

MINUTES

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

February 15, 2022 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 Jack M. Guerrero (left at 9:24 p.m.)
Council / Agency Member Blanca Lozoya
Council / Agency Member Daisy Lomelí
Vice Mayor / Vice Chair Jose R. Gonzalez (Joined at 7:03 p.m. and
rejoined at 7:58 p.m.)
Mayor / Chair Elizabeth Alcantar

ABSENT: None

ALSO PRESENT: City Manager, Alfonso Noyola, City Attorney, Victor Ponto, City Clerk, Richard Iglesias, Finance Director, Joshua Calhoun, Senior Accountant, Charles Ortiz, Interim Community Development Manager, Salvador Lopez, Director of Administrative Services/Acting Human Resources Manager, Brenda Rodriguez, and Management Analyst, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Lomelí.

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

A. Parks and Recreation Department Annual Update

6. CLOSED SESSION PUBLIC COMMENTS

Jack Guerrero stated he would be withdrawing from the closed session item due to his lack of confidence that the City would not respect parameters and limit discussion only to actual negotiation. He mentioned his recurring concern of the Council handling closed session items regarding alleged repeated violations of California Sunshine laws.

At 6:55 p.m., City Attorney, Victor Ponto recessed to closed session.

7. CLOSED SESSION

- A. Closed Session Pursuant to Government Code Section 54957.6(a) – Conference with Labor Negotiator Regarding Represented Employees
City's Designated Representative(s) for Negotiations: City Manager Alfonso Noyola
Employee Organization: Cudahy Miscellaneous Employees Association (CMEA)

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

8. CLOSED SESSION ANNOUNCEMENT

City Attorney Victor Ponto announced direction was received by Council and given by the City Attorney's office, no further reportable action.

9. PUBLIC COMMENTS

Bertha Martinez reminded Council on the site at 7801-7835 Otis Avenue not being an appropriate site for a school, if a school is built DTSC must have oversight of the project, mentioned Council needs to protect the city it serves and consider becoming allies with Cudahy Alliance for Justice.

Susie reminded Council to not allow the construction of the new school at 7801-7835 Otis Avenue due to the concerns they have of exposed contaminants and make sure Cudahy residents are protected since the site used to be a metal foundry and also mentioned if Council decides to approve the school to make sure DTSC and all proper cleanup is done.

Tevina Q. also reminded Council they are aware of the school being built on toxic land and make sure they do a proper clean-up.

Ted Jimenez spoke on item 15B, requesting Council to add local hire language in the Housing Element Plan to provide residents and members of building trades an opportunity to work close to home and also mentioned other cities have adopted similar language.

Victor Frias stated KIPP should not be allowed to be built on contaminated land, City should conduct an environmental impact report of KIPP under CEQA before allowing them to build and have oversight from the DTSC.

Aydé Bravo stated the city should not permit KIPP SoCal to build a school due to environmental concerns, mentioned the city should conduct an environmental impact report under CEQA before allowing KIPP to build at the location and ensure that all hazardous waste is removed safely overseen by DTSC.

Star Laca thanked Council Member Lomelí, mentioned Council still has time to avoid what occurred at Park Avenue, asked for the school not to be built on the land and if decided to have the school built to ensure there is oversight by DTSC.

EMAILED PUBLIC COMMENTS

Elva Palafox Good evening Members of Cudahy City Council, the city of Cudahy must complete an Environmental Impact Report for the project at 7801-7835 Otis Ave and require that KIPP SoCal properly clean up the site with oversight from the Department of Toxic Substances Control. As council members, you must ensure that KIPP SoCal abides by the judge's ruling.

Lorraine Alcala Good evening Members of Cudahy City Council, the city of Cudahy must complete an Environmental Impact Report for the project at 7801-7835 Otis Ave and require that KIPP SoCal properly clean up the site with oversight from the Department of Toxic Substances Control. As council members, you must ensure that KIPP SoCal abides by the judge's ruling.

Abby Jaramillo Good evening Members of Cudahy City Council, the city of Cudahy must complete an Environmental Impact Report for the project at 7801-7835 Otis Ave and require that KIPP SoCal properly clean up the site with oversight from the Department of Toxic Substances Control. As council members, you must ensure that KIPP SoCal abides by the judge's ruling.

10. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS

Council Member Lomelí thanked the educators who joined the council meeting, thanked Ellen Ochoa Learning Center and Elizabeth Learning Center for their hard work through a difficult week, and gave information on future events.

Council Member Lozoya asked how often the small park across from the river is cleaned.

Council Member Guerrero addressed the city attorney regarding his recurring concern about closed session. Reminded residents that the city council recently authorized a symbolic statement at the beginning of each meeting, recognizing Gabrieleño-Tongva people, Native American heritage in the city, and the broader region in a meeting in January which was nice. Yet the same day the recognition of Native American heritage was on the agenda, the council voted to deny the Native American community the right to judicial due process in California courts. Lastly, reminded everyone of the 2022 California Ballot Initiative called the Education Freedom Act.

Mayor Alcantar reiterated her support for local schools, commented on a threat made to schools in Cudahy and several schools throughout southeast Los Angeles; no one was harmed, one arrest was made, and she welcomed ideas to what can be done to support schools. She mentioned celebrating a local business, LA Princesa Bakery, highlighting them being invited to the Super Bowl to create a hot Cheeto tamale and encouraging people to visit local businesses.

11. CITY MANAGER REPORT (information only)

12. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS

City Manager Noyola announced staff assigned to commissions would be providing the minutes as part of the council agenda.

Council Member Lomeli mentioned she is looking forward to connecting with staff on scheduling a Commissions Ad-Hoc Committee and Education Ad-Hoc Committee meeting.

Mayor Alcantar mentioned the Hub Cities program and all the job assistance they provide.

13. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

Motion: Council Member Lomeli motioned to waive full reading of resolutions and ordinances, seconded by Vice Mayor Gonzalez. Motion passed 4-0 by the following roll call vote:

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

14. CONSENT CALENDAR

Council Member Guerrero requested to pull Consent Calendar items 13A and 13C for separate consideration.

B. Adopt a Resolution for Proposition 68 Per Capita Grant Funds to utilize towards the Clara Street Expansion Park Project

Recommendation: The City Council is requested to approve a Resolution to file applications for grant funds from the Los Angeles County regional park and open space district for Per Capita funding to go towards the renovation of Expansion Park.

D. Adoption of Proposed Resolution No. 22-07 Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and Re-Authorizing Remote Teleconference Meetings of the City Council,

City Boards, and all Commissions of the City of Cudahy, for the Period from February 15, 2022, through March 17, 2022, Pursuant to Brown Act Provisions

Recommendation: The City Council is requested to approve proposed Resolution No. 22-07 proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and re-authorizing remote teleconference meetings of the City Council, City Boards, and all Commissions of the City of Cudahy, for the period from February 15, 2022, through March 17, 2022, pursuant to Ralph M. Brown Act provisions.

E. Adoption of Resolution No. 22-08 Authorizing Submittal of Application for SB 1383 Local Assistance Grant Program

Recommendation: The City Council is requested to adopt Resolution No. 22-08 Authorizing Submittal of Application for Senate Bill 1383 (SB 1383) Local Assistance Grant Program.

Motion: Vice Mayor Gonzalez motioned to approve Consent Calendar, seconded by Council Member Lozoya. Motion passed 5-0 by the following roll call vote:

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

A. Consideration to Review and Approve the Draft Minutes of February 1, 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 February 1, 2022.

Motion: Vice Mayor Gonzalez motioned to review and approve the City Council / Successor Agency Draft Minutes for February 1, 2022, seconded by Council Member Lomelí. 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 Ordinance No. 717 - First Amendment to Development Agreement No. DA 20-01 re: construction of a Mixed-Use Senior Housing Development for the property located at 4610 Santa Ana Street (APN 6224-019-901)

Presented by the Interim Community Development Director

Recommendation: The City Council is requested to adopt on Second Reading: Ordinance No. 717 - First Amendment to Development Agreement No. 20-01 (“Agreement”) entitled “First Amendment to Amended and Restated Development Agreement” for the Senior Mixed Use Development Project.

Motion: Vice Mayor Gonzalez motioned to adopt on Second Reading: Ordinance No. 717 - First Amendment to Development Agreement No. 20-01 (“Agreement”) entitled “First Amendment to Amended and Restated Development Agreement” for the Senior Mixed Use Development Project and staff to provide quarterly updates to the City Council as the project progresses, 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

A. A Public Hearing to Consider and Adopt Resolution No. 22-09 of the City of Cudahy City Council Approving Substantial Amendment No. 1 to the Fiscal Year 2021-2022 Community Development Block Grant (CDBG)

Presented by the Management Analyst

Recommendation: City Council is requested to Adopt Resolution No. 22-09, approving Substantial Amendment No. 1 to the Fiscal Year 2021-2022 Community Development Block Grant (CDBG).

Mayor Alcantar opened public comment.

Public Comments:

Susie thanked staff for increasing the rehab program for the single housing, hopes the small business support program is benefiting small businesses, commented on the emergency rental assistance program wants to know whether it is the same as the State’s program and if the process for that program can have a smoother process.

Mayor Alcantar closed public comment.

Motion: Vice Mayor Gonzalez motioned adopt Resolution No. 22-09, approving Substantial Amendment No. 1 to the Fiscal Year 2021-2022 Community Development Block Grant (CDBG), seconded by Mayor Alcantar. Motion passed 3-1 by the following roll call vote:

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

B. General Plan Amendment 21-01 - City of Cudahy 6th Cycle Housing Element Update – Citywide

Presented by the Interim Community Development Manager

Recommendation: City Staff recommends that the City Council of the City of Cudahy (the “City”):

1. Open the public hearing
2. Receive public comments
3. Approve on First Reading, Ordinance 718 approving General Plan Amendment 21-01, adopting the 2021 - 2029 6th Cycle Housing Element, and approving the Addendum to Cudahy General Plan 2040 EIR (SCH#2017071071) for the draft Housing Element Update.

Mayor Alcantar opened public comment.

Public Comments:

Susie commented on the number of housings the City needs to meet and mentioned being a dense city with not having enough parking for additional units.

Mayor Alcantar closed public comment.

Motion: Mayor Alcantar motioned to approve on First Reading, Ordinance 718 approving General Plan Amendment 21-01, adopting the 2021 - 2029 6th Cycle Housing Element, and approving the Addendum to Cudahy General Plan 2040 EIR (SCH#2017071071) for the draft Housing Element Update, seconded by Vice Mayor Gonzalez. Motion passed 3-2 by the following roll call vote:

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

16. BUSINESS SESSION

A. City Council consideration of Third Amendment to the Exclusive Negotiating Agreements by and between the City of Cudahy and Camerra Capital for the Long-Range Property Management Plan Site 1 and GloGreen, LLC for the Long-Range Property Management Plan Site 6

Presented by the City Attorney

Recommendation: The City Council is recommended to approve the proposed third amendment to the Exclusive Negotiation Agreements by and between the City of Cudahy and Camerra Capital for Site 1 and GloGreen, LLC for Site 6.

Vice Mayor Gonzalez motioned *to approve the proposed third amendment to the Exclusive Negotiation Agreements by and between the City of Cudahy and Camerra Capital for Site 1 and GloGreen, LLC for Site 6, 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

B. Midyear Budget Review of City of Cudahy’s Fiscal Year 2021-2022

Presented by the Acting Finance Director

Recommendation: The City Council is requested to receive and file the Fiscal Year (FY) 2021-2022 Mid-Year Budget review and related reports.

Midyear Budget Review was received and filed.

17. COUNCIL DISCUSSION – NONE

18. ADJOURNMENT

Mayor Alcantar motioned to adjourn the City Council / Agency meeting at 9:44 p.m., seconded by Council Member Lozoya. Motion passed 4-0-1 by the following roll call vote:

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

Elizabeth Alcantar
Mayor

ATTEST:

Richard Iglesias
City Clerk