

AGENDA REPORT ITEM 9

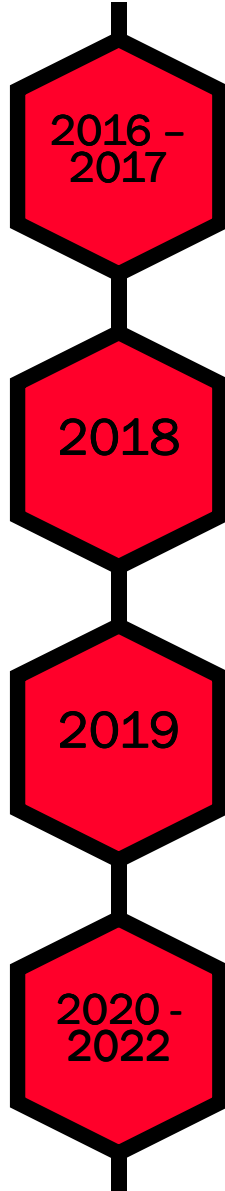
**CITY OF BELL GARDENS,
A CALIFORNIA MUNICIPALITY,
V. JENNIFER RODRIGUEZ,
CASE NO. 20STCV38848**

September 26, 2022

Gary A. Bacio, Esq., Bacio and Associates
Michael B. O'Kelly, City Manager

BACKGROUND

2016 - 2022



Violated Duties

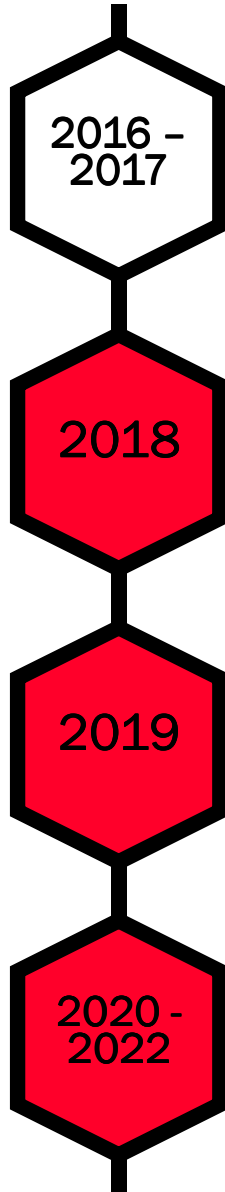
1st Lawsuit

Court Trial

2nd Lawsuit

VIOLATED DUTIES

June 2016 - February 2017



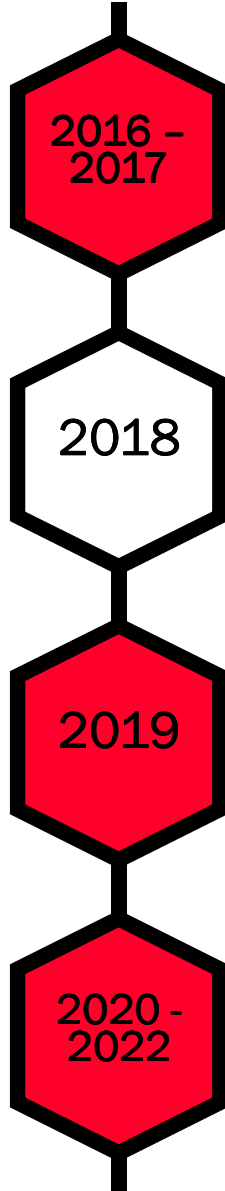
Former Councilmember, Jennifer Rodriguez, **failed to attend 60 days of council meetings** on separate occasions between June 2016 and February 2017 without approval or a valid excuse. This was in **breach of her duties** as a councilmember and a violation of Government Code section 36513.



Failed to attend meetings

1ST LAWSUIT

February 15, 2018

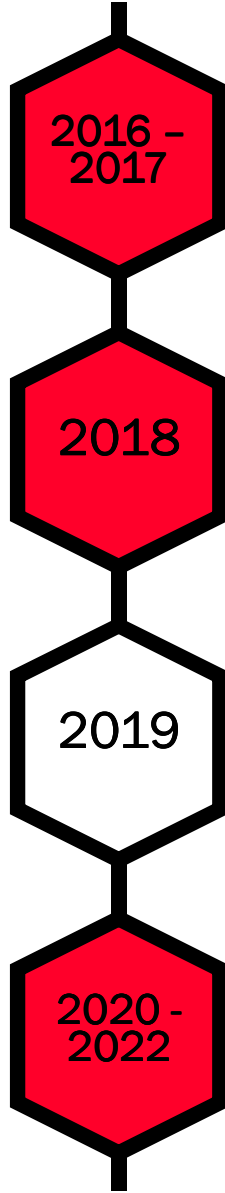


An action, called Quo Warranto, **with the approval of the State Attorney General**, was brought against Ms. Rodriguez on February 15, 2018.



COURT TRIAL

September 9, 2019 - September 12, 2019

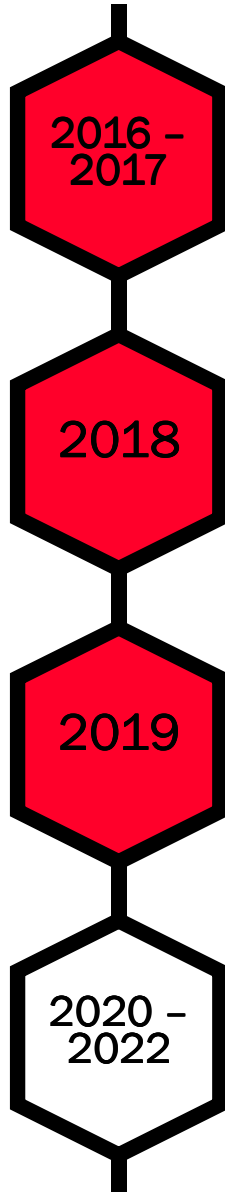


Court Trial

That matter went to **trial** on September 9, 2019 and was concluded on September 12, 2019. The court found in favor of the City and ruled that Ms. Rodriguez could no longer serve as a Councilmember as she had **violated her duty to the City** by failing to attend council meetings without approval or valid excuse.

2ND LAWSUIT

October 13, 2020 - May 18, 2022



February 5, 2020: **Superior Court Judge** Gregory W. Alarcon finalized the statement of decision regarding the Jennifer Rodriguez case, **directing her to vacate her seat** on the Bell Gardens City Council due to missing City Council meetings, a violation of Government Code Section 36513.

The timeline for this second litigation is below:

1. October 13, 2020: A **lawsuit** for **Breach of Fiduciary Duty, Conversion, Unjust Enrichment, and Fraud** in the inducement was prepared and filed against Ms. Rodriguez.
2. January 12, 2021: After many attempts to serve Ms. Rodriguez and due to her evading service, substituted service was successful.
3. Thereafter, Ms. Rodriguez failed to file a timely answer to the complaint.
4. February 8, 2022: Default was entered against Ms. Rodriguez.
5. February 9, 2022: **Default Judgment** was entered by the court in the amount of **\$29,979.35**.
6. May 18, 2022: Abstract of Judgment filed with the Los Angeles County Recorder.

CONCLUSION

- The Abstract of Judgment filed with the Los Angeles County Recorder in the amount of **\$29,979.35** remains outstanding. The judgment would typically be satisfied if the judgment debtor, Jennifer Rodriguez, attempts to sell or refinance real property.
- There is no current fiscal impact until such time as the **\$29,979.35** judgment is satisfied through partial or full payment. **Any payment received from the judgment would be recognized as revenues to the City's General Fund and become available for services.**



QUESTIONS?