

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

July 19, 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 meeting at:
8:16pm)
Council / Agency Member Blanca Lozoya
Council / Agency Member Daisy Lomeli
Vice Mayor / Vice Chair Jose R. Gonzalez
Mayor / Chair Elizabeth Alcantar

ABSENT: None

ALSO PRESENT: City Manager, Alfonso Noyola, Deputy City Attorney Stephanie Arechiga, City Clerk, Richard Iglesias, Junior Deputy City Clerk, Estefania Zamora, Finance Director, Joshua Calhoun, Public Works Director, Aaron Hernandez, Administrative Services Director, Brenda Rodriguez, Community Development Director, Juan Arauz, and Human Resources Manager, Noel Barajas.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Alcantar.

4. LAND ACKNOWLEDGEMENT

The Land Acknowledgment was led by Mayor Alcantar.

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. Finance Department Annual Update

6. CLOSED SESSION PUBLIC COMMENTS – NONE

7. CLOSED SESSION – NONE

8. CLOSED SESSION ANNOUNCEMENT – NONE

9. PUBLIC COMMENTS

Susie commented on item 14C, asked Council to consider amending a section in the ordinance, spoke on overnight parking, thanked council members who attended the special meeting, disapproved of Council Member Guerrero's absence and talked about commissioner appointments.

Gerardo Hernandez asked the City Council to abstain or oppose California's SB1245, claiming that it is one-sided in its funding, provided information regarding the bill, and gave his opinion.

Jack Guerrero addressed the City Council's recent modification of the consent calendar protocol, alleged it suppresses free speech and transparency of the public and violates the brown act, spoke against the actions Council took and the implications of the new consent calendar protocol.

Krystal Markovich addressed issues with Animal Control's response time and regarding removing dead animals, stated she stands in solidarity with the first speaker Susie, asked City Council to consider her opinion, mentioned her support of women's reproductive rights, emphasized women's reproductive health choices, thanked Council Member Lomeli, Mayor Alcantar, and Vice Mayor Gonzalez, and lastly mentioned revisiting rent control.

Emailed Public Comment - Read into the record by the City Clerk

Star Laca Good Evening Cudahy City Council, on behalf of the Cudahy Alliance for Justice, we are extremely concerned about the lack of accountability that the City of Cudahy has taken in regards to cleaning up Cudahy Park since 1990 even though it is a fact that Cudahy Park and Park Avenue Elementary were both built on top of a landfill. It is necessary and imperative that before any renovations are made to Cudahy Park, the City must utilize every resource available to safely and properly clean up the park. The City of Cudahy does not need any more environmental injustice like when the majority of council members voted to approve a project located at 7801 Otis Avenue that was improperly exempted from an environmental impact report. Cudahy City Council has violated CEQA in the past and must learn its lesson in taking the appropriate steps to keep our community healthy and safe. As Council members, it is your duty to do the right thing for the community you represent. Please do not proceed with renovating the park until it is clean and safe for our community. Thank you, Cudahy Alliance for Justice

Bertha Martinez mentioned she worked in Cudahy for many years and was at Park Avenue when clean-up occurred, she is well-informed about the contamination in Cudahy Park and concerned that it has not been properly cleaned up after many years and the community continues to be exposed to contaminants, sees an opportunity for

the city to clean up the contaminates, supports women's rights, agreed with previous speaker Crystal's comments.

10. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS

Council Member Guerrero questioned the City Attorney regarding the consent calendar determination, referenced the Brown Act and mentioned that California sunshine laws and all California supreme court rulings make clear that only the narrowest of circumstances are appropriate for closed session.

Council Member Lomelí apologized to the public for her limited statement, mentioned she was still under the weather, thanked everyone who attended and commented, highlighted the irony in her colleague's comments, mentioned her appreciation for staff efforts, and asked if the artists involved with the Mural can be recognized at a future Council Meeting.

Council Member Lozoya asked how to report vehicles without a parking permit.

Vice Mayor Gonzalez commented on a great job from the team and agreed with Council Member Lomelí to try to increase the time together with residents and community events, mentioned wanting to focus on the backpack giveaway for the kids and looking forward to supporting students in their return to school.

Mayor Alcantar mentioned her attendance at the mural process and the unveiling, commented on resident/commissioner Quintana reaching out about a local artist who has been training kids to become muralists and artists, mentioned exploring on how to expand in local art, also commented on her attendance at the special meeting regarding cannabis, encouraged individuals to provide feedback, spoke on specific words used regarding the consent calendar and the process.

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 Lomelí motioned to waive full reading of resolutions and ordinances, 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

14. CONSENT CALENDAR

Council Member Guerrero pulled items D&E together and F separately to ask questions, stated he would be voting no concerning the finance items due to the City's dismal internal controls remediation efforts, quoted part of the authoritative report of the California State Controller, mentioned concerns over the transparency regarding remediation, and protested the City's practice regarding the minutes.

A. Consideration to Review and Approve the Draft Minutes of July 5, 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 July 5, 2022.

B. Adoption of Proposed Resolution No. 22-41 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 July 19, 2022, through August 18, 2022, Pursuant to Brown Act Provisions

Recommendation: The City Council is requested to approve proposed Resolution No. 22-41 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 July 19, 2022, through August 18, 2022, pursuant to Ralph M. Brown Act provisions.

Motion: Council Member Lomelí motioned to approve Consent Calendar items A and B, 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

C. Adoption of Proposed Ordinance Amending Section 20 (Appointment, Reappointment, and Removal) of Chapter 2.32 (City Commissioners) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code

Recommendation: The City Council is requested to approve an Ordinance by second reading, amending Section 20 of Chapter 2.32 (City Commissioners) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code.

Motion: Council Member Lomelí motioned to approve Consent Calendar item C, 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

D. Approval of the Local Agency Investment Fund (LAIF) for the Month of June 2022

Recommendation: The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of June 2022 in the amount of \$11,202,228.14.

E. Approval of the City Demands and Payroll Including Statement of Investment for the Month of June 2022

Recommendation: The City Council is requested to approve the Demands and Payroll in the amount of \$1,261,663.52 including the Statement of Investments for the month of June 2022.

Motion: Council Member Lomelí motioned to approve Consent Calendar items D and E, 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

F. Adoption of a Proposed Resolution No. 22-42 Superseding and Repealing Resolution No. 22-35, and Amending the Adopted Fringe Benefits and Salary Plan Establishing Provisions for All Full-time Employees, and Hourly Employees

Recommendation: The City Council is requested to approve the proposed Resolution No. 22-42, amending the fringe benefits and salary plan establishing provisions for all full-time employees, hourly employees, and appointed officials and repealing Resolution No. 22-35.

Motion: Council Member Lomelí motioned to approve Consent Calendar item F, 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

15. PUBLIC HEARING

A. Resolution of Public Interest and Convenience No. 22-43 Approving the City's Purchase and Sale Agreement for the Sale of Real Property at 5256 Elizabeth Street and 5260 Elizabeth Street (APN 6224-001-901 and APN 6224-001-902)

Presented by the Contract City Planner

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

1. Adopt the Resolution of Public Interest and Convenience No. 22-43, approving the City’s Purchase and Sale Agreement (“PSA”) to sell the real property located at 5256 Elizabeth Street and 5260 Elizabeth Street, Cudahy, California with the following Los Angeles County Assessor Parcel Numbers: 6224-001-901 and 6224-001-902, in order to allow for the development of a multifamily residential development (“Project”).

Mayor Alcantar opened public comment.

Public Comments:

Susie asked that proper environmental clean-up procedures are taken before the property is sold and to ensure the City gets the best value for the property.

Gerardo Hernandez gave his regards and gave praised for the great work.

Council Member Guerrero mentioned his appreciation for Best Best & Krieger's explanation, and the agreement is unclear on how to square the cost allocation provision with the purchase price credit, asked what the fair market value was in the appraisal, and addressed a point made by his colleague.

Bertha Martinez echoed concerns from several speakers, hoping that the City makes sure that some of those units are affordable to the community, glad that there is something in place to ensure the site is evaluated and clean.

Mayor Alcantar closed public comment.

Motion: Vice Mayor Gonzalez motioned to adopt the Resolution of Public Interest and Convenience No. 22-43, approving the City’s Purchase and Sale Agreement (“PSA”) to sell the real property located at 5256 Elizabeth Street and 5260 Elizabeth Street, Cudahy, California with the following Los Angeles County Assessor Parcel Numbers: 6224-001-901 and 6224-001-902, in order to allow for the development of a multifamily residential development (“Project”), seconded by Council Member Lomelí. Motion passed 3-1 by the following roll call vote:

- AYES: Lomelí, Gonzalez, and Alcantar
- NOES: Guerrero
- ABSENT: None
- ABSTAIN: Lozoya (Recused herself due to proximity of property)

16. BUSINESS SESSION

- A. Adoption of Proposed Resolution No. 22-44 In Support of Senate Bill 1245

Presented by the City Attorney

Recommendation: The City Council is requested to adopt proposed Resolution No. 22-44 supporting Senate Bill 1245.

Motion: Council Member Lomelí motioned to adopt proposed Resolution No. 22-44 supporting Senate Bill 1245, 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. Adoption of Proposed Resolution No. 22-45 Dissolving the Parks and Recreations Commission, Establishing the Recreation, Arts, and Cultural Heritage Commission, and Adopting the Objectives and Policies for the Recreation, Arts, and Cultural Heritage Commission

Presented by the City Attorney

Recommendation: The City Council is requested to adopt proposed Resolution No. 22-45 dissolving the Parks and Recreations Commission, establishing the Recreation, Arts, and Cultural Heritage Commission, and adopting the Objectives and Policies for the Recreation, Arts, and Cultural Heritage Commission.

Motion: Mayor Alcantar motioned to adopt proposed Resolution No. 22-45 dissolving the Parks and Recreations Commission, establishing the Recreation, Arts, and Cultural Heritage Commission, and adopting the Objectives and Policies for the Recreation, Arts, and Cultural Heritage Commission, seconded by Council Member Lomelí. Motion passed 4-0-1 by the following roll call vote:

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

C. 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

Presented by the Administrative Services Director

Recommendation: The City Council is requested to adopt Ordinance No. 724 by first reading, amending Section 10.04.040 of Chapter 10.04 (Traffic Code) of Title 10 (Vehicles and Traffic) of the Cudahy Municipal Code.

Motion: Council Member Lomelí motioned to adopt Ordinance No. 724 by first reading, 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 Lozoya. Motion passed 4-0-1 by the following roll call vote:

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

D. Creation and Appointment of Ad Hoc Rent Control Committee

Presented by the City Clerk

Recommendation: The City Council is requested to create an Ad Hoc Rent Control Committee and appoint two council members to serve on the committee.

Motion: Mayor Alcantar motioned to create an Ad Hoc Rent Control Committee and appoint Council Member Lomelí and Mayor Alcantar to the committee, 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

E. Consideration to Appoint Board Members to the Planning Commission

Presented by the City Clerk

Recommendation: The City Council is requested to review applications and appoint commission applicants to the Planning Commission.

Motion: Council Member Lomelí motioned to appoint the following to the Planning Commission: Vice Mayor Gonzalez appointed Martin U. Fuentes, Council Member Lomelí appointed Gustavo Mendez, Mayor Alcantar appointed Richard Corvera-Hernandez, Council Member Lozoya appointed Patricia Covarrubias, and keep current Vice Chair Gilbert Cuevas to the Planning Commission, seconded by Vice Mayor Gonzalez. Motion passed 4-0-1 by the following roll call vote:

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

17. COUNCIL DISCUSSION – NONE

18. ADJOURNMENT

Vice Mayor Gonzalez motioned to adjourn the City Council / Agency meeting at 8:39 p.m., seconded by Mayor 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