

MINUTES

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

January 19, 2021 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 6:31 p.m.

2. ROLL CALL

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

ABSENT: None

ALSO PRESENT: Interim City Manager Henry Garcia, City Attorney, Victor Ponto, Deputy City Attorney, Stephanie Arechiga, Deputy City Attorney, Karin Briggs, Human Resources Manager, Jennifer Hernandez, Assistant City Clerk, Richard Iglesias, Administrative Analyst Brenda Rodriguez, and Finance Director, Steven Dobrenen.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

4. PRESENTATIONS - NONE

5. CLOSED SESSION PUBLIC COMMENTS

Jack Guerrero, announced he will not be participating in closed session due to him believing that the session potentially violates California sunshine laws for session matters. He mentioned that council should be aiming for transparency. He went on to comment that the closed session discussion item should be placed in open session for public participation. He asked for more discipline when placing closed session items, and instead only reserve closed session for contract and other matters appropriate for closed session.

6. CLOSED SESSION

- A. Closed Session Pursuant to Government Code Section 54957 – Public Employee Recruitment
Title of Position Under Consideration: City Manager

RECONVENE TO OPEN SESSION

7. CLOSED SESSION ANNOUNCEMENT

For the closed session item, counsel was given, direction was received. No further reportable action.

8. PUBLIC COMMENTS

Quitza Garcia, asked the Council to vote against KIPP charter school.

Bertha Martinez, spoke regarding the need for Council to motion for a moratorium on charter schools. She argued there are enough schools in Cudahy and the need for additional schools is no longer required. She asked that Council should instead guarantee additional resources to assist public schools during the pandemic. She further asked Council to rescind the vote passed on September 15th where Council Member Garcia voted in favor of the KIPP project. She argued that given former Council Member Garcia's place of residency status, that vote should be rescinded.

Tevina Quintana, asked staff to provide an update for pending CYF payments. She commented that the finance director and city manager have not responded to any emails asking for a status update. She also requested Nayeli Hernandez to be placed on the Parks and Recreation Commission as well as requested Council to place a moratorium on charter schools. She asked for the September 15th KIPP vote to be rescinded given former Council Member Garcia's place of residency status. She further commented on the city's abundant graffiti problem, asking Council to make a plan to combat graffiti citywide as well as to pressure the sheriff's department to be proactive on that issue.

David Rodriguez, thanked Tevina Quintana and Bertha Martinez for expressing their concerns. He further asked Council to appoint a fifth member to the Parks and Recreation Commission. He further asked Council to provide an update on pending payments to CYF projects. He expressed his frustrations that projects cannot get done if vendors are not getting paid. He discussed former Council Member Garcia's place of residency, asking for Council to address the situation. He expressed his concerns regarding the uptick in graffiti. He asked Council to research what other cities are doing to combat graffiti. He concluded his comments by discussing the lack of speed bumps on Santa Ana, citing accidents and hits that occur recurrently in that street.

Victor Frias, asked Council to motion a moratorium on charter schools in the City. He asked for a halt on performative support, and instead engage in legislative action to take a stand in favor of the community. He also commented that he is waiting for Council members to reach out to him to discuss what Council members can do to help local schools. He also spoke against former Council Member Chris Garcia for not living in Cudahy during his tenure as Council Member. He also told Mayor Gonzalez that he could have voted for the KIPP charter school development project, and instead opted to not vote.

Elise, reminded members of the audience regarding the insurrection at the capitol, and latinx people being the hardest hit by the pandemic. She asked Council that they should not mimic trends happening in national politics, and instead vote for the working class community from development projects like KIPP charter school. She asked Council to issue a moratorium on charter schools and consider rescinding former Council member Garcia's votes.

Susie de Santiago, asked Council to impose a charter school moratorium to protect public schools. She asked Council to instead focus on more housing ownership opportunities and public schools resources. She also asked Council to amend the general plan to not allow any more charter school development in the city. She asked Council to rescind the September 15th KIPP vote due to former Council Member Garcia not living in Cudahy when the vote was made. Regarding street sweeping, she commented that there is not enough signage to warn people

about the new street sweeping schedule. She further noted that code enforcement does not proactively monitor vehicles that are idle for more than 72 hours in the city. She also called for Sheriff's to monitor the city more consistently.

Edin Enamorado, asked Council to rescind the September 15th KIPP vote, arguing that former Council member Chris Garcia did not live in Cudahy during the vote as well as allegations that he attempted to bribe a commissioner as well as threaten him. He also spoke against the City for not supporting the CYF's projects that support the City's youth. He argued that the City not paying CYF partners make it difficult to bring services to the community's youth. He spoke against Council member Guerrero for supporting President Trump and his followers.

Nayeli Hernandez, argued that the City does not need charter schools or affordable housing development. She argued the City needs to provide more support to schools and its residents. She commented that the Public Safety Commission is working to implement initiatives to address the City's graffiti issue.

Jack Guerrero, clarified that CEQA is not an environmental nor remediation standard, rather it is just a disclosure rule. He commented that KIPP is still subject to environmental laws. He also pointed out that those who oppose the KIPP development due to environmental concerns were also proponents of developing green spaces and housing on that same lot. He further pointed out that environmental regulations related to housing and green space land use is less stringent than regulations for the KIPP development. Regarding the KIPP application process, Mr. Guerrero informed that KIPP included phase 1 and phase 2 environmental assessment reports which also included a soil remediation plan conducted by subject experts. He further noted the substantial environmental remediation efforts KIPP has already conducted on the lot. He opined that rather than it being an environmental issue, he believes opposition to KIPP charter school is a political issue. He therefore expressed his support to allowing parents to decide what school is best to teach their children. He concluded his comments by reaffirming his stance that charter schools create incentives to innovate via market competition as well as provides parents with academic choices for their kids.

Ayde Bravo, commented about aggressive recruitment tactics that charter schools practiced in Maywood. She addressed this comment to Council member Guerrero arguing that schools choose to have their children attend charter schools. She further argued that no tests detecting asbestos or lead were conducted during the phase 1 or phase 2 environmental reports. She argued that a waiver should have not been granted by the City, labeling it a ministerial project. She therefore argued that the approval of the project should be immediately revoked.

Star Laca, argued in favor of public schools, arguing that LAUSD provided excellent academic opportunities for her daughter to excel in college. She further argued that test scores do not reflect student success.

Abbie Jaramillo, reiterated to Council member Jack Guerrero that state assessments should be used to inform teachers for student progression, not to label students and teacher success. She informed that data that Council Member Guerrero cites are used by teachers to improve student learning. She further spoke against Council member Guerrero by commenting that he has not done anything to support public schools in the City. She concluded her comments by asking Council to rescind the September 15th KIPP development vote as well as impose a charter school moratorium in Cudahy.

9. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS

Council Member Guerrero, asked for a good faith explanation at the next meeting from a school representative regarding the three quarters of public school children failing at mathematics and

English proficiency scores. He further commented that he favors quarterly progress reports regarding KIPP cleanup. He also clarified that he regularly contributes to academic scholarships as well as recruitment efforts from his alma maters that benefit minority students. He further spoke against the Council for its lack of transparency regarding disposition of City properties. He further noted that lack of transparency is evident with placing the city manager selection process on the closed session section of the agenda.

Council Member Lomeli, commented that she has been listening to Council meetings and visualizing the big picture concepts. She highlighted past aspects of her life and how that has shaped her legislative style. She foreshadowed ideas such as youth mayor opportunities, Council member cleanups, as well as stronger ties with public schools. She also discussed about the City using other forms of outreach other than social media as well as asking staff to explore charter school moratorium options.

Vice Mayor Alcantar, asked staff to send out a postage in reference to street sweeping hours and tenants rights. She also asked staff to focus on making sure CYF payments are sent as soon as possible. She concluded her comments by stating that she released her council priorities on social media such as allocating funding for tenants.

Mayor Gonzalez, stated that the City has doubled down on food drives in light of the COVID pandemic. He also clarified that all closed session items are reviewed by the attorney's office to ensure that items are compliant to the Brown Act and other regulations. He also asked staff to amend the municipal code to not allow charter schools unless approved by the Council. He concluded his comments by clarifying that he did not vote on the KIPP project on September 15th per advise from the attorney's office due to being an LAUSD union member and employee. He concluded his comments by asking the City Manager to report on speed control on city roads as well as status on limiting charter schools in the City.

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)

AS CITY COUNCIL

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

Presented by the Finance Director

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2020 in the amount of \$5,897,743.45.

Motion: It was motioned by Vice Mayor Alcantar and seconded by Council Member Lomeli to approve the Local Agency Investment Fund (LAIF) Report for the month of November 2020 in the amount of \$5,897,743.45. The motion carried (4-1-0) by the following roll call vote:

AYES: Lozoya, Lomeli, Gonzalez, and Alcantar
NOES: Guerrero
ABSENT: None

ABSTAIN: None

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

Presented by the Finance Director

The City Council is requested to approve the Demands and Payroll in the amount of \$1,300,872.10 including Cash and Investment Report by Fund for the month of November 2020.

Motion: It was motioned by Vice Mayor Alcantar and seconded by Council Member Lomeli to approve the Demands and Payroll in the amount of \$1,300,872.10 including Cash and Investment Report by Fund for the month of November 2020. The motion carried (4-1-0) by the following roll call vote:

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

C. Consideration to Review and Approve the Draft Minutes of January 5, 2021 for the Regular Meetings 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 January 5, 2021.

Motion: It was motioned by Council Member Lomeli and seconded by Vice Mayor Alcantar to review and approve the City Council / Successor Agency Draft Minutes for January 5, 2021. The motion carried (5-0-0) by the following roll call vote:

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

AS SUCCESSOR AGENCY

D. Consideration to Adopt Resolution No. SA 21-01 for Approval of the Administrative Budget for Fiscal Period of July 1, 2021 to June 30, 2022

Presented by the Finance Officer

The Successor Agency is requested to adopt a proposed Resolution No. SA 20-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2021 to June 30, 2022 (ROPS 21-22).

Motion: It was motioned by Vice Chair Alcantar and seconded by Agency Member Lomeli to adopt a proposed Resolution No. SA 20-01 approving the Administrative Budget for the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2021 to June 30, 2022 (ROPS 21-22). The motion carried (3-0-0) by the following roll call vote:

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

E. Approval of the Recognized Obligation Payment Schedule for the Fiscal Period of July 1, 2021 to June 30, 2022 ROPS 21-22

Presented by the Finance Officer

The Successor Agency is requested to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2021 to June 30, 2022 (ROPS 21-22), for submission to the City of Cudahy Oversight Board.

Motion: It was motioned by Vice Chair Alcantar and seconded by Agency Member Lomeli to approve the Recognized Obligation Payment Schedule (ROPS) for the fiscal period of July 1, 2021 to June 30, 2022 (ROPS 21-22), for submission to the City of Cudahy Oversight Board. The motion carried (3-0-0) by the following roll call vote:

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

14. PUBLIC HEARING

A. A Public Hearing to Consider and Adopt Resolution No. 21-03 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2021-22

Presented by the Human Resources Manager

The City Council is recommended to:

1. Consider the analysis performed by city staff pertaining to the Planning Commission recommendations made for the FY 2021-22 CDBG Projects/Budget public hearing; and
2. Adopt Resolution No. 21-03, Approving Projects / Programs for Community Development Block Grant Funding during the 2021-22 Fiscal Year.

MAYOR GONZALEZ OPENED THE FLOOR FOR PUBLIC COMMENT

Susie de Santiago, commented that the program is beneficial if administered correctly. However, she pointed out lack of communication, misinformation, and lack of follow up on the housing rehabilitation programs that seriously impede its success and benefits to the community. She urged the Council to fix these problems if it wishes to approve this item. She concluded her comments by speaking against Council Member Guerrero.

Tevina Quintana, agreed with Ms. De Santiago, arguing that if the program is not being executed directly, then it is not benefitting the community. She further spoke against Council Member Guerrero.

Nayeli Hernandez, agreed on CDBG quarterly reports, and further asked for more specific income requirements, as well as emphasize more on extremely low income households.

MAYOR GONZALEZ CLOSED THE FLOOR FOR PUBLIC COMMENT

Motion: It was motioned by Vice Mayor Alcantar and seconded by Council Member Lomeli to Consider and Adopt Resolution No. 21-03 of the City of Cudahy City Council Approving Projects / Programs to the City Council for Community Development Block Grant (CDBG) Funding During the Fiscal Year (FY) 2021-22 with the addition of updating all program flyers and lowering the employee threshold from 500 to 50 employees. The motion carried (3-1-0) by the following roll call vote:

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

15. BUSINESS SESSION

- A.** Consideration and Adoption of a Resolution of the City Council in Support of Assembly Bill 16 Establishing a Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program

Presented by the City Attorney's Office

The City Council is recommended to adopt a Resolution in support of Assembly Bill 16 establishing a Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program.

Motion: It was motioned by Vice Mayor Alcantar and seconded by Council Member Lomeli to adopt a Resolution in support of Assembly Bill 16 establishing a Tenant, Small Landlord, and Affordable Housing Provider Stabilization Program. The motion carried (4-1-0) by the following roll call vote:

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

- B.** Consideration and Adoption of an Ordinance Adding Chapter 5.XX of the Cudahy Municipal Code Relating to the Collection of Eviction Data in the City of Cudahy

Presented by the City Attorney's Office

The City Council is recommended to consider for adoption an ordinance adding Chapter 5.XX of the Cudahy Municipal Code relating to the collection of eviction data in the City of Cudahy.

Motion: It was motioned by Vice Mayor Alcantar and seconded by Council Member Lomeli to The City Council is recommended to consider for adoption an ordinance adding Chapter 5.XX of the Cudahy Municipal Code relating to the collection of eviction data in the City of Cudahy with the

addition that properties with less than four units have a 20-day notification period. The motion carried (4-0-0) by the following roll call vote:

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

C. Creation and Appointment of the Education Ad Hoc Committee and Appointment of the Finance Ad Hoc Committee

Presented by the Assistant City Clerk

The City Council is requested to:

1. Create a Delegation Ad Hoc Committee and appoint two council members to serve on the Education Ad Hoc Committee; and
2. Appoint council members to serve on the Finance Ad Hoc Committee.

Motion: It was motioned by Council Member Lomeli and seconded by Council Member Lozoya to Create a Delegation Ad Hoc Committee and appoint Vice Mayor Alcantar and Council Member Lomeli to serve on the Education Ad Hoc Committee and appoint Mayor Gonzalez and Vice Mayor Alcantar to the finance ad hoc committee. The motion carried (4-0-0) by the following roll call vote:

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

16. COUNCIL DISCUSSION

A. Vice Mayor Alcantar

- a. Discuss placing an ordinance on the City Council Agenda on February 2021, establishing a temporary limit on the charges imposed by third-party delivery services on retail food establishments during the pandemic

17. ADJOURNMENT

The City Council / Agency meeting was adjourned at 10:10 p.m.

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk