

Cristian Markovich, Mayor
Christian Hernandez, Vice Mayor
Chris Garcia, Council Member
Jack Guerrero, Council Member
Baru Sanchez, Council Member



CUDAHY CITY
COUNCIL CHAMBERS
5240 Santa Ana Street
Cudahy, CA 90201
Phone: (323) 773-5143
Fax: (323) 771-2072

SPECIAL MEETING AGENDA

**A SPECIAL MEETING
OF THE CUDAHY CITY COUNCIL
And JOINT MEETING Of The
CITY OF CUDAHY AS SUCCESSOR AGENCY
TO THE CUDAHY DEVELOPMENT COMMISSION**

TUESDAY, FEBRUARY 2, 2016 – 3:30 P.M.

"Members of the Public are advised that all PAGERS, CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES are to be turned off upon entering the City Council Chambers." If you need to have a discussion with someone in the audience, kindly step out into the lobby.

Written materials distributed to the City Council within 24 hours of the City Council meeting are available for public inspection immediately upon distribution in the City Clerk's Office at City Hall located at 5220 Santa Ana Street, Cudahy, CA 90201.

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at (323) 773-5143 at least 24 hours in advance of the meeting.

1. CALL TO ORDER

2. ROLL CALL

Council/Agency Member Garcia
Council/Agency Member Guerrero
Council/Agency Member Sanchez
Vice Mayor/Vice Chair Hernandez
Mayor/Chair Markovich

3. PUBLIC COMMENT

(Each person will be allowed to speak only once on matters relating to items on the agenda and will be limited to three (3) minutes. When addressing the City Council please speak into the microphone and voluntarily state your name and address.)

(Every person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. [See, Cal. Penal Code § 403.]

4. CONSENT CALENDAR - NONE

5. BUSINESS SESSION

- A. Adoption of a Proposed Urgency Ordinance of the City Council of the City of Cudahy Amending Section 2.04.010 of Chapter 2.04 (Council Chambers) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code Regarding Location of Council Meetings

Presented by the City Attorney

Recommendation: The City Council is requested to adopt a proposed urgency ordinance amending Section 2.04.010 of Chapter 2.04 (Council Chambers) of Title 2 (Administration & Personnel) of the Cudahy Municipal Code regarding location of Council meetings.

6. ADJOURNMENT

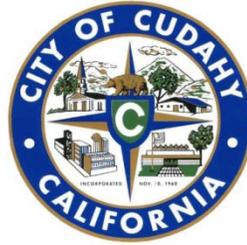
Cudahy City Council will adjourn to the February 8, 2016 Regular Meeting of the Cudahy City Council and Joint Meeting of the City of Cudahy as Successor Agency to the Cudahy Development Commission at 6:30 p.m.

I, Laura Valdivia, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at Cudahy City Hall, Bedwell Hall, Clara Park, Lugo Park, and the City's Website not less than 24 hours prior to the meeting. A copy of said Agenda is on file in the City Clerk's Office.

Dated this 1st day of February 2016 at 2:30 p.m.



Laura Valdivia
Interim City Clerk



Item Number 5A

STAFF REPORT

Date: February 2, 2016
To: Honorable Mayor/Chair and City Council/Agency Members
From: City Attorney
Subject: **Adoption of a Proposed Urgency Ordinance of the City Council of the City of Cudahy Amending Section 2.04.010 of Chapter 2.04 (Council Chambers) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code Regarding Location of Council Meetings**

RECOMMENDATION

The City Council is requested to adopt a proposed urgency ordinance amending Section 2.04.010 of Chapter 2.04 (Council Chambers) of Title 2 (Administration & Personnel) of the Cudahy Municipal Code regarding location of Council meetings.

BACKGROUND

The City Council conducts its public meetings in the Council Chambers of City Hall in accordance with The Ralph M. Brown Act (Gov. Code § 549501 et seq.). In recent years our country has seen a rise in the frequency of violence in public places, including the recent shooting in a public building in San Bernardino County, and such violence is often politically motivated and directed at public servants. In keeping with the public's expectation that its government servants strive to protect the public, City officials have discussed with the Los Angeles County Sheriff's Department, the issues of security and fire and life safety at public meetings.

ANALYSIS

The municipal codes of other cities provide flexibility to hold meetings at alternate locations for a variety of reasons, including security concerns, as long as proper notice is given and the location complies with State law. The Cudahy Municipal Code provision that meetings of the City Council shall be held at City Hall is unnecessarily limiting because it precludes City staff

and the Los Angeles County Sheriff's Department from determining that an alternate location is more suitable, convenient, secure, and in the public interest. The City desires to provide such reasonable flexibility in the location of public meetings in the interest of public safety, security, convenience, and the general welfare.

Government Code Section 36937 authorizes ordinances to take effect immediately for the immediate preservation of the public peace, health or safety, provided the ordinance is approved by four-fifths vote of the City Council.

CONCLUSION

If the City Council approves the proposed ordinance, the ordinance will take effect immediately to permit the City the flexibility it requires to select the location of public meetings taking into consideration, among other things, the interest of public safety and security.

FINANCIAL IMPACT

No fiscal impact.

ATTACHMENTS

Proposed Ordinance

URGENCY ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF CUDAHY AMENDING SECTION
2.04.010 OF CHAPTER 2.04 (CITY COUNCIL) OF TITLE
2 (ADMINISTRATION AND PERSONNEL) OF THE
CUDAHY MUNICIPAL CODE REGARDING LOCATION
OF COUNCIL MEETINGS**

WHEREAS, the City Council conducts its public meetings in the Council Chambers of City Hall in accordance with The Ralph M. Brown Act (Gov. Code § 549501 et seq.); and

WHEREAS, in recent years our country has seen a rise in the frequency of violence in public places, including the recent shooting in a public building in San Bernardino County, and such violence is often politically motivated and directed at public servants; and

WHEREAS, in keeping with the public's expectation that its government servants strive to protect the public, City officials have discussed with the Los Angeles County Sheriff's Department, the issues of security and fire and life safety at public meetings; and

WHEREAS, the municipal codes of other cities provide flexibility to hold meetings at alternate locations for a variety of reasons not limited to security concerns, as long as proper notice is given and the location complies with State law; and

WHEREAS, the Cudahy Municipal Code provision that meetings of the City Council shall be held at City Hall is unnecessarily limiting, because it precludes City staff and the Los Angeles County Sheriff's Department from determining that an alternate location is more suitable, convenient, secure, and in the public interest; and

WHEREAS, the City desires to provide such reasonable flexibility in the location of public meetings in the interest of public safety, security, convenience, and the general welfare; and

WHEREAS, Government Code Section 36937 authorizes ordinances to take effect immediately for the immediate preservation of the public peace, health or safety, provided the ordinance is approved by four-fifths vote of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals above are true and correct and incorporated herein by reference.

SECTION 2. Urgency Findings: The City Council finds as follows, pursuant to Government Code Section 36937(b):

- A. Adoption of this Urgency Ordinance will amend the Cudahy Municipal Code immediately to ensure that the City is not unnecessarily limited in determining locations for public meetings that are suitable, convenient, secure, and in the public interest.
- B. This Urgency Ordinance is for the immediate preservation of the public peace, health, and safety because reasonable flexibility in the location of public meetings will allow City officials and the Los Angeles County Sheriff's Department to improve protection of the public by considering features of various alternate buildings relevant to security concerns.
- C. The subject of this ordinance is appropriately deemed urgent because it is sensible to avoid delay in matters of security and fire and life safety, while the amendment fully protects the right to advance public notice and the openness of public meetings.
- D. Flexibility in the location of public meetings will improve the City's ability to consider many factors, including the size and suitability of the venue, convenient access, parking, as well as safety features, and thereby promote the health, safety, and general welfare of residents and others in the City.

SECTION 3. Section 2.04.010 (Council Chambers) of Chapter 2.04 (City Council) of Title 2 (Administration and Personnel) of the Cudahy Municipal Code is amended as follows (underlining denotes additions; strikethrough denotes deletions):

The room designated as the Council Chambers, located in the Community Building, Cudahy Civic Center, 5240 Santa Ana Street, Cudahy, California, shall be the Council Chambers of the City Hall of the city, and all meetings of the council shall be held therein unless another location is noticed in accordance with state law ; ~~provided, however, the council may from time to time designate meetings to be held at the City Hall, 5220 Santa Ana Street, Cudahy, California, when the council deems it appropriate.~~

SECTION 4. Inconsistent Provisions. Any provision of the Cudahy Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the

extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Urgency Ordinance.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Urgency Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Urgency Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 6. Publication and Effective Date. Upon adoption of this Urgency Ordinance by no less than four-fifths (4/5) vote of the Council, the Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in newspaper of general circulation within fifteen (15) days after its adoption. This Urgency Ordinance shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 2nd day of February, 2016.

Cristian Markovich
Mayor

ATTEST:

Laura Valdivia
Interim City Clerk

APPROVED AS TO FORM:

Isabel Birrueta
Assistant City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CUDAHY)

I, Laura Valdivia, Interim City Clerk of the City of Cudahy, hereby certify that the foregoing Urgency Ordinance No. _____ was approved and adopted by said Council at its special meeting held on the 2nd of February, 2016 by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Laura Valdivia
Interim City Clerk