

## MINUTES

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

May 3, 2022 6:30 P.M.

#### 1. CALL TO ORDER

Mayor / Chair Alcantar called the meeting to order at 6:39 p.m.

#### 2. ROLL CALL

PRESENT: Council / Agency Member Jack M. Guerrero (left at 9:41 p.m.)  
Council / Agency Member Daisy Lomelí  
Vice Mayor / Vice Chair Jose R. Gonzalez  
Mayor / Chair Elizabeth Alcantar

ABSENT: Council / Agency Member Blanca Lozoya

ALSO PRESENT: City Manager, Alfonso Noyola, Deputy City Attorney, Stephanie Arechiga, City Clerk, Richard Iglesias, Finance Director, Joshua Calhoun, Director of Administrative Services, Brenda Rodriguez, Human Resources Manager, Noel Barajas, Interim Community Development Manager, Salvador Lopez, Management Analyst, Andres Rangel, and Junior Deputy City Clerk, Estefania Zamora.

#### 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

Proclamation Proclaiming May 1-7<sup>th</sup> as Public Service Recognition Week

## 6. CLOSED SESSION PUBLIC COMMENTS

Jack Guerrero stated he would be withdrawing from closed session with respect to item 7B not been disclosed to the public and has not received advance information or presented with sufficient background for this case and spoke in opposition to the closed sessions regarding the City Manager selection process. Mentioned he would also withdraw from closed session item 7A.

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

At 6:49 p.m., Deputy City Attorney, Stephanie Arechiga recessed to closed session.

At 7:31 p.m., Mayor Alcantar reconvened to open session.

## 8. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney Stephanie Arechiga announced Council was briefed, no reportable action at this time.

## 9. PUBLIC COMMENTS

Tevina Q. spoke against Council Member Guerrero, Council not having their cameras on or having poor connection during the meeting.

Victor Frias spoke on the positives of Teresa Hughes Elementary School, commented on Council Member Guerrero’s comments of test scores, and welcomed all Council Members to visit the school.

Susie de Santiago commented on the inclusionary housing, stated new home constructions do not provide enough affordable housing units would like include to add more low income, schools being portrayed negative by Council Member Guerrero and ask him to visit the school and be part of the community.

Leticia Garcia invited Council Member Guerrero to meet the teachers and students at Teresa Hughes Elementary School and spoke against him and the negative comments stated.

Star Garcia congratulated all educators, stated it is the week to celebrate teachers, thanked Mayor for the clean-up, spoke against Council Member Guerrero, welcomed Council Member Lozoya, Council Member Lomeli, and Mayor Alcantar to visit Teresa Hughes Elementary School.

## **10. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS**

Council Member Guerrero advocated for the California ballot initiative called Educational

Freedom Act, for parents and students can pursue education for their children at the best schools of their choice, commented on a leak of a draft majority opinion by justice Samuel Alito which will undo the legal precedence of Roe v Wade, state he would bring a resolution for Council discussion at the next meeting to declare the City of Cudahy a sanctuary city for unborn children then bring the matter back for a formal vote of the Council during the subsequent meeting.

Council Member Lomeli stated she rejects what was stated by Council Member Guerrero's requested item, spoke on teachers appreciation week and thanked all educators, spoke on the Dia del Nino event hosted at Ellen Ochoa and the Robotics Team, announced a pancake breakfast fundraiser for the Elizabeth Learning Center Info Tech Academy funds for scholarships on May 14<sup>th</sup> at the Applebee's in Bell Gardens, mentioned the Chicano Latino Youth Leadership Project having a summer program and deadline is May 22<sup>nd</sup>.

Vice Mayor Gonzalez commended all educators and team for all the amazing work.

Mayor Alcantar reiterated the recognitions mentioned at the beginning of the meeting, acknowledged the Ellen Ochoa Robotics Team, mentioned her attendance at the Lena Gonzalez Earth Day event with local parents, spoke on the 710 Ad-Hoc will be discussing projects including intersections, pedestrian's bridges, sidewalks, bike and bus only lanes and Metro 710 task force, and Gateway COG having passed priorities and principals.

## **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:** Council Member Lomeli motioned to waive full reading of resolutions and ordinances, seconded by Mayor Alcantar. Motion passed 3-1-1 by the following roll call vote:

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

## 14. CONSENT CALENDAR

**Council Member Guerrero requested to pull Consent Calendar items 14B, 14D, and 14E for separate consideration.**

**A.** Consideration to Review and Approve the Draft Minutes of April 19, 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 April 19, 2022.

**C.** Adoption of Resolution No. 22-17 Approving the City Engineer's Report for Fiscal Year (FY) 2022-23 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

**Recommendation:** The City Council is requested to adopt Resolution No. 22-17, approving the City Engineer's Report 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; and direct staff to publish in a local newspaper a Notice of Public Hearing for the June 7, 2022, City Council meeting to adopt the proposed Street Lighting Assessment Report.

**F.** Adoption of Proposed Resolution No. 22-19 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 May 3, 2022, through June 2, 2022, Pursuant to Brown Act Provisions

**Recommendation:** The City Council is requested to approve proposed Resolution No. 22-19 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 May 3, 2022, through June 2, 2022, pursuant to Ralph M. Brown Act provisions.

**Motion:** Council Member Lomeli motioned to approve consent items 14B, 14D, and 14E, seconded by Mayor Alcantar. Motion passed 3-0-1 by the following roll call vote:

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

**B. Adoption of Ordinance No. 720 – Zoning Code Amendment No. AZC 90-13, Inclusionary Housing Ordinance**

**Recommendation:** The City Council is requested to adopt on Second Reading, Ordinance No. 720, Amendment to the City’s Zoning Code, AZC 90-13, establishing an Inclusionary Housing Program with accompanying Environmental Review Streamlining Process, adding Chapter 20.30 (“Inclusionary Housing Program”) of Title 20 (“Zoning Code”) and amending Chapter 20.88 (“Definitions”) of Title 20 (“Zoning Code”) to the Cudahy Municipal Code.

**Motion:** Council Member Lomeli motioned to adopt on Second Reading, Ordinance No. 720, Amendment to the City’s Zoning Code, AZC 90-13, establishing an Inclusionary Housing Program with accompanying Environmental Review Streamlining Process, adding Chapter 20.30 (“Inclusionary Housing Program”) of Title 20 (“Zoning Code”) and amending Chapter 20.88 (“Definitions”) of Title 20 (“Zoning Code”) to the Cudahy Municipal Code, seconded by Mayor Alcantar. Motion passed 3-1-1 by the following roll call vote:

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

**D. Adoption of Ordinance Amending Section 10.04.040 of Chapter 10.04 (Traffic Code) of Title 10 (Vehicles and Traffic) of the Cudahy Municipal Code**

**Recommendation:** The City Council is requested to adopt Ordinance No. 721 amending Section 10.04.040 of Chapter 10.04 (Traffic Code) of Title 10 (Vehicles and Traffic) of the Cudahy Municipal Code.

**Motion:** Vice Mayor Gonzalez motioned to adopt Ordinance No. 721 amending Section 10.04.040 of Chapter 10.04 (Traffic Code) of Title 10 (Vehicles and Traffic) of the Cudahy Municipal Code, seconded by Council Member Lomeli. Motion passed 3-1-1 by the following roll call vote:

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

**E. Adoption of a Proposed Resolution No. 22-18, Extending the Continuation of a Citywide Program to Allow Permitted Overnight On-Street Parking in Designated Parking Areas starting July 1, 2022 (Fiscal Year (FY) 2022-2023)**

**Recommendation:** The City Council is requested to review and approve proposed Resolution No. 22-18, extending the continuation of a Citywide overnight parking program (the “Parking Program”) that allows permitted overnight on-street parking in designated parking areas beginning July 1, 2022.

**Motion:** Vice Mayor Gonzalez motioned to approve proposed Resolution No. 22-18, extending the continuation of a Citywide overnight parking program (the “Parking Program”) that allows permitted overnight on-street parking in designated parking areas beginning July 1, 2022, seconded by Council Member Lomeli. Motion passed 3-1-1 by the following roll call vote:

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

## 15. PUBLIC HEARING

A. A Public Hearing to Adopt Resolution No. 22-20, Repealing Resolution No. 15-41 and adopting a Comprehensive Service Fee Study to modify the Master Fee and Fine Schedule

*Presented by the Finance Director*

**Recommendation:** The City Council is requested to adopt Resolution No. 22-20 adopting the Comprehensive Service Fee Study and modifying the Master Fee and Fine Schedule.

**Mayor Alcantar opened public comment.**

### Public Comments:

Susie asked for clarification on sidewalk vending fees, requirements, and enforcement and asked about correctable violations.

**Mayor Alcantar closed public comment.**

**Motion:** Vice Mayor Gonzalez motioned to adopt Resolution No. 22-20 adopting the Comprehensive Service Fee Study and modifying the Master Fee and Fine Schedule, seconded by Vice Mayor Lomeli. Motion passed 3-1-1 by the following roll call vote:

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

## 16. BUSINESS SESSION

A. Adoption of Proposed Ordinance Amending Chapter 2.36 (Planning Commission) 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 Chapter 2.36 (Planning Commission) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code

**Motion:** Vice Mayor Gonzalez motioned to approve an Ordinance by first reading, amending Chapter 2.36 (Planning Commission) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code, seconded by Council Member Lomeli. Motion passed 3-0-1 by the following roll call vote:

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

**B. Capital Improvement Program (CIP) Workshop**

*Presented by the City Manager and Public Works Director*

**Recommendation:** The City Council is requested to provide staff with direction on the proposed CIP.

**C. Budget Workshop for Proposed Fiscal Year (FY) 2022-2023 City Budget**

*Presented by the City Manager and Finance Director*

**Recommendation:** The City Council is requested to review General Fund and Special Revenue Funds proposed budget and provide staff with direction on which proposed budgeted revenues and expenditures in the Fiscal Year (FY) 2022-23 City Budget, which would be presented to the City Council for final consideration at a regular meeting on June 7, 2022.

**17. COUNCIL DISCUSSION – NONE**

**18. ADJOURNMENT**

Council Member Lomeli motioned to adjourn the City Council / Agency meeting at 10:40 p.m., seconded by Vice Mayor Gonzalez. Motion passed 3-0-2 by the following roll call vote:

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

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Elizabeth Alcantar  
Mayor

ATTEST:

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Richard Iglesias  
City Clerk