an investigation regarding Council Member Garcia's residency in Cudahy.

Victor Frias, spoke against members of the Council for their approval of the Kipp project. He argued that the community was against the project, yet the Council still approved it. He further argued that Kipp board members have filed restraining orders against those who legally protest against Kipp. He commented that the community will continue to organize, and concluded his comments by calling for an investigation regarding Council Member Garcia's residency in Cudahy.

Bertha Martinez, commented that the community is unhappy with the City Council for voting against the community. She commented that they are being threatened by Kipp for protesting against them. She asked the Council to conduct another vote due to Council Member's Garcia alleged residency in Lawndale, and further argued that past Council Member Garcia votes should also be reconsidered for the same reason.

Susie de Santiago, commented on item 15A, noted section C, and asking that distribution should be increased to 3,000 households. She further noted section D, asking to also require publishing on social media and website, as well as expanding noticing to renters, made in Spanish, and increased to 2,000 households. She commented that Council member Garcia has historically voted against the community, citing his approval of cannabis cultivation sites. She concluded her comments by agreeing that past votes made by Council Member Garcia should be reconsidered.

David Rodriguez, urged that Council Member Garcia should resign immediately, be voted out by the Council, believing that he should be criminally prosecuted, understanding it is a crime to not be a resident as Council member. He further asked the Council to take this case to the district attorney's office.

Edin Enamorado, asked Council to expedite the demolition project on Atlantic and Cecilia property. He also asked Council for guidance regarding paving Walnut Street. He expressed his discontent for Council Member Garcia, alleging that Council Member Garcia attempted to bribe him for support of the project. He further argued that if any other Council member knew about Council Member Garcia not living in Cudahy, they should speak up. He argued that Kipp made numerous attempts to silence Edin, and a board member filed a restraining order against him. He concluded his comments by urging the Council to do the right thing and handle Council member Garcia's allegations appropriately.

Anabelle Samperio, asked Council to conduct a former investigation regarding Council Member Garcia's residency in Cudahy.

Nicky R., urged Council to invalidate Council Member Garcia's Kipp vote, if a former investigation finds he does not live in Cudahy.

Abigail Jaramillo, asked Council to conduct a former investigation regarding whether Council Member Garcia lives in Cudahy.

A resident, asked Council to conduct a former investigation regarding whether Council Member Garcia lives in Cudahy. She further argued that approving Kipp charter schools is a slippery slope that would lead to reducing public schools. She also commented on 15A, asking to increase noticing to 2,000 as well as posting notices on social media. She concluded her comments by arguing that Kipp board members are not part of the community, and vote against the community's interest.

Rodolfo Cortes, expressed his concerns on behalf of the community that Council Member Garcia did not live in Cudahy. He further argued that all Council Members knew about the matter, and found it unacceptable that the matter was ignored. He concluded his comments by urging Council to call for Council Member Garcia to resign.

Ayde Bravo, argued that 18% of Los Angeles schools are charter schools. She further argued this will lead to teacher lay offs and school shutdowns. She noted that teacher displacements are already happening, and Kipp's development would only exacerbate the issue. She concluded her comments by arguing that charter school expansion leads to public school shutdowns.

9. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS

Council Member Guerrero, expressed his disappointment for the lack of circulation and outreach for the rental assistance program. He commented that many residents have not been informed by the program. He reminded the Council that it agreed that notice letters were going to be sent to residents for optimal communication. He directed staff to bring the item to the next Council meeting to discuss how to improve and extending the deadline. Regarding the Public Safety Subcommittee thanked committee members as well as city staff. He recapped that discussions with the sheriff's department have been fruitful. He predicted that a more detailed public safety budget could be presented during the mid-year budget, around January. He concluded his comments by expressing his concerns over the Council Member Garcia matter the public brought up and directed them to the district attorney's office for more guidance on the matter.

Council Member Garcia, informed public comment speakers that the Council is not an investigate body and should therefore express their grievances through the proper channels. He further praised staff and Council on all the good work being done. He noted that there are incoming contentious items regarding disposing of the successor agency properties and advised Council to think creatively to ensure that they are disposed in ways that are beneficial to the community.

Vice Mayor Gonzalez, asked the City Attorney to chime in regarding concerns public speakers had regarding Council Member Garcia's matter, also reminding residents that he was legally bound to recuse himself from voting on the Kipp development last meeting, due to working for LAUSD and living in close proximity to the development project. He further elaborated on the City Attorney's direction commenting that a third-party investigative body is necessary to ensure accountability, checks and balances, and that no collusion occurs in case there is an investigation.

Mayor Alcantar, commented that allegations mentioned in public comment should be taken seriously. She further commented that any concerns should be taken seriously. She directed staff to bring a resolution at the next council meeting to support prop 15. She also asked staff to apply for an update on its inclusionary housing ordinance. She finally asked staff to develop a general language access policy for all housing related issues. She concluded her comments by explaining that people reach out to her regarding the City's rental assistance program, but do not know how to properly apply to it, directing staff to keep the rental assistance program link on the front page of the website.

10. CITY MANAGER REPORT (information only)

11. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS - NONE

12. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

13. CONSENT CALENDAR (COUNCIL MEMBER GUERRERO PULLED ITEMS A AND B FOR DISCUSSION)

- A.** Approval of National Transit Database Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy for Report Years 2016, 2017, and 2018

Presented by the Finance Director

The City Council is requested to:

1. Approve the Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy; and
2. Authorize the Mayor to execute the MOUs.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Mayor Alcantar to approve the Memorandums of Understanding (MOUs) between the Los Angeles County Metropolitan Transit Authority (LACMTA) and the City of Cudahy. 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

- B.** Consideration to Approve a Proposition A Exchange Agreement with Palos Verdes Peninsula Transit Authority (PVPTA)

Presented by the Finance Director

The City Council is requested to approve the exchange of \$313,300 in available Proposition A (Prop A) funds with the Palos Verdes Peninsula Transit Authority (PVPTA) which was included in the Fiscal Year (FY) 2020-21 City Budget.

Motion: It was motioned by Vice Mayor Gonzalez and seconded by Council Member Garcia to approve the exchange of \$313,300 in available Proposition A (Prop A) funds with the Palos Verdes Peninsula Transit Authority (PVPTA) which was included in the Fiscal Year (FY) 2020-21 City Budget. 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 September 15, 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

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for September 15, 2020.

Motion: It was motioned by Council Member Garcia and seconded by Vice Mayor Gonzalez to review and approve the City Council / Successor Agency Draft Minutes for September 15, 2020. 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

14. PUBLIC HEARING - NONE

15. BUSINESS SESSION

A. Consideration and Adoption of an Ordinance Amending Section 20.84.100 of the Cudahy City Municipal Code to Enact Additional Noticing Requirements

Presented by the City Attorney's Office

The City Council is recommended to adopt Ordinance No. 708, enacting an Ordinance Amending Section 20.84.100 (Notice of Public Hearing) of the Cudahy City Municipal Code to Enact Additional Noticing Requirements.

Motion: It was motioned by Mayor Alcantar and seconded by Vice Mayor Gonzalez to adopt Ordinance No. 708, enacting an Ordinance Amending Section 20.84.100 (Notice of Public Hearing) of the Cudahy City Municipal Code to Enact Additional Noticing Requirements. 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

16. COUNCIL DISCUSSION - NONE

17. ADJOURNMENT

The City Council / Agency meeting was adjourned at 9:15 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk