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

CLARA STREET PARK
TURNER HALL
4835 Clara Street
Cudahy, CA 90201
Phone: (323) 773-5143
Fax: (323) 771-2072

REMOTE TELECONFERENCE LOCATION:

CLARA STREET PARK
Chamber of Commerce Room
4835 Clara Street
Cudahy, CA 90201

AGENDA

A REGULAR MEETING
OF THE CUDAHY CITY COUNCIL
and JOINT MEETING of the
CITY OF CUDAHY AS SUCCESSOR AGENCY and HOUSING SUCCESSOR AGENCY
TO THE CUDAHY DEVELOPMENT COMMISSION
Monday, November 14, 2016 – 6:30 P.M.

Written materials distributed to the City Council within 72 hours of the City Council meeting shall be available for public inspection 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 72 hours in advance of the meeting.

Rules of Decorum

"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 someon*e in the audience, kindly step out into the lobby.

Under the Government Code, the City Council may regulate disruptive behavior that impedes the City Council Meeting.

Disruptive conduct may include, but is not limited to:

- Screaming or yelling during another audience member's public comments period; and
- Profane language directed at individuals in the meeting room; and
- Throwing objects at other individuals in the meeting room; and
- Physical or verbal altercations with other individuals in the meeting room; and
- Going beyond the allotted two-minute public comment period granted.

When a person's or group's conduct disrupts the meeting, the Mayor or presiding officer will request that the person or group stop the disruptive behavior, and WARN the person or group that they will be asked to leave the meeting room if the behavior continues.

If the person or group refuses to stop the disruptive behavior, the Mayor or presiding officer may order the person or group to leave the meeting room, and may request that those persons be escorted from the meeting room.

It should also be noted that any person who WILLFULLY disturbs or breaks up the City Council meeting may be arrested for a misdemeanor offense. (Penal Code § 403.)

1. CALL TO ORDER

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

A. Certificate of Recognition for Diana Vera

5. PUBLIC COMMENTS

(Each member of the public may submit one comment card if he or she wishes to address the City Council. Only speakers that submit a comment card within the first 20 minutes of the meeting will be permitted to speak for two (2) minutes concerning items under the City Council's jurisdiction, including items on the agenda and closed session items.)

(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.].)

6. CITY COUNCIL COMMENTS / REQUESTS FOR AGENDA ITEMS (Each Council Member is limited to three minutes.)

(This is the time for the City Council / Agency to comment on any topics related to "City Business," including announcements, reflections on city / regional events, response to public comments, suggested discussion topics for future council meetings, general concerns about particular city matters, questions to the staff, and directives to the staff (subject to approval / consent of the City Council majority members present, regarding staff directives). Each Council / Agency Member will be allowed to speak for a period not to exceed three (3) minutes. Notwithstanding the foregoing, the City Council Members shall not use this comment period for serial discussions or debate between members on City business matters not properly agendized. The City Attorney shall be responsible for regulating this aspect of the proceeding.)

7. CITY MANAGER REPORT (information only)

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

9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

(Consideration to waive full text reading of all Resolutions and Ordinances by single motion made at the start of each meeting, subject to the ability of the City Council / Agency to read the full text of selected resolutions and ordinances when the item is addressed by subsequent motion.)
(COUNCIL / AGENCY)

Recommendation: Approve the Waiver of Full Reading of Resolutions and Ordinances.

10. CONSENT CALENDAR

(Items under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council / Agency Member so requests, in which event the item will be removed from the Consent Calendar and considered separately.)

A. Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of September 2016 *(page 9)*

Presented by Finance Director

Recommendation: The City Council is requested to approve the Demands and Payroll in the amount of $822,243.24 including Cash and Investment Report by Fund for the month of September 2016.

B. Approval of the Local Agency Investment Fund (LAIF) for the Month of September 2016 *(page 29)*

Presented by Finance Director

Recommendation: The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2016 in the amount of $3,946,978.54.

C. Adoption of a Proposed Resolution Electing the Population and Inflation Factors and Establishing the City's Fiscal Year (FY) 2016-17 Appropriations Limit (Gann Limit) *(page 33)*

Presented by Finance Director

Recommendation: The City Council is requested to adopt a proposed resolution confirming the population and inflation factors used to calculate the annual Appropriation Limit (Gann Limit) and establish the City's Gann Limit for Fiscal Year (FY) 2016-17.

D. Approve Second Amendment to Professional Services Agreement (PSA) with Data Ticket, Inc. for Administrative Citation Processing *(page 45)*

Presented by Community Development Manager

Recommendation: The City Council is requested to approve the Second Amendment to the existing Professional Services Agreement (PSA) with Data Ticket, Inc. to add the administration and collection of administrative citation fines to their current services.

E. Consideration to Adopt a Proposed Resolution Replacing and Superseding Resolution No. 16-XX, Designating Holidays on which City Offices would be Closed for Calendar Year 2017 *(page 87)*

Presented by Acting Human Resources Speciallist

The City Council is requested to adopt a proposed resolution replacing and superseding Resolution No. 16-XX, designating on which holidays City offices would be closed for Calendar Year 2017.

F. Consideration to Adopt a Proposed Resolution Adopting a Revised List of Designated Positions and Disclosure Categories for Officers and Employees of the City, Pursuant to Government Code Section 87306 and Section 18730 of Title 2, Division 6 of the California Code of Regulations *(page 95)*

Presented by Office of the City Attorney

Recommendation: The City Council is requested to adopt the proposed resolution adopting a revised list of designated positions and disclosure categories for officers and employees of the City, pursuant to Government Code Section 87306 and Section 18730 of Title 2, Division 6 of the California Code of Regulations. Such adoption would repeal and replace previously adopted City Conflict of Interest Code Resolutions, including Resolution No. 14-78 from 2014.

11. PUBLIC HEARING

A. Public Hearing to Adopt a Code Amendment Enacting a Ban on Outdoor Personal Cannabis Cultivation and Establishing Regulations for Indoor Personal Cultivation, in Accordance with the Adult Use of Marijuana Act (Proposition 64) *(page 105)*

Presented by Office of the City Attorney

Recommendation: The City Council is requested to Conduct a public hearing, adopt the proposed Urgency Ordinance by no less than four-fifths (4/5) vote of the City Council, and adopt the proposed Ordinance for first reading by simple majority vote.

B. A Public Hearing to Consider and Approve of a Resolution Ordering the Submission of a City – Sponsored Ballot Measure on the March 7, 2017 General Municipal Election Ballot Asking Voters to Approve, by 2/3 Majority Vote, a Temporary, five year Parcel Tax on Various Real Property Parcels in the City to Help Pay for approximately half of the cost of providing policing services in the City *(page 129)*

Presented by Office of the City Attorney

Recommendation: The City Council is requested to adopt a proposed resolution:

1. Open a public hearing to consider and approve a resolution ordering the submission of a City-sponsored measure to be placed on the March 7, 2017 General Municipal Election Ballot asking Cudahy voters to approve by 2/3 majority vote a parcel tax on various real property parcels in the City to help pay for the cost of public safety services;

2. Receive presentation from City staff and comment from interested members of the public;

3. Pose closing questions to City staff; and

4. Close the Public Hearing, Deliberate and Potentially Take Action to Approve the placement of the measure on the March 7 2017 General Municipal Election ballot.

   - The City Council will be asked to choose between two proposed formulas intended to raise approximately $2.0M per year for each of the five years the tax is in place. The $2.0M per year sum represents approximately half of the City's overall annual cost for providing police services in the City.

   - The City Council may also discuss and order alternative formulas for the tax.

12. BUSINESS SESSION

A. Discussion and Overview Regarding Assembly Bill 2 (Community Revitalization Authority) and Assembly Bill 2492 (Community Revitalization) and Their Effects on Economic Development in the City of Cudahy

Presented by Office of the City Attorney

Recommendation: The City Council is requested to:

1. Receive the presentation from City Attorney; and

2. Pose follow-up questions to City Attorney.

B. Acceptance of Final Deliverable of the Sustainable Communities Planning Grant *(page 161)*

Presented by Community Development Manager

Recommendation: The City Council is requested to approve by resolution the Support, Development, and Implementation of the Enabling Sustainable and Equitable Growth in Cudahy, CA Document.

C. Consideration to Approve Construction Contract Award to Belco Elecnor Group for the Cudahy Citywide Pedestrian Crosswalk Improvement Project Safe Routes to School (SRTS) – Active Transportation Program - Cycle 1 (ATP-1) *(page 331)*

Presented by Community Development Manager

Recommendation: The City Council is requested to approve a Contract Services Agreement with Belco Elecnor Group, the lowest responsive bidder, in the negotiated bid amount of $1,003,993 from ATP-1 State Grant Funds to undertake the Cudahy Citywide Pedestrian Crosswalk Improvement Project.

D. Approval of Third Amendment to Extend Existing City Manager Employment Agreement along with Certain Other Amendments *(page 361)*

Presented by Office of the City Attorney

Recommendation: It is recommended that the City Council approve the attached Third Amendment instrument to the City Manager's existing agreement to: extend the term for a period of three (3) years; adjust the annual base compensation the City Manager to $195,000 per year; and modify the terms of the City Manager's work schedule.

13. COUNCIL DISCUSSION

A. Mayor Sanchez

i. Maintenance on Parks

B. Council Member Garcia

i. Revocation of Attorney Client Privilege regarding Council Member Guerrero's Code of Conduct Investigation Report (Video Presentation with Excerpts from Previous City Council Meetings)

C. Council Member Guerrero

i. Revocation of Attorney Client Privilege regarding Council Member Garcia's Code of Conduct Investigation Report.

RECESS TO CLOSED SESSION

This is the time at which the City Council will meet in closed session to go over items of business on the closed session agenda. It should be noted that Councilman Guerrero will be participating from the Chamber of Commerce Room at Turner Hall via teleconference.

14. CLOSED SESSION

A. Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel to Discuss Existing Litigation Matter – 21st Century Capital investment Group, LLC and Bijan Vaziri v. City of Cudahy, et al. – Los Angeles Superior Court Case No. BS146970.

B. Closed Session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation
Title: City Manager

C. Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiators
Agency designated representative: Rick R. Olivarez, City Attorney
Unrepresented employee: City Manager

D. Closed Session Pursuant to Government Code Section 54957 – Public Employee Discipline/Dismissal/Release

RECONVENE TO OPEN SESSION

15. CLOSED SESSION ANNOUNCEMENT

16. ADJOURNMENT

Cudahy City Council / Agency will adjourn to a Regular and Joint Meeting as Successor Agency to the Cudahy Development Commission on Monday, November 28, 2016 at 6:30 p.m.

I Richard Iglesias, 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 72 hours prior to the meeting. A copy of said Agenda is on file in the City Clerk's Office.

Dated this 11th day of November 2016

Richard Iglesias
Deputy City Clerk

Item Number
10A

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Steven Dobrenen, Finance Director

Subject: **Approval of the City Demands and Payroll Including Cash and Investment Report for the Month of September 2016**

RECOMMENDATION

The City Council is requested to approve the Demands and Payroll in the amount of $822,243.24 including Cash and Investment Report by Fund for the month of September 2016.

BACKGROUND

1. On December 13, 1993, Ordinance 476 was adopted and codified as Cudahy Municipal Code Section 3.04.080 indicating, "Except as otherwise provided, no warrant shall be drawn or evidence of indebtedness issued unless there shall be at the time sufficient money in the treasury legally applicable to the payment of the same."

2. On September 2016, the following demands and payroll have been audited by the Finance Department:

Demands	$	621,290.80 (Attachment A)
Payroll Warrants	$	77,213.33 (Attachment B)
	$	58,799.92 (Attachment B)
	$	64,939.19 (Attachment B)
Total:	**$**	**822,243.24**

ANALYSIS

The Check Register Report (Attachment A), Payroll Warrants including payroll taxes and insurance premiums (Attachment B), Cash and Investment Report by Fund September 2016 (Attachment C) indicate that the cash and investment balance was sufficient for disbursements for the month of September 2016, (Attachment D) a summary of cash received and disbursed by month during Fiscal Year (FY) 2016-17, and (Attachment E) a summary of cash received and disbursed by month during FY 2015-16. It is best practice in local governments for Bank Reconciliations to be completed within thirty days of month end. Accordingly, the timely completion of the bank reconciliation, and related reports, for the month ended October 31, 2016, as well as management review, will be completed by November 30, 2016.

Cudahy Municipal Code Section 3.04.070 indicates, "...Budgeted demands paid by warrant prior to audit by the council shall be presented to the council for ratification and approval..."

CONCULSION

The Finance Director certifies to the accuracy and availability of funds for payment. A Demand/Warrant Register has been submitted to the City Council for approval in accordance with Cudahy Municipal Code Section 3.04.070.

FINANCIAL IMPACT

The Cash and Investment Report by Fund (Attachment C) indicates how the total disbursements of $822,243.24 were distributed between the funds of the City.

ATTACHMENTS

A. Check Register Report
B. Payroll Warrants including payroll taxes and insurance premiums
C. Cash and Investment Report by Fund September 2016
D. Summary of Cash Receipt / Disbursement by Month FY 2017
E. Summary of Cash Receipt / Disbursement by Month FY 2016

City of Cudahy

BANK: WELLS FARGO BANK

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40107	09/06/2016	10128	ALCALA MIKE ALONSO	150.00	150.00
		Printed	SENIOR'S FATHER'S DAY EVENT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29101	001-4350-6580.000	150.00	0.00	150.00
			Check Amount	150.00

40108	09/06/2016	9738	ARENT FOX LLP	1,348.00	1,348.00
		Printed	LEGAL SERVICES JANUARY 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29095	001-4930-6755.000	780.00	0.00	780.00
29096	001-4930-6755.000	568.00	0.00	568.00
			Check Amount	1,348.00

40109	09/06/2016	10402	BAKER ESTELA	200.00	200.00
		Printed	FACILITY DEPOSTI REIMBURSEMENT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29105	001-0000-4153.000	200.00	0.00	200.00
			Check Amount	200.00

40110	09/06/2016	4546	CENTRAL BASIN MUNICIPAL WATER	274.34	274.34
		Printed	RECYCLED WATER JUNE 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29100	001-4020-6395.000	274.34	0.00	274.34
			Check Amount	274.34

40111	09/06/2016	5416	MARAVILLA FOUNDATION	92.07	92.07
		Printed	REFUND: WATER HEATER PERMIT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29098	001-0000-4185.000	51.12	0.00	51.12
29099	001-0000-4187.000	40.95	0.00	40.95
			Check Amount	92.07

40112	09/06/2016	8146	NICHOLS CONSULTING ENGINEERS	14,050.00	14,050.00
		Printed	PAVEMENT MANAGEMENT UPDATE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29103	251-7083-6725.000	14,050.00	0.00	14,050.00
			Check Amount	14,050.00

40113	09/06/2016	10184	RED WING SHOES	197.09	197.09
		Printed	RED WING STEEL TOE WORK BOOT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29102	201-4425-6150.000	197.09	0.00	197.09
			Check Amount	197.09

40114	09/06/2016	10384	WOODCRAFT RANGERS	14,571.00	14,571.00
		Printed	YOUTH RECREATION &	0.00	

Ref#	GL Number	Gross	Discount	Amount
29104	001-4350-6720.000	14,571.00	0.00	14,571.00
			Check Amount	14,571.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40115	09/06/2016	0643	ZUMAR INDUSTRIES. INC.	2,397.24	2,397.24
		Printed	SIGNS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29097	201-4425-6387.000	2,397.24	0.00	2,397.24
			Check Amount	2,397.24

40116	09/07/2016	10128	ALCALA MIKE ALONSO	150.00	150.00
		Printed	MUSIC -HAWAIIAN SENIOR EVENT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29106	001-4350-6580.000	150.00	0.00	150.00
			Check Amount	150.00

40117	09/07/2016	0057-1	AT & T INTERNET SERVICES	97.00	97.00
		Printed	CLARA PARK INTERNET AUG 8-SEP7	0.00	

Ref#	GL Number	Gross	Discount	Amount
29118	001-4020-6390.000	55.00	0.00	55.00
29119	001-4020-6390.000	42.00	0.00	42.00
			Check Amount	97.00

40118	09/07/2016	9966	AT & T LONG DISTANCE SERVICE	122.41	122.41
		Printed	LONG DISTANCE PHONE SERVICE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29117	001-4020-6390.000	122.41	0.00	122.41
			Check Amount	122.41

40119	09/07/2016	8021	AT & T MOBILITY	406.21	406.21
		Printed	CELLULAR SERVICE JUL 7 - AUG 6	0.00	

Ref#	GL Number	Gross	Discount	Amount
29115	201-4425-6390.000	97.83	0.00	97.83
29115	001-4020-6390.000	308.38	0.00	308.38
			Check Amount	406.21

40120	09/07/2016	0057-2	AT & T PHONE SERVICE	844.99	844.99
		Printed	LANDLINE PHONE SERVICE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29120	001-4020-6390.000	844.99	0.00	844.99
			Check Amount	844.99

40121	09/07/2016	10123	B & V GROUP CORPORATION	540.17	540.17
		Printed	NEW TIRES - FORD FUSION VEH	0.00	

Ref#	GL Number	Gross	Discount	Amount
29116	001-4530-6394.000	540.17	0.00	540.17
			Check Amount	540.17

40122	09/07/2016	0136	CITY OF SOUTH GATE	75.00	75.00
		Printed	SIGNAL MAINTENANCE AUGUST 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29113	201-4420-6771.000	75.00	0.00	75.00
			Check Amount	75.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40123	09/07/2016	5189	COMMUNITY DEVELOPMENT COMM	500.00	500.00
		Printed	CDBG PROGRAM INCOME BARRAGON	0.00	

Ref#	GL Number	Gross	Discount	Amount
29123	510-0000-4550.000	500.00	0.00	500.00
			Check Amount	500.00

40124	09/07/2016	9983	FIESTA TAXI COOPERATIVE, INC.	2,447.05	2,447.05
		Printed	DIAL A RIDE SERV JULY 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29125	252-4750-6780.000	2,447.05	0.00	2,447.05
			Check Amount	2,447.05

40125	09/07/2016	0126-1	GOLDEN STATE WATER COMPANY	3,332.98	3,332.98
		Printed	WATER SERVICE JULY 25 - AUG 22	0.00	

Ref#	GL Number	Gross	Discount	Amount
29130	001-4020-6395.000	951.13	0.00	951.13
29131	001-4020-6395.000	2,381.85	0.00	2,381.85
			Check Amount	3,332.98

40126	09/07/2016	2139	HINDERLITER DELLAMAS & ASST	1,311.88	1,311.88
		Printed	SALES TAX / AUDIT SERVICE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29128	001-4151-6720.000	1,311.88	0.00	1,311.88
			Check Amount	1,311.88

40127	09/07/2016	2378	ITL, INC.	2,318.95	2,318.95
		Printed	FUEL	0.00	

Ref#	GL Number	Gross	Discount	Amount
29109	001-4530-6040.000	49.22	0.00	49.22
29109	201-4425-6040.000	257.06	0.00	257.06
29110	001-4530-6040.000	83.47	0.00	83.47
29110	201-4425-6040.000	203.35	0.00	203.35
29111	001-4530-6040.000	116.40	0.00	116.40
29111	201-4425-6040.000	219.52	0.00	219.52
29112	001-4530-6040.000	71.08	0.00	71.08
29112	201-4425-6040.000	314.01	0.00	314.01
29135	001-4530-6040.000	42.27	0.00	42.27
29135	201-4425-6040.000	222.63	0.00	222.63
29136	001-4530-6040.000	53.56	0.00	53.56
29136	201-4425-6040.000	257.39	0.00	257.39
29137	001-4530-6040.000	86.07	0.00	86.07
29137	201-4425-6040.000	300.17	0.00	300.17
29138	001-4530-6040.000	42.75	0.00	42.75
			Check Amount	2,318.95

40128	09/07/2016	8057	KONICA MINOLTA BUSINESS	194.23	194.23
		Printed	MONTHLY SERV DIGITAL	0.00	

Ref#	GL Number	Gross	Discount	Amount
29107	001-4020-6014.000	194.23	0.00	194.23
			Check Amount	194.23

40129	09/07/2016	10194	MAGANA GARCIA CECILIA	163.50	163.50
		Printed	ZUMBA INSTRUCTOR	0.00	

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount

Ref#	GL Number	Gross	Discount	Amount
29124	001-4350-6210.000	163.50	0.00	163.50
			Check Amount	163.50

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40130	09/07/2016	1338-1	METROPOLITAN TRANSPORTATION	3,153.00	3,153.00
		Printed	TAP JULY 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29129	251-4760-6550.000	3,153.00	0.00	3,153.00
			Check Amount	3,153.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40131	09/07/2016	10337	MIG	8,477.00	8,477.00
		Printed	PROFESSIONAL SERV JULY	0.00	

Ref#	GL Number	Gross	Discount	Amount
29122	001-4215-6720.000	8,477.00	0.00	8,477.00
			Check Amount	8,477.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40132	09/07/2016	9717	PCAM, LLC	14,556.24	14,556.24
		Printed	SHUTTLE SERVICE JULY 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29127	251-4740-6780.000	14,556.24	0.00	14,556.24
			Check Amount	14,556.24

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40133	09/07/2016	0070	SOUTHERN CALIFORNIA EDISON	20,738.27	20,738.27
		Printed	ELECTRICITY BILLS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29121	001-4020-6318.000	13,417.18	0.00	13,417.18
29121	350-4430-6318.000	6,244.62	0.00	6,244.62
29121	201-4420-6318.000	1,076.47	0.00	1,076.47
			Check Amount	20,738.27

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40134	09/07/2016	9626	THE BANCORP BANK	1,154.24	1,154.24
		Printed	FORD FUSION HYBRID 2 VEH	0.00	

Ref#	GL Number	Gross	Discount	Amount
29126	257-4780-6393.000	1,154.24	0.00	1,154.24
			Check Amount	1,154.24

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40135	09/07/2016	9995	THE BANK OF NEW YORK MELLON	3,598.00	3,598.00
		Printed	ADMIN FEE CUDAHY2003A	0.00	

Ref#	GL Number	Gross	Discount	Amount
29108	001-4930-6391.000	198.00	0.00	198.00
29108	001-4151-6710.000	100.00	0.00	100.00
29108	610-4930-6820.000	3,300.00	0.00	3,300.00
			Check Amount	3,598.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40136	09/07/2016	0071	THE GAS COMPANY	132.06	132.06
		Printed	NATURAL GAS - 7810 OTIS AVENUE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29132	001-4020-6380.000	37.27	0.00	37.27
29133	001-4020-6380.000	59.05	0.00	59.05
29134	001-4020-6380.000	35.74	0.00	35.74
			Check Amount	132.06

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40137	09/07/2016	2859	UNDERGROUND SERVICE ALERT-SC	18.00	18.00
		Printed	DIG ALERT TICKETS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29114	201-4425-6735.000	18.00	0.00	18.00
			Check Amount	18.00

40138	09/13/2016	9998	DOWNEY SIGN & LIGHTING	285.00	285.00
		Printed	BANNER 4 X 30 ATLANTIC	0.00	

Ref#	GL Number	Gross	Discount	Amount
29140	001-4020-6720.000	285.00	0.00	285.00
			Check Amount	285.00

40139	09/13/2016	6086	EWING	229.95	229.95
		Printed	ALLUMINUM TRASH REACHERS 32"	0.00	

Ref#	GL Number	Gross	Discount	Amount
29141	001-4410-6389.000	229.95	0.00	229.95
			Check Amount	229.95

40140	09/13/2016	8018	FERNANDO'S HARDWARE & LUMBER	495.57	495.57
		Printed	SILICA SAND #30 FOR GRAFFITI	0.00	

Ref#	GL Number	Gross	Discount	Amount
29139	201-4425-6750.000	495.57	0.00	495.57
			Check Amount	495.57

40141	09/14/2016	4550	235- PRAXAIR DISTRIBUTION INC.	42.43	42.43
		Printed	CYLINDER DEMURRAGE RENTAL	0.00	

Ref#	GL Number	Gross	Discount	Amount
29157	201-4425-6150.000	42.43	0.00	42.43
			Check Amount	42.43

40142	09/14/2016	7995	AMERICAN CITY PEST CONTROL	406.00	406.00
		Printed	PEST CONTROL AUG 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29162	001-4020-6720.000	68.00	0.00	68.00
29163	001-4020-6720.000	107.00	0.00	107.00
29164	001-4020-6720.000	107.00	0.00	107.00
29165	001-4020-6720.000	124.00	0.00	124.00
			Check Amount	406.00

40143	09/14/2016	9738	ARENT FOX LLP	541.00	541.00
		Printed	LEGAL SERVICES JULY 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29146	001-4930-6755.000	541.00	0.00	541.00
			Check Amount	541.00

40144	09/14/2016	9966	AT & T LONG DISTANCE SERVICE	89.14	89.14
		Printed	LONG DISTANCE PHONE SERVICE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29152	001-4020-6390.000	89.14	0.00	89.14
			Check Amount	89.14

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40145	09/14/2016	0057-2	AT & T PHONE SERVICE	1,245.16	1,245.16
		Printed	LANDLINE SERVICE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29154	001-4020-6390.000	1,245.16	0.00	1,245.16
			Check Amount	1,245.16

40146	09/14/2016	2289	CONSOLIDATED DISPOSAL	1,432.38	1,432.38
		Printed	REFUSE ASSESMENT AUG 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29167	730-0000-2007.000	1,432.38	0.00	1,432.38
			Check Amount	1,432.38

40147	09/14/2016	0186	COUNTY OF LOS ANGELES	7,550.23	7,550.23
		Printed	ANIMAL CARE & CONTROL JUL 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29166	001-4510-6703.000	7,550.23	0.00	7,550.23
			Check Amount	7,550.23

40148	09/14/2016	2167	DAILY BREEZE PRESS TELEGRAM	1,182.42	1,182.42
		Printed	CLASSIFIED ADVERTISING	0.00	

Ref#	GL Number	Gross	Discount	Amount
29149	001-4008-6310.000	615.83	0.00	615.83
29150	001-4008-6310.000	566.59	0.00	566.59
			Check Amount	1,182.42

40149	09/14/2016	10005	DAPEER, ROSENBLIT & LITVAK	4,830.00	4,830.00
		Printed	CITY PROSECUTION SERVICES	0.00	

Ref#	GL Number	Gross	Discount	Amount
29148	510-4230-6755.000	1,925.00	0.00	1,925.00
29148	001-4215-6720.000	2,905.00	0.00	2,905.00
			Check Amount	4,830.00

40150	09/14/2016	10179	EMPIRE CLEANING SUPPLY	1,079.16	1,079.16
		Printed	CLEANING RAGS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29142	001-4020-6080.000	775.81	0.00	775.81
29155	001-4020-6080.000	223.89	0.00	223.89
29161	001-4020-6080.000	79.46	0.00	79.46
			Check Amount	1,079.16

40151	09/14/2016	10053	HAULAWAY STORAGE CONTAINERS	74.20	74.20
		Printed	21FT CONTAINER RENTAL	0.00	

Ref#	GL Number	Gross	Discount	Amount
29144	001-4020-6970.000	74.20	0.00	74.20
			Check Amount	74.20

40152	09/14/2016	4553	J. V. PRINTING	179.85	179.85
		Printed	WINDOW ENVELOPES #10	0.00	

Ref#	GL Number	Gross	Discount	Amount
29168	001-4020-6080.000	179.85	0.00	179.85
			Check Amount	179.85

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40153	09/14/2016	10194	MAGANA GARCIA CECILIA	264.75	264.75
		Printed	ZUMBA INSTRUCTOR	0.00	

Ref#	GL Number	Gross	Discount	Amount
29147	001-4350-6210.000	264.75	0.00	264.75
			Check Amount	264.75

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40154	09/14/2016	5949	QUINN COMPANY	390.31	390.31
		Printed	SEMI ANNUAL INSPECTION	0.00	

Ref#	GL Number	Gross	Discount	Amount
29143	001-4410-6770.000	390.31	0.00	390.31
			Check Amount	390.31

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40155	09/14/2016	0172	SMART & FINAL FOOD SERVICE	3,660.88	3,660.88
		Printed	KITCHEN SUPPLIES	0.00	

Ref#	GL Number	Gross	Discount	Amount
29156	510-4642-6145.000	1,885.99	0.00	1,885.99
29158	510-4642-6145.000	1,749.19	0.00	1,749.19
29159	001-4020-6080.000	17.21	0.00	17.21
29160	001-4020-6080.000	8.49	0.00	8.49
			Check Amount	3,660.88

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40156	09/14/2016	0070	SOUTHERN CALIFORNIA EDISON	194.88	194.88
		Printed	ELECTRICITY UTILITY BILLS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29169	201-4420-6318.000	116.36	0.00	116.36
29169	001-4020-6318.000	78.52	0.00	78.52
			Check Amount	194.88

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40157	09/14/2016	0079	TRACT 180 WATER COMPANY	5,452.68	5,452.68
		Printed	WATER USAGE JUL 1- AUG 31	0.00	

Ref#	GL Number	Gross	Discount	Amount
29151	001-4020-6395.000	5,198.67	0.00	5,198.67
29151	201-4425-6395.000	74.88	0.00	74.88
29153	610-4930-6395.000	179.13	0.00	179.13
			Check Amount	5,452.68

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40158	09/14/2016	10218	PACIFICA SERVICES, INC.	1,235.00	1,235.00
		Printed	LABOR COMPLIANCE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29170	510-7092-6725.000	190.00	0.00	190.00
29171	510-7091-6725.000	746.00	0.00	746.00
29171	510-7092-6725.000	299.00	0.00	299.00
			Check Amount	1,235.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40159	09/14/2016	9951	WILLDAN	12,097.50	12,097.50
		Printed	HSIP CYCLE 76 FOR CONSTRUCTION	0.00	

Ref#	GL Number	Gross	Discount	Amount
29172	001-4212-6720.000	980.00	0.00	980.00
29173	001-4216-6745.000	1,085.00	0.00	1,085.00
29174	001-4215-6720.000	5,512.50	0.00	5,512.50
29175	001-4212-6720.000	1,400.00	0.00	1,400.00
29176	001-4216-6745.000	2,980.00	0.00	2,980.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
	29177	001-4216-6745.000	140.00	0.00	140.00
				Check Amount	12,097.50
40160	09/21/2016	9998	DOWNEY SIGN & LIGHTING	196.35	196.35
		Printed	SERVICE RED FLASHING BEACOM	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29183	001-4020-6720.000	196.35	0.00	196.35
				Check Amount	196.35
40161	09/21/2016	6038	LGP EQUIPMENT RENTALS	359.70	359.70
		Printed	TWO YARDS READY MIX @	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29179	001-4410-6140.000	359.70	0.00	359.70
				Check Amount	359.70
40162	09/21/2016	9737	REGIONAL TAP SERVICE CENTER	140.00	140.00
		Printed	STORED VALUE REGULAR MAY 2016	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29182	251-4760-6550.000	140.00	0.00	140.00
				Check Amount	140.00
40163	09/21/2016	7015	THE UPS STORE #5461	40.00	40.00
		Printed	LIVESCAN SERVICE - COACH	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29180	001-4015-6320.000	40.00	0.00	40.00
				Check Amount	40.00
40164	09/21/2016	5169	VASQUEZ & COMPANY	6,113.00	6,113.00
		Printed	PROFESSIONAL SERVICES AUDIT	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29178	001-4151-6710.000	6,113.00	0.00	6,113.00
				Check Amount	6,113.00
40165	09/21/2016	9951	WILLDAN	11,082.13	11,082.13
		Printed	CITY ENGINEERING SERVICES	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29184	001-4216-6745.000	5,335.00	0.00	5,335.00
	29185	001-4216-6745.000	541.25	0.00	541.25
	29186	001-4216-6745.000	665.00	0.00	665.00
	29187	001-4216-6745.000	1,635.88	0.00	1,635.88
	29188	001-4216-6745.000	770.00	0.00	770.00
	29189	001-4216-6745.000	1,470.00	0.00	1,470.00
	29190	001-4216-6745.000	665.00	0.00	665.00
				Check Amount	11,082.13
40166	09/26/2016	4550	235- PRAXAIR DISTRIBUTION INC.	41.35	41.35
		Printed	CYLINDER DEMURRAGE RENTAL	0.00	
	Ref#	GL Number	Gross	Discount	Amount
	29197	201-4425-6150.000	41.35	0.00	41.35
				Check Amount	41.35

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40167	09/26/2016	1778	ALL CITY MANAGEMENT	1,895.30	1,895.30
		Printed	CROSSING GUARD AUGUST 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29224	001-4520-6730.000	1,895.30	0.00	1,895.30
			Check Amount	1,895.30

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40168	09/26/2016	10374	ALPINE PAPER	1,680.00	1,680.00
		Printed	DIGITAL GLOSS BOOK PAPER	0.00	

Ref#	GL Number	Gross	Discount	Amount
29229	001-4020-6014.000	1,680.00	0.00	1,680.00
			Check Amount	1,680.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40169	09/26/2016	4686	AMERICAN RENTALS, INC.	352.65	352.65
		Printed	RENTAL OF GRILL & PROPANE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29216	001-4350-6585.000	352.65	0.00	352.65
			Check Amount	352.65

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40170	09/26/2016	10157	CASTRO'S DISCOUNT TIRES	425.00	425.00
		Printed	PATCHED FRONT TIRE STEM VEH 9	0.00	

Ref#	GL Number	Gross	Discount	Amount
29208	201-4425-6394.000	400.00	0.00	400.00
29209	201-4425-6394.000	15.00	0.00	15.00
29210	201-4425-6394.000	10.00	0.00	10.00
			Check Amount	425.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40171	09/26/2016	8061	CELEDON'S EXER. EQUIP. SERV.	847.66	847.66
		Printed	REPAIR FITNESS EQUIPMENT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29211	001-4410-6140.000	847.66	0.00	847.66
			Check Amount	847.66

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40172	09/26/2016	10019	CITY OF CLAREMONT	419.00	419.00
		Printed	PROPERTY TAX ADMIN SHARED FEES	0.00	

Ref#	GL Number	Gross	Discount	Amount
29213	001-4005-6720.000	419.00	0.00	419.00
			Check Amount	419.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40173	09/26/2016	0136	CITY OF SOUTH GATE	75.00	75.00
		Printed	SIGNAL MAINTENANCE SEPTEMBER	0.00	

Ref#	GL Number	Gross	Discount	Amount
29226	201-4420-6771.000	75.00	0.00	75.00
			Check Amount	75.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40174	09/26/2016	6045	CONTRERAS GARDEN SUPPLY	162.50	162.50
		Printed	EDGER, HEDGE TRIMMER, CHAIN SA	0.00	

Ref#	GL Number	Gross	Discount	Amount
29212	001-4410-6770.000	162.50	0.00	162.50
			Check Amount	162.50

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40175	09/26/2016	0186	COUNTY OF LOS ANGELES	6,962.96	6,962.96
		Printed	ANIMAL CARE & CONTROL AUGUST	0.00	

Ref#	GL Number	Gross	Discount	Amount
29227	001-4510-6703.000	6,962.96	0.00	6,962.96
			Check Amount	6,962.96

40176	09/26/2016	9983	FIESTA TAXI COOPERATIVE, INC.	2,558.71	2,558.71
		Printed	DIAL A RIDE SERV AUGUST 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29215	252-4750-6780.000	2,558.71	0.00	2,558.71
			Check Amount	2,558.71

40177	09/26/2016	6087	FIRST AMERICAN DATA TREE	99.00	99.00
		Printed	SERVICE RENDERED AUGUST 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29225	001-4215-6080.000	99.00	0.00	99.00
			Check Amount	99.00

40178	09/26/2016	2139-2	HDL COREN & CONE	1,250.00	1,250.00
		Printed	SALES TAX 3RD QUARTER 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29214	001-4151-6720.000	1,250.00	0.00	1,250.00
			Check Amount	1,250.00

40179	09/26/2016	10106	HR DYNAMICS & PERFORMANCE MGNT	6,662.98	6,662.98
		Printed	PROFESIONAL HUMAN RESOURCES	0.00	

Ref#	GL Number	Gross	Discount	Amount
29233	001-4015-6720.000	6,662.98	0.00	6,662.98
			Check Amount	6,662.98

40180	09/26/2016	10403	INTERNATIONAL COATINGS	1,413.74	1,413.74
		Printed	RED CURB - TRAFFIC PAINT	0.00	

Ref#	GL Number	Gross	Discount	Amount
29228	201-4425-6150.000	1,413.74	0.00	1,413.74
			Check Amount	1,413.74

40181	09/26/2016	9723	IT SYSTEMHOUSE, INC.	3,200.00	3,200.00
		Printed	IT OUTSOURCING SERV AUGUST	0.00	

Ref#	GL Number	Gross	Discount	Amount
29217	001-4020-6720.000	3,200.00	0.00	3,200.00
			Check Amount	3,200.00

40182	09/26/2016	4553	J. V. PRINTING	401.12	401.12
		Printed	BUSINESS CARDS: IGLESIAS,	0.00	

Ref#	GL Number	Gross	Discount	Amount
29191	001-4020-6970.000	174.40	0.00	174.40
29192	001-4020-6970.000	226.72	0.00	226.72
			Check Amount	401.12

40183	09/26/2016	9968	LA COUNTY ASSESSOR OFFICE	5.81	5.81
		Printed	MAPS	0.00	

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount

Ref#	GL Number	Gross	Discount	Amount
29193	001-4215-6065.000	5.81	0.00	5.81
			Check Amount	5.81

40184	09/26/2016	0197	LA COUNTY SHERIFF'S DEPARTMENT	336,744.89	336,744.89
		Printed	LAW ENFORCEMENT SERVICE JULY	0.00	

Ref#	GL Number	Gross	Discount	Amount
29194	001-4501-6763.000	336,744.89	0.00	336,744.89
			Check Amount	336,744.89

40185	09/26/2016	4304	MARTIN & CHAPMAN CO.	284.33	284.33
		Printed	MINUTE BOOK PAPER	0.00	

Ref#	GL Number	Gross	Discount	Amount
29218	001-4008-6080.000	284.33	0.00	284.33
			Check Amount	284.33

40186	09/26/2016	10385	MCE CORPORATION	39,919.76	39,919.76
		Printed	PARKS & FACILITY MAINTENANCE	0.00	

Ref#	GL Number	Gross	Discount	Amount
29195	001-4930-6724.000	804.11	0.00	804.11
29195	001-4410-6720.000	26,411.06	0.00	26,411.06
29195	001-4020-6720.000	12,704.59	0.00	12,704.59
			Check Amount	39,919.76

40187	09/26/2016	1978-2	OFFICE DEPOT	313.54	313.54
		Printed	OFFICE SUPPLIES AUGUST 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29219	001-4008-6080.000	25.07	0.00	25.07
29219	001-4020-6080.000	89.21	0.00	89.21
29220	001-4020-6080.000	35.55	0.00	35.55
29220	001-4020-6014.000	34.32	0.00	34.32
29221	001-4350-6080.000	33.38	0.00	33.38
29221	001-4020-6080.000	9.05	0.00	9.05
29222	001-4020-6080.000	73.01	0.00	73.01
29222	001-4020-6014.000	13.95	0.00	13.95
			Check Amount	313.54

40188	09/26/2016	10201	OLIVAREZ MADRUGA, LLP	35,644.91	35,644.91
		Printed	LEGAL SERVICES JULY 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29230	610-4930-6755.000	304.00	0.00	304.00
29230	001-4930-6391.000	494.00	0.00	494.00
29231	001-4930-6391.000	342.00	0.00	342.00
29231	001-4005-6720.000	342.00	0.00	342.00
29231	001-4005-6720.000	19,316.00	0.00	19,316.00
29231	001-4005-6720.000	172.51	0.00	172.51
29232	620-4920-6755.000	3,895.00	0.00	3,895.00
29232	001-4005-6755.000	10,762.50	0.00	10,762.50
29232	001-4005-6755.000	16.90	0.00	16.90
			Check Amount	35,644.91

40189	09/26/2016	10218	PACIFICA SERVICES, INC.	492.28	492.28
		Printed	LABOR COMPLIANCE	0.00	

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount

Ref#	GL Number	Gross	Discount	Amount
29199	510-7091-6725.000	246.14	0.00	246.14
29199	510-7092-6725.000	246.14	0.00	246.14
			Check Amount	492.28

40190	09/26/2016	9717	PCAM, LLC	15,241.86	15,241.86
		Printed	SHUTTLE SERVICE AUGUST 2016	0.00	

Ref#	GL Number	Gross	Discount	Amount
29196	251-4740-6780.000	15,241.86	0.00	15,241.86
			Check Amount	15,241.86

40191	09/26/2016	9737	REGIONAL TAP SERVICE CENTER	45.00	45.00
		Printed	STORED VALUE REGULAR AUGUST	0.00	

Ref#	GL Number	Gross	Discount	Amount
29198	251-4760-6550.000	45.00	0.00	45.00
			Check Amount	45.00

40192	09/26/2016	2802	SAM'S CLUB	337.32	337.32
		Printed	CREDIT CARD PAYMENT AUGUST	0.00	

Ref#	GL Number	Gross	Discount	Amount
29200	001-4350-6580.000	169.91	0.00	169.91
29200	001-4011-6720.000	131.96	0.00	131.96
29200	001-4020-6080.000	35.45	0.00	35.45
			Check Amount	337.32

40193	09/26/2016	7015	THE UPS STORE #5461	50.00	50.00
		Printed	LIVESCAN SERVICE - TWO NEW	0.00	

Ref#	GL Number	Gross	Discount	Amount
29201	001-4015-6320.000	50.00	0.00	50.00
			Check Amount	50.00

40194	09/26/2016	2859	UNDERGROUND SERVICE ALERT-SC	33.00	33.00
		Printed	DIG ALERT TICKETS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29223	201-4425-6735.000	33.00	0.00	33.00
			Check Amount	33.00

40195	09/26/2016	5631	WELLS LOCK & KEY	275.00	275.00
		Printed	LOCKOUT REQUEST @	0.00	

Ref#	GL Number	Gross	Discount	Amount
29202	001-4020-6370.000	117.00	0.00	117.00
29203	001-4020-6370.000	113.00	0.00	113.00
29204	001-4020-6370.000	45.00	0.00	45.00
			Check Amount	275.00

40196	09/26/2016	10384	WOODCRAFT RANGERS	4,857.00	4,857.00
		Printed	YOUTH RECREATION & SPORTS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29205	001-4350-6720.000	4,857.00	0.00	4,857.00
			Check Amount	4,857.00

Check Number	Check Date / Void/Stop Date	Vendor# / Status	Vendor Name / Check Description	Gross / Discount	Amount
40197	09/26/2016	0643	ZUMAR INDUSTRIES. INC.	98.54	98.54
		Printed	SIGNS	0.00	

Ref#	GL Number	Gross	Discount	Amount
29206	201-4425-6387.000	98.54	0.00	98.54
			Check Amount	98.54

Total Checks:	**91**	**Bank Total(excluding void checks):**	**621,290.80**
Total Checks:	**91**	**Grand Total(excluding void checks):**	**621,290.80**

CITY OF CUDAHY

Payroll Warrants including payroll taxes and insurance premiums:

	September 1, 2016	September 15, 2016	September 29, 2016
Issued Warrants Number	21487 - 21536	21537 - 21579	21580 - 21625
Voided Warrants			
Issued Warrants Amount	$ 2,964.55	$ 3,303.17	$ 6,794.68
Direct Deposits (a)	51,215.84	46,864.92	$ 49,100.90
CalPERS Direct Deposit (b)	13,611.84		
Payroll taxes (c)	9,421.10	8,631.83	9,043.61
Total Amount	$ 77,213.33	$ 58,799.92	$ 64,939.19
Note (a) - Employess / Council Members / Commissioners			
Note (b) - Payments for CalPERS retirement contributions			
Note (c) - Federal and State payroll taxes			

CITY OF CUDAHY

Cash and Investment Report by Fund September 2016

		July 1, 2016	Inflow YTD	Outflow YTD	September 30, 2016	Receipts September 2016	Disbursements September 2016
001	General Fund	2,190,974.45	1,203,561.80	2,776,183.94	618,352.31	301,083.86	651,059.73
040	Drug Assets Seizure Fund	28,404.42	29.95	-	28,434.37	-	-
201	State Gas Tax	1,013,795.62	133,031.26	361,454.91	785,371.97	39,727.29	70,622.85
235	Other Grants	(97,084.09)	11,370.80	68,186.85	(153,900.14)	-	722.92
240	Prop 1 B - Local Street Improv.	81,294.90	84.54	-	81,379.44	-	-
251	Prop C	334,057.16	97,175.11	144,120.77	287,111.50	35,627.28	52,423.69
252	Prop A	908,916.57	133,494.90	30,290.75	1,012,120.72	40,252.69	10,779.01
253	Measure R	826,429.26	107,166.56	-	933,595.82	25,219.88	-
255	TDA	-	-	-	-	-	-
257	AQMD	49,380.98	8,350.84	3,462.72	54,269.10	8,303.79	1,154.24
260	Used Oil	6,688.77	6.96	-	6,695.73	-	-
261	California Beverage Container	12,667.24	13.17	-	12,680.41	-	-
265	Recycling Grant	14,266.90	14.84	-	14,281.74	-	-
270	C.O.P.S	81,932.55	91.55	-	82,024.10	-	-
280	County Park Bond	(141,498.71)	15.84	72,447.51	(213,930.38)	-	-
300	CAL Home	78,188.30	5,081.31	841.17	82,428.44	-	105.15
350	Street Lighting Fund	34,621.28	2,642.26	19,372.07	17,891.47	-	6,244.62
510	CDBG	(701,957.75)	731,751.33	56,876.91	(27,083.33)	3,247.00	18,503.03
515	Federal STPL	358,784.08	373.13	770.00	358,387.21	-	-
610	Successor Agencies	2,729,757.38	1,240,330.83	1,885,453.64	2,084,634.57	18,285.00	1,874,283.15
710	Youth Foundation	19,903.63	12,177.48	9,134.43	22,946.68	100.00	-
720	Senior's Account	132.80	-	-	132.80	-	-
730	Refuse Assessment	-	7,068.00	7,068.00	-	-	1,432.38
		7,829,655.74	3,693,832.46	5,435,663.67	6,087,824.53	471,846.79	2,687,330.77
	LAIF- CITY	4,190,619.48	6,359.06	250,000.00	3,946,978.54	-	-
	Wells Fargo	3,639,036.32	3,687,473.40	5,185,663.67	2,140,846.05	471,846.79	2,687,330.77
	TOTAL	7,829,655.80	3,693,832.46	5,435,663.67	6,087,824.59	471,846.79	2,687,330.77

Total cash disbursements per September Demand and Payroll Reports	
AP disbursements	621,290.80
Payroll - September 1, 2016	77,213.33
Payroll - September 15, 2016	58,799.92
Payroll - September 29, 2016	64,939.19
Successor Agency - Debt Service payment	1,864,105.02
Sub-Total	2,686,348.26
Add: Total Bank charges in September 2016	982.51
Total Cash Disbursements per September Cash & Investment Report	2,687,330.77

City of Cudahy
Summary of Cash Receipt/Disbursement by Month - FY2017

Date	All Funds			
	Cash Receipts		Disbursement	
July 2016	1,869,611.54	(a)	1,413,062.86	(b)
August 2016	1,291,932.17	(c)	1,285,966.21	(d)
September 2016	471,846.79		2,687,330.77	(e)
Total:	3,633,390.50		5,386,359.84	

Note (a) - Sale of property included
Note (b) - City liab. and workers comp insurance, 4 fixed route payments, 5 street sweeping payments, PERS unfunded pension liab., and emergency management training
Note (c) - CDBG program reimbursement
Note (d) - 2 sheriff payments, JPIA, 3 legal payments, advocacy services, and GWMA study/merbership fees
Note (e) - Debt service payment included

Date	General Fund			
	Cash Receipts		Disbursement	
July 2016	546,225.14		1,044,611.29	(1)
August 2016	362,972.72		1,080,512.92	(2)
September 2016	301,083.86		651,059.73	
Total:	1,210,281.72		2,776,183.94	
Average Per Month:	403,427.24		925,394.65	

Note (1) - City liab. & workers comp insurance, PERS unfunded pension liab., and emergency management training
Note (2) - 2 sheriff payments, JPIA retrospective insurance, 3 legal payments, advocacy services, and GWMA study/merbership fees

City of Cudahy
Summary of Cash Receipt/Disbursement by Month - FY2016

Date	All Funds			
	Cash Receipts		Disbursement	
July 2015	651,411.83		1,996,824.31	
August 2015	525,809.71		973,057.65	
September 2015	504,739.49		2,693,637.62	(a)
October 2015	599,209.59		1,187,642.72	(b)
November 2015	464,591.70		448,241.85	
December 2015	883,280.28		797,438.37	
January 2016	3,138,818.68	(c)	871,057.28	
February 2016	492,967.94		1,065,702.72	(d)
March 2016	560,306.20		1,939,730.16	(e)
April 2016	841,051.02		336,223.53	
May 2016	1,847,293.02	(f)	941,137.76	
June 2016	2,480,690.57	(g)	2,149,123.39	(h)
Total:	12,990,170.03		15,399,817.36	

Note (a) - ROPS payment included
Note (b) - Contractual and a few months of legal fees included
Note (c) - ROPS distribution from County and bi-annual motor-vehicle-in-lieu included
Note (d) - COPS grant, parks and street projects, pass through refuse, and escrow for transferred property included
Note (e) - Debt Service payment, COPS grant, parks and street projects, and pass through refuse included
Note (f) - bi-annual motor-vehicle-in-lieu included
Note (g) - ROPS distribution from County included
Note (h) - Project payments for Lugo park soccer field/restroom, 2 MCE park maintenance, and HSIP payments included

Date	General Fund			
	Cash Receipts		Disbursement	
July 2015	455,232.07		1,686,307.48	(1)
August 2015	310,212.35		649,764.75	
September 2015	277,503.64		225,393.34	
October 2015	337,348.57		987,241.29	(2)
November 2015	294,929.56		308,263.96	
December 2015	286,534.34		638,641.20	
January 2016	1,625,390.61	(3)	588,632.42	
February 2016	286,457.60		625,466.38	
March 2016	235,029.60		1,061,934.47	(4)
April 2016	492,584.94		262,684.12	
May 2016	1,608,371.97	(5)	645,979.26	
June 2016	325,945.76		982,379.89	(6)
Total:	6,535,541.01		8,662,688.56	
Average Per Month:	544,628.42		721,890.71	

Note (1) - June checks not mailed until July, 2 sheriff payments, MIC, City liab. & workers comp insurance, and PERS unfunded liab. included
Note (2) - two sheriff payments and a few months of legal fees included
Note (3) - bi-annual motor-vehicle-in-lieu included
Note (4) - two sheriff payments, two months of legal fees, and audit fees included
Note (5) - bi-annual motor-vehicle-in lieu included

Note (6) - Lugo park soccer field, 2 MCE park maintenance, and 2 animal control payments included

Item Number
10B

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Steven Dobrenen, Finance Director

Subject: **Approval of the Local Agency Investment Fund (LAIF) for the Month of September 2016**

RECOMMENDATION

The City Council is requested to approve the Local Agency Investment Fund (LAIF) Report for the month of September 2016 in the amount of $3,946,978.54.

BACKGROUND

1. In 1955, the Pooled Money Investment Account (PMIA) started. LAIF became part of the PMIA. The oversight is provided by the Pooled Money Investment Board (PMIB) and an in-house Investment Committee. The PMIB members consist of the State Treasurer, Director of Finance, and State Controller.

2. In 1977, LAIF was created as a voluntary program by Section 16429.1 et seq. of the California Government Code. The program was intended to be used as an investment alternative for California's local governments and special districts. The LAIF continues today under State Treasurer John Chiang's administration.

3. On September 1, 2016, the balance in LAIF was $3,946,978.54 (See Attachment).

4. On September 30, 2016, the balance in LAIF was $3,946,978.54 (See Attachment).

ANALYSIS

LAIF is a voluntary program that offers local agencies the opportunity to participate in a major investment portfolio, which invests hundreds of millions of dollars, using the investment expertise of the State Treasurer's Office investment staff at no additional cost to the taxpayer.

All securities are purchased under the authority of Government Code Section 16430 and 16480.4. The State Treasurer's Office takes delivery of all securities purchased on a delivery versus payment basis using a third party custodian.

Cudahy Municipal Code Section 3.04.080 indicates, "Except as otherwise provided, no warrant shall be drawn or evidence of indebtedness issued unless there shall be at the time sufficient money in the treasury legally applicable to the payment of the same."

The report in Attachment A, in conjunction with the Demands and Payroll including the Investment Report by Fund for the month of September 2016, demonstrates the sufficiency of funds available to pay demands and payroll as required by Cudahy Municipal Code Section 3.04.080.

CONCLUSION

Once the City Council approves the September 2016 LAIF, the LAIF ending balance of $3,946,978.54 may be relied upon when determining whether or not there are sufficient funds available to pay demands and payroll as required by Cudahy Municipal Code Section 3.04.080.

FINANCIAL IMPACT

None

ATTACHMENT

Local Agency Investment Fund (LAIF) Balance

LOCAL AGENCY INVESTMENT FUND

General Account - City #98-19-225

Beginning Balance as of:	**September 01, 2016**	**$3,946,978.54**
Ending Balance as of	**September 30, 2016**	**$3,946,978.54**
		==========

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Item Number
10C

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Steven Dobrenen, Finance Director

Subject: **Adoption of a Proposed Resolution Electing the Population and Inflation Factors and Establishing the City's Fiscal Year (FY) 2016-17 Appropriations Limit (Gann Limit)**

RECOMMENDATION

The City Council is requested to adopt a proposed resolution confirming the population and inflation factors used to calculate the annual Appropriation Limit (Gann Limit) and establish the City's Gann Limit for Fiscal Year (FY) 2016-17.

BACKGROUND

1. In November 1979, Proposition 4 was approved by the voters adding Article XIIIB, also known as the Gann Limitation, to the State Constitution to insure that limits were placed on all state and local government appropriations. The appropriations calculation must be approved by the Council on an annual basis.

2. In 1980, the State Legislature added Section 9710 of the Government Code stating that the governing body of each City must establish, by resolution, an appropriations limit for the following year.

3. In June 1990, the voters of California approved Proposition 111 which revised the annual adjustment factors applied to the 1986-87 Gann Limit and each year thereafter.

4. On June 29, 2015, City Council passed Resolution No. 15-22 establishing the Gann Limit for Fiscal Year 2015-16.

ANALYSIS

The Gann Limit restricts the amount of revenue classified as proceeds of taxes that can be appropriated in any fiscal year by the City of Cudahy. The Gann Limit for any fiscal year is equal to the previous year's Gann Limit, adjusted for population changes and the change in the U.S. Consumer Price Index or California per capita personal income, whichever is less.

Staff has complied with provisions of Article XIIIB of the California State Constitution in determining the Gann Limit for FY 2016-17, and the City Council is required to confirm all factors used for calculating the Gann Limit by adoption of a resolution. In determining the Gann Limit for FY 2016-17, the California Per Capita Income and the population growth of the County were applied to the FY 2015-16 Gann Limit (Attachment A).

The City's Gann Limit for FY 2016-17 is $28,348,983. The appropriations subject to the Gann Limit per the proposed FY 2016-17 City Budget is $6,992,302. Hence, the City is $21,356,681 below the Gann Limit.

CONCLUSION

In order to comply with California State law, City Council adoption of the proposed resolution is necessary at this time.

FINANCIAL IMPACT

Adoption of this proposed resolution does not have an impact on the FY 2016-17 City Budget.

ATTACHMENTS

A. Calculation of Gann Limit for FY 2016-17
B. Proposed Resolution establishing an appropriations limit on revenues and expenditures for FY 2016-17

The calculations determining of the Gann Limit is as follows:

FY 2015-2016 Gann Limit (a)			$26,677,468
Adjustment Factors:			
Per Capita Cost of Living Change (b)	1.0537		
times	X		
County Population Change (b)	1.0085	=	1.0626
FY 2016-2017 Gann Limit			$28,348,983
(a) As adopted by the City Council on June 29, 2015			
(b) Per State Department of Finance, May 2016			

RESOLUTION NO. 16-XX

A RESOLUTION OF THE CITY COUNCIL THE CITY OF THE CITY OF CUDAHY, CALIFORNIA, ESTABLISHING AN APPROPRIATIONS LIMIT ON REVENUES AND EXPENDITURES FOR FISCAL YEAR (FY) 2016-2017

WHEREAS, the Gann Spending Limitation Initiative added Article XIIIB of the California Constitution restricts the amount of revenue that a governmental entity can appropriate in any fiscal year and provides for an annual increase based on inflation and population growth; and

WHEREAS, Government Code section 7900 et seq. provides for the implementation of Article XIIIB by defining various terms and prescribing procedures to be used in implementing specific provisions, including the establishment each year of an appropriations limit by the governing body of each local jurisdiction.; and

WHEREAS, Proposition 111, passed in June 1990, modified Article XIIIB by changing the adjustment factors used to compute an appropriations limit and allowing each entity to choose annually between these factors; and

WHEREAS, the State of California Department of Finance has provided the following data for the establishment of the City's appropriations limit for Fiscal Year 2016-17:

POPULATION		CALIFORNIA
City	County	PER CAPITA INCOME
+0.46%	**+0.85%**	**+5.37%**

WHEREAS, the required computation to determine the Fiscal Year 2016-2017 appropriations limit for the City of Cudahy has been performed by the State Department of Finance and Is attached hereto as **Exhibit "A."**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY DOES HEREBY RESOLVE THAT:

SECTION 1. Pursuant to Article XIIIB of the California Constitution:

(1) the adjustment factors chosen to calculate the City's appropriations limit for Fiscal Year 2016-2017 were: a) the change in County-wide population (0.85%) and b) the change in California per capita income (5.37%); and

(2) the appropriations limit for Fiscal Year 2016-2017 is hereby established in the amount of $28,348,983.

SECTION 2. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at a regular meeting on this 14th day of November 2016.

_____
Baru Sanchez
Mayor

ATTEST:

_____
Richard Iglesias
Deputy City Clerk

CERTIFICATION

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 16-XX was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 14th November, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Richard Iglesias
Deputy City Clerk

EXHIBIT A –
MAY 2016 STATE DEPARTMENT OF FINANCE PRICE AND POPULATION INFORMATION

DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

EDMUND G. BROWN JR. • GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

May 2016

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit
The California Revenue and Taxation Code, section 2227, requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2016, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2016-17. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2016-17 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts
Some special districts must establish an annual appropriations limit. The Revenue and Taxation Code, section 2228 provides additional information regarding the appropriations limit.
Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The Code and the California Constitution can be accessed at the following website: http://leginfo.legislature.ca.gov/faces/codes.xhtml.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification
The population certification program applies only to cities and counties. Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2016.**

Please Note: Prior year's city population estimates may be revised.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

MICHAEL COHEN
Director
By:

AMY COSTA
Chief Deputy Director

Attachment

Attachment A

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2016-17 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2016-17	5.37

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2016-17 appropriation limit.

2016-17:

Per Capita Cost of Living Change = 5.37 percent
Population Change = 0.90 percent

Per Capita Cost of Living converted to a ratio: $\frac{5.37 + 100}{100} = 1.0537$

Population converted to a ratio: $\frac{0.90 + 100}{100} = 1.0090$

Calculation of factor for FY 2016-17:

$1.0537 \times 1.0090 = 1.0632$

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2015 to January 1, 2016 and Total Population, January 1, 2016

County City	Percent Change 2015-2016	--- Population Minus Exclusions --- 1-1-15	1-1-16	Total Population 1-1-2016
Los Angeles				
Agoura Hills	0.68	21,068	21,211	21,211
Alhambra	0.91	85,999	86,782	86,782
Arcadia	0.88	56,550	57,050	57,050
Artesia	0.42	16,726	16,797	16,883
Avalon	0.16	3,672	3,678	3,678
Azusa	1.07	48,962	49,485	49,485
Baldwin Park	0.27	74,534	74,738	74,738
Bell	0.42	36,562	36,716	36,716
Bellflower	0.27	76,154	76,363	76,363
Bell Gardens	0.45	42,759	42,952	42,952
Beverly Hills	0.44	34,610	34,763	34,763
Bradbury	1.26	1,109	1,123	1,123
Burbank	0.28	104,815	105,110	105,110
Calabasas	0.41	24,164	24,263	24,263
Carson	0.54	93,489	93,993	93,993
Cerritos	0.42	49,205	49,412	49,412
Claremont	0.54	36,022	36,218	36,218
Commerce	0.52	13,059	13,127	13,127
Compton	0.54	100,685	101,226	101,226
Covina	0.43	49,078	49,291	49,291
Cudahy	0.46	24,490	24,602	24,602
Culver City	0.60	40,207	40,448	40,448
Diamond Bar	1.26	56,371	57,081	57,081
Downey	0.43	113,691	114,181	114,181
Duarte	0.99	21,960	22,177	22,177
El Monte	0.80	112,977	113,885	113,885
El Segundo	0.30	16,596	16,646	16,646
Gardena	0.73	60,346	60,785	60,785
Glendale	1.03	199,620	201,668	201,668
Glendora	0.58	52,060	52,362	52,362
Hawaiian Gardens	0.59	14,838	14,926	14,926
Hawthorne	0.56	87,517	88,003	88,003
Hermosa Beach	0.15	19,771	19,801	19,801
Hidden Hills	0.65	1,860	1,872	1,872
Huntington Park	0.38	59,493	59,718	59,718
Industry	0.23	440	441	441
Inglewood	0.59	115,966	116,648	116,648
Irwindale	-1.67	1,439	1,415	1,415

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2015 to January 1, 2016 and Total Population, January 1, 2016

County City	Percent Change 2015-2016	--- Population Minus Exclusions --- 1-1-15	1-1-16	Total Population 1-1-2016
La Canada Flintridge	0.45	20,464	20,556	20,556
La Habra Heights	0.61	5,426	5,459	5,459
Lakewood	0.36	78,187	78,471	78,471
La Mirada	0.38	49,452	49,639	49,639
Lancaster	0.43	151,695	152,349	157,094
La Puente	0.37	40,373	40,521	40,521
La Verne	0.52	33,027	33,200	33,200
Lawndale	0.39	33,365	33,496	33,496
Lomita	0.29	20,232	20,290	20,290
Long Beach	0.66	481,719	484,879	484,958
Los Angeles	1.27	3,977,541	4,028,043	4,030,904
Lynwood	0.20	72,358	72,505	72,505
Malibu	0.50	12,643	12,706	12,706
Manhattan Beach	0.36	35,172	35,297	35,297
Maywood	0.44	28,094	28,219	28,219
Monrovia	0.74	37,254	37,531	37,531
Montebello	0.48	63,620	63,924	63,924
Monterey Park	0.34	61,137	61,346	61,346
Norwalk	0.27	104,278	104,562	105,292
Palmdale	0.60	159,112	160,072	160,072
Palos Verdes Estates	0.42	13,655	13,712	13,712
Paramount	0.46	56,143	56,400	56,400
Pasadena	0.89	139,781	141,023	141,023
Pico Rivera	0.39	64,020	64,272	64,272
Pomona	0.58	154,712	155,604	155,604
Rancho Palos Verdes	0.46	42,825	43,024	43,041
Redondo Beach	0.57	69,101	69,494	69,494
Rolling Hills	0.52	1,933	1,943	1,943
Rolling Hills Estates	0.27	8,006	8,028	8,028
Rosemead	0.44	54,987	55,231	55,231
San Dimas	0.32	34,035	34,144	34,144
San Fernando	0.53	24,404	24,533	24,533
San Gabriel	0.51	40,219	40,424	40,424
San Marino	0.34	13,520	13,566	13,566
Santa Clarita	1.72	215,890	219,611	219,611
Santa Fe Springs	3.29	17,827	18,414	18,459
Santa Monica	0.59	93,093	93,640	93,640
Sierra Madre	0.34	10,976	11,013	11,013
Signal Hill	0.42	11,624	11,673	11,673
South El Monte	1.01	20,605	20,814	20,814

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2015 to January 1, 2016 and Total Population, January 1, 2016

County City	Percent Change 2015-2016	--- Population Minus Exclusions --- 1-1-15	1-1-16	Total Population 1-1-2016
South Gate	1.43	98,176	99,578	99,578
South Pasadena	0.38	25,929	26,028	26,028
Temple City	0.89	36,210	36,534	36,534
Torrance	0.41	146,570	147,175	147,175
Vernon	72.13	122	210	210
Walnut	0.52	29,996	30,152	30,152
West Covina	0.74	107,081	107,873	107,873
West Hollywood	0.38	35,788	35,923	35,923
Westlake Village	0.40	8,351	8,384	8,384
Whittier	0.47	87,924	88,341	88,341
Unincorporated	0.28	1,048,161	1,051,078	1,051,989
County Total	0.85	10,145,677	10,231,861	10,241,335

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

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Item Number
10D

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Michael Allen, Community Development Manager

Subject: **Approve Second Amendment to Professional Services Agreement (PSA) with Data Ticket, Inc. for Administrative Citation Processing**

RECOMMENDATION

The City Council is requested to approve the Second Amendment to the existing Professional Services Agreement (PSA) with Data Ticket, Inc. to add the administration and collection of administrative citation fines to their current services.

BACKGROUND

1. On September 8, 2003, the City approved an Agreement for Services with Data Ticket Inc. to provide for the processing of bails, fines and forfeiture thereof, in connection with the issuance of citations for illegal parking pursuant to the laws of the State of California.

2. On December 16, 2014, City Council approved the first amendment to the PSA with Data Ticket, Inc. for the implementation of an online parking permit issuance program.

3. On October 24, 2016, City Council held a second reading and adoption of an Ordinance adding Chapter 1.40 ("Administrative Fines and Citations") to Title 1 ("General Provisions") of the Cudahy Municipal Code (CMC), and approved a Resolution adopting the fine schedule for violations of the CMC.

4. On November 24, 2016, the aforementioned Ordinance and Resolution will go into effect.

ANALYSIS

In an effort to establish additional means of seeking compliance with applicable State/County/City laws, on October 24, 2016, City Council adopted the Administrative Citation Ordinance and fine schedule. The ordinance seeks to obtain compliance through administrative means without the need to expend additional City resources by seeking the assistance of the Los Angeles Superior Court.

The administrative fine provides the City's enforcement officers with additional tools to be able to handle any situation. Under the current scheme, if compliance is not achieved through the issuance of notices or other voluntary efforts, enforcement officers are often left with either continuing unsuccessful efforts or seeking the filing of criminal charges against responsible parties by the City Prosecutor.

In order to protect the due process rights of the citation recipient, the administrative citation ordinance sets forth the procedures for appealing the administrative fine/citation – as well as the procedures for conducting the appeal hearings. The procedures outlined in the ordinance provide that a person seeking to appeal the fine/citation must file a written request with the City Clerk and must tender an advance deposit of the administrative fine. The ordinance also provides a procedure for persons who are financially unable to tender the advance deposit of the fine to seek a waiver of the advance deposit.

The City does not currently have the in-house staffing or capacity to provide such administrative processing, and therefore seeks to obtain the services of the Data Ticket, Inc. to provide administrative processing support and collections of subject fines. Data Ticket, Inc. currently provides similar administrative services for the City's parking citations.

CONCLUSION

City Council approval of the contract amendment will allow the administrative implementation of the administrative citations to be managed by Data Ticket, Inc. Consequently, if the contract amendment is not approved by the City Council, the

administrative process will be slow for residents as existing staff will shoulder the additional work load and lengthy process of filing, tracking, and seeking payments for penalties as a result of violating the City's municipal code.

FINANCIAL IMPACT

The fine schedule sets the default fine for misdemeanor violations at $100, $200, and $500 (for 1st, 2nd, and 3rd or greater offenses in a 12 month period). The amount of fines anticipated cannot be projected since future violations cannot be foreseen. However, there will be no additional cost incurred by contracting with Data Ticket, Inc. to provide administrative processing and collection of administrative fines, as the vendor will collect 6% of each citation issued, and 30% for delinquent advanced collections.

ATTACHMENTS

A. Second Amendment to Data Ticket Inc. Professional Services Agreement with Existing First Amendment and Master Agreement
B. Data Ticket Scope of Service

2016
SECOND AMENDMENT
TO CONTRACT SERVICES AGREEMENT
(Engagement: Plan Checking Services)
(Parties: City of Cudahy and Data Tickets, Inc.)

THIS SECOND AMENDMENT (hereinafter, "Second Amendment") to that certain agreement entitled "Agreement for Services" dated September 8, 2003 (hereinafter, "Master Agreement"), is hereby made and entered into this _____day of _____, 2016 (hereinafter, "Effective Date") by and between the City of Cudahy, a municipal corporation (hereinafter, "CITY") and Data Ticket, Inc., dba Municipal Services Bureau, Parking, a California Corporation (hereinafter, "COMPANY"). For purposes of this Second Amendment, the capitalized term "Parties" shall be a collective reference to the CITY and COMPANY and the capitalized term "Party" shall refer to the CITY or COMPANY interchangeably, as appropriate.

RECITALS

This SECOND AMENDMENT is made and entered into with respect to the following facts:

WHEREAS, on or about September 8, 2003, the Parties executed and entered into the Master Agreement for Municipal Data Processing services; and

WHEREAS, on or about December 11, 2014, the Parties executed a First Amendment to the Master Agreement to include additional related services and increase the Contract Price. For purposes of this Second Amendment, the Master Agreement as amended by way of the First Amendment may be referred to collectively as the "Contract." (The Contract is attached hereto as Attachment "A"); and

WHEREAS, the CITY desires again to expand the scope of services in order to include administrative citation processing and advanced collection services; and

WHEREAS, pursuant to Section 14 of the Master Agreement the Parties may amend the Master Agreement, provided that it is in writing and executed by both Parties; and

WHEREAS, this Second Amendment was approved by the City Council at its Regular Meeting of November 14, 2016.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, and

other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

1. Section 2 (SCOPE OF SERVICES) of the Master Agreement is hereby amended to include: (i) administrative citation processing and citation collection services as more particularly set forth in Attachment "B" to this Second Amendment; and (ii) advanced collection services to collect delinquent revenue from parking citations, administrative citations, and other items, as specified by the City.

2. Section 9 (COMPENSATION, FEES, AND PAYMENT METHOD) of the Master Agreement is hereby amended in its entirety to state as follows:

> The fee structure hereinafter provided shall be based on the combined volume of parking and administrative citations. The "Fee Schedule" is attached hereto and incorporated herein as Exhibit B.
>
> The fee due and payable to the COMPANY will be computed on a per citation basis, either parking or administrative, and will be based on the issuance date of each citation. Each parking or administrative citation assigned to the COMPANY for processing shall be utilized in computing the base for the total fee. Once the initial fee has been charged for a parking or other administrative citation, no additional costs can be charged by the COMPANY to pursue collection except as defined in Article III, Section 3.10b, Article IV, Section 4.4 and 4.5, and Exhibit A.
>
> The fee for the term of this Agreement for providing Administrative Reviews and Administrative Hearings and service for CITY contestants is defined in Exhibit A. The CITY shall be responsible for paying the $25.00 Court filing fee, if the review and administrative adjudication decisions are overturned by the Court.
>
> COMPANY shall retain thirty-eight (38) percent of payments for both delinquent parking and administrative citations, which have been processed or collected in accordance with the current Agreement, and meet the following criteria:
>
> a) Citations for which the California State Department of Motor Vehicles ("DMV") has dropped the registration hold because of a transfer of ownership, non-renewal of registration, or registration hold was not accepted by DMV, but the normal daily processing cycle is complete.
>
> b) Citations with out-of-state license plates.
>
> c) Any other problem or administrative citations which the CITY so designates and refers to the COMPANY under this Agreement.
>
> The COMPANY will maintain auditable records to document the COMPANY's actual increase in postage costs associated with the mailing of delinquency notices for unpaid

parking or administrative citations and for other mailings related to the processing of correspondence, etc., concerning any such citations. The COMPANY will be reimbursed for postal rate increases for presorted first-class mail on a per-piece mailed basis. The increase will be effective on the date that the postal rate increase takes place.

With regard to advanced collections, fees for revenue collected by the COMPANY shall be thirty percent (30%) of such collected fees.

3. Except as otherwise set forth in this Second Amendment, the Contract shall remain binding, controlling and in full force and effect. Section 14 of the Master Agreement notwithstanding, this Second Amendment, together with the Master Agreement and First Amendment, shall constitute the entire, complete, final, and exclusive expression of the Parties with respect to the matters addressed in both documents

4. The provisions of this Second Amendment shall be deemed a part of the Contract and except, as otherwise provided under this Second Amendment, the Contract and all provisions contained therein shall remain binding and enforceable. In the event of any conflict or inconsistency between the provisions of this Second Amendment and the provisions of the Contract, the provisions of this Second Amendment shall control, but only in so far as such provisions conflict with the Contract and no further.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have caused this Second Amendment to be executed on the day and year first appearing above.

CITY:

City of Cudahy

By:_____
Jose Pulido, City Manager

Date:_____

COMPANY:

Data Ticket, Inc.

By:_____

Date:_____

APPROVED AS TO FORM:

By:_____
City Attorney

Date:_____

EXHIBIT A

CONTRACT

EXHIBIT B

ADDITIONAL SCOPE OF SERVICES

2014
FIRST AMENDMENT
TO CONTRACT SERVICES AGREEMENT
(Engagement: Plan Checking Services)
(Parties: City of Cudahy and Data Ticket, Inc.)

THIS FIRST AMENDMENT TO CONTRACT SERVICES AGREEMENT (the "Amendment") to that certain document entitled "Agreement for Servcies" (the "Master Agreement") executed as of September 8, 2003, by and between the City of Cudahy, a municipal corporation (hereinafter, "City") and Data Ticket, Inc., dba Muncipal Servcies Bureau, Parking, a California Corporation (hereinafter, "Consultant") is made and entered into this 16th day of December 2014. For the purposes of this Agreement, City and Consultant may be referred to collectively by the capitalized term "Parties." The capitalized term "Party" may refer to City or Consultant interchangeably.

RECITALS

This Amendment is made with the respect to the following facts and purposes:

WHEREAS, on or about September 8, 2003, the Parties executed and entered into the Master Agreement which is attached hereto as Exhibit "A"; and

WHEREAS, the City desires to add the the following additional contract services: the issuance of overnight parking permits; and

WHEREAS, Consultant has represented to City that it has the requisite skill and experience to safely and competently perform the desired contract services within the City; and

WHEREAS, an amendment is permissible pursuant to Section 14 of the Master Agreement, provided that it is in writing and executed by both Parties; and

WHEREAS, the execution of this Amendment was approved by the Cudahy City Council at its Regular Meeting of December 15, 2014.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

1. Section 2 ("Scope Of Work") of the Master Agreement is hereby amended to include the Proposal For Permit Issance Services found in Exhibit "B." Consultant further agrees to furnish to City all labor, materials, tools, supplies, equipment, services, tasks and incidental and customary work necessary to competently perform and timely complete the services and tasks set forth in the Scope of Work. For the purposes of this Agreement the aforementioned services and tasks set forth in the Scope of Work shall hereinafter be referred to generally by the capitalized term "Work." Neither Consultant nor anyone acting

on Consultant's behalf shall commence with the performance of the Work or any other related tasks until City issues a written notice to proceed (hereinafter, the "Notice to Proceed").

2. Section 9 (Compensation, Fees and Method of Payment) of the Master Agreement is hereby amended in part by increasing the amount of the Contract Price to Twelve Thousand Dollars ($12,000) as compensation for the additional Work reflected in Exhibit "B."

3. Except as otherwise set forth in this Amendment, the Master Agreement shall remain binding, controlling and in full force and effect. This Amendment together with the Master Agreement shall constitute the entire, complete, final, and exclusive expression of the Parties with respect to the matters addressed in both documents.

4. The provisions of this Amendment shall be deemed a part of the Master Agreement and except as otherwise provided under this Amendment, the Master Agreement and all provisions contained therein shall remain binding and enforceable. In the event of any conflict or inconsistency between the provisions of this Amendment and the provisions of the Master Agreement, the provisions of this Amendment shall control, but only in so far as such provisions conflict with the Master Agreement and no further.

5. This Amendment shall be executed in three counterparts, with one such fully executed counterpart returned to Consultant upon execution.

IN WITNESS THEREOF, the Parties hereto have caused this Amendment to the Master Agreement to be executed on the day and year first appearing above.

CITY OF CUDAHY:

By:_____
Jose E. Pulido, City Manager

Date:_____

DATA TICKET, INC.

By:_____

Date:_____

APPROVED AS TO FORM:

By: Isabel Birrueta
Isabel Birrueta, City Attorney

Date: 01/06/15

on Consultant's behalf shall commence with the performance of the Work or any other related tasks until City issues a written notice to proceed (hereinafter, the "Notice to Proceed").

2. Section 9 (Compensation, Fees and Method of Payment) of the Master Agreement is hereby amended in part by increasing the amount of the Contract Price to Twelve Thousand Dollars ($12,000) as compensation for the additional Work reflected in Exhibit "B."

3. Except as otherwise set forth in this Amendment, the Master Agreement shall remain binding, controlling and in full force and effect. This Amendment together with the Master Agreement shall constitute the entire, complete, final, and exclusive expression of the Parties with respect to the matters addressed in both documents.

4. The provisions of this Amendment shall be deemed a part of the Master Agreement and except as otherwise provided under this Amendment, the Master Agreement and all provisions contained therein shall remain binding and enforceable. In the event of any conflict or inconsistency between the provisions of this Amendment and the provisions of the Master Agreement, the provisions of this Amendment shall control, but only in so far as such provisions conflict with the Master Agreement and no further.

5. This Amendment shall be executed in three counterparts, with one such fully executed counterpart returned to Consultant upon execution.

IN WITNESS THEREOF, the Parties hereto have caused this Amendment to the Master Agreement to be executed on the day and year first appearing above.

CITY OF CUDAHY:

By:_____
Jose E. Pulido, City Manager

Date:_____

DATA TICKET, INC.

By:_____

Date: 12-12-14

APPROVED AS TO FORM:

By:_____
Isabel Birrueta, City Attorney

Date:_____

EXHIBIT "A"
(Master Agreement)

AGREEMENT FOR SERVICES

This Agreement is made and entered into as of this 8th day of September, 2003 between "Data Ticket Inc. dba MUNICIPAL SERVICES BUREAU, PARKING", a California Corporation (hereinafter referred to as "COMPANY"), and the CITY OF CUDAHY, a Municipal Corporation (hereinafter referred to as "CITY"),

RECITALS

WHEREAS, CITY requires for professional Municipal Citation Data Processing services: and

WHEREAS, CITY desires to contract for such services with a private contractor; and

WHEREAS, Municipal Services Bureau, Parking is experienced in providing such services for municipal corporations and is able to provide personnel with the proper experience and background to carry out the requirements involved; and

WHEREAS, CITY wishes to retain Municipal Services Bureau, Parking to perform such services under the direction of the City Manager to provide typical Municipal Citation Data Processing including but not limited to the following: Process all citations for the CITY. Provide monthly summary of citations entered, paid and cleared. Prepare notices for delinquent citations. Obtain vehicle registration information and add it the Master File in order to mail notices of delinquency. Prepare reports supporting notices for mailing. Provide delinquent citation collection services; and

WHEREAS: The parties intend by this Agreement to provide for the processing of fines, bail and forfeiture thereof, in connection with the issuance of citations for illegal parking pursuant to the laws of the State of California, the parties agree as follows:

SECTION 1: AGREEMENT:
This AGREEMENT consists of this document and attachments: Exhibit A, 'Scope Of Services And Performance', and Exhibit B, 'Fee Schedule', a copy of which is attached hereto and incorporated herein by this reference.

SECTION 2: SCOPE OF SERVICES:
The Company agrees to perform the services set forth in Exhibit A to this Contract, a copy of which is attached hereto and incorporated herein by this reference.

SECTION 3: TERMS AND CONDITIONS:
This Agreement shall be for an initial period of one (1) year commencing as of the last date of signature. Unless notice of termination is made in writing by either party to the other no less than sixty (60) days prior to the end of the scheduled term, this Agreement shall automatically renew for subsequent one (1) year periods. Fees may be raised each year and shall equal the change in the Los Angeles/Anaheim/Riverside consumer price index (CPI) measured from September of each proceeding year.

Upon a material breach or upon sixty (60) days written notice to COMPANY, the CITY may cancel or terminate this Agreement. If terminated for cause the COMPANY shall have thirty (30) days to cure any material breach or defect set forth in the written termination notice provided by CITY. If terminated without cause, the Agreement shall terminate on the sixtieth day following written notice.

CITY agrees to utilize only the services of COMPANY during the term of this Agreement for the processing of the citations referred to above. CITY agrees during the term of the Agreement to not directly or indirectly assist a competitor of COMPANY in the performance of the services provided by COMPANY under this Agreement.

SECTION 4: REPORTS:
COMPANY will submit reports to CITY no later than the last day of the month following activity. The reports will provide activities relating to performance under this Agreement. Among the reports which COMPANY may/will generate are the following:

a). Report of Revenue Collected for Period

b). Report for Parking Citations Issued for Period

c). A balanced summary report for issuing CITY providing the status of all parking citations at the beginning of the period, current period activity, and at the end of the period.

d). A report for issuing Agency identifying registered vehicle owners with five (5) or more outstanding parking citations.

e). A report for issuing Agency identifying the parking citations issued, location, violation by each officer.

A monthly revenue report will list all revenues received during the preceding month. This report will also provide information regarding the CITY's responsibility to the County for the Jail and Court fund as required by Sections 40200.3 (a) of the California Vehicle Code.

Annually, COMPANY shall comply with CVC 40200.3 (b)

SECTION 5: OWNERSHIP OF DOCUMENTS:
All reports, information, and data, including but not limited to computer tapes or discs, files, and tapes furnished or prepared by the COMPANY or its subcontractor (collectively the "Materials") are and shall remain exclusively the sole property of COMPANY, and the CITY shall acquire no right or title to said Materials. All computer software and systems, related automated and manual procedures, instructions, computer programs, and data storage media containing same, and written procedures performed hereunder (collectively the "System") are and shall remain exclusively the sole property of COMPANY, and the CITY shall acquire no right or title to said Systems.

COMPANY will maintain adequate books or records for parking citations issued within the CITY'S jurisdiction and referred to COMPANY for processing. Such books or records, and related computer processing data, shall be available for reasonable inspection and audit by CITY at the COMPANY'S location at reasonable times upon adequate prior notice to COMPANY.

All documents, records and tapes supplied by CITY to COMPANY in performance of this contract are agreed to be and shall remain the sole property of CITY. COMPANY agrees to return same promptly to CITY no later than forty-five, (45) days following notice to the COMPANY. The CITY shall make arrangements with COMPANY for the transmission of such data to the CITY upon payment to COMPANY of the cost of copy and delivery of such tape from COMPANY'S computer facilities to CITY'S designated point of delivery, plus any open invoices.

SECTION 6: CONFIDENTIALITY:
In order to enable COMPANY to carry out its work hereunder, to some extent it will have to impart to the CITY'S employees information contained in the Materials and Systems (collectively the "CONFIDENTIAL DATA"). The CITY agrees that information contained in the DATA that was marked in writing as "CONFIDENTIAL", "PROPRIETARY" or similarly so as to give notice of its confidential nature, when submitted to the CITY by COMPANY shall be retained by CITY in the strictest confidence and shall not be used or disclosed in any form except in accordance with paragraph 3.8 hereinbelow. The CITY recognizes that irreparable harm could be occasioned to COMPANY by disclosure of CONFIDENTIAL DATA which is related to its business and that COMPANY may accordingly seek to protect such CONFIDENTIAL DATA by enjoining disclosure.

No report, information, data, files, or tapes furnished or prepared by COMPANY or its subcontractors, successors, officers, employees, servants, or agents shall be made available to any individual or organization without the prior written approval of CITY other than individuals or organization who are reasonable necessary to properly effectuate the terms and conditions of this agreement. This Non-Disclosure obligation shall survive the Termination of this Agreement.

SECTION 7: AUDIT:
COMPANY shall maintain master files on parking citations referred to it for processing under this Agreement. Such files will contain records of payments, dispositions, and any other pertinent information required to provide a reasonable audit trail.

SECTION 8: STORAGE OF CITATIONS:
Per Article III. Sections 10.A and 10B of exhibit A, a copy of which is attached hereto and incorporated herein by this reference.

SECTION 9: COMPENSATION, FEES, AND METHOD OF PAYMENT:
The fee structure hereinafter provided shall be based on the combined parking citation volume. Exhibit B, 'Fee Schedule' a copy of which is attached hereto and incorporated herein by this reference.

The fee due and payable to COMPANY will be computed on a per parking citation basis and will be based on the issuance date of the citation. Each parking citation assigned to COMPANY for processing shall be utilized in computing the base for the total fee. Once the initial fee has been charged for a parking citation, no additional costs can be charged by COMPANY to pursue collection except as defined in Article III, Section 3.10b , Article IV, Section 4.4 and 4.5, and Exhibit A.

The fee for the term of this Agreement for providing Administrative Reviews and Administrative Hearings and service for CITY contestants is defined in Exhibit A. The CITY shall be responsible to pay the $25.00 Court filing fee, if the review and administrative adjudication decisions are overturned by the Court.

COMPANY shall retain 38 (thirty-eight) percent of payments for delinquent citations which have been processed in accordance with the current Agreement, and meet the following criteria:

a). Citations for which the California State Department of Motor Vehicles has dropped the registration hold because of a transfer of ownership, non-renewal of registration or a registration hold was not accepted by DMV, but the normal daily processing cycle is complete.

b). Citations with out-of-state license plates.

c). Any other problem or special citations which CITY so designates and refers to COMPANY under this Agreement.

The COMPANY will maintain auditable records to document the COMPANY'S actual increase in postage costs associated with the mailing of delinquency notices for unpaid citation and for other mailings related to the processing of correspondence, etc., concerning any citations. COMPANY will be reimbursed for postal rate increases for presorted first-class mail on a per-piece mailed basis. The increase will be effective on the date that the postal rate increase takes place.

SECTION 10: CLAIMS AND ACTIONS:
Cooperation: In the event any claim or action is brought against COMPANY relating to COMPANY'S performance or services rendered under this Agreement, COMPANY shall notify the CITY, in writing, within five (5) days, of said claim or action.

COMPANY AND CITY agree to the following hold harmless clauses:
a). COMPANY agrees to indemnify, defend, and hold harmless the CITY and its officers and employees against all claims, demands, damages, costs, and liabilities arising out of, or in connection with, the performance by COMPANY or any of their officers, employees, or agents under this AGREEMENT, excepting only loss, injury, or damage caused solely by the negligent acts or omissions of CITY or any of its officers or employees.

b). CITY agrees to indemnify, defend, and hold harmless the COMPANY and its officers and employees against all claims, demands, damages, costs, and liabilities for loss, injury, or damage caused solely by the negligent acts or omissions of CITY or any of its officers or employees arising out of, or in connection with, the performance by CITY or any of its officers or employees under this AGREEMENT.

SECTION 11: ASSIGNMENTS AND SUBCONTRACTORS:
COMPANY is authorized to engage subcontracts, as permitted by law at COMPANY'S own expense, which subcontracts shall be deemed agents of COMPANY.

This contract may not be assigned without the prior written consent of the CITY. It is understood and acknowledged by the parties that the COMPANY is uniquely qualified to perform the services in this agreement.

SECTION 12: INDEPENDENT CONTRACTOR:
COMPANY'S relationship to CITY in the performance of this Agreement is that of an independent contractor. Personnel performing services under this Agreement shall at all times be under COMPANY'S exclusive direction and control and shall be employees of COMPANY and not employees of the CITY. COMPANY shall pay all wages and salaries and shall be responsible for all reports and obligations respecting them relating to social security, income tax withholding, unemployment compensation, worker's compensation, and similar matters. Neither COMPANY nor any officer, agent, or employee of COMPANY shall obtain any right to retirement benefits or other benefits which accrue to employees of CITY, and COMPANY hereby expressly waives any claim it might have to such rights.

SECTION 13: INSURANCE:
COMPANY shall provide and maintain at its own expense during the term of this Agreement, the following policy or policies of insurance covering its operations hereunder. Such insurance shall be provided by insurer(s) satisfactory to the CITY and certificates of such insurance shall be delivered to the CITY CLERK on or before the effective date of this Agreement. Such certificates shall specifically identify this Agreement and shall not be canceled, reduced in coverage or limits or non-renewed except after thirty (30) days written notice has been given to the CITY.

Comprehensive general liability insurance covering bodily and personal injury and property damage. Limits shall be in an amount of not less than $1,000,000 per occurrence. Such insurance policies shall name the CITY, its officers, agents and employees, individually and collectively, as additionally insured.

Such coverage for additional insured shall apply as primary insurance and any other insurance or self-insured retention maintained by the CITY its officers, agents and employees shall be excess only and not contributing with insurance provided under said policy.

Comprehensive automobile liability owned, non-owned and hired vehicles with not less than One Million ($1,000,000) Dollars combined single limit, per occurrence for property damage and for bodily injury or death of persons. Such insurance shall include the

same additional-insured and cancellation notice provisions as specified above and may be combined with the comprehensive general liability coverage required above.

Throughout the period of agreement COMPANY, at its sole cost, shall maintain in full force and effect a policy of workers' compensation insurance covering all of its employees as required by the labor code of the State of California.

SECTION 14: ENTIRE AGREEMENT:
This contract is intended by the parties as a final expression of their Agreement and also as a complete and exclusive statement of the terms thereof, any prior oral or written Agreement regarding the same subject matter notwithstanding. This Agreement may not be modified or terminated orally, and no modification or any claim of waiver of any of the provision shall be effective unless in writing and signed by both parties.
This Agreement shall be construed in accordance with the Laws of the State of California.

SECTION 15: NOTICES:
Any notice required under this Agreement to be given to either party may be given by depositing in the United States mail, postage prepaid, first-class, addressed to the following:

IF TO CITY

George A. Perez, City Manager
c/o Larry Galvan, City Clerk
CITY HALL
5220 SANTA ANA STREET
CUDAHY, CALIFORNIA 90201-6024

IF TO COMPANY:

DATA TICKET, INC.
dba MUNICIPAL SERVICES BUREAU, PARKING
4600 CAMPUS DRIVE, SUITE 200
NEWPORT BEACH, CALIFORNIA 92660

SECTION 16: VENUE:
Any action, claim, or litigation initiated by either party concerning this Agreement shall have as its venue Los Angeles County, California.

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement as of the day and year last written above.

CITY OF CUDAHY

By: _____
George A. Perez
City Manager

Date: 1-5-03

COMPANY:

By: _____
Marjorie A. Pleming, Senior Vice President

Date: 12/29/03

ATTEST:

By: _____
Larry Galvan, City Clerk

APPROVED AS TO FORM:

By: _____
David J. Olivas, City Attorney

Scope of Service and Performance

These services are provided by:

Data Ticket Inc., dba Municipal Services Bureau

(a California Corporation)

4600 Campus Drive, Suite 200

Newport Beach, California 92660

(hereinafter referred to as "COMPANY")

FOR:

THE CITY OF CUDAHY

5220 Santa Ana Street

Cudahy, CA 90201

(hereinafter referred to as "CITY").

MSB/Data Ticket intends to provide for the processing of bails, fines and forfeiture thereof, in connection with the issuance of citations for illegal parking pursuant to the laws of the State of California.

ARTICLE I - CITATION PROCESSING

1.1 Referral and Reconciliation: COMPANY shall receive and process parking citations, which COMPANY shall receive from CITY. COMPANY will provide a reconciliation of the number of citations received from CITY.

1.2 Determination of Processable Citations: COMPANY shall screen the parking citations referred to it by CITY to determine if the citation is processable. If the citation is determined by COMPANY to be unprocessable (e.g., essential processing information

is missing), COMPANY shall return the citation to CITY within seven (7) days of receipt, by COMPANY'S office, for clarification. COMPANY will be paid the contractual rate hereinafter provided, for citations properly returned to the CITY as unprocessable.

1.3 Collection and deposit of funds: A "direct deposit" system shall be employed for all funds received in payment of citations. The CITY shall own the account and deposits shall be made directly into the account by the COMPANY for the collecting CITY. The COMPANY will invoice the CITY for services rendered. Payment in full shall be due within thirty (30) days after which interest shall be accrued at the rate of 12% (or lower if any statutes, rules or regulations prohibit this rate).

1.4 Identification of Registered Vehicle Owners: COMPANY shall exert best efforts to obtain the name and address of the registered vehicle owner from the California State Department of Motor Vehicles (DMV) and DMV'S nationwide, for each vehicle for which a parking citation has been issued, but payment has not been received within the required time period. COMPANY shall follow all procedures specified by the DMV, and be consistent with the California Vehicle Code and DMV'S nationwide, when identifying registered vehicle owners.

1.5 Verification of Ownership: COMPANY will take reasonable measures to identify and verify registered vehicle owners. Such measures will take into consideration factors such as issuance of new license plates; address changes; license plate transfers to other vehicles; name changes; and the validity of plates and registration during specific time periods applicable to individual cases.

1.6 Delinquency Notices: In accordance with State law COMPANY will generate and mail (presorted, first-class postage) no sooner than twenty-one (21) days of the citation issuance date, a delinquency notice to all identified registered owners of vehicles who fail to pay their parking citation fines or to post bail in the required manner. The mailed notice will include all information required by the California Vehicle Code, including, but not limited to, the following:

A. The parking citation issuance date and number;

B. The consequences of nonpayment (i.e., a hold on the vehicle registration and the imposition of penalties, towing, or issuance of a possible warrant for their arrest; and

C. The amount of fines and fees due and payable

D. Affidavit of Non-Ownership

1.7 Registration Holds: The COMPANY will provide the system and procedures and will interface with the California State Department of Motor Vehicles to place a hold on vehicle registrations having unpaid parking fines and fees due against those vehicles in accordance with the California Vehicle Code and any other applicable State and local laws. The notification will be given within a reasonable period of time after issuance of a delinquency notice. The period of time will not exceed the time limits provided by state law.

1.8 Removal of Registration Holds: COMPANY will provide the system and procedures and will interface with the California State Department of Motor Vehicles to remove registration holds when a registered vehicle owner satisfies the entire amount of parking citation fines, penalties, and fees due against the vehicle and establishes such payment to the satisfaction of COMPANY.

1.9 Contested Citations: In the event a registered vehicle owner disputes the liability for the outstanding parking citation, COMPANY will advise the registered vehicle owner of his/her right to request an administrative review/hearing/court appearance. All contested citations will be forwarded to the hearing administrator or CITY within the prescribed time period so that the matter can be adjudicated. (CVC 40200.7 & 40215)

1.10 Administrative Review and Hearing: The COMPANY will schedule administrative reviews and hearings to respond to parking violators wishing to contest their citations, and offers the option to hold and administer those reviews and hearings. The COMPANY will provide a toll-free 800 number for contestants to call, correspond with contestants and may notify them of decisions; maintain records of dispositions and appeal paperwork and refer all paperwork to Court as required. The COMPANY shall not be responsible for the CITY'S failure to provide correct or timely infraction information. The CITY shall be responsible to pay the $25.00 court filing fee, if the Review and Administrative Hearing decisions are overturned by the Court.

1.11 Citations Disposed of by Hearing/Court: The COMPANY may be required, as a result of court action, to reduce or cancel, on an individual basis, parking citations which have been referred to it. COMPANY shall be paid the contractual rate hereinafter provided for processing the citation regardless of the outcome of court action. COMPANY will maintain records indicating any reduction or cancellations of parking citations as a result of hearing/court action. Parking citations which are dismissed as a result of hearing/court action, will have the dismissal processed by the COMPANY promptly after receipt from the Hearing/Court.

1.12 Suspension of Processing: COMPANY will suspend processing on any citation referred to it for processing upon written notice to do so by an authorized officer of the

CITY. COMPANY will promptly return any citation or facsimile properly requested by the CITY. COMPANY will maintain records indicating any suspension of citation as a result of CITY'S request. COMPANY shall be paid the contractual rate hereinafter provided for processing the citations suspended by the CITY.

1.13 Payments by U.S. Mail: The postmark date will be the criteria to establish any delinquent fees due.

1.14 Parking Citation System Master File Update: COMPANY will regularly update the parking citation master file for new citations, payments, reductions, cancellations, dismissals and any other pertinent data.

ARTICLE II - PAYMENT PROCESSING

2.1 Disposition Processing: COMPANY will maintain all citation dispositions for a minimum of two (2) years. Closed citations will remain on-line for at least two (2) years, for research and statistical purposes.

2.2 Payments Processing: COMPANY shall process citation payments on a regular basis. Payments shall be immediately posted in one (1) of three (3) following categories:

"Regular Payments" are citations with the correct bail, paid on or before the due date. (This includes payments properly complying with prior Notices-of-Intent).

"Partial Payments" are citations paid after the due date, or if the defendant has paid less than the amount of bail due. A Notice-of-Intent, or a postcard will advise defendant of late charges and/or incorrect bail. In such cases, COMPANY, in its discretion, may return the original check to the sender.

"Court/Hearing Requests" are all requests for administrative/court hearings by defendants. These requests are sorted so that bail submitted is immediately posted, and if needed the original citations are retrieved.

2.3 Miscellaneous Letters Processing: COMPANY will receive and review all miscellaneous correspondence. These are generally letters requesting meter checks, refunds, voids, or otherwise setting forth complaints. These letters will be researched by COMPANY for proper follow-up by the CITY.

2.4 Batching Procedures: COMPANY shall maintain an effective method of internal control procedures. Such procedures shall involve reconciliation of all payments

received using generally accepted accounting principles. After proper reconciliation, deposit slips shall be prepared for and deposits made at the appropriate bank, including an itemized listing of all batch numbers included in the deposit. The batch of citation payment documentation shall then be stored in a file room, for a period of two (2) years.

2.5 Cash Payments: COMPANY shall maintain an effective method of handling cash payments. All cash received through the mail, shall be logged in a cash journal. Thereafter, effective internal control procedures shall be implemented to reconcile such payments. Using generally accepted accounting principles.

2.6 Deposits: All deposits shall be made daily, subject to regular banking hours. Deposits shall be itemized and detailed information will be captured regarding submitted funds. Deposit slips shall be prepared in triplicate, allowing one (1) copy for the CITY and one (1) copy for the COMPANY. All deposits shall be directly deposited into the CITY'S designated bank account. CITY will supply deposit slips and endorsement stamp to COMPANY. COMPANY shall only have the capability to make deposits on behalf of the CITY.

2.7 Revenue Report: A monthly revenue report will list all revenues received during the preceding month. This report will also provide information regarding the CITY'S responsibility to the County for the Jail and Court fund as required by Sections 40200.3 (a) of the California Vehicle Code.

ARTICLE III – GENERAL

3.1 Public Inquiries: The COMPANY will respond to reasonable inquiry by telephone or letter of a non-judicial nature. Inquiries of a judicial nature will be referred to the CITY for determination.

3.2 COMPANY Limitations: COMPANY will not take legal action or threaten legal action in any specific case without CITY'S prior approval.

3.3 Use of Approved Forms: CITY shall have the right to reasonable approval of all forms, delinquency notices, and correspondence sent by the COMPANY. These must conform to State and local law.

3.4 Books and Records: COMPANY will maintain adequate books or records for parking citations issued within the CITY'S jurisdiction and referred to COMPANY for processing. Such books or records, and related computer processing data, shall be available for

reasonable inspection and audit by CITY at the COMPANY'S location at reasonable times upon adequate prior notice to COMPANY.

3.5 Ownership: All reports, information, and data, including but not limited to computer tapes or discs, files, and tapes furnished or prepared by the COMPANY or its subcontractor (collectively the "Materials") are and shall remain exclusively the sole property of COMPANY, and the CITY shall acquire no right or title to said Materials. All computer software and systems, related automated and manual procedures, instructions, computer programs, and data storage media containing same, and written procedures performed hereunder (collectively the "System") are and shall remain exclusively the sole property of COMPANY, and the CITY shall acquire no right or title to said Systems.

3.6 Property of CITY: All documents, records and tapes supplied by CITY to COMPANY in performance of this contract are agreed to be and shall remain the sole property of CITY. COMPANY agrees to return same promptly to CITY no later than forty-five (45) days following notice to the COMPANY. The CITY shall make arrangements with COMPANY for the transmission of such data to the CITY upon payment to COMPANY of the cost of copy and delivery of such tape from COMPANY'S computer facilities to CITY'S designated point of delivery, plus any open invoices.

3.7 Confidentiality: In order to enable COMPANY to carry out its work hereunder, to some extent it will have to impart to the CITY'S employees information contained in the Materials and Systems (collectively the "CONFIDENTIAL DATA"). The CITY agrees that information contained in the data that was marked in writing as "CONFIDENTIAL", "PROPRIETARY" or similarly, so as to give notice of its confidential nature, when submitted to the CITY by COMPANY shall be retained by CITY in the strictest confidence and shall not be used or disclosed in any form except in accordance with paragraph 3.8 hereinbelow. The CITY recognizes that irreparable harm could be occasioned to COMPANY by disclosure of CONFIDENTIAL DATA which is related to its business and that COMPANY may accordingly seek to protect such CONFIDENTIAL DATA by enjoining disclosure.

3.8 Consent For Disclosure: No report, information, data, files, or tapes furnished or prepared by COMPANY or its subcontractors, successors, officers, employees, servants, or agents shall be made available to any individual or organization without the prior written approval of CITY other than individuals or organization who are reasonable necessary to properly effectuate the terms and conditions of this agreement. This Non-Disclosure obligation shall survive the termination of this Agreement.

3.9 COMPANY Files: COMPANY shall maintain master files on parking citations referred to it for processing under this Agreement. Such files will contain records of payments, dispositions, and any other pertinent information required to provide a reasonable audit trail.

3.10 Storage for CITY:

A. COMPANY agrees to store original citations for three (3) years, at which time they will be returned to CITY. COMPANY will have such information available on system or magnetic tape data for CITY'S parking citations for a reasonable time period to permit CITY retrieval of such information. CITY relieves COMPANY of all liability costs associated with data released by CITY to any other person or entity using such data.

B. Subsequent to the termination of the contract, COMPANY will return hard copy to the CITY. If requested, a magnetic tape of its processed data will be provided for a fee of seventy-five Dollars ($75.00) per magnetic tape.

ARTICLE IV - CONTRACT PRICE

4.1 Basis for Fee Structure: The fee structure hereinafter provided shall be based on the combined parking citation volume.

4.2 Basis of Fee Computation: The fee due and payable to COMPANY will be computed on a per parking citation basis and will be based on the issuance date of the citation. Each parking citation assigned to COMPANY for processing shall be utilized in computing the base for the total fee. Once the initial fee has been charged for a parking citation, no additional costs can be charged by COMPANY to pursue collection except as defined in Article III, Section 3.10b; Article IV, Section 4.4 and 4.5, of this Agreement.

4.3 Rate: Fee Schedule; EXHIBIT B applies

4. 4 CVC 40215 ADJUDICATION OPTION; ALL SERVICES PROVIDED:
No cost associated with administrative hearings per exhibit B

4.5 Other Fees: COMPANY shall retain thirty-eight percent (38%) of payments for delinquent citations which have been processed in accordance with the current Agreement, and meet the following criteria:

A. Delinquent citations; those for which the California State Department of Motor Vehicles has dropped the registration hold because of a transfer of ownership or non-

renewal of registration or a registration hold has not been placed, but the normal daily processing cycle is complete.

B. Citations with out-of-state license plates.

C. Any other problem or special citations which CITY so designates and refers to COMPANY under this Agreement.

4.6 Postal Rate Increase: The COMPANY will maintain auditable records to document the COMPANY'S actual postage costs associated with the mailing of delinquency notices for unpaid citations and for other mailings related to the processing of correspondence. If there is a postal increase, that increase will be invoiced effective on the date that the postal rate increase takes place.

ARTICLE V – REPORTS

5.1 Periodic Reports: COMPANY will submit reports to CITY the month following the month in which activity is being reported. The reports will provide activities relating to performance under this Agreement. Among the reports which COMPANY may/will generate are the following:

A. Report of Revenue Collected for Period

B. Report for Parking Citations Issued for Period

C. A balanced summary report for issuing CITY providing the status of all parking citations at the beginning of the period, current period activity, and at the end of the period.

D. A report for issuing Agency identifying registered vehicle owners with five (5) or more outstanding parking citations.

E. A report for issuing Agency identifying the parking citations issued, location, violation by each officer.

5.2 Annual Reports: Annually, COMPANY shall comply with CVC 40200.3 (b)

5.3 Microfiche: At PUBLIC ENTITY'S sole cost and expense, COMPANY will provide all available reports on microfiche, if CITY so requests in writing.

ARTICLE VI - CLAIMS AND ACTIONS

7.1 CITY Cooperation: In the event any claim or action is brought against COMPANY relating to COMPANY'S performance or services rendered under this Agreement, COMPANY shall notify the CITY, in writing, within five (5) days, of said claim or action.

Hold Harmless: COMPANY AND CITY agree to the following hold harmless clauses.

COMPANY agrees to indemnify, defend, and hold harmless the CITY and its officers and employees against all claims, demands, damages, costs, and liabilities arising out of, or in connection with, the performance by COMPANY or any of their officers, employees, or agents under this AGREEMENT, excepting only loss, injury, or damage caused solely by the negligent acts or omissions of CITY or any of its officers or employees.

CITY agrees to indemnify, defend, and hold harmless the COMPANY and its officers and employees against all claims, demands, damages, costs, and liabilities for loss, injury, or damage caused solely by the negligent acts or omissions of CITY or any of its officers or employees arising out of, or in connection with, the performance by CITY or any of its officers or employees under this AGREEMENT.

ARTICLE VII - SUBCONTRACTORS AND ASSIGNMENTS

8.1 Subcontracting: COMPANY is authorized to engage subcontracts, as permitted by law at COMPANY'S own expense, subcontracts shall be deemed agents of COMPANY.

8.2 Assignments: This contract may not be assigned without the prior written consent of the CITY. It is understood and acknowledged by the parties that the COMPANY is uniquely qualified to perform the services in this agreement.

ARTICLE VIII - INDEPENDENT COMPANY

9.1 COMPANY'S Relationship: COMPANY'S relationship to CITY in the performance of this Agreement is that of an independent contractor. Personnel performing services under this Agreement shall at all times be under COMPANY'S exclusive direction and control and shall be employees of COMPANY and not employees of the CITY. COMPANY shall pay all wages and salaries and shall be responsible for all reports and obligations respecting them relating to social security, income tax withholding, unemployment compensation, worker's compensation, and similar matters. Neither COMPANY nor any officer, agent, or employee of COMPANY shall obtain any right to retirement benefits or other benefits which accrue to employees of CITY, and

COMPANY hereby expressly waives any claim it might have to such rights.

ARTICLE IX – INSURANCE

10.1 Insurance Provisions: COMPANY shall provide and maintain at its own expense during the term of this Agreement, the following policy or policies of insurance covering its operations hereunder. Such insurance shall be provided by insurer(s) satisfactory to the CITY and certificates of such insurance shall be delivered to the City Clerk on or before the effective date of this Agreement. Such certificates shall specifically identify this Agreement and shall not be canceled, reduced in coverage or limits or non-renewed except after thirty (30) days written notice has been given to the CITY.

Comprehensive general liability insurance covering bodily and personal injury and property damage. Limits shall be in an amount of not less than $1,000,000 per occurrence. Such insurance policies shall name the CITY, its officers, agents and employees, individually and collectively, as additionally insured. Such coverage for additional insured shall apply as primary insurance and any other insurance or self-insured retention maintained by the CITY its officers, agents and employees shall be excess only and not contributing with insurance provided under said policy.

Comprehensive automobile liability owned, non-owned and hired vehicles with not less

than One Million ($1,000,000) Dollars combined single limit, per occurrence for property damage and for bodily injury or death of persons. Such insurance shall include the same additional-insured and cancellation notice provisions as specified above and may be combined with the comprehensive general liability coverage required above.

Throughout the period of agreement, COMPANY, at its sole cost, shall maintain in full force and effect a policy of workers' compensation insurance covering all of its employees as required by the labor code of the State of California.

EXHIBIT "B"
(Proposal/Revised Scope of Work)

COST PROPOSAL FOR THE CITY OF CUDAHY, CA

Description	Proposed Fee
Fee for processing and collecting (manually)	$ 1.30 per cite
Fee for collecting each out-of-state citation	30% of collected revenue
Fee for sending first delinquent notice – **No Charge**	
Quarterly Hearings: In-person at the City - **No Charge**	

($150.00 Monthly Minimum applies if basic charges are less than that amount).

Specified services and material covered by the Fee for both in-state and out-of-state citations shall include:

- Data entry of handwritten citations and entry of electronically transferred citations
- Processing and collection of payments
- Credit Card payments accepted via phone or paper
- Credit Card payments on line accepted
- On-Line connection to California DMV
- Interface with DMV's nationwide for registered owner information
- All forms and tracking
- Correspondence tracking and response
- DMV Holds and Releases Processed Daily
- 800 line voice mail information 24 hours per day, 7 days per week
- 800 line customer service answered by customer service representative
- Daily Deposits
- Bank reconciliation
- Comprehensive monthly management reports on issuance and revenue

Additional Correspondence $ 1.00 per letter

Scheduling: Review, Hearing and Court Appearances $ 0.50 per cite

Real Time Viewing & Reporting on Client Database $ 50.00 per mo.

(includes 6 user password log-ons)

Allows viewing and printing of citation management reports and citations at the City. The City will always have access to its citation database including all status updates.

EXHIBIT B

Convenience Fee to Violator: for Company Credit Card Usage $ 3.00 per use (Web Site, phone & paper credit card payments) Conversion Cost Not to exceed $1,000.00

Fee for Delinquent Collection Notices – (Old Citations, 38% of collected those which have gone through the normal collection revenue cycle including DMV hold, or are 6 months or older and remain uncollected)

Cost to Purchase Hand Held Ticket Writers:

Please see Cost Sheets for Ticket Writers, upon selection of preferred unit, a total cost proposal will be generated for City including exact costs for all hardware, software, ticket stock, envelopes and additional items.

EXHIBIT "B"
(Proposal/Revised Scope of Work)

DATA TICKET inc.

Cudahy
Permit Issuance Proposal

Description of Services	Cost per Instance
Online Permit Application: Online permit application to be used by the City's citizens to register for and obtain residential, vacation and guest parking permits. The online permit application will also be used by the City's Personnel to manage the permitting process. Finally, the City's handheld ticket writers (if the City chooses to Purchase/Lease) will have access to a daily file that includes all valid permits. When the issuing officer enters the license plate number, the handheld will indicate to the Officer whether the permit is valid or not. The solution will provide the City's Patrons with the following capabilities: • Ability to register online and apply for permits • Ability to verify resident address with DMV to ensure resident resides in permit area • Ability to submit up to 3 documents online via the web to prove residency (i.e. utility bill, mortgage, etc.) • Provide online temporary permit with expiration date to be printed directly from resident's computer • Ability to create a login name and password to the solution with which the user may manage all future permits • Ability to pre-purchase permits for upcoming years • Ability to re-use data previously entered to purchase new permits • Tracking of all permits purchased by residents • Storage of all permit data online • Acceptance of Visa, MasterCard, Discover and American Express • Live, bi-lingual customer service agents available M-F, 8-5pm who will process registration requests, answer specific and general permit questions and provide fulfillment assistance The Solution will provide the following capabilities to the City's personnel: • Ability to register residents for the permit solution online • Ability to verify resident address with DMV to ensure resident resides in permit area • Ability to accept documentation and scan into the solution for proof of residency • Ability to generate reports on permits issued • Ability to search for permits by Resident • Ability to modify permit holder information • Ability to track all permits purchased by residence & tracking of all permits purchased by residence • Online training of all City personnel	**$12,000.00 per Year**

Phone: 949 752 6937
Fax: 949 752 6033

4600 Campus Drive, Suite
Newport Beach, CA 92

DATA TICKET inc.

Cudahy
Permit Issuance Proposal

Description of Services	Cost per Instance
Permit Fulfillment: ***Services for the above-mentioned item includes:*** • Assignment of each permit per successful registration • Generating and mailing a custom notice to each successful registrant with an assigned permit • Includes Postage – USPS first class rate	**$5.00**
Permits • Cost of sticker permit – depending on size and quantity chosen	**TBD**
Banking Fees: **Data Ticket expects all banking fees to be passed on to the City's citizens who wish to pay by credit or debit card**	**$3.50 per transaction**
Refunds: Issuance of all refunds to citizens who are due a refund via 1st class mail	**$5.00 per issued refund**
Credit Card Charge Backs: Processing of each chargeback	**$30.00 per chargeback**

Phone: 949 752 6937
Fax: 949 752 6033

4600 Campus Drive, Suite
Newport Beach, CA 92

Data Ticket Administrative Citation Processing Overview

Using Data Ticket's services, the Agency will have the resources to provide a comprehensive program that will achieve Agency and Staff goals of:

- **REVENUE DIVERSIFICATION AND PRESERVATION** – Develop a variety of Agency revenue sources and policies to create a stable revenue base and fiscal policies to support essential Agency services, regardless of economic climate.

- **PUBLIC SAFETY** – Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the Agency.

- **POSITIVE ENVIRONMENT** – Create a positive environment for the development and growth for the Agency's future.

- **COMMUNITY IMAGE, NEIGHBORHOOD PRIDE AND CLEANLINESS** – Promote a sense of community pride and foster an excellent image about the Agency by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

TYPES OF ADMINISTRATIVE CITATIONS:

Property Maintenance	**Building Codes**
Illegal Signage	**Animal Control**
Illegal Vendors	**False Alarms**
Business Licenses	**Graffiti**
Health and Safety Codes	**Public Nuisance**

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Administrative Citation Processing & Collection Services

- Processing of Administrative Citations
- Revenue Collection
- Multiple Notices with Varied Verbiage
- Consistent Noticing Sent According to Agency Requirements
- Data Entry and Citation Tracking of Administrative Citations, Manually or Electronically
- Citation Status Updates Daily
- Citation Tracking
- Toll Free Customer Information for Citizen Inquiry – 24/7
- Toll Free Customer Care Answer Lines
- Secure Web Site access for citation look-up provided for both Citizen and City, 24/7
- Secure Web Site Access for Citizen Payment 24/7
- Visa, MasterCard, Discover and American Express accepted 24/7
- Secure Web Site Access to total database for Agency 24/7
- Agency Access to Reports 24/7 on the Web Site
- Citation Reviews/Hearings Scheduled and held
- Appeals Heard by Certified and Trained Hearing Officers Professionally and Impartially Handled Appeals
- Decisions Sent and Tracked
- Manual payment processing accepted via check, cash or money order
- Deposits Daily
- Bank Account Reconciliation Monthly
- Monthly Reporting, Tracking and Documentation
- Interagency Intercept Program Participation & Interface
- Social Security Number Access for Interagency Intercept Program Participation
- Consolidation of all Debts for Interagency Intercept Program Participation
- Marking, Tracking & Reporting on Interagency Intercept Program Payments
- Handheld Ticket-writers Offered for Complete Automation

Features and Benefits of an Automated Administrative Citation Processing Service

- Allows Code Enforcement Officers to do their job….Inspect, Warn, Inspect, Cite
- Better productivity by outsourcing labor-intensive paperwork
- More control and consistent follow-through and focus
- Higher compliance and collection rates due to a consistent process
- Cumbersome Court appearances are reduced as Hearing are expedient and efficient
- Redirects revenue from the Court to the Agency where it belongs
- Provides certified Hearing Officers who understand the importance of Code Enforcement Programs

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Administrative Citation Processing and Collections Process

- The Agency provides warning(s) to citizen regarding violation(s) and a time frame established for compliance.
- The Agency revisits site for compliance, if no compliance the citation is written.
- The citation specifies the violation(s) and informs the violator of the time frame from the date of the citation to pay the violation(s) and/or correct it/them.
- A copy of the citation is sent to The Company for collection on a daily/weekly basis within 7 days of issuance.
- Citations received from the Agency are keyed or entered electronically into The Company citation management database.
- The Violator has (per agency) days to pay or contest (appeal) the citation from the date of issue.
- If paid, payment will be entered on the Company system and deposited in Agency's bank account.
- Upon receipt of the citation for process, if no payment is made within the specified time (by Agency), the Company will mail a first notice of delinquency for payment.
- After (per Agency) days from the date of the first notice, if the citation remains unpaid, the Company will mail a second notice of delinquency for the total amount due (including any added penalties).
- After (per Agency) days from the date of the second notice, if the citation is unpaid, the Company will mail a final notice demanding payment. This notice will indicate the future actions that will be taken to collect the fine including submitting the violator's name to the Franchise Tax Board for collection through the Interagency Intercept Program, and that additional processing cost may be added to the fine.
- After 30 calendar days from the date of the final notice, if the fine is still unpaid, the Company will place the citation on the Interagency Intercept Program list for submission at the appropriate time.
- The Company will then access social security numbers to attach to citations that are eligible for the program.
- All citations attached to the same social security number will be grouped together for submission, with a total amount due showing.
- Citations will be placed in the Program during the Company's normal file transfer to the Franchise Tax Board.
- When the Company places a citation with the Interagency Intercept Program the amount of the fines plus any additional charges will be included on the total amount due by the violator and may be paid in full or in part depending on the amounts available for dispersal.

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Administrative Citation Adjudication Process

- If violator wishes to contest the administrative citation, a toll free number will have been provided on the citation and upon calling the number the violator will be instructed to put their appeal in writing on a form supplied by The Company (or Agency) and post the entire amount of the bail.
- If an appeal is not directed to the Company but received by the Agency, the Agency will forward the appeal to the Company. A review will be scheduled and conducted and the decision will be sent to the citizen.
- When the appeal and bail are received within the time frame allowed, the violator will be scheduled for a hearing. This information will be transmitted to the Agency via fax and email. The violator will be notified that the appeal has been approved to go forward and will be notified of the time, date and place of the hearing.
- If the appeal is not received within the allowable time frame allowed and/or if the entire bail is not posted both the Agency and the violator will be notified that the appeal request has been denied.
- All supporting documentation will be requested by The Company from the Agency (including officer's notes and pictures) for the actual hearing.
- Following the hearing, the citizen will receive written confirmation of the decision of the Hearing Officer sent by certified mail with 10 days of the conclusion of the hearing. The Agency will be notified of the same via fax.
- If the citation is upheld, the information will include further instructions to the violator, including the time frame for a court appeal if the violator desires to continue to contest.
- If the citation is dismissed, the Agency and the violator will be notified and a refund will be generated for the posted bail.
- If there is no further appeal within the time frame allowed, the Agency will be notified of the outcome and the case closed.
- If the violator appeals to the court he is subject to pay the $25.00 court-filing fee.
- The Company will notify the Agency and all supporting information for the case will be forwarded to the Agency for the court appearance.
- The court decision will be copied to The Company and any refund or correspondence required will be handled. If the court dismisses the citation, the Agency will be responsible for refunding the $25.00 court-filing fee.
- The system will be updated with the appropriate information and the case closed.
- If there is no response to the notice of delinquency from the violator, the Agency will be notified for a decision on further action. Options include closing the citation unpaid, the Agency filing in small claims court against the violator or notification of the Interagency Intercept Program to attach any state tax returns or lottery winnings that would be paid to the citizen during the year.

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The Hearing Officer will be an impartial official with previous experience in holding hearings and training on Municipal Code Enforcement and who has been trained according the requirements for administrative hearings as mandated by the California legislature and has additional training from the adjudication manual. The Hearing Officer will not be compensated on a commission basis and there will be no connection between decisions and compensation for the job. Hearing Officers will be subject to review by the Agency at the Agency's expense.

The only responsibilities to be borne by the Agency are the provision of space for the in-person hearings to be held on a bi-monthly basis, the referral of the original citations and any requested supporting documentation for hearings, and the occasional appearance at a court hearing. The Company will provide forms, notices, correspondence, scheduling, documentation, database updates, tracking, reporting, banking, a toll-free number for violator questions, web site access, the Hearing Officer and all software and hardware required to handle the job efficiently and effectively. We are confident that the Agency will enjoy the benefits of this unique service.

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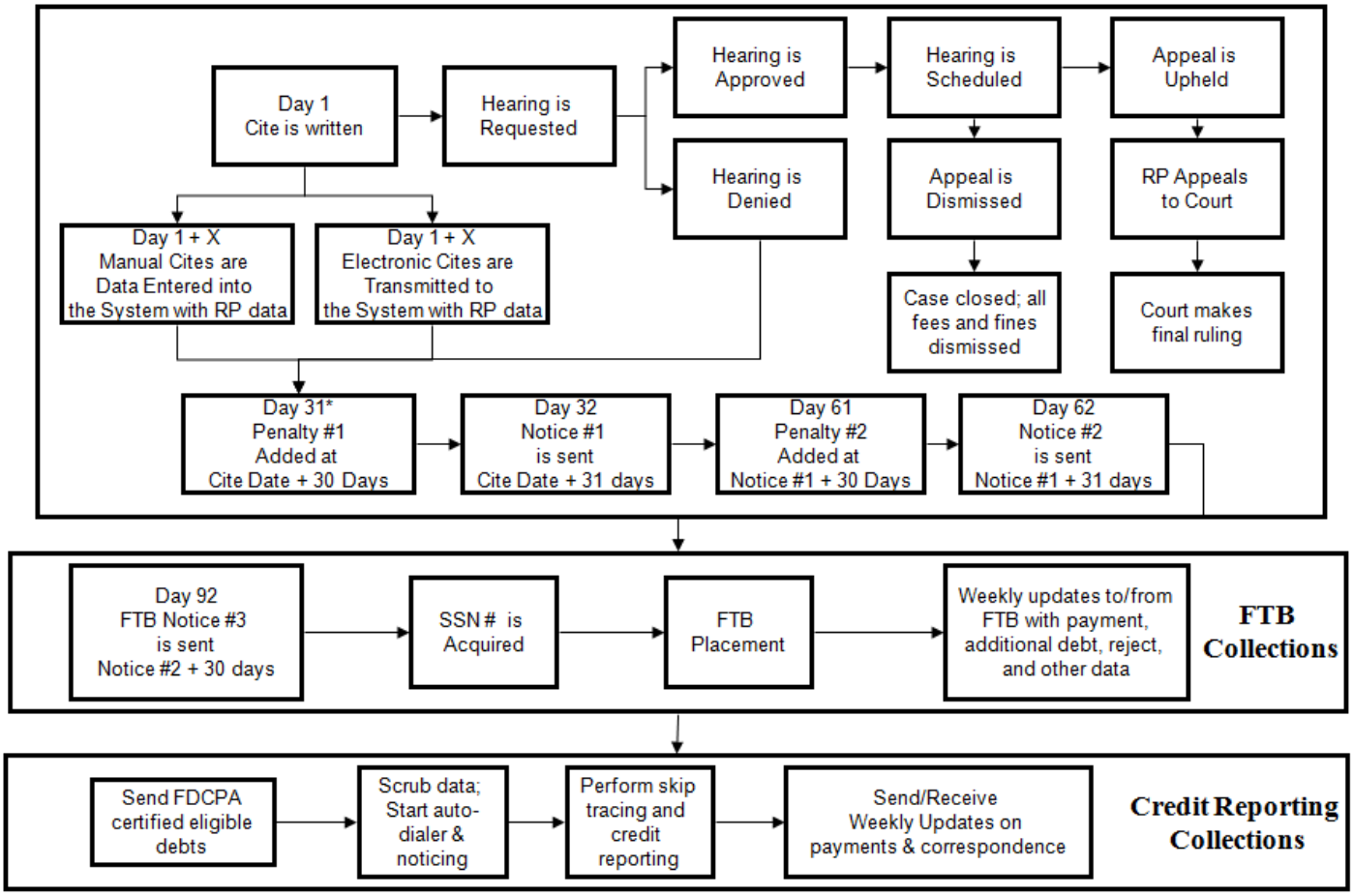
Administrative Citation Process

The following illustrative provides an overview of the administrative citation processing steps Data Ticket employs to increase compliance and collections. This process is customizable for each of our clients and simply serves as an overview of the process as a whole.



*Citation is considered delinquent

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Item Number
10E

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Jennifer Hernandez, Acting Human Resources Specialist

Subject: **Consideration to Adopt a Proposed Resolution Replacing and Superseding Resolution No. 16-XX, Designating Holidays on which City Offices would be Closed for Calendar Year 2017**

RECOMMENDATION

The City Council is requested to adopt a proposed resolution replacing and superseding Resolution No. 16-XX, designating on which holidays City offices would be closed for Calendar Year 2017.

BACKGROUND

1. Section 6700 of the California Government Code designates days that are State holidays. It also provides that City offices shall be closed on designated State Holidays unless otherwise provided by the City by resolution.

2. On January 11, 2016, the Cudahy City Council approved a Memorandum of Understanding (MOU) between the Cudahy Miscellaneous Employee's Association (CMEA) and the City. The term of the MOU was approved retroactively to July 1, 2015 through to June 30, 2019. The CMEA negotiated the right to observe the holidays reflected on the attached resolution.

3. On January 27, 2016, the City Council approved an update to the Fringe Benefit and Salary Plan (FBSP), which allows management employees the right to observe those same holidays.

4. On February 8, 2016, the City Council approved Resolution 16-09, designating City holidays on which City offices shall be closed.

ANALYSIS

Under Section 6700 of the California Government Code, cities can designate holidays on which City offices will be closed for business. Designation of City holidays for Calendar Year 2017 supports the holidays negotiated in the 2015-2019 Memorandum of Understanding, which are currently being observed by represented employees of the Cudahy Miscellaneous Employees Association (CMEA). Non-represented Management employees also observe the same holidays as established by Fringe Benefit and Salary Plan updated January 27, 2016, which addresses compensation and fringe benefits.

The 2017 holidays observed by the City are as follows:

January 1, 2017	*New Year's Day
January 16, 2017	Martin Luther King Jr. Day
February 20, 2017	President's Day
May 29, 2017	Memorial Day
July 4, 2017	Independence Day
September 4, 2017	Labor Day
November 11, 2017	Veteran's Day
November 23, 2017	Thanksgiving Day
December 24, 2017	*Christmas Eve
December 25, 2017	*Christmas Day

**Proposed changes to observation of City holidays, see below:*

January 2, 2017	*Observance of New Year's Day*
December 25, 2017	*Observance of Christmas Eve*
December 26, 2017	*Observance of Christmas Day*

Pursuant to Section B of the CMEA's Memorandum of Understanding's Holiday provision, the City shall act in accordance with the following:

B. Procedure if Holiday Falls on a Sunday

When a designated holiday above (e.g., Veterans Day, Christmas Day, New Year's Day or July 4th) falls on a Sunday, the following Monday shall be treated as a designated holiday.

During calendar year 2017, New Year's Day and Christmas Eve fall on a Sunday, obligating the City, under the aforementioned provision, to allow Full-time and Management employees to observe these holidays the following Monday. Observance of Christmas Eve on Monday causes an overlap in the observance of Christmas Day, which is also a contractually designated paid holiday under the terms of the MOU and FBSP. In an effort to address the overlap, comply with City obligations, and operate in accordance with practices commonly performed by State and local agencies, City staff recommends observance of New Year's Day on Monday, January 2, 2017, observance of Christmas Eve on Monday, December 25, 2016, and observance of Christmas Day on Tuesday, December 26, 2016.

CONCLUSION

City Council approval of this resolution allows observance of these City holidays in accordance with the FBSP and the MOU between the CMEA and the City of Cudahy.

FINANCIAL IMPACT

Costs associated with this holiday schedule were incorporated into the FY 2016-17 City Budget. There are no additional fiscal impacts.

ATTACHMENTS

A. Proposed Resolution Replacing and Superseding Resolution No. 16-XX, designating holidays on which city offices shall be closed for Calendar Year 2017.
B. Adopted Resolution 16-09, Designating Holidays on which City Offices shall be closed for Calendar Year 2016.

RESOLUTION NO. 16-XX

A RESOLUTION OF THE CITY OF CUDAHY CALIFORNIA, SUPERSEDING AND REPEALING RESOLUTION 16-XX AND DESIGNATING HOLIDAYS ON WHICH CITY OFFICES SHALL BE CLOSED FOR CALENDAR YEAR 2017

WHEREAS, Section 6700 of the California Government Code designates days that are holidays in the State of California (the "State"); and

WHEREAS, Section 6702 of the California Government Code provides that City offices shall be closed designated State Holidays unless otherwise provided by the City; and

WHEREAS, this City Council desires and deems it to be in the best public interest to designate those holidays on which City offices will be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cudahy, California, as follows:

1. That the above recitations are true.

2. That the public offices of the City shall be closed on the following dates in observance of the indicated holidays:

January 2, 2017	In Observation of New Year's Day
January 16, 2017	Martin Luther King Jr. Day
February 20, 2017	President's Day
May 29, 2017	Memorial Day
July 4, 2017	Independence Day
September 4, 2017	Labor Day
November 11, 2017	Veteran's Day
November 23, 2017	Thanksgiving Day
December 25, 2017	In Observation of Christmas Eve
December 26, 2017	In Observation of Christmas Day

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 14th day of November, 2016.

_____
Baru Sanchez
Mayor

ATTEST:

_____
Richard Iglesias
Deputy City Clerk

CERTIFICATION

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 16-XX was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 14th day of November, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Richard Iglesias
Deputy City Clerk

RESOLUTION NO. 16-09

A RESOLUTION OF THE CITY OF CUDAHY CALIFORNIA, SUPERSEDING AND REPEALING RESOLUTION 14-84, DESIGNATING HOLIDAYS ON WHICH CITY OFFICES SHALL BE CLOSED FOR CALENDAR YEAR 2016

WHEREAS, Section 6700 of the California Government Code designates days that are holidays in the State; and

WHEREAS, Section 6702 of the California Government Code provides that City offices shall be closed designated State Holidays unless otherwise provided by the City; and

WHEREAS, this City Council desires and deems it to be in the best public interest to designate those holidays on which City offices will be closed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cudahy, California, as follows:

1. That the above recitations are true.

2. That the public offices of the City shall be closed on the following dates in observance of the indicated holidays:

January 1, 2016	New Year's Day
January 18, 2016	Martin Luther King Jr. Day
February 15, 2016	President's Day
May 30, 2016	Memorial Day
July 4, 2016	Independence Day
September 5, 2016	Labor Day
November 11, 2016	Veteran's Day
November 24, 2016	Thanksgiving Day
December 24, 2016	Christmas Eve
December 25, 2016	Christmas Day

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 8th 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 Resolution No. 16-09 was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 8th day of February, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES: Garcia, Guerrero, Sanchez, Hernandez, Markovich

NOES: None

ABSTAIN: None

ABSENT: None

Laura Valdivia
Interim City Clerk

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Item Number
10F

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Jennifer Hernandez, Acting Human Resources Specialist

Subject: **Consideration to Adopt a Proposed Resolution Adopting a Revised List of Designated Positions and Disclosure Categories for Officers and Employees of the City, Pursuant to Government Code Section 87306 and Section 18730 of Title 2, Division 6 of the California Code of Regulations**

RECOMMENDATION

The City Council is requested to adopt the proposed resolution adopting a revised list of designated positions and disclosure categories for officers and employees of the City, pursuant to Government Code Section 87306 and Section 18730 of Title 2, Division 6 of the California Code of Regulations. Such adoption would repeal and replace previously adopted City Conflict of Interest Code Resolutions, including Resolution No. 14-78 from 2014.

BACKGROUND

1. In June of 1974, Proposition 9 passed as a ballot measure in the State of California, known today as the Political Reform Act. It is this law that requires necessary changes to the City's Conflict of Interest Code be adopted within ninety (90) days of the filing of its 2016 Local Agency Biennial Notice.

2. On September 26, 2016, the City duly filed its 2016 Local Agency Biennial Notice concerning the update of its so-called "Conflict of Interest Code," which indicated that changes were required in the City's Code given changes in personnel since the last Code update.

ANALYSIS

In the aftermath of the Watergate scandal, California was the first state to pass a comprehensive political reform package. Proposition 9, known today as the Political Reform Act, was passed as a ballot measure by California voters in the June 1974 election. The purpose of the conflict of interest provisions of the Political Reform Act (Gov. Code, 87300, et seq.) is to prevent public decisions makers from participating decisions in which they have a personal financial stake. The Political Reform Act specifically requires members of city councils and planning commissions, as well as city managers, city treasurers, and city attorneys to disclose specified financial interests (Gov. Code, §§87200-87210.) Many other public officials and employees not covered by these provisions are subject to the disclosure requirements set forth in local conflict of interest codes adopted by state and local governments. Such interests are indicated on a California Fair Political Practices Commission Form 700/Statement of Economic Interests.

Positions which are identified under the City's Conflict of Interest Code must file a Statement of Economic Interest (Form 700). This form is filed with City Clerk's Office on an annual basis and provides information regarding the designated individual's financial interests within the City's boundaries. It also includes provision that triggers the application of gift prohibitions and other regulations. The City Council constitutes the City's "code reviewing body" for purposes of the Political Reform Act.

The Exhibit "A" contained with the proposed Resolution has been updated by the Human Resources Division, in accordance with current with the City's current organizational structure. Adoption of Exhibit "A" through the proposed Resolution would fulfill the City's biennial obligation under state law to update its Conflict of Interest Code when designated positions have been added or deleted.

CONCLUSION

City Council approval of the proposed Resolution would achieve compliance with the Fair Political Practice Commission's (FPPC) required biennial Conflict of Interest Code review.

FINANCIAL IMPACT

There are no financial impacts anticipated by this requested action.

ATTACHMENT

Proposed Resolution adopting a revised list of designated positions and disclosure categories for officers and employees of the City, pursuant to Government Code Section 87306 and Section 18730 of Title 2, Division 6 of the California Code of Regulations.

RESOLUTION NO. 16-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY ADOPTING A REVISED LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES FOR OFFICERS AND EMPLOYEES OF THE CITY AND ITS LEGISLATIVE BODIES, PURSUANT TO GOVERNMENT CODE SECTION 87306 AND SECTION 18730 OF TITLE 2, DIVISION 6 OF THE CALIFORNIA CODE OF REGULATIONS

WHEREAS, the purpose of the conflict of interest provisions of the Political Reform Act (Gov. Code, §87300, et seq.)(the "Act") is to prevent public decisions makers from participating decisions in which they have a personal financial stake; and

WHEREAS, the Act requires public officials and employees to complete Form 700 Statements of Economic Interests, to disclose financial interests which may be impacted by their public agency decisions; and

WHEREAS, the Act specifically requires members of city councils and planning commissions, as well as city managers, city treasurers, and city attorneys to disclose specified financial interests (Gov. Code, §§87200-87210.)

WHEREAS, the many other public officials and employees not covered by these provisions are subject to the disclosure requirements set forth in local conflict of interest codes adopted by state and local governments; and

WHEREAS, the Act requires state and local government agencies to adopt and promulgate such local conflict of interest codes (Gov. Code, §87300); and

WHEREAS, the City of Cudahy (the "City") has accordingly adopted and promulgated such a local conflict of interest code; and

WHEREAS, Government Code section 87306(a) requires the City to amend its Conflict of Interest Code every two years when "change is necessitated by changed circumstances, including the creation of new positions which must be designated"; and

WHEREAS, the Fair Political Practices Commission ("FPPC"), created by the Act, established section 18730 of title 2, division 6 of the California Code of Regulations, which contains the standard conflict of interest code that can be incorporated by reference and which may be amended by the FPPC to conform to amendments in the Act, after public notice and hearings; and

WHEREAS, the terms of section 18730 of title 2, division 6 of the California Code of Regulations are hereby reincorporated by reference, and such provisions, along with the additional positions and categories set forth in the attached **Exhibit "A,"** shall

constitute the updated Conflict of Interest Code for the City; and

WHEREAS, this Resolution amends the City's Conflict of Interest Code in accordance with Government Code section 87306(a) and section 18730 of title 2, division 6 of the California Code of Regulations and repeals previous Resolutions adopting and amending the City's Conflict of Interest Code.

BASED UPON THE ABOVE RECITALS, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The revised list of designated officials and employees, attached hereto as **Exhibit "A"** and concomitant amendment of the City's Conflict of Interest Code are hereby approved.

SECTION 2. Persons holding designated positions set forth in **Exhibit "A"** of this Resolution shall timely file Form 700 Statements of Economic Interest with the City Clerk, who shall function as the filing officer for the City and make such Form 700 Statements of Economic Interest on file in the City Clerk's office based upon the disclosure categories set forth in **Exhibit "B**."

SECTION 3. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 14th day of November, 2016.

_____
Baru Sanchez, Mayor

ATTEST:

_____
Richard Iglesias
Deputy City Clerk

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. ____ was passed and adopted by the City Council of the City of Cudahy at a regular meeting held on the 14th of November, 2016 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Richard Iglesias
Deputy City Clerk

EXHIBIT A:

REVISED LIST OF DESIGNATED OFFICIALS AND EMPLOYEES

(Updated as of November 14, 2016)

DESIGNATED POSITIONS AND PERSONS PERFORMING DESIGNATED SERVICES

The Mayor, members of the City Council, members of the Oversight Board to the City of Cudahy as Successor Agency to the Former Cudahy Community Development Commission/Redevelopment Agency, members of Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all other city officials who manage public investments as defined by Section 18701(b) California Code of Regulation, Title 2 such as the Finance Director, are not required to be included in the Code but are subject to the mandatory disclosure requirements of the Political Reform Act (Gov. Code, §87100 et seq.)

POSITION	DISCLOSURE CATEGORY
City Clerk	1, 2
Deputy City Clerk	1, 2
Account Clerk (Business License)	1, 2, 3
Account Technician	1
Administrative Assistant	1
Administrative Assistant (Purchasing)	3, 4, 5, 6
Assistant Engineer	2, 3, 4, 5, 6
Assistant Planner	2, 3, 4, 5, 6
Associate Planner	2, 3, 4, 5, 6
Building Inspector	3, 4, 5, 6
Code Enforcement Officer	3, 5, 6
Community Development Manager	1, 2, 3, 4, 5, 6

Director of Community Development	1, 2, 3, 4, 5, 6
Finance Manager	1, 2, 6
Human Resources Specialist	1, 2, 6
Human Resources Manager	1, 2, 6
Maintenance Leader	6
Maintenance Supervisor	6
Maintenance Superintendent	5, 6
Planning Technician	2, 3, 4, 5, 6
Public Safety & Services Manager	1, 2, 3, 4, 5
Recreation Coordinator	5, 6
Senior Recreation Leader	6
Senior Administrative Analyst	1, 2
Auditing Services Contractor	1
Building and Safety Contractor	1, 2, 3, 4
Engineering Service Contractor	1, 2, 3, 4
Housing Rehabilitation Contractor	1, 2, 3, 4
Information Technology Consultant	1, 5
Planning Contractor	1, 2, 3, 4
Public Works Contractor	1, 2
Redevelopment Consultant	1, 2, 3, 4
Legislative Services Consultant	1, 2, 3, 4

CONSULTANTS

Definition:

Section 18700 of California Code of Regulations, Title 2 2 Cal. Code of Regs, a Fair Political Practices Commission regulation, defines “consultant” as an individual who, pursuant to a contract with a State or local governmental agency:

(a) Makes a governmental decision whether to:

(1) Approve a rate, rule or regulation;

(2) Adopt or enforce a law;

(3) Issue, deny, suspend, or revoke a permit, license, application, certificate, approval, order, or similar authorization or entitlement;

(4) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;

(5) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such contract;

(6) Grant agency approval to a plan, design, report, study, or similar item;

(7) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision of the agency; or

(b) Serves in an ongoing staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency’s local conflict of interest code.

Consultants shall be included in the list of designated employees and shall disclose all of the information required by designated employees subject to the City Manager’s discretion to determine, in writing, that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirement described in this Appendix. Such a determination shall include a description of the consultant’s duties and, based upon that description, a statement of disclosure requirements. The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

Exhibit B:

DISCLOSURE CATEGORIES

REPORTABLE INVESTMENTS, INTEREST IN REAL PROPERTY AND INCOME

1. All investments and sources of income.

2. All interests in real property.

3. All investments, interests in real property, and sources of income subject to the regulatory, permit, or licensing authority of the designated employee's department.

4. Investments in business entities and business positions and sources of income which engage in land development, construction or the acquisition or sale of real property.

5. Investments in business entity and business positions and sources of income of the type which, within the past two years, have contracted with the City of Cudahy to provide services, supplies, materials, machinery, or equipment.

6. Investments in business entities and business positions and sources of income of the type which, within the past two years, have contracted with the designated employee's department to provide services, supplies, materials, machinery, or equipment.

Item Number
11A

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor and City Council

From: Jose E. Pulido, City Manager
By: Rick R. Olivarez, City Attorney
Joaquin Vazquez, Deputy City Attorney

Subject: **Public Hearing to Adopt a Code Amendment Enacting a Ban on Outdoor Personal Cannabis Cultivation and Establishing Regulations for Indoor Personal Cultivation, in Accordance with the Adult Use of Marijuana Act (Proposition 64)**

RECOMMENDATION

It is recommended that the City Council of the City of Cudahy (the "City Council" of the "City") conduct a public hearing, adopt the proposed Urgency Ordinance by no less than four-fifths (4/5) vote of the City Council to ban outdoor personal cannabis cultivation and establish regulations for indoor personal regulation (which would become effective immediately), and adopt the proposed Ordinance for first reading by simple majority vote, which would ban outdoor personal cannabis cultivation and establish regulations for indoor personal regulation under the traditional ordinance-approval process in the event that the findings for the Urgency Ordinance are legally challenged.

BACKGROUND

1. On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act state initiative was approved by California voters as Proposition 64, which, among other things, legalizes the nonmedical use of cannabis by persons 21 years of age and over and the personal cultivation of up to six (6) cannabis plants.

2. Proposition 64 additionally creates a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the

manufacturing of nonmedical cannabis products and became effective on November 9, 2016, pursuant to the California Constitution. (Cal. Const., art. II, § 10(a).)

3. Under Proposition 64, local governments, including cities, can reasonably regulate, but cannot ban, personal indoor cultivation of up to six (6) living cannabis plants within the person's private residence, including indoor cultivation in a greenhouse on the same property as the residence that is not physically part of the home. (Health & Saf. Code, §§ 11362.1(a)(3), 11362.2(a)-(b).)

4. Proposition 64 defines a private residence as "a house, an apartment unit, a mobile home, or other similar dwelling unit and allows persons to possess the cannabis produced by their six cultivated plants (Health & Saf. Code, § 11362.2(b)(5).)

5. Despite the inability of local governments to ban indoor cultivation, Proposition 64 enables local governments, including cities, to regulate and/or ban, the personal cultivation of up to six (6) living cannabis plants outdoors upon the grounds of a private residence. (Health & Saf. Code, § 11362.2(b)(3).).

6. Proposition 64 requires that any and all living cannabis plants personally cultivated by persons be kept: (1) within the person's private residence or upon the grounds of that private residence (if outdoor cultivation is permitted, e.g. in an outdoor garden area); (2) in a locked space; and (3) not visible by normal unaided vision from a public place. (Health & Saf. Code, § 11362.2(a)(2).).

7. Under Proposition 64, indoor cultivation is limited to limited to the inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure.

ANALYSIS

The proposed Urgency Ordinance would prohibit personal cannabis cultivation outdoors upon the grounds of a private residence throughout the City and establish standards for the indoor personal cultivation of cannabis that augment the restrictions outlined under Proposition 64. Such additional standards include:

- Any pesticides utilized for indoor personal cannabis cultivation shall comply with California Department of Pesticide Regulation guidelines for cultivation;

- The use of gas products (CO_2, butane, propane, natural gas, etc.) or generators for personal indoor cannabis cultivation under this Section 8.78.030 shall be prohibited;
- Grow lights, fans, ventilation devices, and other equipment comply with all building, housing, and fire code requirements;
- Indoor grow lights shall not exceed 2,000 watts total illumination, and the installation, wiring, and operation of such lighting shall comply with the applicable building, housing, and fire code requirements and related permitting and inspection protocols;
- Any structure utilized for personal indoor cannabis cultivation shall have ventilation and filtration systems installed to prevent the odor of cannabis from escaping the interiors of such structure, which is compliant with applicable building, housing, and fire code requirements and has undergone and related necessary inspections;
- The cultivation area shall not be accessible to persons under 21 years of age;
- Cultivation would not be permitted with regard to a particular residence or eligible accessory structure if it would reduce the amount of required parking applicable to the relevant residence;
- Written consent of the property owner to cultivate cannabis within the private residence shall be required unless the person cultivating on such premises is the property owner of such private residence;
- A portable fire extinguisher shall be kept in the same room where indoor cultivation occurs; and
- There shall be no external or noxious olfactory evidence of cannabis cultivation from any street, sidewalk, public right-of-way, or adjacent property.

Under the proposed Urgency Ordinance, a valid City-issued Indoor Personal Cannabis Cultivation Permit would be required in order to conduct personal indoor cannabis cultivation. The Urgency Ordinance establishes a permitting protocol with the following features:

- Applications would be reviewed by the Community Development Department and require an application fee as established by City Council resolution;
- Building Official inspections would be required prior to issuance of an Indoor Personal Cannabis Cultivation to ensure compliance with the cultivations standards set forth and applicable building, fire, and other related codes;
- Noticed City quarterly inspections to ensure ongoing safety and compliance would be authorized;

- Written authorization would be required from the property owner of the relevant residence; and
- Due process would be facilitated through a notice an appeal protocol for application determinations.

Urgency Ordinance Findings

Government Code sections 36934 and 36937 authorize the City Council to adopt an urgency ordinance for the immediate preservation of the public peace, health, or safety. The urgency findings supporting the adoption of the proposed Urgency Ordinance are as follows:

- The Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that certain cannabis-related activities can create adverse impacts absent reasonable regulations to address these impacts;
- Cannabis remains an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, et seq. and is classified as a "Schedule I Drug.";
- The cultivation of medical cannabis in other cities has resulted in calls for service to the police department, including calls for robberies and thefts, and it is reasonable that non-medical cannabis cultivation will have similar impacts;
- The strong smell of cannabis creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of trespass and burglary. The allowance of outdoor personal cannabis cultivation would therefore be detrimental to the immediate preservation of the public peace, health, and safety in the City; and
- The proposed Urgency Ordinance would help minimize the creation of attractive nuisances and contribute to the preservation of the public peace, health, and safety of the City.

With regard to enforcement, Proposition 64 provides for local agencies to enforce locally enacted ordinances and regulations, per Business and Professions Code Section 19322(a).

The proposed Urgency Ordinance would become effective immediately upon and effect upon its adoption by a four-fifths (4/5) vote of the City Council.

Urgency Ordinance and Traditional Ordinance

As noted above, the proposed Urgency Ordinance requires approval by a four-fifths (4/5) vote of the Council in order to preserve the public's health, safety and welfare. The purpose of introducing the additional regular ordinance is a "belt and suspenders" approach to provide

protection against an attempted challenge of the City Council's findings. The regular Ordinance is substantively identical to the proposed Urgency Ordinance and would become effective thirty (30) days after a second reading by the City Council at a subsequent meeting.

CONCLUSION

City staff recommends that the City conduct a public hearing, adopt the proposed Urgency Ordinance by no less than four-fifths (4/5) vote of the City Council to ban outdoor personal cannabis cultivation and establish regulations for indoor personal regulation (which would become effective immediately), and adopt the proposed Ordinance for first reading by simple majority vote, which would ban outdoor personal cannabis cultivation and establish regulations for indoor personal regulation under the traditional ordinance-approval process in the event that the findings for the Urgency Ordinance are legally challenged.

FINANCIAL IMPACT

The proposed Interim Urgency Ordinance would have no significant fiscal impact, however, the City may utilize existing services on an as-needed basis in enforcing the proposed Urgency Ordinance's provisions.

ATTACHMENTS

A. Proposed Urgency Ordinance
B. Proposed Ordinance

URGENCY ORDINANCE NO. _____

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA ENACTING A BAN ON OUTDOOR PERSONAL CANNABIS CULTIVATION, ESTABLISHING REGULATIONS AND A PERMITTING PROCESS FOR INDOOR PERSONAL CANNABIS CULTIVATION, AND DECLARING THE URGENCY THEREOF, IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36934 AND 36937

WHEREAS, in 1996, the California Legislature approved Proposition 215, also known as the Compassionate Use Act (the "CUA"), which was codified under Health and Safety Code Section 11262.5 et sec. and was intended to enable persons who are in need of medical marijuana for specified medical purposes, such as cancer, anorexia, AIDS, chronic pain, glaucoma and arthritis, to obtain and use marijuana under limited circumstances and where recommended by a physician; and

WHEREAS, the CUA provides that "nothing in this section shall be construed or supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes"; and

WHEREAS, in 2004, the California Legislature enacted the Medical Marijuana Program Act (Health & Saf. Code, § 11362.7 et seq.)(the "MMP"), which clarified the scope of the CUA, created a state-approved voluntary medical marijuana identification card program, and authorized cities to adopt and enforce rules and regulations consistent with the MMP; and

WHEREAS, Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the MMP to expressly recognize the authority of counties and cities to "[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" and to civilly and criminally enforce such ordinances; and

WHEREAS, California courts have found that neither the CUA nor the MMP provide medical marijuana patients with an unfettered right to obtain, cultivate, or dispense marijuana for medical purposes; and

WHEREAS, in 2013, the California Supreme Court in the case of *City of Riverside v. Inland Empire Patients Health and Wellness Center* (2013) 56 Cal.4th 729, found the CUA and MMP do not preempt a city's local regulatory authority and confirmed a city's ability to prohibit medical marijuana dispensaries within its boundaries; and

WHEREAS, in 2013, the California Third District Appellate Court held that state law does "not preempt a city's police power to prohibit the cultivation of all marijuana within the city"; and

WHEREAS, the Federal Controlled Substances Act (21 U.S. C., § 801 et seq.) makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute, or dispense marijuana; and

WHEREAS, despite the above-referenced federal law, on August 29, 2013, the United States Department of Justice issued a letter stating that, notwithstanding the federal classification of marijuana as a schedule 1 controlled substance, one can reasonably expect the federal government to stand down and defer to state and local marijuana regulations that are strict and robust; and

WHEREAS, in September 2015, the California State Legislature enacted, and Governor Brown signed into law three bills – Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 – which together comprise the Medical Marijuana Regulation and Safety Act (the "MMRSA"); and

WHEREAS, the MMRSA creates a comprehensive dual state licensing system for the cultivation, manufacture, retail, sale, transport, distribution, delivery, and testing of medical cannabis; and

WHEREAS, the MMRSA contains new statutory provisions that:

- Allow local government to enact ordinances expressing of their intent to prohibit the cultivation of marijuana and not administer a conditional use permit program pursuant to Health and Safety Code Section 11362.777 for the cultivation of marijuana (Health & Saf. Code, § 11362.777(c)(4));
- Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Bus. & Prof. Code, § 19315(a));
- Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including, but not limited to, a local government's right to make and enforce within its limits all police regulations not in conflict with its general laws (Bus. & Prof. Code, § 19316(c));
- Require a local government that wishes to prevent marijuana delivery activity (as defined in Business and Professions Code Section 19300.5(m)) from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Bus. & Prof. Code, § 19340(a)); and

WHEREAS, pursuant to Government Code Section 65858, the City Council of the City of Cudahy (the "City Council" of the "City") adopted Interim Urgency Ordinance No. 656 on August 22, 2016 to establish a temporary 45-day moratorium on marijuana dispensaries and commercial cannabis activities; and

WHEREAS, the City Council adopted Interim Urgency Ordinance No. 658 on September 26, 2016 to extend the temporary moratorium adopted under Interim Urgency Ordinance No. 656 for a period of 22 months and 15 days, pursuant to Government Code Section 65858 through through August 21, 2018; and

WHEREAS, the action contemplated in this Ordinance would not affect the moratorium extended under Interim Urgency Ordinance No. 658; and

WHEREAS, the MMRSA was renamed the Medical Cannabis Regulation and Safety Act (the "MCRSA") under Senate Bill 837 in June 2016, which also made includes substantive changes to the applicable state laws, which affect the various state agencies involved in regulating cannabis businesses as well as potential licensees; and

WHEREAS, on October 26, 2016, in anticipaton of prospect of Proposition 64, the City Council directed the City Attorney's Office to prepare an Urgency Ordinance and companion Ordinance prohibiting outdoor personal cannabis cultivation and adopting regulations for indoor personal cultivation; and

WHEREAS, on November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") was approved by California voters as Proposition 64; and

WHEREAS, Proposition 64 legalizes the nonmedical use of cannabis by persons 21 years of age and over, and the personal cultivation of up to six cannabis plants; and

WHEREAS, Proposition 64 additionally creates a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the manufacturing of nonmedical cannabis products;

WHEREAS, Proposition 64 became effective on November 9, 2016, pursuant to the California Constitution (Cal. Const., art. II, § 10(a)); and

WHEREAS, pursuant to Proposition 64, local governments, including cities, can reasonably regulate, but cannot ban, personal <u>indoor</u> cultivation of up to six (6) living cannabis plants within the person's private residence, including indoor cultivation in a greenhouse on the same property as the residence that is not physically part of the home (Health & Saf. Code, §§ 11362.1(a), 11362.1(a)-(b)); and

WHEREAS, Proposition 64 defines a private residence as "a house, an apartment unit, a mobile home, or other similar dwelling unit) and allows persons to possess the cannabis produced by their six cultivated plants (Health & Saf. Code, § 11362.2(b)(5)); and

WHEREAS, Proposition 64 enables local governments, including cities, to regulate and/or ban, the personal cultivation of up to six (6) living cannabis plants <u>outdoors</u> upon the grounds of a private residence (Health & Saf. Code, § 11362.2(b)(3)); and

WHEREAS, Proposition 64 requires that any and all living cannabis plants personally cultivated by persons be kept: (1) within the person's private residence or upon the grounds of that private residence (e.g. in an outdoor garden area); (2) in a locked space; and (3) not visible by normal unaided vision from a public place (Health & Saf. Code, § 11362.2(a)(2)); and

WHEREAS, the City seeks to prohibit persons from cultivating up to six living cannabis plants in outdoor areas upon the grounds of a private residence and adopt standards and a City permitting process with regard to such cultivation inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure; and

WHEREAS, Government Code sections 36934 and 36937 authorize the City Council to adopt an urgency ordinance for the immediate preservation of the public peace, health, or safety.

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

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

SECTION 2. Urgency Findings.

A. The Attorney General's August 2008 Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use recognizes that certain cannabis-related activities can create adverse impacts absent reasonable regulations to address these impacts.

B. Cannabis remains an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, et seq. and is classified as a "Schedule I Drug."

C. The cultivation of medical cannabis in other cities has resulted in calls for service to the police department, including calls for robberies and thefts, and it is reasonable that non-medical cannabis cultivation will have similar impacts.

D. Proposition 64 allows individuals to possess, plant, cultivate, harvest, dry, or process not more than six (6) living cannabis plants and possess the cannabis produced by the plants, subject to local government regulations as to indoor personal cultivation and/or local government regulations or bans as to personal cannabis cultivation outdoors upon the grounds of a private residence.

E. The strong smell of cannabis creates an attractive nuisance, alerting persons to the location of the valuable plants, and creating a risk of trespass and

burglary. The allowance of outdoor personal cannabis cultivation would therefore be detrimental to the immediate preservation of the public peace, health, and safety in the City.

F. This Urgency Ordinance would help minimize the creation of attractive nuisances and contribute to the preservation of the public peace, health, and safety of the City.

SECTION 3. Title 20 (Zoning) of the Cudahy Municipal Code is amended by the addition of Chapter 20.70 (Personal Cannabis Cultivation), which shall read as follows:

Chapter 20.70 – Personal Cannabis Cultivation.

Section 20.70.010 Definitions.

Section 20.70.020 Outdoor Personal Cannabis Cultivation Prohibited.

Section 20.70.030 Indoor Personal Cannabis Cultivation Permit Required.

Section 20.70.040 Standards for Indoor Personal Cannabis Cultivation.

Section 20.70.010 Definitions.

For purposes of this Chapter 20.70, the following terms shall be defined as follows:

A. "Cannabis" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

B. "Cultivate" means participation any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

C. "Private residence" means a house, an apartment unit, a mobilehome, or other similar dwelling.

Section 20.70.020 Outdoor Personal Cannabis Cultivation Prohibited.

The personal cultivation of cannabis outdoors upon the grounds of a private residence shall be completely prohibited in all zones in the City, pursuant to Health and Safety Code Section 11362.2(b)(3).

Section 20.70.030 Indoor Personal Cannabis Cultivation Permit Required.

A. Personal cannabis cultivation, as authorized under Health and Safety Code Section 11362.1(a)(3), shall require a valid City-issued Indoor Personal Cannabis Cultivation Permit, pursuant to Health Health and Safety Code Section 11362.2(b)(1).

B. Personal cannabis cultivation shall be limited to the inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure, so long as the portion of the residence or eligible accessory structure utilized for such cultivation does not reduce the amount of required parking applicable to the relevant residence.

C. If a residence or residence pertaining to an accessory structure as described in Section 20.70.030(B), above, is leased or rented, then an Indoor Personal Cannabis Cultivation Permit may only be issued upon a written authorization from the owner of such property that explicitly allows such cultivation. Such written authorization shall accompany an application for an Indoor Personal Cannabis Cultivation Permit. The property owner may revoke such authorization by providing written notice of revocation to the City and to the permittee. Thirty (30) calendar days after receipt of such notice by the City, the relevant Indoor Personal Cannabis Cultivation Permit shall be null and void.

D. Indoor Personal Cannabis Cultivation Permits shall be non-tranferrable without the written consent of the City.

E. Indoor Personal Cannabis Cultivation Permits shall be valid for a period of one calendar year from the date of issuance of an Indoor Personal Cannabis Cultivation Permit, unless renewed for an additional one (1) year period prior to expiration.

F. Application.

1. The form and content of the application for an Indoor Personal Cannabis Cultivation Permit shall be approved by the Community Development Director.

2. Prior to the issuance or renewal of an Indoor Personal Cannabis Cultivation Permit, the Building Official or designee shall conduct an inspection of the proposed cultivation area to confirm that that no immediate threats to health or safety exist in the proposed cultivation area and that cultivation would comply with the standards set forth in this Chapter 20.70. The Building Official or designee may require additional standards to those set forth in this Chapter 20.70 in order to ensure compliance with the building, zoning, housing, and fire codes.

3. Applications shall be filed with the City Clerk and accompanied by an application (including inspection) fee, as established by City Council resolution.

4. The Community Development Director, or designee, shall consider and either approve or disapprove an application for an Indoor Personal Cannabis Cultivation Permit and deliver written notice of such approval or disapproval by first class mail to the applicant within thirty (30) calendar days of the City's receipt of such complete application.

5. Appeal of Disapproval.

    a. Within fifteen (15) calendar days of transmittal of the Community Development Director's notice of disapproval of an application, the applicant denied approval may appeal the disapproval by notifying the City Clerk in writing of the appeal, the reasons for the appeal, and payment of any accompanying fees

    b. The City Clerk shall set a hearing on the appeal and shall fix a date and time certain, within thirty (30) calendar days after the receipt of the applicant's appeal, unless the City and the applicant agree to a longer period of time to consider the appeal. The City Clerk shall provide notice of the date, time, and place of the hearing, at least seven (7) calendar days prior to the date of the hearing.

    c. The City shall appoint a hearing officer to hear the appeal and determine the order of procedure, and rule on objections to the admissibility of evidence. The applicant and the City shall each have the right to submit documents, call and examine witnesses, cross-examine witnesses, and argue their respective positions. The proceedings shall be informal, free of application of the strict rules of evidence. All evidence shall be admissible if it is of the and that a reasonably prudent person would rely upon in making a determination on the matter.

    d. The hearing officer shall issue a written decision within fifteen (15) days after the close of the hearing. The decision of the hearing officer shall be final.

G. Periodic Inspections. Permittees who possess current and valid Indoor Personal Cannabis Cultivation Permits shall be subject to periodic City inspections, not to exceed more than one inspection every six (6) month period, to ensure compliance with the standards set forth in this Chapter 20.70 upon at least seventy-two (72) hours written notice from the City.

Section 20.70.040 Standards for Indoor Personal Cannabis Cultivation.

A. Any and all live cannabis plants cultivated by persons in the City pursuant to Health and Safety Code Section 11362.1(a)(3) shall be kept in a locked space that is not visible by normal unaided vision from a public place, subject to any and all limitations applicable under Health and Safety Code Sections 11362.1 and 11362.2.

B. All structures in which such indoor personal cannabis cultivation occurs shall comply with all applicable zoning, building, housing, and fire code requirements. All such structures shall have a two-hour fire resistence rating to reduce fire hazards for structures utilized for cultivation, as well as neighboring structures.

C. Any pesticides utilized for indoor personal cannabis cultivation shall comply with California Department of Pesticide Regulation guidelines for cultivation.

D. The use of grow lights, fans, ventilation devices or any other electrical, irrigation, or mechanical equipment shall comply with all applicable building, housing, and fire code requirements and related permitting and inspection requirements.

E. Indoor grow lights shall not exceed 2,000 watts total illumination, and the installation, wiring, and operation of such lighting shall comply with the applicable building, housing, and fire code requirements and related permitting and inspection protocols.

F. The use of gas products (CO2, butane, propane, natural gas, etc.) or generators for personal indoor cannabis cultivation under this Section 20.70.040 shall be prohibited.

G. Any structure utilized for personal indoor cannabis cultivation under this Section 20.70.040 shall have ventilation and filtration systems installed to prevent the odor of cannabis from escaping the interiors of such structure and the accumulation of mold. Such systems shall be compliant with applicable building, housing, and fire code requirements and has undergone and related necessary inspections.

H. The cultivation area shall not be accessible to persons under 21 years of age.

I. A portable fire extinguisher shall be kept in the same room where indoor cultivation occurs.

J. There shall be no external or noxious olfactory evidence of marijuana cultivation, including any pesticides, from any street, sidewalk, public right-of-way, or adjacent property.

K. Runoff and waste disposal by the residence where cultivation occurs must be in compliance with any applicable local, state, and federal regulations and laws.

SECTION 4. CEQA. This Urgency Ordinance is not subject to CEQA under the general rule set forth in Section 15601(b)(3) of the CEQA Guidelines that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

SECTION 5. Inconsistent Provisions. Any provision of the Cudahy Municipal Code or appendices thereto inconsistent with the provisions of this Urgency 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 6. 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 7. Construction. The City Council intends this Urgency Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Urgency Ordinance shall be construed in light of that intent. To the extent the provisions of the Cudahy Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this Urgency Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 8. Effective Date. This Urgency Ordinance is enacted pursuant to the authority conferred upon the City Council of the City of Cudahy by Government Code sections 36934 and 36937 and shall be in full force and effect upon its adoption by a four-fifths (4/5) vote of the City Council.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at the regular meeting of this 14th day of November, 2016.

Baru Sanchez
Mayor

ATTEST:

Richard Iglesias
Deputy City Clerk

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Urgency Ordinance No._____ was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 14th day of November, 2016 and that said Urgency Ordinance was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Richard Iglesias
Deputy City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA ENACTING A BAN ON OUTDOOR PERSONAL CANNABIS CULTIVATION AND ESTABLISHING REGULATIONS AND A PERMITTING PROCESS FOR INDOOR PERSONAL CANNABIS CULTIVATION, PURSUANT TO PROPOSITION 64

WHEREAS, in 1996, the California Legislature approved Proposition 215, also known as the Compassionate Use Act (the "CUA"), which was codified under Health and Safety Code Section 11262.5 et sec. and was intended to enable persons who are in need of medical marijuana for specified medical purposes, such as cancer, anorexia, AIDS, chronic pain, glaucoma and arthritis, to obtain and use marijuana under limited circumstances and where recommended by a physician; and

WHEREAS, the CUA provides that "nothing in this section shall be construed or supersede legislation prohibiting persons from engaging in conduct that endangers others, or to condone the diversion of marijuana for non-medical purposes"; and

WHEREAS, in 2004, the California Legislature enacted the Medical Marijuana Program Act (Health & Saf. Code, § 11362.7 et seq.)(the "MMP"), which clarified the scope of the CUA, created a state-approved voluntary medical marijuana identification card program, and authorized cities to adopt and enforce rules and regulations consistent with the MMP; and

WHEREAS, Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the MMP to expressly recognize the authority of counties and cities to "[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective" and to civilly and criminally enforce such ordinances; and

WHEREAS, California courts have found that neither the CUA nor the MMP provide medical marijuana patients with an unfettered right to obtain, cultivate, or dispense marijuana for medical purposes; and

WHEREAS, in 2013, the California Supreme Court in the case of *City of Riverside v. Inland Empire Patients Health and Wellness Center* (2013) 56 Cal.4th 729, found the CUA and MMP do not preempt a city's local regulatory authority and confirmed a city's ability to prohibit medical marijuana dispensaries within its boundaries; and

WHEREAS, in 2013, the California Third District Appellate Court held that state law does "not preempt a city's police power to prohibit the cultivation of all marijuana within the city"; and

WHEREAS, the Federal Controlled Substances Act (21 U.S. C., § 801 et seq.) makes it unlawful under federal law for any person to cultivate, manufacture, distribute

or dispense, or possess with intent to manufacture, distribute, or dispense marijuana; and

WHEREAS, despite the above-referenced federal law, on August 29, 2013, the United States Department of Justice issued a letter stating that, notwithstanding the federal classification of marijuana as a schedule 1 controlled substance, one can reasonably expect the federal government to stand down and defer to state and local marijuana regulations that are strict and robust; and

WHEREAS, in September 2015, the California State Legislature enacted, and Governor Brown signed into law three bills – Assembly Bill 243, Assembly Bill 266, and Senate Bill 643 – which together comprise the Medical Marijuana Regulation and Safety Act (the "MMRSA"); and

WHEREAS, the MMRSA creates a comprehensive dual state licensing system for the cultivation, manufacture, retail, sale, transport, distribution, delivery, and testing of medical cannabis; and

WHEREAS, the MMRSA contains new statutory provisions that:

- Allow local government to enact ordinances expressing of their intent to prohibit the cultivation of marijuana and not administer a conditional use permit program pursuant to Health and Safety Code Section 11362.777 for the cultivation of marijuana (Health & Saf. Code, § 11362.777(c)(4));
- Expressly provide that the Act does not supersede or limit local authority for local law enforcement activity, enforcement of local ordinances, or enforcement of local permit or licensing requirements regarding marijuana (Bus. & Prof. Code, § 19315(a));
- Expressly provide that the Act does not limit the authority or remedies of a local government under any provision of law regarding marijuana, including, but not limited to, a local government's right to make and enforce within its limits all police regulations not in conflict with its general laws (Bus. & Prof. Code, § 19316(c));
- Require a local government that wishes to prevent marijuana delivery activity (as defined in Business and Professions Code Section 19300.5(m)) from operating within the local government's boundaries to enact an ordinance affirmatively banning such delivery activity (Bus. & Prof. Code, § 19340(a)); and

WHEREAS, pursuant to Government Code Section 65858, the City Council of the City of Cudahy (the "City Council" of the "City") adopted Interim Urgency Ordinance No. 656 on August 22, 2016 to establish a temporary 45-day moratorium on marijuana dispensaries and commercial cannabis activities; and

WHEREAS, the City Council adopted Interim Urgency Ordinance No. 658 on September 26, 2016 to extend the temporary moratorium adopted under Interim Urgency Ordinance No. 656 for a period of 22 months and 15 days, pursuant to Government Code Section 65858 through through August 21, 2018; and

WHEREAS, the action contemplated in this Ordinance would not affect the moratorium extended under Interim Urgency Ordinance No. 658; and

WHEREAS, the MMRSA was renamed the Medical Cannabis Regulation and Safety Act (the "MCRSA") under Senate Bill 837 in June 2016, which also made includes substantive changes to the applicable state laws, which affect the various state agencies involved in regulating cannabis businesses as well as potential licensees; and

WHEREAS, on October 26, 2016, in anticipaton of prospect of Proposition 64, the City Council directed the City Attorney's Office to prepare an Urgency Ordinance and companion Ordinance prohibiting outdoor personal cannabis cultivation and adopting regulations for indoor personal cultivation; and

WHEREAS, on November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") was approved by California voters as Proposition 64; and

WHEREAS, Proposition 64 legalizes the nonmedical use of cannabis by persons 21 years of age and over, and the personal cultivation of up to six cannabis plants; and

WHEREAS, Proposition 64 additionally creates a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical cannabis, and the manufacturing of nonmedical cannabis products;

WHEREAS, Proposition 64 became effective on November 9, 2016, pursuant to the California Constitution (Cal. Const., art. II, § 10(a)); and

WHEREAS, pursuant to Proposition 64, local governments, including cities, can reasonably regulate, but cannot ban, personal <u>indoor</u> cultivation of up to six (6) living cannabis plants within the person's private residence, including indoor cultivation in a greenhouse on the same property as the residence that is not physically part of the home (Health & Saf. Code, §§ 11362.1(a), 11362.1(a)-(b)); and

WHEREAS, Proposition 64 defines a private residence as "a house, an apartment unit, a mobile home, or other similar dwelling unit) and allows persons to possess the cannabis produced by their six cultivated plants (Health & Saf. Code, § 11362.2(b)(5)); and

WHEREAS, Proposition 64 enables local governments, including cities, to regulate and/or ban, the personal cultivation of up to six (6) living cannabis plants <u>outdoors</u> upon the grounds of a private residence (Health & Saf. Code, § 11362.2(b)(3)); and

WHEREAS, Proposition 64 requires that any and all living cannabis plants personally cultivated by persons be kept: (1) within the person's private residence or upon the grounds of that private residence (e.g. in an outdoor garden area); (2) in a locked space; and (3) not visible by normal unaided vision from a public place (Health & Saf. Code, § 11362.2(a)(2)); and

WHEREAS, the City seeks to prohibit persons from cultivating up to six living cannabis plants in outdoor areas upon the grounds of a private residence and adopt standards and a City permitting process with regard to such cultivation inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure; and

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

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

SECTION 2. Title 20 (Zoning) of the Cudahy Municipal Code is amended by the addition of Chapter 20.70 (Personal Cannabis Cultivation), which shall read as follows:

Chapter 20.70 – Personal Cannabis Cultivation.

Section 20.70.010 Definitions.

Section 20.70.020 Outdoor Personal Cannabis Cultivation Prohibited.

Section 20.70.030 Indoor Personal Cannabis Cultivation Permit Required.

Section 20.70.040 Standards for Indoor Personal Cannabis Cultivation.

Section 20.70.010 Definitions.

For purposes of this Chapter 20.70, the following terms shall be defined as follows:

A. "Cannabis" means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin.

B. "Cultivate" means participation any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

C. "Private residence" means a house, an apartment unit, a mobilehome, or other similar dwelling.

Section 20.70.020 Outdoor Personal Cannabis Cultivation Prohibited.

The personal cultivation of cannabis outdoors upon the grounds of a private residence shall be completely prohibited in all zones in the City, pursuant to Health and Safety Code Section 11362.2(b)(3).

Section 20.70.030 Indoor Personal Cannabis Cultivation Permit Required.

A. Personal cannabis cultivation, as authorized under Health and Safety Code Section 11362.1(a)(3), shall require a valid City-issued Indoor Personal Cannabis Cultivation Permit, pursuant to Health Health and Safety Code Section 11362.2(b)(1).

B. Personal cannabis cultivation shall be limited to the inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence that is fully enclosed and secure, so long as the portion of the residence or eligible accessory structure utilized for such cultivation does not reduce the amount of required parking applicable to the relevant residence.

C. If a residence or residence pertaining to an accessory structure as described in Section 20.70.030(B), above, is leased or rented, then an Indoor Personal Cannabis Cultivation Permit may only be issued upon a written authorization from the owner of such property that explicitly allows such cultivation. Such written authorization shall accompany an application for an Indoor Personal Cannabis Cultivation Permit. The property owner may revoke such authorization by providing written notice of revocation to the City and to the permittee. Thirty (30) calendar days after receipt of such notice by the City, the relevant Indoor Personal Cannabis Cultivation Permit shall be null and void.

D. Indoor Personal Cannabis Cultivation Permits shall be non-tranferrable without the written consent of the City.

E. Indoor Personal Cannabis Cultivation Permits shall be valid for a period of one calendar year from the date of issuance of an Indoor Personal Cannabis Cultivation Permit, unless renewed for an additional one (1) year period prior to expiration.

F. Application.

    1. The form and content of the application for an Indoor Personal Cannabis Cultivation Permit shall be approved by the Community Development Director.

2. Prior to the issuance or renewal of an Indoor Personal Cannabis Cultivation Permit, the Building Official or designee shall conduct an inspection of the proposed cultivation area to confirm that that no immediate threats to health or safety exist in the proposed cultivation area and that cultivation would comply with the standards set forth in this Chapter 20.70. The Building Official or designee may require additional standards to those set forth in this Chapter 20.70 in order to ensure compliance with the building, zoning, housing, and fire codes.

3. Applications shall be filed with the City Clerk and accompanied by an application (including inspection) fee, as established by City Council resolution.

4. The Community Development Director, or designee, shall consider and either approve or disapprove an application for an Indoor Personal Cannabis Cultivation Permit and deliver written notice of such approval or disapproval by first class mail to the applicant within thirty (30) calendar days of the City's receipt of such complete application.

5. Appeal of Disapproval.

    a. Within fifteen (15) calendar days of transmittal of the Community Development Director's notice of disapproval of an application, the applicant denied approval may appeal the disapproval by notifying the City Clerk in writing of the appeal, the reasons for the appeal, and payment of any accompanying fees

    b. The City Clerk shall set a hearing on the appeal and shall fix a date and time certain, within thirty (30) calendar days after the receipt of the applicant's appeal, unless the City and the applicant agree to a longer period of time to consider the appeal. The City Clerk shall provide notice of the date, time, and place of the hearing, at least seven (7) calendar days prior to the date of the hearing.

    c. The City shall appoint a hearing officer to hear the appeal and determine the order of procedure, and rule on objections to the admissibility of evidence. The applicant and the City shall each have the right to submit documents, call and examine witnesses, cross-examine witnesses, and argue their respective positions. The proceedings shall be informal, free of application of the strict rules of evidence. All evidence shall be admissible if it is of the and that a reasonably prudent person would rely upon in making a determination on the matter.

d. The hearing officer shall issue a written decision within fifteen (15) days after the close of the hearing. The decision of the hearing officer shall be final.

G. Periodic Inspections. Permittees who possess current and valid Indoor Personal Cannabis Cultivation Permits shall be subject to periodic City inspections, not to exceed more than one inspection every six (6) month period, to ensure compliance with the standards set forth in this Chapter 20.70 upon at least seventy-two (72) hours written notice from the City.

Section 20.70.040 Standards for Indoor Personal Cannabis Cultivation.

A. Any and all live cannabis plants cultivated by persons in the City pursuant to Health and Safety Code Section 11362.1(a)(3) shall be kept in a locked space that is not visible by normal unaided vision from a public place, subject to any and all limitations applicable under Health and Safety Code Sections 11362.1 and 11362.2.

B. All structures in which such indoor personal cannabis cultivation occurs shall comply with all applicable zoning, building, housing, and fire code requirements. All such structures shall have a two-hour fire resistence rating to reduce fire hazards for structures utilized for cultivation, as well as neighboring structures.

C. Any pesticides utilized for indoor personal cannabis cultivation shall comply with California Department of Pesticide Regulation guidelines for cultivation.

D. The use of grow lights, fans, ventilation devices or any other electrical, irrigation, or mechanical equipment shall comply with all applicable building, housing, and fire code requirements and related permitting and inspection requirements.

E. Indoor grow lights shall not exceed 2,000 watts total illumination, and the installation, wiring, and operation of such lighting shall comply with the applicable building, housing, and fire code requirements and related permitting and inspection protocols.

F. The use of gas products (CO2, butane, propane, natural gas, etc.) or generators for personal indoor cannabis cultivation under this Section 20.70.040 shall be prohibited.

G. Any structure utilized for personal indoor cannabis cultivation under this Section 20.70.040 shall have ventilation and filtration systems installed to prevent the odor of cannabis from escaping the interiors of such structure and the accumulation of mold. Such systems shall be compliant with applicable building, housing, and fire code requirements and has undergone and related necessary inspections.

H. The cultivation area shall not be accessible to persons under 21 years of age.

I. A portable fire extinguisher shall be kept in the same room where indoor cultivation occurs.

J. There shall be no external or noxious olfactory evidence of marijuana cultivation, including any pesticides, from any street, sidewalk, public right-of-way, or adjacent property.

K. Runoff and waste disposal by the residence where cultivation occurs must be in compliance with any applicable local, state, and federal regulations and laws.

SECTION 3. CEQA. This Ordinance is not subject to CEQA under the general rule set forth in Section 15601(b)(3) of the CEQA Guidelines that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

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 Ordinance.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this 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 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. Construction. The City Council intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent. To the extent the provisions of the Cudahy Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as it read prior to the adoption of this Ordinance, those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 7. Publication and Effective Date. 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 a newspaper of general circulation within fifteen (15) days after its adoption. This Ordinance shall become effective thirty (30) days after adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at the regular meeting of this 14th day of November, 2016.

Baru Sanchez
Mayor

ATTEST:

Richard Iglesias
Deputy City Clerk

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Ordinance No._____ was introduced for a first reading on the 14th day of November, 2016 and approved for a second reading and adopted by said Council at its regular meeting held on the _____ day of _____, 2016 by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Richard Iglesias,
Deputy City Clerk

Item Number
11B

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
By: Richard Iglesias, Deputy City Clerk
Richard Padilla, Assistant City Attorney

Subject: **A Public Hearing to Consider and Approve of a Resolution Ordering the Submission of a City –Sponsored Ballot Measure on the March 7, 2017 General Municipal Election Ballot Asking Voters to Approve, by 2/3 Majority Vote, a Temporary, five year Parcel Tax on Various Real Property Parcels in the City to Help Pay for approximately half of the cost of providing policing services in the City**

RECOMMENDATION

The City Council is requested to adopt a proposed resolution:

1. Open a public hearing to consider and approve a resolution ordering the submission of a City-sponsored measure to be placed on the March 7, 2017 General Municipal Election Ballot asking Cudahy voters to approve by 2/3 majority vote a parcel tax on various real property parcels in the City to help pay for the cost of public safety services;

2. Receive presentation from City staff and comment from interested members of the public;

3. Pose closing questions to City staff; and

4. Close the Public Hearing, Deliberate and Potentially Take Action to Approve the placement of the measure on the March 7 2017 General Municipal Election ballot.

    - The City Council will be asked to choose between two proposed formulas intended to raise approximately $2.0M per year for each of the five years the tax is in place. The $2.0M per year sum represents approximately half of the City's

overall annual cost for providing police services in the City.

- The City Council may also discuss and order alternative formulas for the tax.

BACKGROUND

The City of Cudahy ("City") pays approximately $4.0M per year for policing services provided by the Los Angeles County Sheriff's Department ("Sheriff's Department"). The cost of these services is primarily borne by the City's General Fund. In order to ease the burden of policing services on the General Fund, it is proposed that the City Consider adding a ballot measure to the March 7, 2017 ballot for Cudahy voters to consider approving a special parcel tax on properties in the City intended to raise approximately half of the $4.0M needed annually to pay for and maintain the level of police services currently provided by the Sheriff's Department. The tax would be paid by the owners of real property parcels in the City.

To this end, the City's Finance staff has prepared two possible options for structuring the tax so as to achieve the $2.0M revenue goal need to pay for half of the approximately $4.0M paid annually by the City.

Option 1

One option would be to establish a flat rate that each property owner pays on a simple per parcel basis. All properties, excluding multifamily would be taxed at a rate of $375 per parcel per year. Multifamily would be charges $375 per residential dwelling unit on the parcel. For example if an apartment complex has 20 units, the owner of the apartment building would pay 20 multiplied by $375 which would equal to $7,500. It is estimated this formula would generate approximately $2.0M in revenue.

Option 2

In order to ease the burden on residential properties, an alternative would be to charge single family residential properties and unimproved properties in accordance with the schedule below:

Tax Rate Schedule

Parcel Use Type	Parcel Size (square feet)	Annual Tax Rate (Starting with FY2017-2018)
Single family residential		

parcel (single parcel contains only one single family residential dwelling)	N/A	$139 per parcel
Unimproved parcel	N/A	$139 per parcel
Multifamily residential parcel (single parcel contains multiple residential dwelling units)	N/A	$181 per residential dwelling
Other parcel	0 to 9,999	$1,550 per parcel
	10,000 to 24,999	$3,100 per parcel
	25,000 to 49,999	$6200 per parcel
	50,000 to 99,999	$12,400 per parcel
	100,000 to 249,999	$24,800 per parcel
	250,0000 plus	$49,600 per parcel

The attached Resolutions with accompanying ordinances represent the two options described above. The City Council based on its own deliberation and comments form the public is free to consider alternatives.

ANALYSIS

Pursuant to the authority of California Government Code Section 53970, *et. seq.*, the City is authorized to levy special taxes by ordinance for the provision of police protection services as described in such ordinance. Pursuant to Government Code Sections 50075 *et. seq.* and California Constitution Sections XIIIA and XIIIC, the City Council may impose the Special Tax upon adoption and approval of the Ordinance by a minimum two-thirds (2/3) vote of the Council and a two- thirds (2/3) vote of the electorate of the City voting in the election.

Government Code Section 53978 more specifically provides that any local agency which provides police protection services, may, by ordinance, determine and propose for adoption a special tax for police protection services provided by the local agency, other than ad valorem property taxes. Such proposition must be submitted to the voters and take effect upon approval of two-thirds of the voters voting upon such proposition. The local agency

which fixes such a special tax shall not, however, impose such tax upon a federal or state governmental agency or another local agency.

The ordinance must specify the amount of each of such special taxes. Each of such special taxes must also be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, within the local agency to which police protection services are made available, for the purpose of obtaining, furnishing, operating, and maintaining police protection equipment or apparatus or either such service, respectively, for paying the salaries and benefits to police protection personnel, and for such other necessary police protection expenses.

An ordinance which sets a maximum amount of the tax to be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, and which permits the local agency proposing the tax to determine the amount to be levied, annually, within the maximum amount, shall satisfy the requirements of Government Code Section 53978. However, in no case shall the amount of the tax to be levied exceed the maximum amount established by the ordinance without the approval of the voters.

The City may also provide for the collection of such special taxes in the same manner and subject to the same penalty as, or with, other charges and taxes fixed and collected by the local agency, or by the county on behalf of the local agency. If such special taxes are collected by the county on behalf of the local agency, the county may deduct its reasonable costs incurred for such service before remittal of the balance to the local agency.

The revenues from each of such special taxes shall be used for the service for which it was imposed, and for no other purpose.

Government Code Section 50077 requires that the Council also hold a public hearing on the question.

The attached Resolutions also set forth the prior for drafting ballot arguments and rebuttal arguments and also directs the City Attorney to undertake an impartial analysis of whatever measure option is chosen.

CONCLUSION

If it remains the desire of the City Council, it is recommended that the City Council choose

one of the two options described above, or direct City staff to explore alternative options which could either be approved as modifications to the attached materials or brought back prior to the 88-day deadline for approving measures.

FINANCIAL IMPACT

The added cost of placing the measure on the ballot is presently unknown. The anticipated revenue form the tax, however, is estimated to be approximately $2.0M, representing roughly half of the annual cost of providing police services.

ATTACHMENTS

Proposed Resolution and Ordinance

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA SUPPLEMENTING PRIOR CITY COUNCIL RESOLUTION NO. _____ TO INCLUDE THE SUBMISSION TO THE VOTERS OF THE CITY OF CUDAHY A BALLOT MEASURE TO ESTABLISH A PARCEL TAX ON ALL NON-EXEMPT REAL PROPERTY PARCELS IN THE CITY OF CUDAHY TO FUND PUBLIC SAFTEY SERVICES

WHEREAS, the City Council of the City of Cudahy ("City Council") at its Regular Meeting of September 26, 2016 approved Resolution No. _____ which (1) called for a gave notice of a General Municipal Election of Two City Councilmembers to be held March 7, 2017; (2) requested consolidation of such election with the County of Los Angeles with any and all elections held on such date; (3) requested the County of Los Angeles to provide specific election administration services for such election; (4) adopted regulations for candidates for elective office for such election regarding candidate statements; and (5) provided for the conduct of a special election in the event of a tie vote for such election of the two city councilmembers; and

WHEREAS, the City Council now wishes to include as part of its call for a March 7, 2016 General Municipal Election, the submission of a ballot measure to the voters of the City of Cudahy to consider and approve a parcel tax on all non-exempt real property parcels within the City of Cudahy to help pay for essential police services (the "Measure");

WHEREAS, the subject Measure is referred to the as the "Cudahy Temporary Public Safety Funding Act of 2017"; and

WHEREAS, under the provision of the laws relating to general law cities in the State of California, a General Municipal Election of the City of Cudahy (the "City") shall be conducted on Tuesday, March 7, 2017, for the election of the following municipal officers: City Councilmember – two (2) offices for four year terms; and

WHEREAS, it is desirable that the City's March 7, 2017 General Municipal Election, inclusive of the above-subject ballot measure, be consolidated with any and all elections to be administered by Los Angeles County (the "County") on the same date and that the City have the same precincts, polling stations, and election officers within the City for such election; and

WHEREAS, the City Council affirms its wish for the Office of the Registrar-Recorder/County Clerk for the County (the "Registrar") to canvass the returns of the City's March 7, 2017 General Municipal Election; and

WHEREAS, the City seeks the provision of election services from the County relating to the conduct of the City's March 7, 2017 General Municipal Election; and

WHEREAS, the City Council approves the printing of the General Municipal Election information for the election to be held on Tuesday, March 7, 2017, in the foreign languages requiring translation pursuant to the Voting Rights Act of 1965; and

WHEREAS, Elections Code Section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

WHEREAS, the City shall compensate the County for all necessary expenses incurred by the County in performing election services for the City, including such additional expenses now attributable to the addition of the above-subject ballot measure; and

WHEREAS, 15651(b) of the Elections Code authorizes the City Council, by majority vote, to adopt provisions to require the conduct of a Special Runoff Election to resolve a tie vote involving those candidates who received an equal number of votes and the highest number of votes for an elective office; and

WHEREAS, Elections Code sections 9280 et seq. sets forth the procedures and requirements for the preparation and submission of ballot arguments and corresponding rebuttal arguments in connection with City-initiated ballot measures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, as part of the call for a General Municipal Election as specified under prior Resolution No. _____approved _____2016, the City Council also orders submitted to the voters the following question:

Shall the 2017 Temporary Public Safety Funding Ordinance imposing a flat parcel tax of $375 per parcel per year on all property in the City be adopted for a period of 5 years to raise approximately $2,000,000 per year to pay for approximately half of the City's annual cost of providing police services?	**YES [ ]**
	NO [ ]

This question requires 2/3's majority approval of those casting votes in order to be approved.

SECTION 2. That the complete text of the proposed ordinance submitted to the voters is attached as **Exhibit "A"** to this resolution.

SECTION 3. The ballots to be used at the election shall be in form and content as required by law.

SECTION 4. The City Council hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall cause to be prepared an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of the primary arguments.

SECTION 5. Direct Arguments In Support and In Opposition to Measure: As authorized under Elections Code Section 9282(b), the City Council reserves the right to file a written argument in favor of this Measure or authorize any member or members of the City Council to do the same. Pursuant to Elections Code Section 9282(b) written arguments for or against the Measure may also be submitted by any individual voter who is eligible to vote on the Measure; any bona fide association of citizens; any combination of voters and associations or such other persons or entities as may be authorized under Elections Code Section 9282(b). The foregoing notwithstanding, if more than one set of arguments “in favor of” or “in opposition to” the Measure is timely submitted to the City Clerk , the City Clerk shall select only one argument for and one argument against in accordance with the selection priority set forth under Elections Code Section 9287. That priority gives preference as follows: (a) The City Council or City Council-authorized members of the City Council; (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (c) A bona fide association of citizens; then (d) Individual voters who are eligible to vote on the measure. Pursuant to Elections Code Section 9283, a ballot argument will not be accepted unless accompanied by the printed name and signature or printed names and signatures of the author or authors submitting the argument, or if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers who is the author of the argument. Pursuant to Elections Code Section 9283, no more than five (5) signatures shall appear with any argument submitted and if any argument is signed by more than five authors, the signatures of the first five shall be printed but not the signatures in excess of the first five. Ballot arguments in support of or in opposition to the Measure may not exceed 300 words in length. Consistent with Elections Code Section 9287(b), ballot arguments in favor of or in opposition to the Measure must be submitted to and received by the City Clerk by or before 4:00 p.m. on Friday, December 16, 2016. Arguments that are received by the City Clerk after this deadline will not be accepted. The City Clerk’s Office is located at Cudahy City Hall, 5220 Santa Ana Street, Cudahy, California 90201.

SECTION 6. Rebuttals to Direct Arguments: Pursuant to Elections Code Section 9285, when the City Clerk receives an argument to the Measure that will be printed in the ballot pamphlet, the elections official shall send a copy of the argument in favor of the Measure to the authors of any argument against the Measure and a copy of the

argument against the Measure to the authors of the argument in favor of the measure. To the extent permitted under Elections Code Section 9285(a)(2), the author or a majority of the authors of an argument (either in favor of or in opposition to) may prepare and submit a rebuttal argument or may authorize in writing any other person or person to prepare, submit or sign the rebuttal argument. No rebuttal argument may exceed 250 words in length. Pursuant to Elections Code Section 9285(a)(5), a rebuttal argument relating to the Measure may not be signed by more than five persons and shall be printed in the same manner as a direct argument and shall immediately follow the direct argument which it seeks to rebut. Consistent Elections Code Sections 9285 and 9287(b), rebuttal arguments must be submitted to and received by the City Clerk by or before 4:00 pm on Tuesday, December 27, 2016. Rebuttals that are received by the City Clerk after this deadline will not be accepted. Again, the City Clerk's Office is located at Cudahy City Hall, 5220 Santa Ana Street, Cudahy, California 90201.

SECTION 7. The City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure showing the effect of the Measure on existing law and the operation of the Measure. The impartial analysis shall be filed by December 12, 2016, with the City Clerk for the filing of direct arguments in favor of or in opposition to the Measure.

SECTION 8. The City of Cudahy shall reimburse the County Registrar for any additional costs attributable to the inclusion of the Measure as part of the City's General Municipal Election which the County Registrar with the administration of the City March 7, 2017 General Municipal Election.

SECTION 9. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 10. The City Clerk shall forward without delay, a copy of said resolution to the Los Angeles County Board of Supervisors, the Registrar and to the City Clerk of the City of Los Angeles.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this14th day of November, 2016.

_____
Baru Sanchez, Mayor

ATTEST:

_____
Richard Iglesias
Deputy City Clerk

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. _____ was passed and adopted by the City Council of the City of Cudahy at a regular meeting held on the 14th day of November, 2016 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Richard Iglesias
Deputy City Clerk

EXHIBIT "A"
(Option 1)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CUDAHY, CALIFORNIA ADDING A NEW CHAPTER 3.30 TO BE ENTITLED "CUDAHY TEMPORARY PUBLIC SAFETY FUNDING ACT OF 2017" TO TITLE 3 (REVENUE AND FINANCE) OF THE CUDAHY MUNICIPAL CODE.

THE PEOPLE OF THE CITY OF CUDAHY DO ORDIANE AS FOLLOWS:

SECTION 1. The Cudahy Municipal Code is hereby amended by the addition of a new Chapter 3.30 (Temporary Public Safety Funding Act) to Title 3 (Revenue and Finance) of the Cudahy Municipal Code. This newly added Chapter 3.30 shall state the following:

Chapter 3.30

Cudahy Temporary Public Safety Funding Act of 2017

3.30.010 Definitions
3.30.020 Tax Imposed
3.30.030 Amount of Tax
3.30.040 Use of tax proceeds
3.30.050 Determination of uses and number of residential units
3.30.060 Collection with Property Taxes
3.30.070 Exemptions
3.30.080 Administrative Determinations; Appeal
3.30.090 Appropriations limitations
3.30.100 Administrative interpretation
3.30.110 Five-year Sunset.

3.30.010 Definitions.

As used herein, the following definitions shall apply:

"Consumer Price Index" or "CPI" means the Consumer Price Index for All Urban Consumers (CPI-U) for the Los Angeles-Riverside-Orange County area as published by the U.S. Department of Labor, Bureau of Labor Statistics. If the Consumer Price Index is discontinued or revised, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be

obtained if the Consumer Price Index had not been discontinued or revised.

"Developed" shall be defined in administrative regulations adopted pursuant to Section 3.30.120

"Fiscal year" shall mean the period of July 1st through the following June 30th.

"Mixed-use property" shall be defined in administrative regulations adopted pursuant to Section 3.30.120.

"Multifamily residential parcel" shall mean any single real property parcel which contains two or more single family residential dwellings wherein none of the individual single family residential dwelling units possess its own unique assessor parcel number and each such dwelling is not alienable from any of the other dwellings on the single parcel. For purposes of this Chapter, the term multifamily residential parcel does not include real property parcels used for mobile home park use, whether or not any or all of the individual mobile home coaches is owned or leased by the occupant of the coach or is owned or leased by the owner or tenant of the real property parcel upon which the mobile home coach is located.

"Other parcel" shall mean all other real property parcels in the City, other than those satisfying the definition of single family residential parcel or multifamily residential parcels. For purposes of this chapter, the term "other parcel" shall include parcels use for mobile home park use, whether or not any or all of the individual mobile home coaches is owned or leased by the occupant of the coach or is owned or leased by the owner or tenant of the real property parcel upon which the mobile home coach is located.

"Occupied shall be defined in administrative regulations adopted pursuant to Section 3.20.120.

"Owner" shall mean the owner or owners of the real property that benefit from public safety services, as shown on Los Angeles County's most recent assessment rolls of the County of Los Angeles.

"Parcel" means the land, and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Los Angeles County.

"Public safety services" means obtaining, furnishing, operating and/or maintaining police protection equipment or apparatus, paying the salaries and benefits of police protection personnel and support staff, and such other police protection services expenses as are deemed necessary by the City Council for the benefit of the residents and businesses of the City. Public safety services includes all of the foregoing whether or not the City provides such services directly using its own equipment and/or personnel or whether provided by way of a contract with any other public law enforcement agency,

including but not limited to the Sheriff's Department of the County of Los Angeles.

"Single-family residential parcel" shall mean any lawful single real property parcel with its own unique assessor parcel number containing only one (1) single family residential dwelling, whether or not the single family residential dwelling is detached or whether it is attached to another single family residential dwelling with its own separate assessor parcel number.

"Single-family residential dwelling" means a building or structure or portion of a building or structure composed one or more rooms, designed and lawfully used for human habitation as a separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single person or single family maintaining a household within said building or structure or portion thereof.

"Tax Administrator" shall mean the City Manager or designee.

"Unimproved" shall be in administrative regulations adopted pursuant to Section 3.30.120

"Vacant" shall be defined in administrative regulations adopted pursuant to Section 3.30.120.

"Year" shall mean the period from July 1st to the following June 30th.

3.30.020 Tax imposed.

A. An annual tax for public safety services ("tax") in the amounts set forth in Section 3.30.030 is hereby imposed on the owners of real property parcels within the City, whether such real property parcels are developed or unimproved and whether or not the real property parcel is occupied or vacant.

B. The tax is an excise tax imposed on the owner of each real property parcel subject to the tax. as of July 1st of each year.

C. The owner of each real property parcel giving rise to tax liability under this Chapter shall be responsible for the payment of the tax due and payable hereunder. The tax constitutes a debt owed by the owner to the City.

3.30.030 Amount of tax.

A. The tax on each real property parcel in the City shall depend on the following factors: (i) the use of real property parcel, including whether or not it is unimproved; and (ii) in the case of multifamily residential parcels, the number of single family residential dwellings on the parcel. The tax per year on each parcel in the City shall not exceed the amount applicable to the parcel, as specified below.

B. No later than July 15th of each year, Tax Administrator shall determine the amount of taxes to be levied upon the parcels in the City for the then-current fiscal year as set forth in this section.

Tax Rate Schedule

Parcel Use Type	Parcel Size (square feet)	Annual Tax Rate (Starting with FY2017-2018)
Single family residential parcel (single parcel contains only one single family residential dwelling)	N/A	$375 per parcel
Unimproved parcel	N/A	375 per parcel
Multifamily residential parcel (single parcel contains multiple residential dwelling units)	N/A	$375 per residential dwelling unit on the parcel
Other parcel		$375 per parcel

C. With respect to mixed-use parcels, the applicable tax shall be determined as follows: (i) those portion of the real property parcel with uses that qualify as single family residential parcel uses shall be taxed at the rate applicable for single family residential parcels; (ii) those portions of the real property parcel with uses that qualify as multifamily residential parcel uses shall be taxed at the rate applicable to multifamily residential parcels; and (iii) and those portions of the real property parcel with uses that qualify as other parcel uses shall be taxed at a rate applicable to other parcels.

D. The foregoing tax rate schedule shall apply for the 2017/2018 fiscal year commencing July 1, 2017 and ending June 30, 2018. In order to keep the tax on each real property parcel in constant first year dollars for each fiscal year subsequent to 2017/2018, the tax per year shall be adjusted as set forth in this section to reflect any increase in the Consumer Price Index beyond the first fiscal year the tax is levied. The tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

Applicable Annual Tax Rate for the parcel for the current fiscal year	=	Applicable Annual Tax Rate for parcel for preceding fiscal year	X	Change in Consumer Price Index from April of current fiscal year to April of immediately preceding fiscal year or 1.02, whichever is less

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the preceding fiscal year.

E. The taxes levied on each parcel pursuant to this section shall be a charge

upon the parcel and shall be due and collectible as set forth in Section 3.30.060.

3.30.040 Use of tax proceeds.

A. All proceeds of the tax levied and imposed hereunder shall be accounted for and paid into a special fund designated for the provision of public safety services in the City.

B. In accordance with California Government Code Section 50075.3, the Finance Director shall file an annual report with the City Council that contains the tax funds collected and expended and the status of any project required or authorized to be funded with revenue raised by the tax imposed by this chapter.

3.30.050 Determination of uses and number of residential units.

The records of the County Assessor of the County of Los Angeles as of January 1st of each year and the records of the City shall be used to determine the actual use of each real property parcel and, for multifamily residential parcels, the number of residential units, for purposes of determining the tax hereunder.

3.30.060 Collection with Property Taxes.

A. The tax levied and imposed by this chapter shall be due and payable each year in the same manner, on the same dates and subject to the same penalties and interest as established by law for other charges and taxes fixed and collected by the County of Los Angeles on behalf of the City for the applicable year. The tax together with all penalties and interest thereon, shall constitute a lien upon each real property parcel upon which it is levied until it has been paid, and shall constitute a personal obligation of the record owner of the real property parcel.

B. In the event the County of Los Angeles does not collect any tax amount when due under this Chapter 3.30, then the City Council shall have the power to authorize the Tax Administrator, by resolution of the City Council to collect any tax amount and enforce all the provisions of this Chapter 3.30. In such cases, an assessment may be made by the City against the owner of a real property parcel in the manner provided by law. Any such unpaid tax amount collected by the City under this subsection (B) of this Section 3.30.060 shall be subject to all remedies provided under the Cudahy Municipal Code and other applicable law.

3.30.070 Exemptions.

A. Nothing in this Chapter shall be construed as imposing a tax upon any person when imposition of such tax upon that person would be in violation of either the Constitution of the United States or the Constitution of the State of California.

B. The tax imposed by this Chapter shall not be levied upon any real property parcel owned by the federal government, the state government, any state agency, or any local government agency, including the City.

C. The tax imposed by this Chapter shall not be levied against a property owner with respect to any real property which has been exempted from the payment of ad valorem property taxes pursuant to Section 214 of the Revenue and Taxation Code, as that section has been interpreted by the laws, administrative regulations and judicial opinions of the State of California. The exemption under this subsection (C) of Section 3.30.070 extends to, but is not limited to, those real property parcels owned by religious organizations or other charitable or community service organizations that are exempt from the payment of ad valorem property taxes on the Parcel pursuant to Section 214 of the Revenue and Taxation Code.

3.30.080 Administrative Determinations; Appeal

A. In the event an owner of a real property parcel contends the annual levy of the tax established herein was erroneously computed, levied or paid, the owner of the real property parcel may apply for a correction of the levy or a correction of the rate of the tax levied against the real property parcel by timely submitting a claim to the Tax Administrator. Upon determination of the merit of each claim, including any error in the computation of the tax rate for the tax, or the levy of the tax against a particular real property parcel, the Tax Administrator shall cause the tax for that particular real property parcel to be corrected, as applicable and shall so advise the Los Angeles County Tax Collector or other appropriate official. If the Tax Administrator denies a claim for correction or overpayment or refund, the Tax Administrator shall notify the claimant in writing along with the reasons for such denial.

B. All claims, including claims of exemption, refund claims, overpayment claims, double payment claims or other errors relating to the tax for a particular year, shall be filed with the Tax Administrator within one (1) year following the date total payment of an annual tax levy is deemed due according to the real property parcel owner's annual tax bill. All such claims for refund of the amount of the overpayment or double payment shall be filed with the City on forms furnished by, and in the manner prescribed, by the Tax Administrator. The one-year appeal period shall also to apply to any sums alleged to have been overpaid as a result of the allegedly erroneous denial of any exemption set forth under 3.30.070.

3.30.090 Appropriations limitation.

In no case shall the revenues generated by the tax levied and imposed by this chapter exceed the limitation established by Article XIII-B of the Constitution of the State of California.

3.30.100 Administrative interpretation.

The City Council may, by resolution, adopt guidelines for administrative matters related to the interpretation and enforcement of this chapter. Such guidelines may

establish new uses or may modify uses listed in Section 3.30.030; provided, that the maximum for any use can be no more than the rates set out in Section 3.30.030.

3.30.110 Sunset Period.

The tax imposed under this Chapter shall apply to the following property tax fiscal years: 2017-2018; 2018-2019; 2019-2020; 2020-2021; 2021-2022 and will expire on June 30, 2022, unless extended by approval of the voters as required by law.

SECTION 2. Amendment or Repeal. The City Council is hereby authorized to adopt additional provisions consistent with the intent of this Ordinance and to amend the provisions of Section 1 of this Ordinance without voter approval, provided any such amendment does not extend the tax to the owner of a real property parcel that would otherwise not be required to pay the tax under its own terms; or which would increase the amount of the tax above the amount authorized by Section 2 of this Ordinance. The foregoing shall not prevent or otherwise prohibit the City of Cudahy from adjusting the amount of the tax paid by a real property owner to the extent that adjustment is attributable to a change in the use of the real property parcel or a change in the number of residential units on the real property parcel.

SECTION 3. Severability. If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon the certification of election results for the March 7, 2017 General Municipal Election contest demonstrating that the ballot measure seeking approval of this Ordinance received the requisite 2/3rds votes required for approval.

SECTION 5. Certification. The Mayor is hereby authorized to subscribe this Ordinance where indicated below to evidence its adoption by the voters of the City and upon that subscription, the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause it to be posted according to law.

PASSED, APPROVED AND ADOPTED THIS _____ DAY OF _____, 2017.

AYES:
NOES:
ABSTAIN
ABSENT:

_____

`

Baru Sanchez, Mayor

ATTEST:

_____

Richard Iglesias, Deputy City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA SUPPLEMENTING PRIOR CITY COUNCIL RESOLUTION NO. _____ TO INCLUDE THE SUBMISSION TO THE VOTERS OF THE CITY OF CUDAHY A BALLOT MEASURE TO ESTABLISH A PARCEL TAX ON ALL NON-EXEMPT REAL PROPERTY PARCELS IN THE CITY OF CUDAHY TO FUND PUBLIC SAFTEY SERVICES

WHEREAS, the City Council of the City of Cudahy ("City Council") at its Regular Meeting of September 26, 2016 approved Resolution No. _____ which (1) called for a gave notice of a General Municipal Election of Two City Councilmembers to be held March 7, 2017; (2) requested consolidation of such election with the County of Los Angeles with any and all elections held on such date; (3) requested the County of Los Angeles to provide specific election administration services for such election; (4) adopted regulations for candidates for elective office for such election regarding candidate statements; and (5) provided for the conduct of a special election in the event of a tie vote for such election of the two city councilmembers; and

WHEREAS, the City Council now wishes to include as part of its call for a March 7, 2016 General Municipal Election, the submission of a ballot measure to the voters of the City of Cudahy to consider and approve a parcel tax on all non-exempt real property parcels within the City of Cudahy to help pay for essential police services (the "Measure");

WHEREAS, the subject Measure is referred to the as the "Cudahy Temporary Public Safety Funding Act of 2017"; and

WHEREAS, under the provision of the laws relating to general law cities in the State of California, a General Municipal Election of the City of Cudahy (the "City") shall be conducted on Tuesday, March 7, 2017, for the election of the following municipal officers: City Councilmember – two (2) offices for four year terms; and

WHEREAS, it is desirable that the City's March 7, 2017 General Municipal Election, inclusive of the above-subject ballot measure, be consolidated with any and all elections to be administered by Los Angeles County (the "County") on the same date and that the City have the same precincts, polling stations, and election officers within the City for such election; and

WHEREAS, the City Council affirms its wish for the Office of the Registrar-Recorder/County Clerk for the County (the "Registrar") to canvass the returns of the City's March 7, 2017 General Municipal Election; and

WHEREAS, the City seeks the provision of election services from the County relating to the conduct of the City's March 7, 2017 General Municipal Election; and

WHEREAS, the City Council approves the printing of the General Municipal Election information for the election to be held on Tuesday, March 7, 2017, in the foreign languages requiring translation pursuant to the Voting Rights Act of 1965; and

WHEREAS, Elections Code Section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

WHEREAS, the City shall compensate the County for all necessary expenses incurred by the County in performing election services for the City, including such additional expenses now attributable to the addition of the above-subject ballot measure; and

WHEREAS, 15651(b) of the Elections Code authorizes the City Council, by majority vote, to adopt provisions to require the conduct of a Special Runoff Election to resolve a tie vote involving those candidates who received an equal number of votes and the highest number of votes for an elective office; and

WHEREAS, Elections Code sections 9280 et seq. sets forth the procedures and requirements for the preparation and submission of ballot arguments and corresponding rebuttal arguments in connection with City-initiated ballot measures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUDAHY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, as part of the call for a General Municipal Election as specified under prior Resolution No. _____approved _____2016, the City Council also orders submitted to the voters the following question:

Shall the 2017 Temporary Public Safety Funding Ordinance imposing a tax of $139 per parcel per year on single-family and unimproved property; $181 per dwelling per year on multifamily property; and between $1,550 to $49,600 per parcel per year on industrial, commercial, mobilehome park and other non-residential properties, be adopted for 5 years to raise approximately $2,000,000 per year to pay for approximately half of the City's annual cost of providing police services?	**YES [ ]**
	NO [ ]

This question requires 2/3's majority approval of those casting votes in order to be approved.

SECTION 2. That the complete text of the proposed ordinance submitted to the voters is attached as **Exhibit "A"** to this resolution.

SECTION 3. The ballots to be used at the election shall be in form and content as required by law.

SECTION 4. The City Council hereby directs the City Clerk to transmit a copy of the measure to the City Attorney. The City Attorney shall cause to be prepared an impartial analysis of the measure showing the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of the primary arguments.

SECTION 5. Direct Arguments In Support and In Opposition to Measure: As authorized under Elections Code Section 9282(b), the City Council reserves the right to file a written argument in favor of this Measure or authorize any member or members of the City Council to do the same. Pursuant to Elections Code Section 9282(b) written arguments for or against the Measure may also be submitted by any individual voter who is eligible to vote on the Measure; any bona fide association of citizens; any combination of voters and associations or such other persons or entities as may be authorized under Elections Code Section 9282(b). The foregoing notwithstanding, if more than one set of arguments "in favor of" or "in opposition to" the Measure is timely submitted to the City Clerk , the City Clerk shall select only one argument for and one argument against in accordance with the selection priority set forth under Elections Code Section 9287. That priority gives preference as follows: (a) The City Council or City Council-authorized members of the City Council; (b) The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure; (c) A bona fide association of citizens; then (d) Individual voters who are eligible to vote on the measure. Pursuant to Elections Code Section 9283, a ballot argument will not be accepted unless accompanied by the printed name and signature or printed names and signatures of the author or authors submitting the argument, or if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers who is the author of the argument. Pursuant to Elections Code Section 9283, no more than five (5) signatures shall appear with any argument submitted and if any argument is signed by more than five authors, the signatures of the first five shall be printed but not the signatures in excess of the first five. Ballot arguments in support of or in opposition to the Measure may not exceed 300 words in length. Consistent with Elections Code Section 9287(b), ballot arguments in favor of or in opposition to the Measure must be submitted to and received by the City Clerk by or before 4:00 p.m. on Friday, December 16, 2016. Arguments that are received by the City Clerk after this deadline will not be accepted. The City Clerk's Office is located at Cudahy City Hall, 5220 Santa Ana Street, Cudahy, California 90201.

SECTION 6. Rebuttals to Direct Arguments: Pursuant to Elections Code Section 9285, when the City Clerk receives an argument to the Measure that will be printed in the ballot pamphlet, the elections official shall send a copy of the argument in favor of the Measure to the authors of any argument against the Measure and a copy of the argument against the Measure to the authors of the argument in favor of the measure. To the extent permitted under Elections Code Section 9285(a)(2), the author or a majority of the authors of an argument (either in favor of or in opposition to) may prepare and submit a rebuttal argument or may authorize in writing any other person or person to prepare, submit or sign the rebuttal argument. No rebuttal argument may exceed 250 words in length. Pursuant to Elections Code Section 9285(a)(5), a rebuttal argument relating to the Measure may not be signed by more than five persons and shall be printed in the same manner as a direct argument and shall immediately follow the direct argument which it seeks to rebut. Consistent Elections Code Sections 9285 and 9287(b), rebuttal arguments must be submitted to and received by the City Clerk by or before 4:00 pm on Tuesday, December 27, 2016. Rebuttals that are received by the City Clerk after this deadline will not be accepted. Again, the City Clerk's Office is located at Cudahy City Hall, 5220 Santa Ana Street, Cudahy, California 90201.

SECTION 7. The City Council directs the City Clerk to transmit a copy of the Measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the Measure showing the effect of the Measure on existing law and the operation of the Measure. The impartial analysis shall be filed by December 12, 2016, with the City Clerk for the filing of direct arguments in favor of or in opposition to the Measure.

SECTION 8. The City of Cudahy shall reimburse the County Registrar for any additional costs attributable to the inclusion of the Measure as part of the City's General Municipal Election which the County Registrar with the administration of the City March 7, 2017 General Municipal Election.

SECTION 9. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 10. The City Clerk shall forward without delay, a copy of said resolution to the Los Angeles County Board of Supervisors, the Registrar and to the City Clerk of the City of Los Angeles.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this14th day of November, 2016.

_____
Baru Sanchez, Mayor

ATTEST:

_____
Richard Iglesias
Deputy City Clerk

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. _____ was passed and adopted by the City Council of the City of Cudahy at a regular meeting held on the 14th day of November, 2016 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Richard Iglesias
Deputy City Clerk

EXHIBIT "A"
(Option 2)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CUDAHY, CALIFORNIA ADDING A NEW CHAPTER 3.30 TO BE ENTITLED "2017 TEMPORARY PUBLIC SAFETY FUNDING ORDINANCE" TO TITLE 3 (REVENUE AND FINANCE) OF THE CUDAHY MUNICIPAL CODE.

THE PEOPLE OF THE CITY OF CUDAHY DO ORDIANE AS FOLLOWS:

SECTION 1. The Cudahy Municipal Code is hereby amended by the addition of a new Chapter 3.30 (2017 Temporary Public Safety Funding Ordinance) to Title 3 (Revenue and Finance) of the Cudahy Municipal Code. This newly added Chapter 3.30 shall state the following:

Chapter 3.30

2017 Temporary Public Safety Funding Ordinance

3.30.010 Definitions
3.30.020 Tax Imposed
3.30.030 Amount of Tax
3.30.040 Use of tax proceeds
3.30.050 Determination of uses and number of residential units
3.30.060 Collection with Property Taxes
3.30.070 Exemptions
3.30.080 Administrative Determinations; Appeal
3.30.090 Appropriations limitations
3.30.100 Administrative interpretation
3.30.110 Five-year Sunset.

3.30.010 Definitions.

As used herein, the following definitions shall apply:

"Consumer Price Index" or "CPI" means the Consumer Price Index for All Urban Consumers (CPI-U) for the Los Angeles-Riverside-Orange County area as published by the U.S. Department of Labor, Bureau of Labor Statistics. If the Consumer Price Index is discontinued or revised, such other government index or computation with which it is

replaced shall be used in order to obtain substantially the same result as would be obtained if the Consumer Price Index had not been discontinued or revised.

"Developed" shall be defined in administrative regulations adopted pursuant to Section 3.30.120

"Fiscal year" shall mean the period of July 1st through the following June 30th.

"Mixed-use property" shall be defined in administrative regulations adopted pursuant to Section 3.30.120.

"Multifamily residential parcel" shall mean any single real property parcel which contains two or more single family residential dwellings wherein none of the individual single family residential dwelling units possess its own unique assessor parcel number and each such dwelling is not alienable from any of the other dwellings on the single parcel. For purposes of this Chapter, the term multifamily residential parcel does not include real property parcels used for mobile home park use, whether or not any or all of the individual mobile home coaches is owned or leased by the occupant of the coach or is owned or leased by the owner or tenant of the real property parcel upon which the mobile home coach is located.

"Other parcel" shall mean all other real property parcels in the City, other than those satisfying the definition of single family residential parcel or multifamily residential parcels. For purposes of this chapter, the term "other parcel" shall include parcels use for mobile home park use, whether or not any or all of the individual mobile home coaches is owned or leased by the occupant of the coach or is owned or leased by the owner or tenant of the real property parcel upon which the mobile home coach is located.

"Occupied shall be defined in administrative regulations adopted pursuant to Section 3.20.120.

"Owner" shall mean the owner or owners of the real property that benefit from public safety services, as shown on Los Angeles County's most recent assessment rolls of the County of Los Angeles.

"Parcel" means the land, and any improvements thereon, designated by an assessor's parcel map and parcel number and carried on the secured property tax roll of Los Angeles County.

"Public safety services" means obtaining, furnishing, operating and/or maintaining police protection equipment or apparatus, paying the salaries and benefits of police protection personnel and support staff, and such other police protection services expenses as are deemed necessary by the City Council for the benefit of the residents and businesses of the City. Public safety services includes all of the foregoing whether or not the City provides such services directly using its own equipment and/or personnel or

whether provided by way of a contract with any other public law enforcement agency, including but not limited to the Sheriff's Department of the County of Los Angeles.

"Single-family residential parcel" shall mean any lawful single real property parcel with its own unique assessor parcel number containing only one (1) single family residential dwelling, whether or not the single family residential dwelling is detached or whether it is attached to another single family residential dwelling with its own separate assessor parcel number.

"Single-family residential dwelling" means a building or structure or portion of a building or structure composed one or more rooms, designed and lawfully used for human habitation as a separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single person or single family maintaining a household within said building or structure or portion thereof.

"Tax Administrator" shall mean the City Manager or designee.

"Unimproved" shall be in administrative regulations adopted pursuant to Section 3.30.120

"Vacant" shall be defined in administrative regulations adopted pursuant to Section 3.30.120.

"Year" shall mean the period from July 1st to the following June 30th.

3.30.020 Tax imposed.

A. An annual tax for public safety services ("tax") in the amounts set forth in Section 3.20.030 is hereby imposed on the owners of real property parcels within the City, whether such real property parcels are developed or unimproved and whether or not the real property parcel is occupied or vacant.

B. The tax is an excise tax imposed on the owner of each real property parcel subject to the tax. as of July 1st of each year.

C. The owner of each real property parcel giving rise to tax liability under this Chapter shall be responsible for the payment of the tax due and payable hereunder. The tax constitutes a debt owed by the owner to the City.

3.30.030 Amount of tax.

A. The tax on each real property parcel in the City shall depend on the following factors: (i) the use of real property parcel, including whether or not it is unimproved; (ii) in the case of multifamily residential parcels, the number of single family residential dwellings on the parcel; and (iii) in the case of other parcels, the size of the parcel. The tax per year on each parcel in the City shall not exceed the amount

applicable to the parcel, as specified below.

B. No later than July 15th of each year, Tax Administrator shall determine the amount of taxes to be levied upon the parcels in the City for the then-current fiscal year as set forth in this section.

Tax Rate Schedule

Parcel Use Type	Parcel Size (square feet)	Annual Tax Rate (Starting with FY2017-2018)
Single family residential parcel (single parcel contains only one single family residential dwelling)	N/A	$139 per parcel
Unimproved parcel	N/A	$139 per parcel
Multifamily residential parcel (single parcel contains multiple residential dwelling units)	N/A	$181 per residential dwelling unit on the parcel
Other parcel	0 to 9,999	$1,550 per parcel
	10,000 to 24,999	$3,100 per parcel
	25,000 to 49,999	$6200 per parcel
	50,000 to 99,999	$12,400 per parcel
	100,000 to 249,999	$24,800 per parcel
	25,0000 plus	$49,600 per parcel

C. With respect to mixed-use parcels, the applicable tax shall be determined as follows: (i) those portion of the real property parcel with uses that qualify as single family residential parcel uses shall be taxed at the rate applicable for single family residential parcels; (ii) those portions of the real property parcel with uses that qualify as multifamily residential parcel uses shall be taxed at the rate applicable to multifamily residential parcels; and (iii) and those portions of the real property parcel with uses that qualify as other parcel uses shall be taxed at a rate applicable to other parcels.

D. The foregoing tax rate schedule shall apply for the 2017/2018 fiscal year commencing July 1, 2017 and ending June 30, 2018. In order to keep the tax on each real property parcel in constant first year dollars for each fiscal year subsequent to 2017/2018, the tax per year shall be adjusted as set forth in this section to reflect any increase in the Consumer Price Index beyond the first fiscal year the tax is levied. The tax per year on each parcel for each fiscal year subsequent to the first fiscal year shall be an amount determined as follows:

Applicable Annual Tax Rate for the parcel for the current fiscal year	=	Applicable Annual Tax Rate for parcel for preceding fiscal year	X	Change in Consumer Price Index from April of current fiscal year to April of immediately preceding fiscal year or 1.02, whichever is less

Provided, however, that in no event shall the tax per parcel for any fiscal year be less than the amount established for the preceding fiscal year.

E. The taxes levied on each parcel pursuant to this section shall be a charge upon the parcel and shall be due and collectible as set forth in Section 3.30.060.

3.30.040 Use of tax proceeds.

A. All proceeds of the tax levied and imposed hereunder shall be accounted for and paid into a special fund designated for the provision of public safety services in the City.

B. In accordance with California Government Code Section 50075.3, the Finance Director shall file an annual report with the City Council that contains the tax funds collected and expended and the status of any project required or authorized to be funded with revenue raised by the tax imposed by this chapter.

3.30.050 Determination of uses and number of residential units.

The records of the County Assessor of the County of Los Angeles as of January 1st of each year and the records of the City shall be used to determine the actual use of each real property parcel and, for multifamily residential parcels, the number of residential units, for purposes of determining the tax hereunder.

3.30.060 Determination of uses and number of residential units.

A. The tax levied and imposed by this chapter shall be due and payable each year in the same manner, on the same dates and subject to the same penalties and interest as established by law for other charges and taxes fixed and collected by the County of Los Angeles on behalf of the City for the applicable year. The tax together with all penalties and interest thereon, shall constitute a lien upon each real property parcel upon which it is levied until it has been paid, and shall constitute a personal obligation of the record owner of the real property parcel.

B. In the event the County of Los Angeles does not collect any tax amount when due under this Chapter 3.30, then the City Council shall have the power to authorize the Tax Administrator, by resolution of the City Council to collect any tax amount and enforce all the provisions of this Chapter 3.30. In such cases, an assessment may be made by the City against the owner of a real property parcel in the manner provided by law. Any such unpaid tax amount collected by the City under this subsection (B) of this Section 3.30.060 shall be subject to all remedies provided under the Cudahy Municipal Code and other applicable law.

3.30.070 Determination of uses and number of residential units.

A. Nothing in this Chapter shall be construed as imposing a tax upon any person when imposition of such tax upon that person would be in violation of either the Constitution of the United States or the Constitution of the State of California.

B. The tax imposed by this Chapter shall not be levied upon any real property parcel owned by the federal government, the state government, any state agency, or any local government agency, including the City.

C. The tax imposed by this Chapter shall not be levied against a property owner with respect to any real property which has been exempted from the payment of ad valorem property taxes pursuant to Section 214 of the Revenue and Taxation Code, as that section has been interpreted by the laws, administrative regulations and judicial opinions of the State of California. The exemption under this subsection (C) of Section 3.30.070 extends to, but is not limited to, those real property parcels owned by religious organizations or other charitable or community service organizations that are exempt from the payment of ad valorem property taxes on the Parcel pursuant to Section 214 of the Revenue and Taxation Code.

3.30.080 Administrative Determinations; Appeal

A. In the event an owner of a real property parcel contends the annual levy of the tax established herein was erroneously computed, levied or paid, the owner of the real property parcel may apply for a correction of the levy or a correction of the rate of the tax levied against the real property parcel by timely submitting a claim to the Tax Administrator. Upon determination of the merit of each claim, including any error in the computation of the tax rate for the tax, or the levy of the tax against a particular real property parcel, the Tax Administrator shall cause the tax for that particular real property parcel to be corrected, as applicable and shall so advise the Los Angeles County Tax Collector or other appropriate official. If the Tax Administrator denies a claim for correction or overpayment or refund, the Tax Administrator shall notify the claimant in writing along with the reasons for such denial.

B. All claims, including claims of exemption, refund claims, overpayment claims, double payment claims or other errors relating to the tax for a particular year, shall be filed with the Tax Administrator within one (1) year following the date total payment of an annual tax levy is deemed due according to the real property parcel owner's annual tax bill. All such claims for refund of the amount of the overpayment or double payment shall be filed with the City on forms furnished by, and in the manner prescribed, by the Tax Administrator. The one-year appeal period shall also to apply to any sums alleged to have been overpaid as a result of the allegedly erroneous denial of any exemption set forth under 3.30.070.

3.30.090 Appropriations limitation.

In no case shall the revenues generated by the tax levied and imposed by this chapter exceed the limitation established by Article XIII-B of the Constitution of the State of California.

3.30.100 Administrative interpretation.

The City Council may, by resolution, adopt guidelines for administrative matters related to the interpretation and enforcement of this chapter. Such guidelines may establish new uses or may modify uses listed in Section 3.20.030 provided, that the maximum for any use can be no more than the rates set out in Section 3.30.030.

3.30.110 Sunset Period.

The tax imposed under this Chapter shall apply to the following property tax fiscal years: 2017-2018; 2018-2019; 2019-2020; 2020-2021; and 2021-2022 and will expire on June 30, 2022, unless extended by approval of the voters as required by law.

SECTION 2. Amendment or Repeal. The City Council is hereby authorized to adopt additional provisions consistent with the intent of this Ordinance and to amend the provisions of Section 1 of this Ordinance without voter approval, provided any such amendment does not extend the tax to the owner of a real property parcel that would otherwise not be required to pay the tax under its own terms; or which would increase the amount of the tax above the amount authorized by Section 2 of this Ordinance. The foregoing shall not prevent or otherwise prohibit the City of Cudahy from adjusting the amount of the tax paid by a real property owner to the extent that adjustment is attributable to a change in the use of the real property parcel or a change in the number of residential units on the real property parcel.

SECTION 3. Severability. If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person or circumstance, is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance, and their application to other persons or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon the certification of election results for the March 7, 2017 General Municipal Election contest demonstrating that the ballot measure seeking approval of this Ordinance received the requisite 2/3rds votes required for approval.

SECTION 5. Certification. The Mayor is hereby authorized to subscribe this Ordinance where indicated below to evidence its adoption by the voters of the City and upon that subscription, the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause it to be posted according to law.

PASSED, APPROVED AND ADOPTED THIS _____ DAY OF _____, 2017.

AYES:
NOES:

ABSTAIN
ABSENT:

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ATTEST:

_____
Richard Iglesias, Deputy City Clerk

_____

Baru Sanchez, Mayor

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Item Number
12B

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/Executive Director
Michael Allen, Community Development Manager

Subject: **Acceptance of Final Deliverable of the Sustainable Communities Planning Grant**

RECOMMENDATION

The City Council is requested to approve by resolution the Support, Development, and Implementation of the Enabling Sustainable and Equitable Growth in Cudahy, CA Document.

BACKGROUND

1. On February 14, 2014, the City Council approved Resolution No. 14-16 that allowed the formal submission of the Sustainable Communities Planning Grant and Incentives Program.

2. On August 13, 2014, The California Strategic Growth Council awarded the City of Cudahy Planning Department $105,913.

3. On August 4, 2015, UCLA presented and hosted sidewalk outreach at National Night Out seeking feedback from event participants.

4. Between August 2015 - June 2016, UCLA conducted Parks survey at Lugo Park, Cudahy Park, and Clara Expansion Park from park visitors.

5. On September 17, 2015, UCLA hosted Public Workshop #1: Parks to solicit feedback from workshop participants.

6. On October 9, 2015, UCLA and City Staff hosted Technical Advisory Committee #1:

Introduction, to review findings and seek professional guidance regarding the study.

7. On October 16, 2015, the City and UCLA hosted Developer Roundtable #1, to seek feedback directly from local and regional developers on development constraints.

8. On December 15, 2015, the City and UCLA hosted Focus Group #1: Parking, to seek feedback on parking issues within the City.

9. On February 29, 2016, the City and UCLA hosted Focus Group #2: Parking, to provide findings and recommendations from feedback provided regarding parking issues within the City.

10. On May 6, 2016, the City and UCLA hosted Technical Advisory Committee meeting #2 to provided feedback on the plan and recommendations.

11. On May 12, 2016, the City and UCLA hosted Developer Roundtable #2 , to provide findings and recommendations from feedback provided regarding development constraints.

12. On May 23, 2016, UCLA presented preliminary findings of the Parking Program at the City Council meeting.

13. On June 1, 2016, the City and UCLA hosted Public workshop #2: Project Recommendations, to propose and review all recommendations as a result of the feedback provided by all focus groups and developer roundtables.

14. On June 13, 2016, Herbie Huff of UCLA presented the Parking Action Plan to the City Council the presentation was an overview of the project, the parking-related outreach, and a summary of UCLA's recommendations for a new parking pilot program.

15. On October 17, 2016, UCLA presented the final report to the Planning Commission, who reviewed the document and recommends approval to City Council.

ANALYSIS

The Sustainable Communities Planning study seeks to intervene in systems and regulations that restrict the supply of housing and subsidize auto travel at the expense of other modes: namely, parking requirements and impact fees on development. City staff applied for this grant application/planning grant with the intention to developing recommendations to

further facilitate infill housing development by reducing or removing of parking requirements and by developing basic parameters for impact fees to fund walking, biking, and parks improvements.

The primary goal for the research conducted and compiled in the Enabling Sustainable and Equitable Growth in Cudahy Document is motivated by two things:

1. The increasingly dire affordability crisis in the region; and

2. The lack of stable funding sources for biking, walking, and open space in most of the region's communities.

Findings

As a result, the study found an existence of rampant Accessory Dwelling Unit (ADU) (i.e. secondary housing units/granny flats/etc.) construction, an extremely high rate of walking, low parking occupancies throughout the City, impact fees are likely to be a substantial source of financing given the low rate of development in the City, the community desires for parks maintenance and operations rather than new parks, and immediate and substantial concerns regarding the restrictions on overnight parking on City streets.

Recommendations

The following recommendations were formed based on the findings:

- Revised Local Development Regulations, a feasibility analysis for housing development projects, and varied parking, density, and height regimes;

- Implement a short-term overnight parking pilot program to address immediate parking issues, the removal of minimum parking requirements, and a project feasibility analysis for housing developments. This recommendation simplifies the permit process, reduces the costs of permits, and simplifies the requirements for residents to obtain permits. As of July 27, 2015, the City has adopted a modified version of our recommendations. Active management of on-street parking enables the City to manage on-street parking so that availability is consistent and guaranteed, without imposing high and inequitable costs of minimum parking requirements. Removing parking minimums gives developers the freedom to provide as much or little parking as they like. The project feasibility analysis for housing developments shows that simply reducing the requirement from 2 spaces per unit to one space per unit makes a difference in the types of developments that are feasible;

- Two regulations in particular constrain developers: the height limit and the maximum

density. Citywide, the maximum height of a residential building is limited to two stories or 35 ft, whichever is less. Maximum densities are considered quite low, ranging from nine - 30 units per acre. Both the developer roundtable and the project feasibility analysis indicate that these restrictions prevent developers from pursuing projects in Cudahy. At the same time, the community is opposed to lifting restrictions citywide, but has shown support for lifting them in selected zones. Therefore, it is recommended that the City permit greater heights and density in various zones based on community feedback; and

- The impact fee must be implemented after the reduction of minimum parking requirements, in order to ensure that the overall burden on developers is not increased. The challenge for the active transportation impact fee is that there are few models of the relationship between growth and active transportation. More work is needed to develop empirically sound models the relationship between growth and active transportation.

The acceptance of the document will enable the City to apply for additional funding. External funds, such as grants, will help the City offset cost. This will provide the community additional funding and ultimately provide residents with more or aid the City to maintain services and public goods.

CONCLUSION

Through the various community workshops, research, and collaboration with City staff, the study and findings effectively developed recommendations to help address the housing affordability and lack of infrastructure in Cudahy. The recommendations and suggested policy changes will be incorporated into the City's ongoing Cudahy 2040 General Plan Update.

FINANCIAL IMPACT

The Enabling Sustainable and Equitable Growth in Cudahy document was funded through the Sustainable Communities Planning Grant and Incentives Program through a grant award amount of $105,913. The grant was reimbursable and payed for the consultant and staff time spent on the implementation of this planning grant.

ATTACHMENTS

A. City Council Resolution
B. Planning Commission Resolution No. 16-02
C. Enabling Sustainable and Equitable Growth in Cudahy, CA Document

RESOLUTION NO. 16-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY APPROVING BY RESOLUTION THE SUPPORT, DEVELOPMENT, AND IMPLEMENTATION OF THE ENABLING SUSTAINABLE AND EQUITABLE GROWTH IN CUDAHY, CA DOCUMENT.

WHEREAS: The Sustainable Communities Planning Grant and incentives Program is funded by Proposition 84, the Safe Drinking Water, Water Quality and Supply Flood Control River and Coastal Protection Bond Act of 2006;

WHEREAS: On February 14, 2014 The City Council approved Resolution No. 14-16 that allowed the formal submission of the Sustainable Communities Planning Grant and Incentives Program;

WHEREAS: The goal of the grant program is to fund development and implementation of plans that lead to reductions of greenhouse gas;

WHEREAS: The implementation of Enabling Sustainable and Equitable Growth in Cudahy will create financing mechanisms that sustain active transportation and parks;

WHEREAS: The implementation of Enabling Sustainable and Equitable Growth in Cudahy seeks to promote public health, equity, housing affordability, and increase infill and compact development.

WHEAREAS: This matter was duly posted and set for public hearing for the October 17, 2016 Planning Commission meeting at 6:30 p.m. The Planning Commission Approved PC Resolution No. 16-02.

NOW THEREFORE, the City Council of the City of Cudahy hereby resolves:

Section 1: The City of Cudahy pledges support implementing Enabling Sustainable and Equitable Growth in Cudahy;

Section 2: The City of Cudahy pledges to improve walkability and active transportation Citywide;

Section 3: The City of Cudahy supports community design that enables sustainable development practices that create walkable communities;

Section 4: The City of Cudahy will actively seek funding for the implementation of the Enabling Sustainable and Equitable Growth in Cudahy.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at a regular meeting on this 14th day of November 2016.

_____
Baru Sanchez
Mayor

ATTEST:

_____
Richard Iglesias
Deputy City Clerk

CERTIFICATION

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

I, Richard Iglesias, Deputy City Clerk of the City of Cudahy, hereby certify that the foregoing Resolution No. 16-XX was passed and adopted by the City Council of the City of Cudahy, signed by the Mayor and attested by the Deputy City Clerk at a regular meeting of said Council held on the 14th November, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Richard Iglesias
Deputy City Clerk

PC RESOLUTION NO. 16-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CUDAHY RECCOMENDING THE APPROVAL BY RESOLUTION THE SUPPORT, DEVELOPMENT, AND IMPLEMENTATION OF THE ENABLING SUSTAINABLE AND EQUITABLE GROWTH IN CUDAHY, CA DOCUMENT.

WHEREAS: The Sustainable Communities Planning Grant and incentives Program is funded by Proposition 84, the Safe Drinking Water, Water Quality and Supply Flood Control River and Coastal Protection Bond Act of 2006;

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Section 4: The City of Cudahy will actively seek funding for the implementation of the Enabling Sustainable and Equitable Growth in Cudahy.

PASSED AND APPROVED THIS 17th DAY OF OCTOBER, 2016 BY THE FOLLOWING ROLL CALL VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED AS TO FORM:

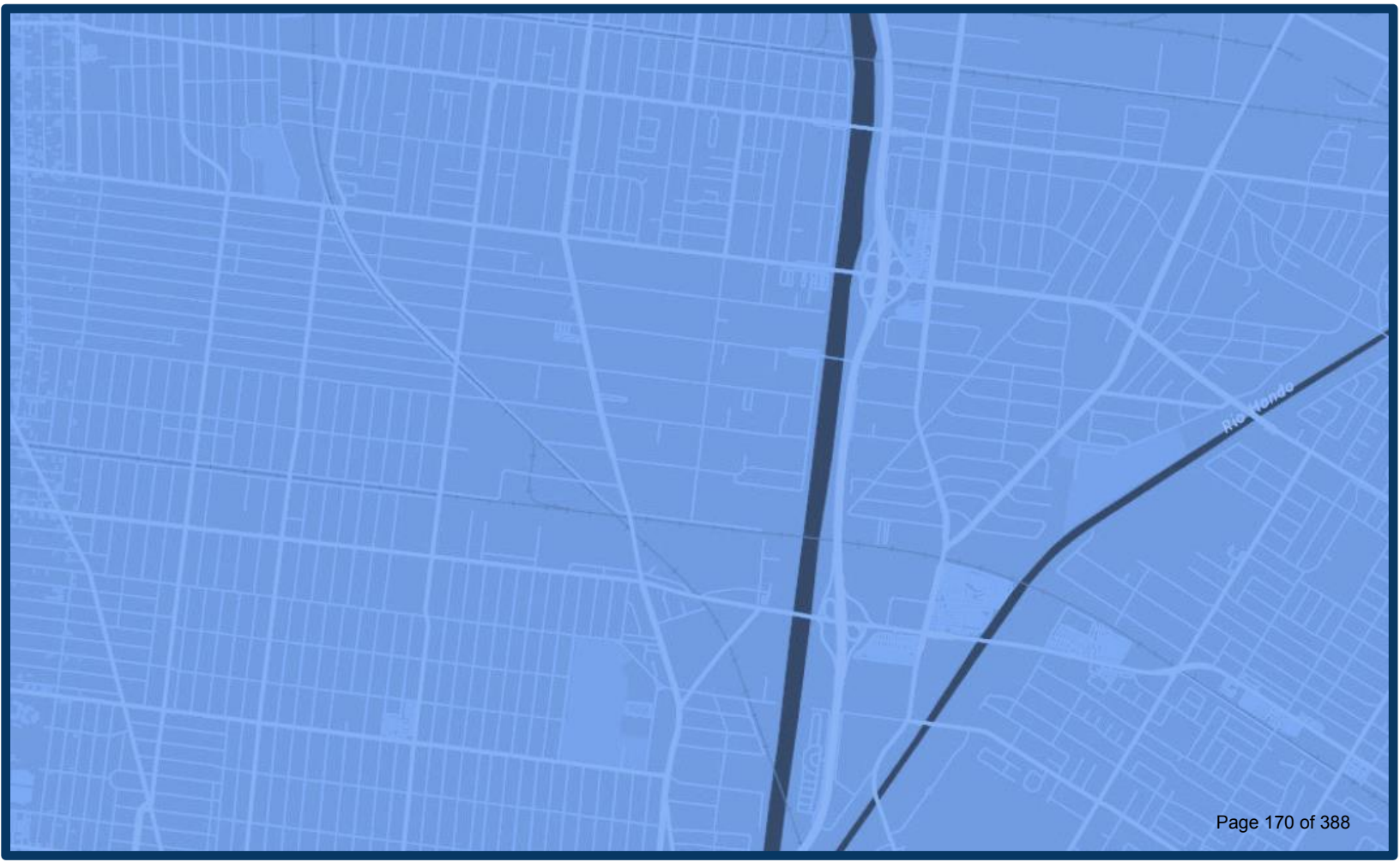
ATTEST:

Marin Fuentes Commissioner Chair	Michael Allen Community Development Manager

Enabling Sustainable and Equitable Growth in Cudahy, CA

UCLA Project Manager	Herbie Huff
UCLA Project Team	Rachel Wells, Casey Stern, Diana Benitez, Edith Rodriguez
From Lot to Spot Team	Viviana Franco, Maria De Leon
City of Cudahy Staff	Michael Allen, Didier Murillo (former)

Project Timeline April 1st, 2015 - July 29th, 2016



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Executive Summary

Project Motivation and Goals

This project is funded by the Strategic Growth Council under their Sustainable Communities Planning Grant with a primary project goal of promoting infill. This work is motivated by two things: 1) the increasingly dire affordability crisis in our region and 2) the lack of stable funding sources for biking, walking, and open space in most of our region's communities. We seek to intervene in systems and regulations that restrict the supply of housing and subsidize auto travel at the expense of other modes: namely, parking requirements and impact fees on development. We seek to facilitate infill by reducing or removing parking requirements and by developing the basic parameters for an impact fee to fund walking, biking, and parks.

The project scope of work was initially more focused on impact fees as a significant source of revenue, but a better understanding of the local context has shifted attention away from the impact fee. There is currently very little development in Cudahy. Impact fees are predicated on a specific local dynamic whereby the market for growth is strong and political power lies in the hands of local officials, not developers. That dynamic may be present in most places where infill growth is being proposed or encouraged, but it is not present in Cudahy. There is almost no market for development, and most of the development that is occurring is unpermitted accessory dwelling units. Reducing parking requirements is not likely to unleash a flood of new development in the City which then produces revenue for the City via an impact fee.

So, we do not devote such significant attention to proposing an impact fee for Cudahy, although we do outline the basic parameters for such a fee. We still pursue the original goals: to promote infill and to create financing mechanisms that sustain active transportation and parks. Parking reform is still a large component of this work, as is sustaining local finance.

We also want to advance some important secondary goals. One of these is to collect useful information that the City can use in grant applications. External grants will continue to be a valuable source of funding for active transportation and parks, so this advances our primary project goal. From a practical standpoint, it also implies that we want to deliver the data itself to the City in usable format, and that we aimed to make our data collection at times more general than the narrow scope of this project.

Our means to these ends are data collection and observations, but also, importantly, outreach. We've worked with the local residents throughout, and our fundamental orientation is that planning should serve the poor and underserved.

Literature and Best Practices Review

We reviewed the literature, looking for best practices or studies on regulating for affordable growth. The literature notes that interjurisdictional spillovers are a common problem, an issue that is especially germane in Cudahy. The literature and best practices are very much dominated by larger cities with strong real estate markets. This reading was valuable in shaping our understanding of impact fees specifically and local public finance more broadly. We also review the literature on parking reform, and best practices for regulating and managing parking. Finally, we review the literature on financing parks and active transportation, and find promising solutions in the form of grants and infrastructure financing districts.

Context: the City of Cudahy

Population

According to the 2014 American Community Survey, there are an estimated 24,073 people residing in Cudahy. The city has an estimated population density of 21,254 persons per square mile. Amongst incorporated places, Cudahy has the 13th highest population density in the country; the nearby City of Maywood ranks 9th, with 23,216 persons per square mile. Since the 1970's Cudahy's population has grown by almost 42%, from 17,000. In the last fifteen years, however, population has declined by 0.6%, consistent with other cities in southeast Los Angeles County.

Cudahy can be characterized as a working-poor and primarily immigrant city. The median household income is $37,800 and the mean household income is $44,600; on average, residents of Cudahy earn less than residents of the County of Los Angeles, where the median income is $55,900. According to the 2014 American Community Survey, 97.7% of the population identifies as Hispanic or Latino, and 77.6% of Hispanic or Latino residents are of Mexican descent. With regards to nativity, 52% of Cudahy residents are native-born U.S. citizens, 12% are foreign-born U.S. citizens, and 37% are non-U.S. citizens.

Parks

Public parks, and the passive and active recreation opportunities that they provide, are important contributions to Cudahy's quality of life. The City maintains and operates five public parks and recreation centers, spanning 18.2 acres. Park users have access to a wide range of facilities including game courts, athletic fields, picnic areas, play lots and a community center. Based on population estimates from the 2014 American Community Survey, Cudahy has a population of 24,073, meaning that the City provides approximately 0.76 acres of parkland per 1,000 residents.

Figure 1.1 Overview map of Cudahy's park system.

Transportation System

The transportation system in Cudahy consists of a roadway network dominated by Atlantic Avenue, collector streets, and local streets. The Long Beach Freeway, located due east of the City, provides regional access to the City.

For Cudahy residents, public transportation services are provided by the Metropolitan Transit Agency (MTA) and the Cudahy Area Rapid Transit (CART). MTA Lines 260 and 762 (rapid) run north/southbound on Atlantic Avenue, and lines 611 and 612 run east/westbound along Santa Ana Street and Otis Avenue, respectively. In total, an average of 2,660 boardings are recorded each day in the City of Cudahy. The local transit service, CART, provides fixed-route transit in most of Cudahy. On-demand services for person with doctors' appointments are provided via taxis subsidized by the City. In addition to bus service, Cudahy is within four miles of the Long Beach Blvd station for the green line and the Florence Station for the Blue Line. Although there are no designated bicycle lanes within Cudahy's borders, a bicycle trail runs along the adjacent Los Angeles River.

Recent Development

Recent development has been limited, but the City of Cudahy reported the construction of 93 units between 2005 and 2009, and 32 units between 2011 and 2014. The city reported two commercial developments within the last 15 years. With regards to housing, the City intends to increase the number of available units and meet the Regional Housing Needs Assessment (RHNA) requirements through the implementation of two development strategies—infill and vacant parcel development. Proposed changes would increase allowable zoning densities to 20 dwelling units per acre to encourage additional infill development. In addition to infill development, the 2013 Housing element identified 11 vacant sites which are zoned for high density residential and community commercial. As most of the City is built out and open space is limited, growth will likely occur through redevelopment and revitalization.

Development Standards

In the 2013 Housing Element Update, Cudahy acknowledged the severe deficiency between the number of residents and the number of available housing units. The City recognized that restrictions on residential density and building height will have to be eased in order to promote the production of new housing, while still maintaining affordability.

Citywide, the maximum height of a residential building is limited to two stories or 35 ft, whichever is less. Out of 3,580 residential buildings citywide, 85% are one-story buildings and 15% are two-story buildings; the average building height is 13.9 ft.

Residential density restrictions for each land use designation are outlined in the table below.

Table 1.1 Density restrictions per land use designation

Land Use	Description	Maximum Density
Low Density Residential	Single-family development on small lots	9 DU/acre
Medium Density Residential	One or two single-family units on a lot or multifamily developments	12 DU/acre
High Density Residential	Single-family and multifamily developments on lot that are predominantly one-half acre in size	<1 acre: 16 DU/acre 1-1.9 acres: 20 DU/acre 2-2.9 acres: 25 DU/acre 3+ acres: 30 DU/acre
Community Commercial	Service and retail stores as found along the Atlantic Avenue corridor. Also includes mixed use.	Maximum 1.5 FAR

Overnight Parking

In 2015 the City initiated a pilot parking program to allow residents to purchase permits for overnight parking. Up until that point, Cudahy had banned parking on city streets between 3 a.m. and 6 a.m. To participate in the current pilot program, residents must present to City Hall staff a valid photo-ID and vehicle registration, and documentation establishing a parking burden. Eligible residents may purchase one overnight parking permit per dwelling unit; permits are priced at $1 per day for residents and $2 per day for guests. On street sweeping days, however, overnight parking is prohibited, regardless of whether a permit has been obtained. Residents can, however, purchase a separate weeklong guest permit to allow them to park overnight on street sweeping days.

Local Public Finance: Revenues and Expenditures

The City currently operates at a deficit and has drawn down most of a small reserve over the course of the last few years. Local sales tax, various small user fees, and intergovernmental transfers (primarily Measure R/Prop C, vehicle registration local

return, and a property tax return from the State) constitute the bulk of the revenue. Expenditures are as below.

Table 1.2 City of Cudahy expenditures by personal and operation costs

Department	Personnel	Personnel Costs	Operating Expenses	Total Expenses
City Council	0	$69,093	$46,040	$115,133
City Attorney	0	$0	$300,000	$300,000
City Clerk	1	$122,457	$22,110	$144,567
City Manager's Office	3	$300,387	$316,758	$617,145
Finance	5	$500,980	$168,427	$669,407
Community Development	5.33	$464,982	$663,382	$1,128,364
Parks and Recreation	9.13	$248,125	$664,302	$912,427
Public Safety	3	$142,612	$3,894,087	$4,036,699
Public Works	6.38	$506,024	$579,070	$1,085,094
Facilities Operation	1	$22,497	$984,416	$1,006,913
TOTAL EXPENSES				**$10,015,749**

Observations: Parks, Transportation, and Parking

Parks

We were interested in determining how well parks serve the local community. Through an observational study, we were able to estimate how many people use each park, and see what types of physical and leisure activities occur. Surveyors spoke with community members to find out how they view the parks and what they would like to see changed. In particular, we wanted to know what was more important to residents - new parks or park improvements? From observations and surveys, we have the following results.

- Based on system-wide observations, the most common physical activities performed by children and teenagers were soccer, basketball (outdoors), baseball/softball, skateboarding and playground use. Amongst adults, popular physical activities included baseball/softball, soccer, basketball (outdoors) and walking. Adults also utilized the parks for celebrations, picnics, and local events, as well as more leisurely activities like sitting, relaxing, and supervising children.

In general, it was less common for seniors to use park facilities; the most popular activity amongst seniors were sitting in the park, walking, and attending celebrations.

- The playgrounds, soccer fields, and event spaces were the most consistently used amenity within parks. The most underutilized facilities included the tennis courts in Cudahy Park and the gymnasium in Clara Park; these spaces could potentially be converted to accommodate more popular uses and/or the requested improvements

- At the focus group sessions, community members made several negative comments on the condition of park facilities. Many described the bathrooms as being "dirty" and "unclean," suggesting that upkeep was infrequent and insufficient. Survey respondents confirmed the presence of graffiti and litter in the park, which is a strong indication of a lack of upkeep. Likewise, the majority of respondents felt that lighting within the parks is adequate. Fortunately, the presence of glass or other dangerous items is uncommon.

- Overall, residents characterize the parks as being safe – 56.5% responded that parks were "safe" or "very safe." Conversely, 37.7% of respondents described parks as being unsafe; they expressed concern over drug use, criminal activity, gang presence, and homelessness. Although the majority of respondents rate the parks as being safe, only 5 stated that they felt comfortable letting their child visit a park on their own.

- Respondents assigned greater importance to improving existing facilities and providing additional programming, than to providing additional parks. Given the constraints on vacant / open space in Cudahy, the former two options are more achievable. Residents expressed a preference for programmatic improvements, with adult sports leagues, fitness and dances classes, and park events and fairs, receiving the most support.

Cudahy is severely underserved by park and recreation facilities. As mentioned in the Current Conditions section, the City provides approximately 0.74 acres of parkland per 1,000 residents. This value falls well short of the City's goal of providing 4 acres of parkland per 1,000 residents, as established in the 2013 General Plan. To achieve this ratio, Cudahy would have to provide an additional 79 acres of parkland, which is nearly

impossible due to the the City's small size, lack of vacant land and dense population. Given that, we suggest that the City focus its efforts on improving existing park facilities, increasing staffing and offering new and expanded programs. The activities, classes, and leagues offered should be affordable and accessible to all Cudahy residents. Parks programs should aim to be revenue neutral, utilizing user fees as is feasible.

Transportation

The American Communities Survey has data at the city level on commuting to work, but travel to work will differ from other types of travel. To get a picture of non-work travel, we collected 132 surveys in Fall 2015 in shopping centers during both weekend and weekdays and where people were traveling to and mode of travel. We also conducted 25 park surveys that asked how people traveled to the park and pedestrian counts at 6 different locations. From surveys, pedestrian counts and observations, we have the following results.

- Driving is common but Cudahy also has high rates of walking and carpooling. Driving is still a common mode of transit, whether for errands or for commuting for work. However, both surveys and pedestrian counts identified very high levels of walking. We consistently observed walking mode splits ranging from 20-50%, much higher than the Los Angeles metro mode split for walking, which is 9%. (Blumenberg et al, 2016). In surveys at shopping centers and at parks, the rate of walking was more common than using public transit. For commuting to work, we found a high rate of carpooling to work compared to LA County as a whole, especially for non US citizens and for workers who are between 100 – 150% of the poverty level.

- Mode of travel depends on destination. While we only have preliminary findings, we found differences in the mode of travel between the different survey locations and based on how far people were traveling. Respondents going to or from other locations in Cudahy had a higher rate of walking while residents going to and from locations in other cities had a higher rate of driving.

- Role of carpooling for work travel. Compared to LA county rates, Cudahy has a higher percentage of people who carpool for work travel. Discussions on transportation that do not include carpooling may not have a full understanding of the overall transportation picture.

- Regional nature of some travel. While survey respondents were most likely to report traveling to other locations in Cudahy, many residents reported that their next destination was in another Gateway city or a city in Southeast or East Los Angeles County. This survey results shows that travel is not only within Cudahy but within the Gateway or larger region.

In summary, cars play an important role, especially around getting to work, but Cudahy also has a high amount of walking. Rather than a policy focus on reducing car travel or getting people to switch modes, in Cudahy the policy focus should be on sustaining this walking and supporting it over time.

Cudahy is a small city and residents not only travel to other locations in Cudahy but to other Gateway cities or the larger region. Travel boundaries do not stop at the Cudahy city boundary and regional planning is critical when looking at transportation infrastructure. This can also present a challenge for Cudahy as even when the City creates transportation policy, they will still be affected by transportation policies in nearby cities.

Parking

Parking reform includes revising not only parking minimums, but also a municipality's on-street parking policy. Adjustments should be based on real parking demand data and clear policy logic given the goals of the City. To estimate the demand for on-street parking in Cudahy, daytime and overnight occupancy counts were carried out over the course of several weeks. Driving along a predetermined route, the survey teams observed parking occupancy on all city streets, excluding public alleys and private driveways. The supply of on-street parking was estimated as 3,150 parking spaces. From the parking study, we have the following results.

- Peak parking occupancy was observed on Saturday afternoon, after 4:00 PM, when 43% the City's parking stalls were observed to be occupied. Midweek, occupancy reached a maximum of 39%. Overnight, parking occupancy was at 7% with 258 cars parked on the the streets. only one street reached an occupancy rate above 50% - on Clara Street, between Wilcox Avenue and River Road.

- In general, higher rates of occupancy were observed in areas zoned for residential use. On weekday mornings, however, peak parking demand occurred in the southern portion of the City, where commercial manufacturing uses are concentrated.

Despite the City's high population density, there is typically ample off-street parking available at any given time and in any given section of the City. There is an effective lack of user-friendly and available overnight parking. These observations support the overnight parking action plan, legalization of ADUs, and removal of minimum parking requirements.

Public Outreach

Outreach with a diverse group of stakeholders helped ensure that recommendations would be based on community experiences and priorities and that recommendations would work with Cudahy's context. We engaged with residents in several ways, including focus groups, community input sessions and surveys. Much of the resident feedback focused on parks and parking policy as these two areas both matter for current residents and are affected by future development. In addition to meeting with residents, we also solicited input from developers, community organizations, and technical experts through a technical advisory committee and developer roundtables. Outreach took place between August 2015 and June 2016. It's worth noting that there are a number of ongoing changes in the City that are not necessarily reflected in this feedback, notably to parks programming and services, maintenance, and overnight parking regulations. In addition, the coming years will see implementation of over $7M in grant funds for pedestrian and vehicle safety, which are not reflected in this feedback.

Residents were extremely invested in providing feedback to improve their city, especially related to overnight parking and improving their city parks. The first community meeting focused on parks. Residents described their use of the parks and many of the residents indicated frequent use. While residents described different concerns and suggested improvements, residents frequently mentioned having cleaner restrooms and additional activities at parks as the most important improvements.

The two focus groups focused on overnight parking and the current pilot program for overnight parking permits. At the first focus group, residents described concerns with the current pilot program. Residents supported the idea of having a permit process for overnight parking instead of allowing parking without a permit, but residents were in strong agreement that the current process needed revisions. A main concern was around nights when residents can not park due to street sweeping. For the second focus group, we presented two recommendations: simplify the current permit process or allow overnight parking without permit. Residents preferred to have permit process

and felt the current price was too high but residents differed on how to simplify requirements.

Meetings with developers and the technical advisory committee also helped to shape recommendations. The technical advisory committee helped to place this project in a larger regional context, acknowledge challenges that could affect the success of any initiatives, and provide examples of community engagement. The developer roundtable included both nonprofit and for-profit developers. The participants raised concerns around the idea of having an impact fee and brought attention to the burden of some of the current regulations such as restrictions on building height.

Summary of Outreach Activities

Table 1.3 displays the various outreach activities, their dates, and the number of participants.

Table 1.3 Outreach activities, dates, and attendance

Activity	Date(s)	Attendance or Number of People Engaged
Sidewalk outreach at National Night Out	August 4, 2015	Unknown
Parks survey	August 2015–June 2016	73
Public workshop #1: parks	September 17, 2015	32
Technical Advisory Committee #1: introduction	October 9, 2015	8
Developer roundtable #1	October 16, 2015	4
Focus group #1: parking	December 15, 2015	8
Focus group #2: parking	February 29, 2016	14
Technical Advisory Committee #2: project recommendations	May 6, 2016	7
Developer roundtable #2	May 12, 2016	1
City Council General Plan Study Session	May 16, 2016	NA
City Council meeting	May 23, 2016	NA
Public workshop #2: project recommendations	June 1, 2016	23

Recommendations

These recommendations are informed by the findings from our observations, public outreach, and developer roundtables. To reiterate, some of the key findings are: the existence of rampant ADU construction, the extremely high rate of walking, the low parking occupancies throughout the City, the fact that an impact fee is likely to be a substantial source of financing given the low rate of development in the City, community desires for parks maintenance and operations, rather than new parks, and immediate and substantial concerns regarding the restrictions on overnight parking on City streets.

Revised Local Development Regulations

We conducted a feasibility analysis for various housing development projects under various parking and density and height regimes. By revealing what types of projects can pencil out financially under various regulations, this analysis informs the recommendations that follow.

Parking

We are recommending a short-term overnight parking pilot to address the immediate issue which is that overnight parking in the City is effectively prohibited, and to park overnight, residents must get go through a burdensome permit process that requires them to go to City Hall to get new permits every week. Our recommendations simplify the permit process, reduce the costs of permits, and simplify the requirements for residents to obtain permits. As of July 27, 2015, the City has adopted a modified version of our recommendations.

Active management of on-street parking is a practical and political prerequisite for reform of off-street parking requirements. If on-street parking is consistently very difficult to find, or in the case of overnight parking in Cudahy, prohibited, this creates a political imperative to build off-street spaces and maintain minimum parking requirements. Permits enable the City to manage on-street parking so that availability is consistent and guaranteed, without imposing the high and inequitable costs of minimum parking requirements.

Upon successful completion of the overnight parking pilot, we recommend that Cudahy move towards the removal of minimum parking requirements. Removing parking requirements will not prohibit developers from including parking in their projects. Rather, removing parking minimums gives developers the freedom to provide as much or little parking as they like. The developer will provide the amount of parking spaces they think buyers will demand. Lenders also often make the provision of financing conditional on providing parking in the development.[1]

The project feasibility analysis for housing developments shows that simply reducing the requirement from 2 spaces per unit to one space per unit makes a great deal of difference in the types of developments that are feasible. ADUs will rarely be feasible with a requirement of even one space per unit. Thus, a logical next step would be to reduce residential parking requirements to one space per unit, with a separate regulation for accessory dwelling units that does not require any parking for those units. This step could be taken after the initial monitoring of the overnight parking action plan, in mid-2017. A few years after implementing this, the City could consider further reductions, perhaps around transit stations, or reductions to commercial parking requirements.

Density and Height

Two regulations in particular constrain what developers can currently build in Cudahy: the height limit and the maximum density. Citywide, the maximum height of a residential building is limited to two stories or 35 ft, whichever is less. Maximum densities are likewise quite low, ranging from 9-30 units per acre depending upon the zone.

Both the developer roundtable and the project feasibility analysis indicate that these restrictions prevent developers from pursuing projects in Cudahy. At the same time, the community is opposed to lifting restrictions citywide, but has shown support for lifting them in selected zones. Therefore, we recommend that the City permit greater heights and density along Atlantic Avenue and areas zoned for Community Commercial use. Based on community feedback, a height limit of 5 stories is reasonable. In addition, above five stories, the construction methods and materials qualitatively change the nature of the project. We also suggest increasing the maximum building height by at least one story in areas zoned for High Density Residential use. In addition, it would be prudent for the City to upzone parcels bordering the Los Angeles River for higher

[1] It is typical for a lender to require at least one space per dwelling unit.

densities, as demand for their development will almost certainly increase once the river revitalization process begins. To be effective, height and density standards would have to be adjusted simultaneously, as the most restrictive requirement that remains will be what prevents project feasibility. The City should also consider implementing a Graduated Density Zoning program to promote targeted, dense development. With Graduated Density Zoning, higher densities are allowed on larger parcels (Shoup, 2008). Ultimately, efforts to improve the regulatory environment for development will put the City in a better position to exact fees or ask developers for affordable housing.

Towards an Impact Fee for Parks and Active Transportation

The impact fee must be implemented after the reduction of minimum parking requirements, in order to ensure that the overall burden on developers is not increased. Here we assume that minimum parking requirements have been reduced by at least one space per unit. Thus, the magnitude of the total impact fee for parks and active transportation should strictly not exceed $8000, the cost of one surface parking space. Setting the amount of the fee is an exercise in balancing competing demands: on the one hand, the smaller the fee, the smaller the impact on potential project feasibility. On the other hand, the larger the fee, the more revenue collected per project. A first guess is $2,000 per unit for accessory dwelling units and $3,000 per unit for multi-unit buildings.

The primary challenge for the parks impact fee is that the City's parks needs are not capital in nature, and the use of impact fees for non-capital (or arguably non-capital) expenses is legally uncertain. A more thorough legal review is necessary. The rough magnitude of the maintenance needs, amortized over a 50-year unit lifetime, and assuming two persons per unit, is about $2,500.

The primary challenge for the active transportation impact fee is that there are relatively few models of the relationship between growth and active transportation, and what few exist posit these modes as ways to reduce vehicle trips. When biking and walking are primarily viewed as ways to reduce vehicle trips, support (financial and political) for these modes is diminished when vehicle travel is reduced in more direct ways, such as parking reform and pricing driving. In other words, this scheme inadvertently pits biking and walking against directly dealing with the problems with driving and cars. More work is needed to develop empirically sound models the relationship between growth and active transportation.

At over $6.4M, the City's capital needs for active transportation would need to be spread over thousands of units in order to be conceivably funded by a development impact fee. But it is not unimaginable that perhaps half of these costs could be funded by a modest $2,000 / unit fee spread out over 1,500 units over the next twenty years. With regulatory revisions and upzoning, construction at that rate is plausible.

Motivation and Goals

This work is motivated by two things: 1) the increasingly dire affordability crisis in the Los Angeles region, a crisis that is especially acutely felt in low-income communities like Cudahy; and 2) the lack of stable funding sources for biking, walking, and open space in most of our region's communities. We seek to intervene in systems and regulations that restrict the supply of housing and subsidize auto travel at the expense of other modes: namely, parking requirements and impact fees on development.

The inspiration for this work is also a desire to reverse the way in which growth has been done in the U.S. for most of the last century: predict growth in car ownership and auto trips, and systematically provide parking and roadway capacity. It is funded by the Strategic Growth Council under their Sustainable Communities Planning Grant with a primary project goal of promoting infill and a secondary goal of promoting equity.

Why Cudahy?

After decades of sprawl, state and regional governments are now focused on encouraging compact, infill and transit-oriented growth as a key strategy to reduce vehicle travel and greenhouse gas emissions. According to this logic, growth in already-developed areas that are more central and better-served by transit will result in less driving and fewer emissions. Cudahy is such a community, and has upzoned a significant portion of the City to accommodate future growth.

But Cudahy is also unprepared for growth in various ways. First, it has fundamental existing deficiencies in water and sewer infrastructure. The City needs to assess such deficiencies as well as future needs, and develop a financing mechanism to sustain these systems. Second, there has been very little permitted development in Cudahy in the past decade. This indicates that the market for new development is poor, and points toward the possible existence of regulatory barriers that affect financial feasibility of new development. Finally, when the City does grow, it lacks a financing mechanism to sustain public infrastructure; the City struggles with constrained resources. There is no local funding source for infrastructure for walking, biking, and transit access, which are crucial to support a growth strategy aimed at overall reductions in auto travel and emissions. Likewise, the City will have difficulty maintaining and expanding its park system for a growing population.

The community in Cudahy is primarily low-income, Latino families, a significant proportion of whom do not have English proficiency. The City ranks in the top decile for measures of poverty, linguistic isolation, and low educational attainment in CalEnviroscreen. The community's challenges are numerous, from a high housing and transportation cost burden, to limited access to healthy food, to high rates of obesity and asthma.

The proposed work directly benefits the most vulnerable by addressing a critical need in the City of Cudahy and the surrounding region: the need for more housing. The need for affordable housing is especially dire, as over 35% of the City's residents pay over 50% of their income in rent.Additionally, the City faces severe overcrowding with 25% of the City's total number of occupied units considered overcrowded (over 1.01 persons per room), and 9.5% severely overcrowded (1.51 persons per room). Without the intervention of this work program, it will be impossible to build housing in Cudahy without incurring serious failures of public infrastructure, particularly the water system. The City's ability to move and park private vehicles is reaching capacity, and this work program enables new growth to take place in concert with a multimodal system of mobility and access. In sum, this work program allows the community to invite new residents and businesses without overwhelming existing public systems.

Goals

The project thus has two primary goals: (1) we seek to identify and remove unnecessary regulatory barriers to growth in Cudahy, and (2) we seek to create financing mechanisms that will sustain multimodal transportation infrastructure and park access under future growth.

Toward the first goal, we begin with an attention to minimum parking requirements. These are the largest regulatory burden placed on developers in Cudahy, and a requirement that drives accessory dwelling unit (ADU) construction underground because it is nearly impossible to build an ADU that complies with parking minimums. They also have well-documented unintended consequences: parking minimums drive up the cost of housing, degrade urban design, and subsidize auto travel at the expense of all other modes. We conduct outreach, data collection, and policy analysis to support the removal of parking minimums; this also entails careful attention to and recommendations regarding the management of on-street parking. We also conduct focus groups with developers to understand their incentives and perspective. We aim to enable affordable growth in particular and to prevent displacement, so we particularly

engage with developers and community groups who can advise on those issues. We've worked with the local residents throughout, and our fundamental orientation is that planning should serve the poor and underserved.

We also want to advance some important secondary goals. One of these is to collect useful information that the City can use in grant applications. Since external grants will continue to be a valuable source of funding for active transportation and parks, this really advances our primary goal anyway, but from a practical standpoint, it means that we want to deliver the data itself to the City in usable format, and that we aimed to make our data collection at times more general than the narrow scope of this project.

Cudahy is a working-poor, primarily immigrant, medium-density community. It is probably not the community that policy-makers have in mind when they discuss compact growth. There is little development currently, and tall transit-oriented or mixed-use development makes little sense. Travel behavior is also very different, with very high rates of walking. Cudahy seeks to be a model community in revising its regulatory structure to encourage growth, particularly affordable and sustainable growth. We hope that the lessons learned from this project will demonstrate the prospects for reductions in vehicle travel and greenhouse gas emissions in such communities and provide a model for enabling growth and sustaining public infrastructure in them.

Secondary goals of this project are to collect useful data to support future grant applications by the City and to advance better data on travel behavior in low-income communities. This project is funded by a Sustainable Communities Planning Grant from the Strategic Growth Council of the State of California, with matching funds from the City of Cudahy.

Project Evolution

Some commentary on the evolution of the project provides a cautionary tale for policymakers working on questions of strategic growth. The evolution of the project demonstrates the dangers of trying to apply one approach to managing growth to all communities, and illustrates the extent to which discourses about growth and affordability are dominated by strong, gentrifying real estate markets. Our initial proposal said that we sought to build on the momentum of SB743, which reforms CEQA evaluation for infill development. We initially imagined that we would facilitate infill by

reducing or removing parking requirements and then we would write an impact fee to fund walking, biking, and parks.

The first thing we learned about the local context, however, is that there's no development in Cudahy. CEQA does not drive what does and does not get built in any meaningful way. And in fact, our framing was heavily driven by our knowledge about the exactions that were levied on large development projects in Los Angeles, such as NBC Universal or the proposed downtown football stadium; and large TODs. An impact fee in Cudahy was nearly guaranteed to produce almost no revenue and to discourage what little market for development might exist. More generally: impact fees are predicated on a specific local dynamic whereby the market for growth is strong and political power lies in the hands of local officials, not developers. That dynamic may be present in most places where infill growth is being proposed or encouraged, but it is not present in Cudahy.

We were thinking about growth and development in the Los Angeles context, where the market is strong and parking requirements are high. By reducing parking requirements, you could easily levy a fee for active transportation and parks while at the same time reducing the overall burden on developers. In Cudahy, the trade-off in terms of the burden is the same, but the likely effects are very different. Reducing parking requirements is not likely to unleash a flood of new development here which then produces revenue for the City via a nexus fee. There is almost no market for development, and most of the development that is occurring is unpermitted accessory dwelling units. The effects of these regulatory revisions are thus likely to be much more modest and marginal, and many developments will require affordable development tax credits and subsidies in order to pencil out financially.

Note on Water/Sewer Systems

Initially, there was a component of this project related to the water and sewer systems in Cudahy. Lack of capacity in both of these systems is a significant and real constraint on growth in the City. Neither UCLA nor the City of Cudahy had the in-house expertise on water/sewer that would be needed to understand the deficiencies and create a plan to address them. This component was put out to bid but no consultants submitted a proposal. We believe the fee we budgeted for these services was much too low. The City has pursued getting an assessment of these systems done by the same contractor who is currently working on the City's General Plan.

Literature and Best Practices Review

We review the literature and the state of best practices regarding the questions at the heart of this project:

- How can cities sustain public infrastructure as they grow?
- What are the strengths and weaknesses of impact fees as a financing strategy? How are impact fees evolving as a tool to fund transportation infrastructure?
- How do local regulations shape what gets built and the nature of those developments? How can cities incentivize the construction of affordable units?
- What are other funding strategies to sustain parks?

Tools for Financing Infrastructure

Local governments' access to revenue-raising tools is highly dependent on the demand for development. When demand is high, a municipality can leverage developers to provide or pay for the amenities, services, and infrastructure that the city would normally supply. In a strong market, local stakeholders have the power to draw up a community benefits agreement, so that the developer provides benefits beyond those required under existing laws and regulations. There is no shortage of literature and best practices for cities with strong real estate markets. Conversely, in a weak market area, the infrastructure deficit is expected to grow. To finance infrastructure maintenance and growth, a weak market city like Cudahy, will have to apply creative decision making in order to build its bargaining power and generate demand. This literature review will discuss options available for weaker market cities like Cudahy to finance infrastructure improvements and grow sustainably, in spite of the economic conditions that put them at a disadvantage.

Impact fee

Impact fees are one financing tool available to cities seeking to address the increased infrastructure burden associated with new development. An impact fee is a fee that is imposed by a local government to pay for all or a portion of the costs of providing public services to the new development. Impact fees differ from taxes or special assessments as the fees must specifically refer to costs or externalities that result from the new development, such as a decrease in open space, increase in congestion, or compromised local public infrastructure (Evans-Cowley, 2006). The fees supplement local government resources that otherwise have decreased because of diminished state

and federal fund allocations (APA Policy Guides, 1997). It can be an effective tool for ensuring that adequate infrastructure will be provided in areas targeted for growth.

Fees are to be paid prior to the completion of development; the amount due to the city is based on a methodology and calculation derived from the cost, nature and size of the project (APA Policy Guides, 1997). In order to exact the fee, the City must establish a "rational nexus" between between the fee and the anticipated cost of development and the benefits incurred by the developer. Per the US Supreme Court ruling of Nollan v. California Coastal Commission, the fee must be "specifically and uniquely attributable" to the needs created by development. Likewise, the US Supreme court ruling of Dolan v. City of Tigard, the exaction imposed must be "roughly proportional" to the projected impact of development. Therefore, a nexus study is required to justify fees (Nelson & Moody, 2003).

To establish an impact fee, a jurisdiction will need a comprehensive plan that anticipates new growth and future demand on existing facilities, such as roads and parks. The plan would spell out the needed capital improvements, and how they will be financed. Jurisdictions can use this information to develop a method for calculating fees (Evans-Cowley, 2006). In an area where infrastructure is already built, a jurisdiction can allow for impact fee revenues to be spent for preservation of existing capital (Burge & Ihlanfeldt, 2013). However, because the fee must be attributed to the new costs resulting from development, impact fees cannot be used for existing deficiencies.
To approximate a per capita impact fee, a city could adjust fees based on the number of units, size of the house or the assumed number of inhabitants. For example Chardon, Ohio, calculates wastewater fees based on size of house with idea that larger buildings will house more people. This fee also considers the number of plumbing fixtures in a unit (e.g. number of sinks, toilets), based on the assumption that more fixtures will result in greater use (U.S. Department of Housing and Urban Development, 2008).

While city and county governments have enacted fees to address a variety of infrastructure needs including transportation, water and wastewater, drainage, and fire and emergency services, there are limited precedents for impact fees for parks and active transportation. The standard for a parks impact fee was set by the City of Canton, GA, where the city imposed a fee for recreational facilities on all forms of development (U.S. Department of Housing and Urban Development, 2008). The city justified the fee structure by saying that both residents and workers from the new developments would have access to parks.

In general, a court will uphold an exaction if the municipality provides data to substantiate the nexus. However, the substantive relationship may not be the best one. If a municipality wanted to appeal to developers by making favorable changes to their land use policy, they would instead want to set their impact fee equal to or less than the forgone cost of new development. For example, a per-unit parking impact fee should be roughly equivalent to the cost to construct a space. This would allow a city to remove its parking requirement and capture some of the increase in land value.

With regards to parks and active transportation, it is less clear what the financial needs are for new development. To determine the "proportionate share," the cost of facilities that will be used by new development and existing users must be apportioned between the two groups by calculating the capital value per person. Some cities have determined this value by dividing the value of Parks & Recreation inventory by the current populations (City of Renton, WA). This method, however, may not be appropriate for Cudahy, since park facilities are known to be deficient. Another option would be to charge a park impact fee based on the Los Angeles County goal of 4 park acres per 1,000 residents (Los Angeles County Department of Parks & Recreation, 2016); the developer would set aside or donate land based on the assumed number of residents or pay an equivalent amount.

Recent bicycle and pedestrian counts conducted by the Los Angeles Bike Coalition show above average rates in the City of Cudahy, yet no financing mechanism exists to maintain infrastructure or install new street furniture or bicycle lanes. Thus, as we expect the demand for active modes to keep up with growth, the municipality may also think about using development impact fees as a way to fund active transportation projects. As an example, Santa Monica's Land Use and Circulation Element (LUCE) explicitly encourages the use of impact fees for pedestrian and bicycle improvements. In February, 2013, the Santa Monica City Council adopted an ordinance which established a Transportation Impact Fee on new development and redevelopment that will fund transportation improvements such as new sidewalks, crosswalks, transit and bicycle facilities. The fee is based on the number of residential units or the commercial square footage (City of Santa Monica, 2013).

Some municipalities have jointly administered fees as they recognize that the externalities of development are not limited to a single municipality (see additional detail in transportation section). This is particularly apt for transportation infrastructure, as new development is assumed to cause increase traffic and congestion. Case studies also provide highlight other key aspects to consider for impact fees. Landis et al. (2001)

talk about the importance of streamlined process, a consolidated fee schedule, and creating a one-stop permit center to make this process transparent and easy to use.

To encourage the development of community-serving projects, a city may defer payment until construction is complete, provide an impact fee exemption, or reduce the amount to be paid. With regards to affordable housing, deferment is beneficial to developers, since the act is considered to be a contribution of public funds; projects that receive public contributions score higher on tax credit applications. It is typical for cities to provide fee exemptions or reductions to housing projects that are 100% affordable and/or serve special needs populations[1]. A city could also develop an economic development impact fee exemption or reduction for projects that are expected to produce a significant amount of long-term, high-quality jobs and generate needed tax revenue (Bernalillo County, NM, 2013).

Best Practices from Other Cities

1. Charge impact fees for both residential and non-residential developments
2. Adjust fees based on the size of the development
3. If possible, jointly administer fees across multiple jurisdictions
4. Index increase in fees to inflation.

Challenges with impact fees

Impact fees can assist localities in synchronizing development with infrastructure need. Because growth pays its own way, impact fees are most effective in communities with strong real estate markets (U.S. Department of Housing and Urban Development, 2008). Impact fees will not be a large source of financing in places like Cudahy, where the real estate market is relatively weak, if not stagnant. Developers do not want to develop there in the first place, and are even less likely to do so if an additional charge is imposed (Bunnell, 1994).

Developers argue that impact fees drive up the cost of development; they contend that the imposition of fees will have adverse effects on the housing market and profit margins (Altshuler, Gómez-Ibáñez, & Howitt, 1993). Although an impact fee is, objectively, a cost on development, the developer will rarely pay the full cost of the fee. In areas with strong real estate markets, the fee will instead be passed onto the tenant

[1] Special housing needs are those associated with specific demographic or occupational groups, including persons with disabilities, elderly, chronically homeless individuals, large families, and farmworkers.

in the form of a higher purchase price or increased rent (Bunnell, 1994). Unfortunately, if the developer were to build the cost of impact fees into the cost of housing, low- and medium-income earners could be priced out of the housing market. Another possibility is that the developer will pay the landowner less for the land or request development concessions from the city (i.e. parking reduction, height increase, etc.). In most cases, the fees are negotiable.

Landis et al. (2001) notes that the ratio of impact fees to housing prices are highest in California's most affordable communities. Presumably, fees are higher due to an ongoing lack of resources and funding to address existing and future infrastructure deficiencies. Landis et al. suggests that these cities are more likely to depend on fees for upkeep, which is concerning given the uncertainty involved (i.e. timing and amount). As this could be a larger issue around equity, Landis et al refers to the importance of statewide policies or additional funding to subsidize development fees for infrastructure and/or affordable housing.

Impact fees are also complicated by the issue of jurisdictional spillovers. First, impact fees do not address infrastructure impacts that spill across jurisdictional boundaries. For example, a new shopping center in a neighboring city may generate a large amount of traffic through Cudahy. To mitigate the spillover effect, the City may want to establish a mechanism for fee-sharing among the Southeast Cities. Second, because developers can choose where to build, neighboring cities will often enter into a "race to the bottom." In a situation with competition between neighboring jurisdictions, Cudahy may instead face pressure to reduce fees in order to attract development.

Improving Transportation Infrastructure

In addition to looking at overall infrastructure, this project focused on two aspects particularly relevant for growth; transportation and park infrastructure.

Challenges of Current ITE Methods for Measuring Growth

Not only is transportation infrastructure stressed under increased growth, but transportation requirements and calculations shape how growth will happen. Under the traditional "predict and provide" idea for calculating travel demand, a proposed development is required to predict the number of vehicle trips it will generate, then provide for those trips through roadway widenings. Models are used to predict vehicle trips and where there will be congestion, as measured by Level of Service, a measure of delay for vehicles. This is part of the the Institute of Traffic Engineers (ITE) Trip

Generation, and many cities have local regulations and development standards that use this model (Daisa et al, 2013; Shoup; 2003). However, this model can over-estimate car trips and Infill development and transit-oriented development will rate poorly under this model, since these projects are near roads that are operating at or near capacity.

ITE acknowledged that this auto-focused model is not appropriate for smart growth or infill sites so other methods are needed to determine demand on transportation infrastructure. CalTrans (California Department of Transportation) worked with UC Davis on a pilot study to develop alternative trip generation rates for common infill land uses (2009). They combined their data with an earlier study from San Diego (see below) to test the accuracy of alternative trip generation methodologies at different types of smart growth sites. They found that while different tools work best for different sites; for most sites, the EPA-SANDAG method worked best (see below). Methods that only capture automobile trips would have missed more than half of trips recorded at the study locations as 27% of person-trips were from walking, 21% by transit, and 3% by bicycle (Handy, Shafizadeh & Schneider, 2013). Based on this, CalTrans has a spreadsheet both to determine if a site is appropriate for alternate methods and how to adjust ITE calculations depending on site characteristics. This can be a resource when revising development regulations and present a wider picture of how growth will affect transportation.

<u>Best Practices</u>

Developing alternative trip calculations: *Trip Generation for Smart Growth: Planning Tools for the San Diego Region* describes mixed-use development trip generation method by the San Diego County Association of Governments (SANDAG, n.d.) looked specifically at modifying the typical trip generation method for different types of sites. SANDAG validated the EPA Mixed-Use Method for use within the San Diego region through comparing the method's trip generation estimates to travel data at seven types of places. While the the Mixed-Use Method is a conservative predictor of trip reduction, this Mixed-Use Method reduces the average overestimate from the ITE model that focuses solely on cars. They acknowledged that this method was only validated for specific setting, so would not currently apply application to single-use developments in smart growth settings or large auto-oriented. This study happened at a much larger scale than one city, but this is an example of a larger regional effort

Transportation Funding

Due to jurisdictional spillovers, transportation-related impact fees are most effective when implemented at a regional level.

Best practices for Regional Funding for Transportation

Coachella Valley Council of Governments administers the Transportation Uniform Mitigation Fee across for both residential and non-residential development in multiple jurisdictions (Sohagi et al, 2000). While the City of Santa Ana solely administers a transportation fee in some parts of the city, this fee is jointly administered in other parts of the city (Sohagi et al, 2000). Impact fees can represent a sizable up-front cost, which can render a project financially infeasible. For this reason, the City of Santa Ana allows developers to defer impact fee payment until after a certificate of compliance has been received. Essentially, fee deferment can stimulate development by reducing the amount of time between the initial investment and the gain of income.

Other Financing Mechanisms

Impact fees are less effective in “cold market” cities, like Cudahy, with low developer-demand and relatively inexpensive land. Given that, the City needs to pursue alternative funding measures that are not predicated on new development. User fees, property tax, and sales tax are all options, but each of these is politically difficult. The other, unspoken option is to allow infrastructure to deteriorate. Altshuler and Gomez-Ibanez (1993) argue that impact fees are often the most equitable and effective choice given the politically realistic set of options.

Assessment District

To finance public improvements, a local government agency can establish an Assessment District (“What is an Assessment District?”, n.d.). A special assessment is a real property tax proportionately levied against each parcel of land within the district (“What is an Assessment District?”, n.d.). The proposed district includes all properties that will directly benefit from the future improvements; assessments are based on formulas account for how each property will benefit from the improvement. The property owner is responsible for a fixed percentage of the total debt, which is paid through their city of county property tax bill. Examples of these types of assessments include: water, sewer, sidewalks, lights, and fire protection.

Alternatively, a local government agency can form an Infrastructure Financing District (IFD) to pay for public improvement projects of "communitywide significance" (Reynolds & Thimming, 2011). IFDs can finance the purchase, construction, expansion, rehabilitation, or improvement of streets and highways, transit facilities, water and sewer projects, child care facilities, parks and libraries, and affordable housing projects. To create an IFD, two-thirds of landowners have to vote in approval. However, IFDs cannot pay for the replacement of existing facilities or services; they can only supplement the facilities as needed to serve new construction. Likewise, an IFD cannot be located in an area targeted for development (Kecskes, 2012).

Mello-Roos Community Facilities Districts (CFDs) are another option available to cities seeking to fund major improvements and services within the district. Similar to an IFD, the CDF raises money through special taxes that must be approved by two-thirds of voters within the district. Public financing is secured through the sale of bonds, and the taxes collected are used to pay down the interest and principal. The taxes will stay in effect until the debt is paid off, so long as it does not exceed forty years (California Land Title Association, n.d.).

Grants

Grants are currently a significant source of funds for the City and will continue to be an important short-term strategy. There are many federal, state and county grant sources available for parks and active transportation projects; sources are inventoried in Cudahy's Safe Routes to School plan. There are also state and federal grants that support affordable housing: for example, the Affordable Housing and Sustainable Communities program administered by the California Strategic Growth Council.

Regulation of Development

In a high-cost metropolitan areas like Los Angeles, high housing costs are driven by the cost of land and the difficulty of obtaining regulatory approval for new units (Glaeser, Gyourko and Saks, 2005). Regulatory burdens are thus a key driver of housing costs. A municipality can therefore encourage development by modifying its regulatory standards or implementing ordinances that exchange additional density for community benefits. Following a thorough review of the Municipal Code and conversations with local developers, the primary concerns for Cudahy were building height limits and parking requirements. A city could therefore permit greater density and request items such as bike parking, pedestrian access or transit amenities in exchange. This type of

arrangement would reduce the burden on developers who build projects oriented towards transit, biking, and walking.

Parking Minimums

Most cities have followed a system of minimum parking requirements for new developments to ensure that new development provides enough parking to accommodate all uses, without creating spillover parking and excess traffic. The municipality will determine the peak demand for parking that each land uses will create and write the required number of parking spaces for each use into their zoning codes. To determine these regulations, planners and engineers have traditionally consulted the Institute of Transportation Engineers' Trip Generation manual, which provides data on the number of trips generated by 172 different land uses. Although the ITE manual remains the standard, many researchers argue that the manual "substantially overestimates trip generation rates" (Millard-Ball, 2014). As a substitute for Trip Generation, the municipality may instead implement the residential parking guideline established by Weant and Levinson of 1 space per studio, 1.5 spaces per one-bedroom unit, and two spaces for two or more bedrooms (Wilson, 2011). Alternatively, a municipality may simply replicate a neighboring city's parking requirement without taking local context or policy goals into account. Put simply, by relying on non-scientific, car-centric parking standards, cities will continue to oversupply parking.

Parking is typically the most costly and constraining requirement that cities place on development (Shoup, 2005, 136-153). Not only do parking requirements substantially increase driving they also limit the supply of housing, drive up housing prices, and contribute to sprawl. Although the cost of parking is buried in the cost of housing, they resemble impact fees in that developers must provide the required infrastructure to obtain building permits.

According to Shoup (2005), minimum parking requirements hinder growth by making development prohibitively expensive. Manville examined the impact of parking requirements on housing development, and found that when parking requirements are removed, developers provide more housing and less parking. He also found that developers are able to provide a greater variety of housing types, including transit oriented development (TOD), affordable housing, and housing in previously divested areas. Manville reached a similar conclusion when he evaluated the impact of allowing parking to be located off-site. Indeed, nonprofit affordable housing developers in San Francisco estimated that parking requirements have added 20% to each unit's costs while decreasing the number of units by 20% (Initiative for a Competitive Inner City,

2013). In view of that, reducing or removing parking requirements represents a no-cost opportunity for the City to encourage infill and increase the supply of affordable housing.

Shoup recommends that the removal or reduction of on-site parking requirements happen alongside complimentary on-street parking policy reform (2005). He suggests three concurrent reforms: remove on-site parking requirements, charge fair-marking prices for curb parking, and return the resulting revenue to neighborhoods to pay for public improvements. The latter recommendation will make parking reform more palatable to residents, since the revenue can be used to purchase tangible items like bus shelters or benches, instead of being diverted to the anonymous general fund.

Best Practices for Parking

In addition to the overall reforms proposed by Shoup (2005) and elaborated by Wilson (2013, 2015), we elaborate here on a few approaches that may be especially relevant to Cudahy.

In areas where it is difficult or expensive to provide the required number of parking spaces, a developer can instead pay an in lieu fee to the City. Revenue generated by the fee can then be used to construct a publicly owned parking structure. Alternatively, a developer can 'purchase' off-site parking spaces in a City-owned lot or structure.

Table 3.1 Parking in-lieu fees for seven California cities

City	In-lieu Parking Fee ($ / Stall)
Berkeley	$15,000 - $30,000 (graduated range)
Beverly Hills	$11,675 - $47,000 (graduated range)
Inglewood	$5,000
Pasadena	$146 annually
Santa Monica	$20,000
South Gate	TBD
West Hollywood	$650 application fee + $385 annually

To assist with parking supply decisions for multifamily units, King County, Washington developed a Right Size Parking Calculator (rightsizeparking.org). The calculator outputs a stalls per unit recommendation based on extensive data collection on parking demand.

In 1993, the City of Pasadena installed parking meters as a way to increase turnover, making parking available to consumers, and generate revenue to fund public improvements. Investments included new street furniture and trees, better street lighting, pedestrian improvements, wayfinding, as well as parking facilities (Kolozvari and Shoup, 2003). Advocates of the program contend that it resulted in the extensive redevelopment and revitalization of downtown Pasadena. Now, the City of Los Angeles is moving towards adopting the Pasadena model, and returning meter revenues to the neighborhoods where the revenue was generated (Linton, 2016).

Accessory Dwelling Units

Cities could also look at the regulation of Accessory Dwelling Units (ADUs), which are smaller, additional housing units that are placed next to or added onto single-family residences (Chapple et al., 2011), as a way of encouraging growth and maintaining affordability. Studies have shown that secondary units rent for less than average market rent levels. In Babylon, NY, for example, secondary units rented for approximately 35% less than non-secondary unit apartments (Rudel, 1984). Secondary units rent for less due to the informal way they are often supplied and marketed, via social networks, bulletin boards, or craigslist. They tend to be cheaper to build than conventional rentals, and have a marginal land cost of zero. As such, ADUs can provide housing opportunities in single-family neighborhoods for some who might not otherwise be able to afford to live there. Furthermore, homeowners can use the additional rental income from a secondary unit to ease the burden of a home mortgage and maintenance expenses. The additional income from a secondary unit may be particularly helpful for many elderly homeowners who are on fixed incomes, allowing them to comfortably age in place (AARP, 2000).

Best Practices for ADUs

In 2003, Santa Cruz created an ADU program that made it easier for homeowners to create a separate housing unit attached to or adjacent to a primary dwelling. Santa Cruz's ADU development program has four components: zoning incentives, a how-to manual and design prototypes, financing and community education. To finance

construction, Santa Cruz offers an ADU loan program in partnership with a local credit unit, as well as a development fee waiver program (Bhatt & Ryan, 2014).

In 2014, San Francisco created a voluntary process to legalize existing ADUs that meet certain parameters. The ordinance maintains the existing supply and protects tenants, while providing a safe and clear path to legal status for homeowners (SF Municipal Code, Ordinance No. 43-14, 2014). The ordinance temporarily suspended the code enforcement process for units in the process of receiving legal status (legal, non-conforming use). To enact the ordinance, San Francisco had to amend the Planning Code, Building Code and Administrative Code. Additionally, the San Francisco Department of Building Inspection provided an initial, anonymous screening process that was non-binding to help property owners understand the estimated costs to legalize before filing an official application. As part of the legalization process, the department provides applicants with information about San Francisco rehabilitation funds and other potential funding sources. To further incentivize participation, plan fees were waived during the legalization period (San Francisco Department of Building Inspection, 2015).

The Los Angeles City Council approved its Unauthorized Dwelling Unit Ordinance in May of 2016. The intention of the ordinance is to preserve and increase affordable housing in Los Angeles by "establishing procedures to legalize certain unapproved dwelling units when affordable units are dedicated on site" (Los Angeles Department of City Planning, 2015). In order to formalize the unit, the property owner has to agree to provide at least one affordable unit for a period of 55 years. During that period of time, the unit shall be rented to low or moderate income families and individuals. As the property owner would be providing a community benefit (i.e. affordable housing), they are entitled to a waiver or reduction of development standards – i.e. setback, open space, building height, floor-area-ratio, building height or the parking ratio.

Affordable Housing

Cities can increase their supply of affordable housing by mandating that developers provide on-site units or establishing favorable development standards and policies that incentivize their production.

For example, the California State Density Bonus Law (2005; SB1818) allows developers to obtain more favorable local development requirements in exchange for offering to build affordable or senior units. Depending on the number of affordable units provided, a developer can increase project density by up to 35%. A developer may request other

benefits, such as reduced parking requirements or other development standard modifications. Local governments are permitted to create their own density bonus programs to meet the housing needs specific to their city. San Francisco, for instance, designed a program to encourage higher levels of affordable and middle-income housing development (SF Planning, 2016).

In 2015, the Supreme Court of California upheld inclusionary zoning laws by ruling in favor of the City of San Jose's affordable housing ordinance. The court concluded that inclusionary zoning does not violate either the federal or state takings clause. This ruling, however, only applies to for-sale housing developments. Since 2009, California cities and counties have been prohibited from implementing their inclusionary zoning ordinances, based on the ruling in Palmer/Sixth Street Properties v. City of Los Angeles. In that case, the Appellate Court ruled that inclusionary ordinances for rental units are akin to an illegal form of rent control (Faber & Cohen, 2014).

In response to the Palmer decision, many cities in California have enacted inclusionary zoning on a voluntary basis. For example, Berkeley provided developers with the option of paying a $28K contribution to the housing trust fund or including affordable housing units (2011). Additionally, in 2016, Assembly Bill 2502 was introduced by Assembly Members Mullin and Chiu. The Planning and Zoning Law authorizes the legislative body of any city or county to adopt ordinances regulating zoning within its jurisdiction. Specifically, the bill would allow a municipality to enact an ordinance requiring developers to include a certain percentage of residential rental units that are affordable to low-income households.

Best Practices for Affordable Housing

To encourage the construction of low-income housing, the City of West Hollywood administers an Inclusionary Housing Program (2015). Developers are required to set aside a portion of newly constructed, for-sale housing units for low and moderate income housing. Developers of residential projects with ten or fewer units may pay a fee in-lieu of providing an affordable unit, while projects with eleven or more units must provide the units on-site. The size of the fee is based on the gross building area of a project; a project with 2 units will pay a fee of $11.97 per Sq. Ft., while a project with 10 units will pay $25.67 per Sq. Ft. Fees are dedicated to West Hollywood's Affordable Housing Trust Fund.

Parks and Open Space Infrastructure

Urban population growth will create new demand for parks. So, to maintain the desired level of service, Cudahy will have to establish sustainable funding mechanisms for land acquisition, capital projects and long-term maintenance. Although acquisition and capital projects can easily be funded through bond issuances and park impact fees, funding for maintenance will be more difficult to come by.

Funding strategies

Passed in 1975, the Quimby Act permits California cities and counties to pass ordinances requiring developers to set aside land or pay fees for park improvements. Per the "logical nexus" requirement, revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities. Post-Proposition 13, local parks and recreation departments turned to Quimby to sustain their budgets; in a survey of park districts conducted by the *California Parks and Recreation Society and California Department of Parks and Recreation*, the Quimby Act was the most common funding mechanism (Westrup, 2002). The City of Los Angeles recently overhauled their Quimby fee program, so that developers are charged a $5K park fee on each apartment unit they build and $10K per unit on houses or condos built on subdivided land. Money can spend on small neighborhood parks within 2 miles or medium-sized parks within 5 miles. Alternatively, the developer can satisfy the requirement by providing public open space on-site (McNary, 2016).

<u>Best Practices for Park Funding</u>

Park Assessment District. Following a period of significant growth, the City of Palmdale, CA, put into effect an annual assessment of $36 per parcel for parks and recreational facilities. Palmdale added the measure to the 2002 mail-in ballot, which passed with 56% approval. Funds were used for parkland acquisition, facility construction, and to purchase new equipment (Westrup, 2006).

Public Benefits Zoning. The process of requiring community benefits from landowners whose land has increased in value due to government actions is referred to as Land Value Recapture (LVR). Cities with Public Benefits Zoning argue that because the increase in value was unearned, that *some* of it should be shared with the city. In addition to park space, affordable housing projects can be funded through Public Benefits Zoning. Santa Monica, CA, is a prime example of a city that has successfully implemented a Public Benefit Zoning program; projects in Santa Monica were able to

provide the necessary benefits while still maintaining financial feasibility. However, as Calavita notes, this strategy works best in areas with stable to strong real estate markets, meaning that it will not be immediately appropriate for Cudahy (2014).

Friends of the Park. Many cities have established "Friends of the Parks" programs to preserve, protect, improve and promote the use of parks and open space. The programs are almost entirely reliant on donations and volunteers. In New York City for example, Friends of the High Line is expected to raise 98% of the park's annual budget (Friends of the High Line, 2006). Members are inclined to donate their time and/or money since the improvements will be capitalized into increased home values. In a working-poor city like Cudahy though, a Friend of the Park group would not be expected to raise a significant amount of funds.

Creative Funding Strategies. Per the California Department of Parks and Recreation, a city could obtain additional funding by leasing facilities for events or allowing a cell company to place an antenna in the park. Also, communities that lacks adequate places for children and their families to exercise and play, can establish a Joint Use Agreement (JUA) with a local school district to allow for the shared use of public property or facilities (ChangeLab). For all the strategies, the California Department of Parks and Recreation points out that the solutions will be complex, diverse and locally selected. So no one strategy will provide all the funding but rather cities can use a combination of funding strategies.

Summary

While this shows example best practices for funding for infrastructure, transportation and parks, many of the examples occur in different economic and/or regional contexts. Likewise, Cudahy has the added disadvantage of being small and built-out. Funding strategies and development regulations must therefore be modified and tailored to suit the City's needs and realities.

Existing Conditions

Population

According to the 2014 American Community Survey, there are an estimated 24,073 people residing in Cudahy. The city has an estimated population density of 21,254 persons per square mile. Amongst incorporated places, Cudahy has the 13th highest population density in the country; the nearby City of Maywood ranks 9th, with 23,216 persons per square mile. Since the 1970's Cudahy's population has grown by almost 42%, from 17,000. In the last fifteen years, however, population has declined by 0.6%, consistent with other cities in southeast Los Angeles County. The population drop indicates that the City is built-out, with relatively little room for growth. In spite of this, SCAG (Southern California Association of Governments) estimates that the City's population will grow by 4.7% from 2014 to 2020, and by 13% by 2035.

Cudahy can be characterized as a working-poor and primarily immigrant city. According to the 2014 American Community Survey, 97.7% of the population identifies as Hispanic or Latino, and 77.6% of Hispanic or Latino residents are of Mexican descent. With regards to nativity, 52% of Cudahy residents are native-born U.S. citizens, 12% are foreign-born U.S. citizens, and 37% are non-U.S. citizens. Cudahy is a sanctuary city, meaning that it does not seek to prosecute people solely for being undocumented immigrants, and it does not use immigration status to determine eligibility for services.

The median household income in Cudahy in the 2014 ACS is $37,800. In the County of Los Angeles, it is $55,900. Given a household size of 4.3 persons, families in Cudahy have to support more people with less money. According to the 2013 American Community Survey, an estimated 32% of Cudahy residents have experienced poverty status in the past 12 months (U.S. Census, 2014).

Housing

The California Department of Finance reported that there are 5,774 housing units in Cudahy (2015). Between the 1990 and 2000 Census, the housing stock grew by 2%, and between the 2000 and 2010 Census it grew by 4%. Since then, there has been virtually no growth in housing units. Close to half (45.5%) of the City's housing units were constructed prior to 1960.

Currently, the vacancy rate is at 2.8%, which is among the lowest vacancy rates in the County. Accordingly, 8.4% of units can be characterized as "severely overcrowded," with more than 1.5 persons occupying each room. Homeownership rates are low in Cudahy, with 83% of housing units being renter-occupied. Compared to the County (53.6%), Cudahy has a significantly higher proportion of renter-occupied housing.

Of Cudahy's 5,774 total units, 37% (2,141 units) are single detached units, 23% (1,313 units) are single attached units, 6% (326 units) are developments with two to four housing units, and 27% (1,574 units) were developments with five or more units. In addition, a significant number of households live in mobile home parks – 420 units (7.3%) are mobile home units.

Accessory Dwelling Units

Accessory Dwelling Units (ADUs) are additional housing units that are placed next to or added onto single-family residences. The most common types of secondary units in Cudahy include: additions, separate freestanding structures, garage conversions, and subdivided apartments. Anecdotal estimates from Cudahy staff put the total number of secondary units at 500 to 750; it is unclear how many units were built with permits (Stern, 2016).

Secondary units are an important supply of affordable rental housing in the City as they allow for growth where high density and large-scale construction is not possible or appropriate. By utilizing existing infrastructure—walls, floors, roofs, and other elements—of the primary structure, secondary units can be built at a far lower cost than comparable apartments. Likewise, due to the informal way that they are constructed and marketed, they are often rented at lower price levels than typical apartments. The creation of a secondary unit is an administrative permitting process, not a by-right use; units can be utilized as habitable space or storage. Secondary units are allowed only in the low-density residential zone.

Recent Development

Aside from unpermitted ADUs, recent development has been limited. The City of Cudahy reported the construction of 93 units between 2005 and 2009, and 32 units between 2011 and 2014. The city reported two commercial developments within the last 15 years. The city intends to increase the number of available units and meet the Regional Housing Needs Assessment (RHNA) requirements through the implementation of two

development strategies—infill and vacant parcel development. Proposed changes would increase allowable zoning densities to 20 dwelling units per acre to encourage additional infill development. In addition to infill development, the 2013 Housing element identified 11 vacant sites which are zoned for high density residential and community commercial. As most of the City is built out and open space is limited, growth will likely occur through redevelopment and revitalization.

Parks System

The City of Cudahy maintains and operates five public parks and recreation centers, as shown in Figure 4.1. In addition, the Parks and Recreation Department provides residents with numerous recreational programs. Park users have access to a wide range of facilities including game courts, athletic fields, picnic areas, play lots and a community center. The park system studied served a population of over 24,000 in temperate year-round weather conditions. The individual parks are described further in the following paragraphs.

Figure 4.1. Overview map of Cudahy's park system.

- Cudahy Park is a 10-acre park that includes the Bedwell Community Center, Cudahy Library, and Cudahy City Hall. The park is located immediately south of the Park Avenue Elementary School between River Road and Santa Ana Street. The park is comprised of two tennis courts, two baseball diamonds, two basketball courts, a skateboard park, a playground area, barbecue grills, and a concession stand. The community center has capacity for up to 175 people; it is used primarily for community events including City Council and Commission meetings. The park is open to the public during daylight hours.

- Clara Street Park is a 3.5-acre park located mid-block on Clara Street, between Atlantic and Wilcox Avenue. The park includes the Leo P. Turner Community Center and Auditorium, which has meeting rooms, a full-sized indoor basketball gymnasium, a patio area, and the Los Angeles County Sheriff's Sub-station; the community center has a capacity of 400 people. The Parks and Recreation Department offers classes in Zumba and p90x, as well as daily activities for seniors. Other facilities at this park include horseshoe pits and picnic areas. Due to the ample tree cover and sloping hills, Clara Park tends to support more leisurely activities, such as picnicking and horseshoes. The park is open to the public during daylight hours.

- Clara Expansion Park is a 1.7-acre park located immediately south of Clara Street Park. The park completed renovations and opened to the public in May 2015. The park includes exercise equipment, a jungle gym, tot lot, basketball courts, a small athletic field, barbecue grills and a picnic area. The park is open to the public during daylight hours.

- Lugo Park is a 2.5-acre park located on the northeast corner of Elizabeth and Otis Street, adjacent to the Teresa Hughes Elementary School. The park has a baseball diamond, a gym with exercise equipment, two playing fields for outdoor sports (primarily soccer), a playground, and a picnic area. The park is home to the Lugo Teen Center where cheerleading and dance teams practice, and free after-school activities are held. It also has one multipurpose room with a capacity of 100. Renovations to the park began in December 2015. As of July 2016, the new Lugo Park contains a regulation size synthetic soccer field and no longer contains a baseball diamond. The park is open to the public during daylight hours.

- Cudahy River Park is a 0.22-acre pocket park located south of Clara Street and west of River Road. Opened in 2009, park is landscaped with plants native to

southern California, and is designed to serve as a link to the Los Angeles River Bicycle Path. In addition, the park acts as a storm water drainage area. The park contains a short walking path that lined with several benches for relaxation and informational boards relating to the landscaping. The park is open to the public during daylight hours.

Programming activities and services provides by the Cudahy Parks and Recreation Departments include youth sports leagues, teen programs and senior center functions. The department is budgeted in Fiscal Year 2015-2016 to fund three sports leagues (soccer, basketball and football), nine special events, and participation in 300 events and activities for youth and senior populations. An estimated 1,200 young people participate in local sports programs.

Transportation Infrastructure

The transportation system in Cudahy consists of a roadway network dominated by Atlantic Avenue, collector streets, and local streets. With the exception of Atlantic Avenue, the streets follow a grid pattern. The Long Beach Freeway, located due east of the City, provides regional access to the City. According to the 2013 Housing Element, traffic volumes on most city streets are approaching or currently at capacity.

For Cudahy residents, public transportation services are provided by the Metropolitan Transit Agency (MTA) and the Cudahy Area Rapid Transit (CART). MTA Lines 260 and 762 (rapid) run north/southbound on Atlantic Avenue, and lines 611 and 612 run east/westbound along Santa Ana Street and Otis Avenue, respectively. In total, an average of 2,660 boardings are recorded each day in the City of Cudahy. The local transit service, CART, provides fixed-route transit in most of Cudahy. On-demand services for person with doctors' appointments are provided via taxis subsidized by the City. In addition to bus service, Cudahy is within four miles of the Long Beach Blvd station for the green line and the Florence Station for the Blue Line. Although there are no designated bicycle lanes within Cudahy's borders, a bicycle trail runs along the adjacent Los Angeles River.

Overnight Parking

In 2015 the City initiated a pilot parking program to allow residents to purchase permits for overnight parking. Up until that point, Cudahy had banned parking on city streets between 3 a.m. and 6 a.m. Responding to community feedback, the City seeks to

improve the permitting process for overnight parking. The goal is to make the permit application process reasonable, accessible and simple.

To participate in the current pilot program, residents must present to City Hall staff a valid photo-ID and vehicle registration, and documentation establishing a parking burden.[1] Eligible residents may purchase one overnight parking permit[2] per dwelling unit; permits are priced at $1 per day for residents and $2 per day for guests. On street sweeping days, however, overnight parking is prohibited, regardless of whether a permit has been obtained. Residents can, however, purchase a separate weeklong guest permit to allow them to park overnight on street sweeping days.

Local Public Finance

As part of an effort to increase government transparency, the Finance Department published its budget for fiscal year 2015 - 2016 to the City's website. For reference, the Finance Department is responsible for providing financial expertise and guidance to the City Council and City Departments, managing the City's daily operations, and maintaining the financial integrity of the City.

The general fund is about $7M, special revenues (dedicated to certain expenditures) are about $7M. Notably, much of the special revenues is dedicated to transportation. Of the general fund, 1.4M is sales tax, 1.2M is utility fees, 2.4M is state vehicle licensing fee returns (allocated by population), and the other $2M is misc, including rental fees, court fines, vehicle fines and other things. User fees for parks are a substantial source of parks-related revenue, and the City Council has directed the City Manager to set fees to recover 80% of the cost of the recreation department."

There is a revenue gap between $.5M and 1M in magnitude depending on the year. For the past five years, the City has filled this gap by drawing down most of a general revenue back-up fund. This fund will soon be empty (General Plan Existing Conditions).

[1] Residents must prove that the number of cars registered to the address exceeds the number of on-site spaces.
[2] Permits are not issued for the parking of recreational, non-operational, or commercial vehicles.

Table 4.1 Departmental expenditures by personal and operation costs

Department	Personnel	Personnel Costs	Operating Costs	Total Expenses
City Council	0	$69,093	$46,040	$115,133
City Attorney	0	$0	$300,000	$300,000
City Clerk	1	$122,457	$22,110	$144,567
City Manager' s Office	3	$300,387	$316,758	$617,145
Finance	5	$500,980	$168,427	$669,407
Community Development	5.33	$464,982	$663,382	$1,128,364
Parks and Recreation	9.13	$248,125	$664,302	$912,427
Public Safety	3	$142,612	$3,894,087	$4,036,699
Public Works	6.38	$506,024	$579,070	$1,085,094
Facilities Operation	1	$22,497	$984,416	$1,006,913
TOTAL EXPENSES				$10,015,749

Table 4.2 Breakdown of spending for the departments of Community Development, Parks and Recreation and Public Safety.

Department	Personnel	Personnel Costs	Operating Costs	Total Expenses
Community Development	**5.33**	**$464,982**	**$663,382**	**$1,128,364**
Planning	1.25	$77,900	$409,720	$487,620
Engineering	1.25	$128,431	$112,490	$240,921
Building Regulation	1.25	$115,110	$64,390	$179,500
Preservation	1.08	$98,218	$76,782	$175,000
Housing	0.5	$45,323	$0	$45,323
Parks and Recreation	**9.13**	**$248,125**	**$664,302**	**$912,427**
Recreation	7.5	$181,188	$457,832	$639,020
Parks Maintenance	1.63	$66,937	$206,470	$273,407
Public Safety	**3**	**$142,612**	**$3,894,087**	**$4,036,699**
Law Enforcement	1	$77,637	$3,803,667	$3,881,304
Crossing Guards	0	$0	$36,200	$36,200
Animal Regulation	0	$0	$30,000	$30,000
Municipal Enforcement	2	$64,975	$24,220	$89,195

Observations:
Parks, Transportation, and Parking

Our approach to these observations is to get direct empirical data on parks, travel behavior, and parking in the City of Cudahy. With limited resources, we seek large enough sample sizes to be informative.

Data collection took place between June 2015 and June 2016. It's worth noting that there are a number of ongoing changes in the City that are not necessarily reflected in these observations, notably to parks programming and services, maintenance, and overnight parking regulations. In addition, the coming years will see implementation of over $7M in grant funds for pedestrian and vehicle safety, which are not reflected in these observations.

Parks

We were interested in determining how well parks serve the local community. In particular, we wanted to answer the following questions:

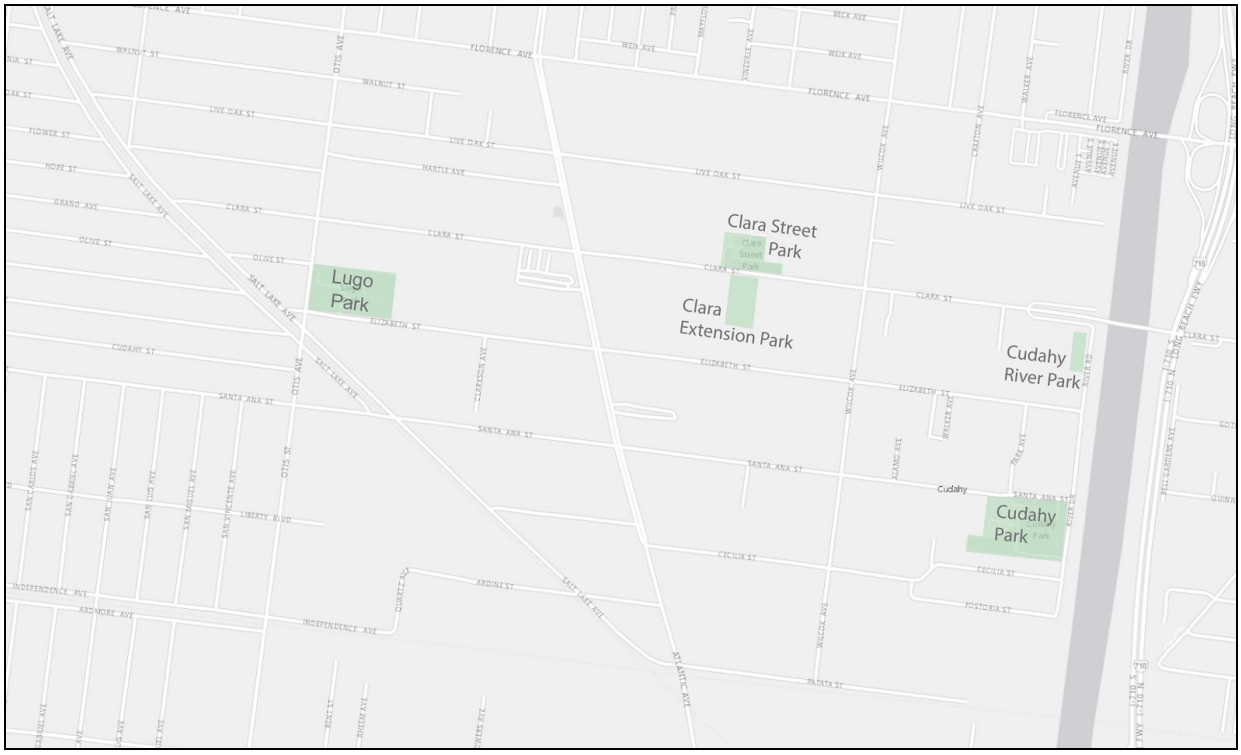
- How many people use parks, and which community member do parks serve?
- What types of physical activity occurs in parks, and at what intensity?
- What types of leisure activity occurs in parks?
- Which parks are used most, and when?
- Which facilities in the park are used most, and when?
- How do residents view parks and what would they like to see changed?
- Which is more important to residents – new parks or park improvements?

This report provides baseline data that can be used to understand how park improvements and/or the addition of park space may affect the community. The methods we used in our survey were intended to be systematic – to minimize the potential for bias—and replicable to facilitate their use at different time periods. We developed an observation tool based on the Rand Corporation's 2006 publication, "Park Use and Physical Activity in a sample of Public Parks in the City of Los Angeles." We also developed questionnaires that could be administered in and outside of the parks (see Appendix A and B). The research is supplemented by data from the U.S. 2010 Census, which was used to determine various characteristics of area residents,

including race/ethnicity, age, gender, and income information; as well as by discussions on park use at community meetings.

Methodology

Figure 5.1. Location of Cudahy parks and recreation centers.



Systematic observations were conducted in each park over an eight-day period, as shown in Table 5.1. We did not have rain during any of the time periods. We had one extreme heat condition (Thursday, Sep 10) but surveyors still completed observations during that time..

Table 5.1 Park survey schedule

Date	Day of Week	Time Range
8/30	Sunday	10:30 AM- 3:30 PM
9/1	Tuesday	10:30 AM- 3:30 PM
9/3	Thursday	4 PM - 9 PM
9/6	Sunday	4 PM - 9 PM
9/8	Tuesday	4 PM - 9 PM
9/10	Thursday	10:30 AM- 3:30 PM
9/12	Saturday	10:30 AM- 3:30 PM
9/19	Saturday	4 PM - 9 PM

We conducted the observations using the System for Observing Plan and Recreation in Communities (SOPARC). Data sheets documented the date, time location of each scan, and the condition of the activity area. Gender, age, ethnicity, activity level and activity type for each person in the area was also recorded. To provide more geographic specificity to the observational data, parks were subdivided into target areas based on amenities and landscaping.

Observations were conducted in all target areas based on the schedule shown in table 5.2. The survey team visited all five parks within a one-hour period. Target areas were observed in the same rotational order during each observation period. Our intention was to capture a snapshot in time, instead of continuous observation. Accordingly, surveyors coded all people in each target area at the moment of observation. People leaving the area before the observation or entering afterwards were not counted. Occasionally people may have moved into a second target area during the observation rotation and were therefore counted twice.

Table 5.2 Detailed park survey schedule; surveyors visited all four parks each round.

Morning Survey	
Time	Activity
10:30 - 11:30 AM	Survey Round 1
11:30 AM -12:30 PM	Survey Round 2
1:00 -2:30 PM	Survey Round 3
2:30 - 3:30 PM	Survey Round 4

Afternoon Survey	
Time	Activity
4:00 - 5:00 PM	Survey Round 1
5:00 - 6:00 PM	Survey Round 2
6:30 - 8:00 PM	Survey Round 3
8:00 - 9:00 PM	Survey Round 4

Following three rounds of observation, the surveyors conducted face-to-face interviews with park users – surveys were available in both English and Spanish (document included in the appendix). Surveyors were given 1.5 hours to survey the five parks. Only persons over the age of 18 were eligible for participation in the survey regarding their park use. A total of 28 park users completed the survey. The questionnaire was distributed at a community workshop on 9/17/15, where park facilities, usage, and opportunities for improvement were being discussed; 28 attendees submitted a questionnaire. A modified survey was also made available online via SurveyMonkey.com and posted to the City's website; 17 individuals responded to the online survey.

Parks were observed in late August and early September, 2016. During those weeks, temperatures ranged from the mid-nineties to low-hundreds. From the perspective of the surveyor, it was very unpleasant to be in the park from 11 A.M. to 4 P.M. As such, mid-day park use is likely underrepresented relative to most months of the year, when it is more temperate. It is also notable that the Los Angeles Unified School District, which includes Cudahy schools, was in session; park use may be higher when school is not in session. Taken as a whole, the observations should be considered a conservative, or low, estimate of typical park use in Cudahy.

Findings

Public parks, and the passive and active recreation opportunities that they provide, are important contributions to Cudahy's quality of life. Parks provide areas for outdoor recreation, as well as a place for socializing and community gatherings. Unfortunately, Cudahy is severely underserved by park and recreation facilities. Currently, there are 18.2 acres of parkland maintained by the City. Based on population estimates from the

2014 American Community Survey, Cudahy has a population of 24,073, meaning that the City provides approximately 0.76 acres of parkland per 1,000 residents.[1]

The City's current General Plan (2013) establishes 4 acres of parkland per 1,000 residents[2] as a standard, a goal which Cudahy falls well short of. To achieve this ratio, Cudahy would have to provide an additional 79 acres of parkland, which is nearly impossible given the City's small size, lack of vacant land and dense population. Additionally, there are many constraints on capital funding sources to acquire land and improve the existing facilities. Looking at another benchmark for park service, Cudahy excels in providing parks and recreational facilities within walking distance to most of its residents; 90% of parcels are within 0.5 linear miles of a park.

Peak usage (observed) for each park is broken down in the table below. On average, Cudahy Park is the most frequented of the system, regularly serving over 100 users in the afternoon and on weekend mornings. The largest number of park users was observed in Clara Park (the City's second most popular park) – on a Thursday night, surveyors counted 343 individuals.[3] Less popular, was the soon-to-be renovated Lugo Park, which achieved a maximum of 68 users.[4] Cudahy River Park was by far the least popular of the parks; we observed just one person using the park throughout the entire survey process. At the community meetings, residents commented that the Cudahy River Park was often locked.

[1] For reference, the City and County of Los Angeles provide 4 acres of parkland per 1,000 residents and 9.7 acres per 1,000 residents, respectively.
[2] The National Parks and Recreation Association recommend that cities reserve 10 acres of land for every 1,000 residents
[3] A soccer award ceremony was scheduled for that Thursday night.
[4] During the survey period signs were posted in Lugo Park warning users that West Nile Virus had been reported in the area.

Table 5.3 Peak park occupancy for morning and afternoon survey periods.[5]

	Tuesday AM	Thursday AM	Saturday AM	Sunday AM
Cudahy Park	142	86	43	120
Clara Park	52	64	47	43
Lugo Park	3	38	68	33
River Park	1	0	0	0

	Tuesday PM	Thursday PM	Saturday PM	Sunday PM
Cudahy Park	149	29	189	100
Clara Park	68	343	47	135
Lugo Park	33	51	68	40
River Park	0	0	0	0

Park Users' Priorities

Survey respondents were asked to rank the following items from on a scale from very important to not important: (1) new park closer to home; (2) more parks in the City; (3) improvements to existing facilities; and (4) more programs.

Table 5.4 Survey respondents were asked to rank the items below on as either 'not important,' 'somewhat important,' or 'very important.'

	More Parks in the City	Improvements to Existing Parks	Additional Programs
No Response	10.2%	5.8%	5.9%
Not Important	18.8%	2.9%	4.3%
Somewhat Important	21.7%	10.1%	7.2%
Very Important	49.3%	81.2%	82.6%

[5] AM surveys were carried out between 10:30 AM - 3:30 PM, and the PM surveys were carried out between 4:00 - 9:00 PM.

While all three items scored as being very important to Cudahy residents, the respondents assigned greater importance to improving existing facilities and providing additional programming, than to providing additional parks. Given the constraints on vacant / open space in Cudahy, the latter two options are more achievable.

Respondents were provided with a list of potential improvements—physical and programmatic— and asked whether they would like to like to see them put in place. Options included, bicycle and walking paths, landscape improvements, adult sports leagues, fitness or dance classes, organized walks, park events and fairs, and concerts and dances. Residents expressed a preference for programmatic improvements, with adult sports leagues, fitness and dances classes, and park events and fairs, earning the most votes, as shown in Table 5.5. While residents expressed interest in the parks having additional walking paths, residents cared less about landscape improvements and the addition of bicycle paths.

Table 5.5 Survey results: recommended improvements

Adult Sports Leagues	Adult Fitness or Dance Classes	Events, Fairs Competitions	Park Concerts & Dances
39%	41%	39%	35%

Bicycle Paths	Walking Paths	Organized Adventure / Walks	Landscaping
30%	39%	29%	14%

<u>Activities within Parks</u>

As part of the survey, respondents were asked to select all activities they participate in. Broken down by active and passive uses, results are shown in the tables below. More of the respondents participated in more passive or leisurely activities, with walking and sitting being the most popular options. This result may be misleading, since individuals participating in more active forms of recreation are typically less willing to stop what they are doing and take a survey. Accordingly, these results ought to be compared against what was observed in the parks.

Table 5.6 Survey Results: Active Uses

Baseball or Softball	Basketball (Indoors)	Basketball (Outdoors)	Soccer
18.8%	10.1%	4.3%	24.6%

Tennis	Skating	Gymnasium Activity	Exercise Equipment
0.0%	4.3%	4.3%	17.4%

Table 5.7 Survey Results: Passive Uses

Sitting in Park	Celebrations / Picnics	Meet Friends	Playground
42.0%	23.2%	18.8%	23.2%

Walking	Walking with Dog	Watching Children	Local Events
40.6%	13.0%	24.6%	15.9%

Based on system-wide observations, the most common physical activities performed by children and teenagers were soccer, basketball (outdoors), baseball/softball, skateboarding and playground use. Many children and teens also came to the park to attend celebrations/picnics or relax outdoors with friends and family members. Amongst adults, popular physical activities included baseball/softball, soccer, basketball (outdoors) and walking. Adults also utilized the parks for celebrations, picnics, and local events, as well as more leisurely activities like sitting, relaxing, and supervising children. In general, it was less common for seniors to use park facilities; the most popular activity amongst seniors were sitting in the park, walking, and attending celebrations.

Demographics

Table 5.8 Observed peak park usage by age group

	Children	Teens	Adults	Seniors
Cudahy Park	173	74	50	3
Clara Park	406	15	60	6
Lugo Park	206	14	42	3
River Park	0	1	0	0

In general, males outnumbered females in the parks. Amongst, males, the popular physical activities included baseball, basketball (outdoors), skateboarding, and soccer. Popular physical activities amongst females included, softball, soccer, and walking. Surveyors did not observe a significant difference in the number of men and women participating in more leisurely activities or attending celebrations or events in the park. At Lugo Park, much of the activity observed was related to youth soccer. Clara Park also hosts youth sports programs.

Table 5.9 Observed peak park usage by gender

	Males	Female
Cudahy Park	103	68
Clara Park	57	56
Lugo Park	82	32
River Park	1	0

The playgrounds, soccer fields, and event spaces were the most consistently used amenity within parks. Likewise, on over half of the visits, we observed individuals utilizing the athletic fields, basketball courts, and skate park. The most underutilized facilities included the tennis courts in Cudahy Park and the gymnasium in Clara Park; these spaces can be converted to accommodate more popular uses and/or the requested improvements.

Amenities

Table 5.10 Amenities present in each target area (as of September 2015)

	Cudahy Park	Clara Park	Lugo Park	River Park
A	Playground Restrooms	Lawn Seating Areas Walking path	Community Center Gym	Seating Areas
B	Skatepark Tennis Courts (2) Lawns (2)	Auditorium Gymnasium	Baseball Fields Soccer Fields	-
C	Baseball Fields Soccer Fields	Basketball Courts Exercise Machines	Gazebo Picnic Area Playground Area	-
D	Basketball Courts (4) Picnic Tables	Playground Gazebo Restrooms Soccer Field	-	-

Table 5.11 Observed peak park usage for each target area

	Cudahy Park	Clara Park	Lugo Park	River Park
A	22	40	21	1
B	33	97	94	-
C	118	35	16	-
D	15	34	-	-

Visit Frequency

The majority of those surveyed were regular park users. Two-thirds of respondents reported visiting one or more of the parks at least once per week, and over 15% of those surveyed visit on a monthly or bimonthly basis. Two individuals stated that this was their first trip to the park. Over half of respondents said that, on average, they spend at least one hour in the parks; a quarter of respondents spend over two hours in the parks. Regular users come to the parks to participate in team sports (soccer, baseball/softball, and basketball), use the playgrounds, go for a walk, utilize the exercise equipment, or

attend a picnic. Irregular users (monthly or yearly) come to the parks to attend an event or picnic.

Safety and Park Conditions

The design of a park can have a direct impact on people's perceptions of safety and their willingness to use a space. The physical characteristics which park users associate with high-risk environments include, poor lighting, lack of maintenance, confusing layout, vandalism, presence of "undesirables," and areas of concealment (Project for Public Spaces). At nighttime, walkways and entrances should be properly illuminated with good visibility, so that people can see ahead and around them, and if other people are visible.

At the community meetings, community members made several negative comments on the condition of park facilities. Many described the bathrooms as being "dirty" and "unclean," suggesting that upkeep was infrequent and insufficient. Residents also commented on the need for lighting. Survey respondents confirmed the presence of graffiti and litter in the park, which is a strong indication of a lack of upkeep. Likewise, the majority of respondents felt that lighting within the parks is adequate. Fortunately, the presence of glass or other dangerous items is uncommon. Members of the survey team, however, felt that the lighting in Clara Park and Lugo Park was substandard and spotty. In Lugo Park, for example, there was adequate lighting surrounding the athletic fields, and inadequate lighting surrounding the playground and gazebo area.

Overall, about half of residents characterize the parks as being safe – 56.5% responded that parks were "safe" or "very safe." Conversely, 37.7% of respondents described parks as being unsafe; they expressed concern over drug use, criminal activity, gang presence, and homelessness.[6] Although the majority of respondents rate the parks as being safe, only 5 stated that they felt comfortable letting their child visit a park on their own; 39 respondents stated that they would never allow their child to visit the park without the company of an adult and 4 said they would rarely allow it.

In addition, concerns of safety were frequently mentioned in the open-ended portion of the survey and in community meeting discussions. In open-ended comments, multiple respondents expressed concern over youth smoking in parks. Safety was also a big concern during the roundtable discussion on parks during the community meeting. In

[6] 18.8% of respondents commented on criminal activity within the park system.

defining problems and solutions to safety, residents talked about not only improving lighting and maintenance but also adding community events to create a feeling of ownership and safety.

Table 5.12 Survey Results: Perception of safety within parks.

	Count	Percentage	Generalized Percent
Very Safe	11	15.9%	56.5%
Safe	28	40.6%	
Not Very Safe	24	34.8%	37.7%
Not Safe at all	2	2.9%	
No Response	4	5.8%	5.8%
Total	69		

Table 5.13 Survey Results: Perception on park maintenance and upkeep

	Sufficient Lighting	Glass Present	Graffiti	Litter
YES	42.0%	24.6%	43.5%	46.4%
NO	36.2%	47.8%	40.6%	36.2%
N/A	21.7%	27.5%	15.9%	17.4%

Members of the survey team were asked to provide comments on park conditions. In Cudahy Park, surveyors noted that the restrooms were poorly maintained, water fountains were in bad condition, and that graffiti was present. Similar conditions were present in Clara Park, although no graffiti was noted. In Lugo Park, surveyors noted poor bathroom maintenance and the presence of graffiti. Lastly, in the River Park, the surveyors noted that the gates were locked over the weekend, and after 5 p.m. on weekdays. Residents also mentioned restrooms as a concern at both community workshops.

<u>Mode of Travel</u>

All of the parks are easily accessible by various transportation modes including car, bus and bicycle. The majority of survey respondents — 61% — reported walking to the park. The high percentage is unsurprising, since the vast majority of residential properties are

within one-half mile of a neighborhood park. 26% of respondents said that they regularly drive to the park; respondents were more likely to drive to the park if they were traveling with children (78% of drivers). Fewer respondents[7] biked to the parks— 6%. Zero respondents reported taking public transportation, which is unsurprising for smaller parks that lack regional attractions.

Table 5.14 Mode of travel to park facilities

	Count	Percentage
Walk	42	60.9%
Bike	5	7.2%
Car	18	26.1%
Public Transit	0	0.0%
No Response	4	5.8%

Table 5.15 Who do residents come to the park with?

No Response	Came alone	Family (adult)	Family (child)	Friends
11	12	4	34	8
15.9%	17.4%	5.8%	49.3%	11.6%

Transportation

Future growth and development will increase demand for transportation and affect the infrastructure for different modes of transportation, including cars, public transit use and biking and walking. While the relationship between land use and tripmaking is typically modeled using ITE trip generation rates, these have been criticized by scholars and likely overestimate vehicle trips. (Shoup, Millard-Ball; Handy, Shafizadeh and Schneider, 2013). ITE projections are probably especially inaccurate in dense communities and in low-income communities, making them especially in appropriate for Cudahy. As such, we conducted surveys and secondary data analysis to get a better picture of current travel behavior for Cudahy residents in order to understand how transportation use would increase with future growth.

[7] Biking is very popular amongst young people in Cudahy. However, we only able to survey persons over the age of 18.

While research using national and statewide data points to potential trends, we conducted studies and analyzed secondary data to better understand travel behavior in Cudahy. The U.S. Census Bureau's American Community Survey has data at the city level on commuting to work, but travel to work will differ from other types of travel. According to the 2010- 2012 California Household Transportation Survey (CA-HTS), trips between work and home accounted for only 12% of trips of survey respondents in the four major metropolitan regions of California. As such, it is important to understand how people travel for non-work trips. We conducted surveys and pedestrian counts to better understand transportation at the local level and to complement Census and CA-HTS data for work travel.

Transportation Infrastructure

The transportation system in Cudahy consists of a roadway network dominated by Atlantic Avenue, collector streets, and local streets. With the exception of Atlantic Avenue, the streets follow a grid pattern. The Long Beach Freeway (Interstate 710), located due east of the City, provides regional access to the City. According to the 2013 Housing Element, traffic volumes on most city streets are approaching or currently at capacity. The city of Cudahy conducted an intersection level-of service at peak hours at four intersections and roadway segment level-of service for eight roadways for their Existing Conditions report of Cudahy's 2040 master plan. One of the four intersections, the intersection of Atlantic Avenue and Salt Lake Avenue, operated at unacceptable levels of service in both the AM and PM peak periods. Five of the eight roadway segments were operating at a high level of service, which would result in "delays, unpredictable travel times for motorists, and challenging conditions for those who walk or bicycle."

For Cudahy residents, public transportation services are provided by the LA County Metropolitan Transit Agency (MTA) and the Cudahy Area Rapid Transit (CART). MTA Lines 260 and 762 (rapid) run north and southbound on Atlantic Avenue, and lines 611 and 612 run east and westbound along Santa Ana Street and Otis Avenue, respectively. According to data from MTA (year unknown, likely in 2012-2016), an average of 2,660 boardings are recorded each day in the City of Cudahy. The local transit service, CART, provides fixed-route transit in most of Cudahy and offers on-demand services for persons with doctors' appointments in nearby cities. In addition to bus service, Cudahy is within four miles of the Long Beach Blvd station for the green line and the Florence Station for the Blue Line.

Although there are no designated bicycle lanes within Cudahy's borders, a bicycle trail runs along the adjacent Los Angeles River. According to a 2013 Pedestrian Safety Assessment for the City of Cudahy, Cudahy ranked 8th out of the 98 California cities with a population of between 25,000 – 50,000 people for the number of pedestrian collisions compared to population size, so pedestrian safety is a concern.

Methodology

We modified a survey from the California Smart-Growth Trip Generation Rates Study by CalTrans and UC Davis (2013) to understand different ways that people travel in Cudahy. We adapted their Trip Generation survey to use at 3 commercial plazas in Cudahy (addresses below). While the Caltrans survey focused on rush hour periods on weekdays, we surveyed over a longer period of the day and during weekends to understand a full range of travel. We have 132 surveys collected from five different survey times (below). Teams of two students conducted surveys at the following dates

Table 5.16 Trip generation survey schedule

Date	Day of Week	Time Range
8/26/15	Wednesday	8 AM - 2PM
8/29/15	Saturday	10 AM - 4 PM
9/6/15	Sunday	10 AM - 4 PM
9/8/15	Tuesday	8 AM - 2PM
9/9/15	Wednesday	2 PM - 8 PM

We surveyed three different locations:

- Superior Grocers Site (A) - Cudahy Shopping Center; 7300 Atlantic Ave
- Kmart / Big Lots Site (B) – Cudahy Plaza; 7907 Atlantic Ave
- Smaller commercial development (C) – Veracruz Plaza; 7629 Wilcox Ave

Surveyors asked about trips to and from this location, including how respondents traveled to this specific location, where they were coming from and going to, and purpose of the trip. We only have surveys instead of a combination of surveys and observations (as recommended by the California Smart-Growth Trip Generation Rates Study) so this data does not represent all people leaving and entering. If we wanted a full measure of travel demand, we would need to expand this study to include observations.

We supplemented travel behavior surveys with the following methods:

Park Surveys. Since transportation surveys primarily measured travel for errands and shopping. we supplemented this data with survey questions on how people travel to city parks (as part of the larger park survey). Residents completed surveys at parks where they answered how they traveled to the park on that day. We also administered surveys at a community event where residents answered on how they usually get to the park.

Bicycle and Pedestrian Counts. In an earlier study, the UCLA Lewis Center worked with the Los Angeles County Department of Public Health to conduct bike and pedestrian counts in Cudahy in September 2014. This study used counters at 6 locations to measure pedestrian and bike volume. There was a location near major destinations in Cudahy, including schools, retail areas on Atlantic Ave, and access to the river on Clara St. This study collected data in multiple cities, allowing comparisons of pedestrian and bike levels from Cudahy to other cities in Los Angeles county.

American Communities Survey. We analyzed commuting data from the 2014 American Communities Survey 5-year estimates to assess how residents commute to work and any differences in commuting patterns by poverty level, nativity, and citizen status.

Community Workshop. Residents also had the opportunity to comment on concerns related to infrastructure for active transportation and suggested improvements at the June Community meeting.

Using these combination of methods, we were able to gather data on various reasons for travel, including travel for work, recreation (city parks), and errands or shopping. We combine survey data and community feedback with pedestrian and bike observations to provide a better picture of different travel modes in Cudahy.

Findings

Transportation Surveys

Table 5.17 Survey collection times and totals

Survey Time period	# of Surveys	% of Surveys
Peak am weekday (8- 10 a.m.)	11	8.3
Peak pm weekday (4 - 7 p.m.)	4	3.0
Non-peak weekday (10 a.m. - 4 p.m.)	54	40.9
Non-peak evening (7 - 8 p.m.)	3	2.3
Weekend am (10 a.m. - 12 p.m.)	30	22.7
Weekend pm (12 p.m. - 4 p.m.)	30	22.7
Total	**132**	100.0

We have a higher amount of surveys on the weekends and weekday non-peak times which could be because people were less likely to stop and complete the survey while on commute trips that need to adhere to work schedules. To get a better idea of travel on peak weekdays, we would need to conduct additional surveys at these times.

Table 5.18 Survey locations and totals

Survey Site	# of Surveys	% of Surveys
Kmart/ Big Lots	70	53.1
Superior Grocer	49	37.1
Veracruz Plaza	13	9.8
Total	132	

84 of the 132 respondents (63.6% of respondents) reported their age. Recipient ages ranged from 18 – 80. The median age was 44.5, which is older than the median age of Cudahy. Only 17.8% of survey respondents were below Cudahy's median age of 26, so survey respondents are older than Cudahy's population.

Many survey respondents did not record their home location so while everyone was surveyed at a location in Cudahy, we cannot assume that all respondents were Cudahy residents.

Mode of Travel

We recorded travel both to the current location and to the next destinations. For larger shopping plazas, their destination could either be leaving the plaza or to a different location onsite. Survey respondents' method of transportation was usually the same both to and from their destination, but there were some differences (e.g. if a respondent walked to one destination but then took public transportation to the next location). Not all respondents answered about their travel to their location, resulting in slightly less data for travel from previous location to the current site.

Table 5.19 Reported mode of travel to next destination

Mode of Travel	# of responses	% of responses
Bike	4	3.0
Carpool / Driven	5	3.8
Drive	69	52.3
Public Transit	15	11.4
Taxi / Hired Ride	2	1.5
Walk	37	28.0
Total	132	

Table 5.20 Reported mode of travel from previous destination

Mode of Travel	# of responses	% of responses
Bike	3	2.3
Carpool / Driven	2	1.5
Drive	68	51.5
Public Transit	12	9.1
Taxi / Hired Ride	2	1.5
Walk	38	28.8
No Response	7	5.3
Total	132	

Driving is the most common method of transportation, accounting for just over half the trips, 54.4% from the previous location to the site and 52.3% from the site to the next destination. We also noticed a high amount of walking, with walking as the mode of travel for 30.4% of trips to the site and 28% from the site to the next destination. This is much higher than the mode split for walking in the Los Angeles metropolitan area as a whole, 9% (Blumenberg et al, 2016).

Where do People Travel?

Not every survey respondent provided information on their previous and next location, but we were able to collect some information on destinations. We used this information to determine what percent of trips were to or from other destinations in Cudahy, to a location in the same shopping complex, or to another city.

51 people provided information on their next destination.

Table 5.21 Where are people going: travel destinations of survey recipients

Location	# of responses	% of responses
Cudahy	24	47
Onsite	12	23.5
Gateway city or nearby cities	15	28.3
Total	51	

82 people provided information on their previous location before heading to this site

Table 5.22 Where are people coming from: previous destinations of survey recipients

Location	# of responses	% of responses
Cudahy	42	51.2
Onsite	3	3.7
Gateway city or nearby city	37	45.1
Total	82	

While the majority of people were traveling to and from another location in Cudahy, there was also a fair amount of travel to other Gateway Cities and other nearby cities, showing the regional nature of travel. The most common cities that people were

traveling to and from were Bell, South Gate, and Huntington Park; other cities that people were traveling to included Lynwood, Compton, Long Beach, East Los Angeles, Maywood, Bell Gardens, and Whittier.

Differences in Travel

Due to the small survey size, we did not have enough responses to compare modes of travel by times of day but we did identify variation in modes of travel between the different travel locations and between where people were traveling to and from.

We conducted a cross-tabulation on how mode of travel differed by location.

Table 5.23 Travel Responses by Location (with percent of travel modes)

Mode of Travel	Kmart	Superior Grocer	Veracruz Plaza	Total
Bike	1(1.4%)	2 (4%)	1 (7.7%)	4
Carpool / Driven	3 (4.3%)	2 (4%)	0 (0.0%)	5
Drive	35 (50%)	30 (61%)	4 (30.8%)	69
Public Transit	10 (14.3%)	4(8.2%)	1 (7.7%)	15
Taxi / Hired Ride	2 (1.7%)	0 (0.0%)	0 (0.0%)	2
Walk	19 (27.1%)	11(22.4%)	7 (53.8%)	37
Total	70	49	13	132

We identified differences in travel between the different locations, with Superior Grocer having the highest percentage of car travel and Veracruz having the highest percentage of walkers. Since Veracruz Plana is a smaller neighborhood market, this finding is not surprising. The Kmart/ Big Lots Plaza was between the other two sites with a lower rate of walking than Veracruz and a higher rate of walking than Superior Grocers. This Kmart/ Big Lots site has the higher use of public transportation, but given the small numbers of data on public transportation, it is hard to draw conclusions from this data.

We also looked for how travel differed by the different locations people were going to and from. While we did not have location data for everyone, for people who responded, we were able to compare trips from other cities to trips from Cudahy.

Table 5.24 Travel differences by next destination (where residents were going to)

Percent of total trips		
Mode of Travel	**Trips to Cudahy (out of 42 cases)**	**Trips to other cities (out of 15 cases)**
Bike	4.2%	
Carpool / Driven	4.2%	
Drive	37.5%	80%
Public Transit	4.2%	6.7%
Taxi / Hired Ride		
Walk	50.0%	13.3%

Table 5.25 Travel differences by previous destinations

Percent of total trips		
Mode of Travel	**Trips from Cudahy (out of 42 cases)**	**Trips from other cities (out of 32 cases)**
Bike	2.4 %	0.0%
Carpool / Driven	0.0%	3.1 %
Drive	38.1 %	75%
Public Transit	9.5 %	9.4%
Taxi / Hired Ride	0.0%	3.1%
Walk	50 %	9.4%

While we don't have enough responses to make comparisons between public transit and biking, we can see preliminary differences between walking and driving. Residents had a higher rate of walking when going to and from Cudahy locations than to locations from other cities. For trips to other Cudahy locations, residents were more likely to walk than drive. We had fewer bikers, but we did not have any bikers going to or from a different city, only to Cudahy locations. This shows how travel behavior could also depend on distance between locations.

Park Travel

We also looked at park survey data to look at travel to other types of places. We had two types of surveys (both with 28 responses): one survey where people discussed how they got to the park on that day and one survey where people answered how they usually got to the park. Surveys that asked how residents usually get to the park were collected at a community event. An organization focused on active living recruited many of the participants to this community event which could result in a higher amount of completed surveys by people who walk or bike.

For both survey methods, walking was the primary mode of travel to parks. Since people at the park were Cudahy residents, this is consistent with the high rate of walking to destinations within the City.

Table 5.26 Travel behavior of park survey recipients

Mode of travel	How did you get to the park today? (N = 28)	How do you usually get to the park? (N = 28)
Drive	12 (42.9%)	5 (17.9%)
Walk	16 (57.1%)	19 (67.9%)
Bike	0 (0.0%)	4 (14.3%)

Bicycle and Pedestrian Counts

The figure below from the UCLA Lewis Center (2015) shows locations of 4 different bicycle counters that measured bicycle use between 2013-2014 The highest bike use was at Clara Street (210 per day) and bicycle counts averaged 60-80 per day at the other 3 sites. The range of daily bicyclist volumes recorded at locations in other cities was between a low of 20/ day and a high of 240/ day.

While bicycle counts were comparable to other cities, Cudahy had significantly higher pedestrian counts. Almost an order of magnitude higher than those seen in any other city, pedestrian volumes in Cudahy were the highest observed by DPH-loaned devices during 2013-2014.

The UCLA Lewis Center also examined data from 6 counters to measure pedestrian use. These data point to a high amount of pedestrian school traffic in Cudahy. Vehicle volumes are highest on the major thoroughfare of Atlantic Ave., but pedestrian volumes on Atlantic are relatively modest compared to the school site around the corner on Elizabeth St. There are about fifty cars per pedestrian on Santa Ana St, while there are

only two cars per pedestrian on the school location at Elizabeth St. Pedestrian counts on Clara St. (1050 per day), Live Oak St. (1310 per day), and Elizabeth St. (3170 per day) also displayed extremely regular hourly volumes patterns on weekdays indicative of school traffic, with volumes 5-8X higher during morning arrival and afternoon school departure times than other daytime hours.

Analysis of Commuting Patterns

Using a 5-year estimate from 2010-2014 American Communities Survey, we compared Cudahy's commuting patterns for workers over age 16 to LA County commuting patterns.

Table 5.27 Commuting patterns to work

Mode of Travel	Cudahy (%)	LA County (%)
Car-truck or van	86.4	82.9
Drove alone	68.0	72.6
Carpooled	18.4	10.3
Public Transit	5.3	7.0
Walk	3.0	2.9
Bicycle	0.8	0.9
Taxi	1.5	1.3
Work at home	3.0	5.1

The percent of people who drive to work in Cudahy is slightly higher than the county percentage. However, within people who drive to work, Cudahy has a higher percentage of people who carpool compared to county average. This is consistent with literature that found that immigrants were more likely to carpool than US born citizens (Blumenberg & Smart, 2010).

Within the City of Cudahy, we looked at differences in commuting by nativity and citizen status. Of workers in Cudahy over age 16, 30% of workers were born in in the US, 15.8% are naturalized US citizens and 54.2% are foreign born residents who are not US citizens.

Table 5.28 Travel Patterns by Country of Origin
(% of residents that commute by the different transportation methods)

	US Born	Foreign born naturalized citizen	Foreign born, not a US citizen
Car- drive alone	77.13%	77.69%	60.07%
Carpool	12.90%	13.18%	23.03%
Public Transit	2.57%	2.81%	7.58%
Walk	4.35%	2.20%	2.49%
Taxi and other	0.62%	0.96%	3.47%
Work at home	2.43%	3.16%	3.35%

There were fewer differences between US born residents and naturalized citizens, but we did see differences with foreign-born workers who are not US citizens. Foreign born residents are less likely to drive alone to work and twice as likely to carpool as US born workers in Cudahy. Similar to Blumenberg and Smart's findings, foreign born residents were more likely to take public transit (three times as likely) than US born workers, but carpooling was more common than public transit for non-US citizens.

We also looked for differences by poverty status. In Cudahy; 18.08% of working residents over age 16 are below the poverty level, 16.29% are between 100 – 149% of the poverty level, and 65.63% are over 150% of the poverty level. These levels also indicate a high amount of working poor or near-poor compared to county or national levels (with 8.8% of workers below the poverty level and 9.5% of workers between 100 – 149% of poverty level in LA County).

Table 5.29 Travel Patterns by Poverty Status of Workers
(% of residents that commute through each transportation method)

	Workers below poverty level	Workers between 100 - 149% of poverty level	Workers above 150% of the poverty level
Drove alone	53.3%	61.7%	73.6%
Carpool	17.8%	21.8%	17.8%
Public Transit	12.5%	7.5%	2.8%
Walk	6.1%	3.7%	2.0%
Taxi or Bicycle	2.8%	3.4%	1.8%
Work at home	7.5%	2.0%	2.1%

Workers who live in poverty are four times more likely to take public transit than workers who are at 150% or over the poverty level, while workers over 150% of the poverty level were the mostly likely to drive alone to work. Workers that are between 100 – 150% of the poverty level had the highest rate of carpooling. However, for all groups, driving is the most common way to get to work.

Resident Feedback on Transportation Infrastructure

While most of the data analysis looked at travel behavior, residents shared thoughts on transportation infrastructure and suggested improvements at the June Community meeting. Residents talked about the CART bus services, including its infrequent service and how it only goes in one direction. Another resident discussed how bus stops should have seating with shade. While rapid bus stops have new seating, residents thought that other bus stops could use seating. With regards to walking, some residents felt that a lack of safety may keep people from walking. They referred to graffiti on the sidewalk as a sign to some residents that walking is unsafe. They also mentioned how sidewalks are not maintained, which can be hazardous for walking or for skateboards. Residents discussed issues around bike safety but were not in agreement about whether bike lanes would be a good idea due to the narrow streets..

Summary

While we have data on variety of travel behaviors, we have less data on travel methods such as taxis and biking and are less able to draw conclusions for these types of travel. However, this data suggests some preliminary finding for other travel methods.

Driving is common but Cudahy also has high rates of walking and carpooling. Driving is still a common mode of transit, whether for errands or for commuting for work. However, both surveys and pedestrian counts identified very high levels of walking. We consistently observed walking mode splits ranging from 20-50%, much higher than the Los Angeles metro mode split for walking, which is 9% (Blumenberg et al, 2016). In surveys at shopping centers and at parks, the rate of walking was more common than using public transit. For commuting to work, we found a high rate of carpooling to work compared to LA County as a whole, especially for non US citizens and for workers who are between 100 – 150% of the poverty level.

Mode of travel depends on destination. While we only have preliminary findings from surveys, we found differences in travel based on the survey location and how far people were traveling. Respondents going to or from other locations in Cudahy had a higher rate of walking while residents going to and from locations in other cities had a higher rate of driving. Traffic patterns also depended on the survey location as the smaller commercial plaza (Veracruz Plaza) had higher rates of walking and Superior Grocery Store had the highest rate of driving. This finding could be due to the fact that residents come from shorter distances to shop at Veracruz Plana.

Mode of travel could also depend on the reason for travel. Using data from the 2009 National Household Transportation Survey for six counties in Southern California (Los Angeles, Orange, Riverside, San Bernardino, Ventura, and Imperial), the Southern California Association of Governments found the trip length is longest for trips between home and work (Hu et al., 2011), so the mode of travel may differ between traveling to work and other types of trips. We found higher rates of walking in our surveys compared to ACS data on commuting to work. We did not see carpooling rates in survey data that compared to the carpooling rates for work, so future surveys could look at the role of carpooling for other types of trips and how travel behavior changes depending on reason for travel.

High amount of travel between Gateway Cities. While survey respondents were most likely to report traveling to other locations in Cudahy, many residents reported that their next destination was in another Gateway city, a city in Southeast or East Los Angeles County. Three of the neighboring cities, Bell, South Gate, and Huntington Park were 3 of the most common destinations. This survey results shows that travel is not only within Cudahy but within the Gateway or larger region.

Differences in travel by demographics. Through the American Communities Survey data on travel to work, we found differences in rates of driving alone, carpooling, and using public transportation by poverty level and citizenship status. Workers living in poverty and non-US citizen workers were more likely than people living above the poverty level or US citizens to use public transit. Because of this, low-income workers and immigrant workers may be especially affected by improvements or declines in public transportation infrastructure. However, driving and carpooling are still the common ways to get to work for all groups.

Parking

Methodology

To estimate the demand for on-street parking in Cudahy, daytime and overnight occupancy counts were carried out over the course of several weeks. Driving along a predetermined route, the survey teams observed parking occupancy on all city streets, excluding public alleys and private driveways. Although the surveyors drove past certain blocks multiple times, they were told to only to record the number of cars once per hour, regardless of whether demand appears to increase or decrease on a later pass. They were also told to take note of any irregular activity in the public right-of-way (i.e. construction, yard sales, oversized vehicles, etc.).

In the City of Cudahy, there are an estimated 3,150 on-street parking spaces. The supply of on-street parking was calculated using the following formula:

$$\text{Number of Spaces} = \frac{\text{Road Length - (\# Driveways x 12 ft) - (\# No Parking Areas x 20 ft)}}{\text{Average Length of Parking Space (20 ft)}}$$

A member of the survey team went out with a measure wheel to test the accuracy of the formula; for the twenty street segments measured, the formula was found to be, on average, accurate within one car length. Based on a measurements made in the field, we determined the average driveway width to be 12 feet and the length of “red curb” / “no parking areas” to be 20 feet. Road length was determined using the measure tool in ArcGIS.

Table 5.30 Parking Data Collection Schedule. Accounting for traffic and breaks, the survey team averaged four rounds of observation in the six hours allotted.

Day of Week	Date	Survey Period	# Surveyors	# Observations
Tuesday	9/1/2015	7 AM - 1PM	3	4
Tuesday	8/25/2015	2 PM - 8 PM	3	4
Wednesday	9/9/2015	7 AM - 1 PM	3	4
Wednesday	9/16/2015	2 PM - 8 PM	3	4
Friday	9/18/2015	12 AM - 1 AM	2	1
Saturday	9/12/2015	2 PM - 8 PM	3	4

Table 5.31 Standards for parking observation.

Include in Count	Do Not Include in Count
Vehicles idling in parking spaces Vehicles occupying multiple spaces Vehicles pulling into or out of spaces	Vehicles parked in driveway lips / overhangs Municipal / emergency vehicles Vehicles parked in loading zones Vehicles parked in public lots Vehicles with fewer than 4 wheels

Findings

Data Analysis – Temporal

Peak parking occupancy, was observed on Saturday, from 4:00 - 5:00 PM and 6:00 - 7:00 PM. On that Saturday afternoon, 43% the City's parking stalls were observed to be occupied. Midweek, occupancy reached 39%, and overnight, parking occupancy was 28%. Figures below summarize the results.

Figure 5.2 Average Hourly Occupancy – Weekday

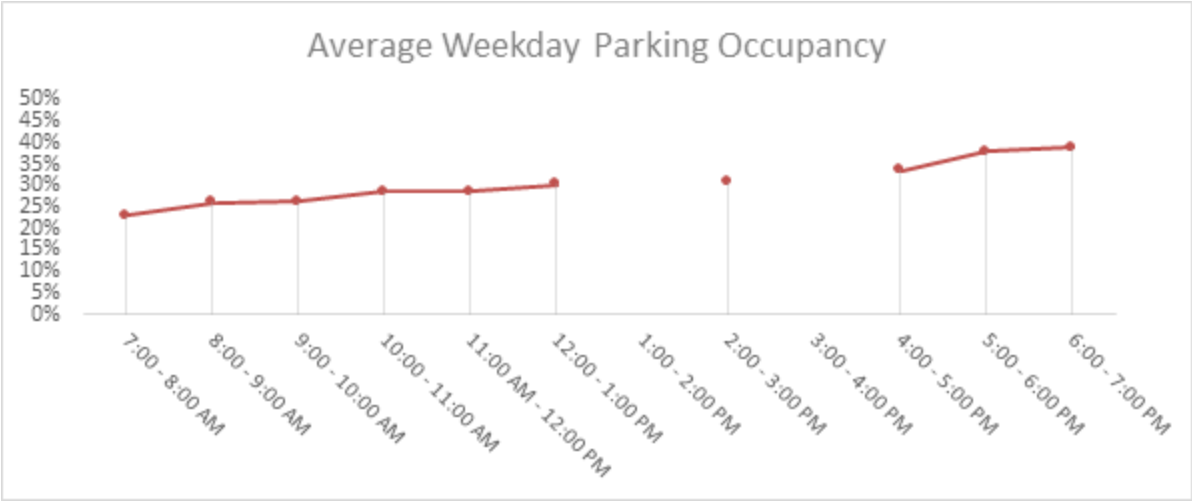
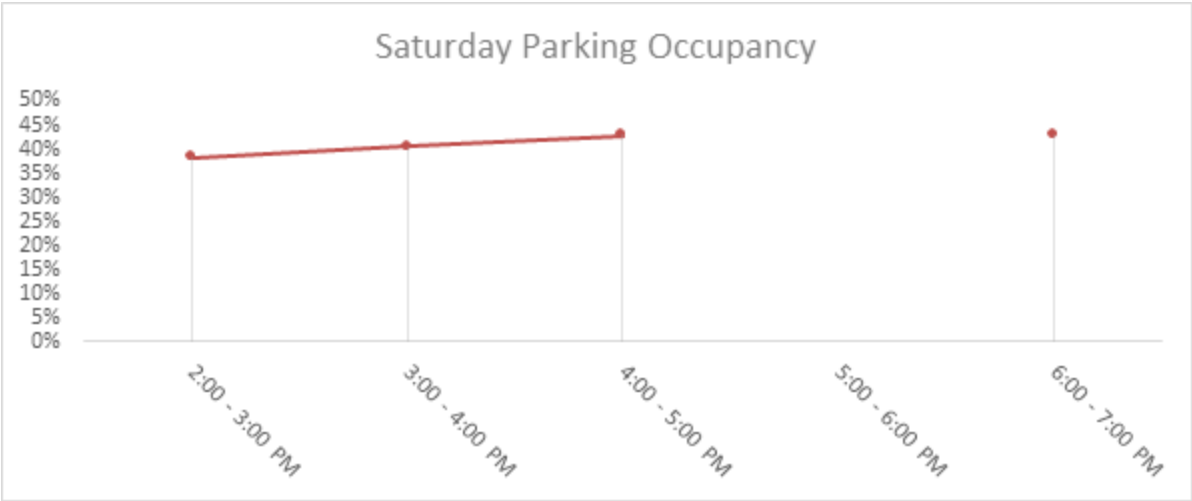
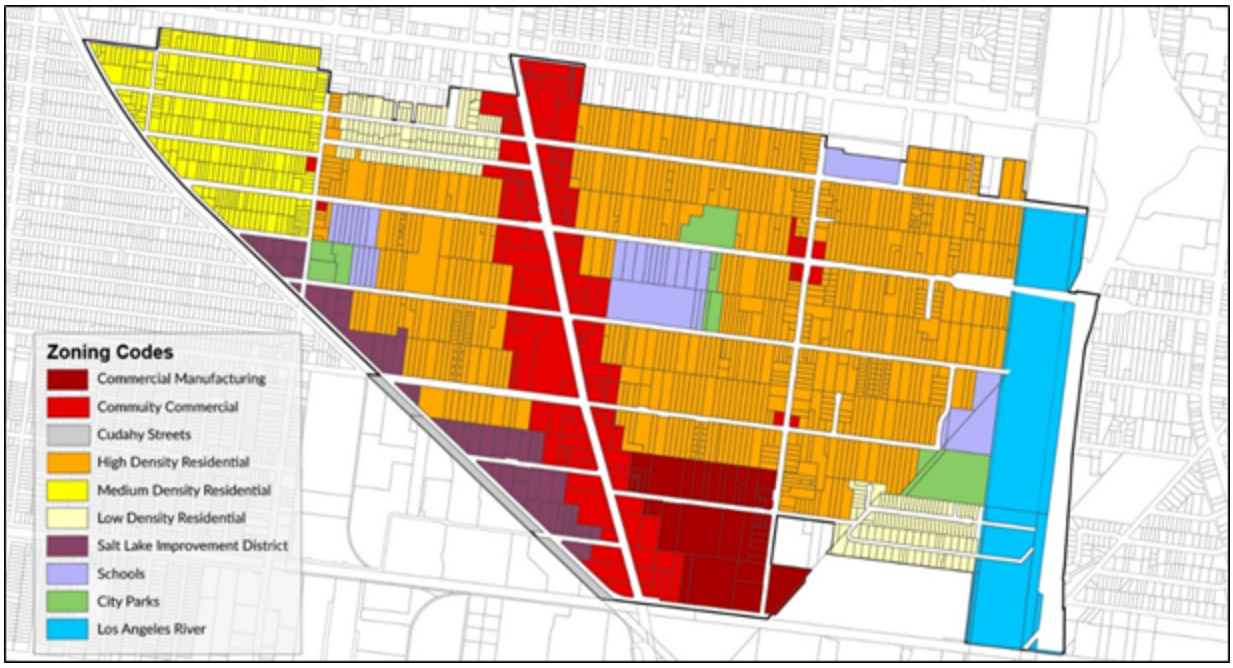


Figure 5.3 Average Hourly Occupancy for Saturday



Data Analysis – Geographical

Figure 5.4 Cudahy zoning map



As shown in Figure 5.4, majority of Cudahy is zoned for residential land uses, primarily high- and medium-density. The development pattern can be characterized as older single-family units peppered within higher density development (with 51.5% of land area zoned higher density). While the City has some industrial zoned land in its southern portion and on both the east and west sides of Atlantic Avenue (12.3% of land area), it has historically been a residential and commercial area.

On weekday mornings, peak parking occupancy occurred in the southern portion of the City, where commercial manufacturing uses are concentrated. Occupancy was highest on Cecilia Street between Salt Lake and Atlantic Avenue (95 – 100% occupancy); there are two trailer parks, an auto body shop, and several manufacturing companies along the street segment. The second highest occupancy was recorded on Atlantic Avenue between Cecilia and Santa Ana St (95 – 100% occupancy); parking on this street segment is limited to a small section in front of the Cudahy Post Office. On weekday afternoon, demand for parking reduces in the commercial areas of the City and increases in slightly in the more residential areas. Occupancy was highest at the northeast corner of Wilcox Avenue and Cecilia Street (both at (95 – 100% occupancy).

Parking occupancy reached a high of 43% during the weekend survey period (1,347 vehicles). As expected, higher rates of occupancy were observed in residential than commercial areas. Similar to weekday afternoons, occupancy was highest at the northeast corner of Wilcox Avenue and Cecilia Street. The second highest occupancy was recorded on a segment of Otis Avenue between Live Oak and Walnut Street.

Although the ban on overnight parking was lessened through the recent pilot program, only one street reached an occupancy rate above 50% - Clara Street, between Wilcox Avenue and Road reached 59% occupancy. Citywide, overnight occupancy was at 7% with 258 cars parked on the streets. The highest occupancy was observed on Otis Ave between Flower Ave (17 cars).

Figure 5.5 Weekday morning parking demand

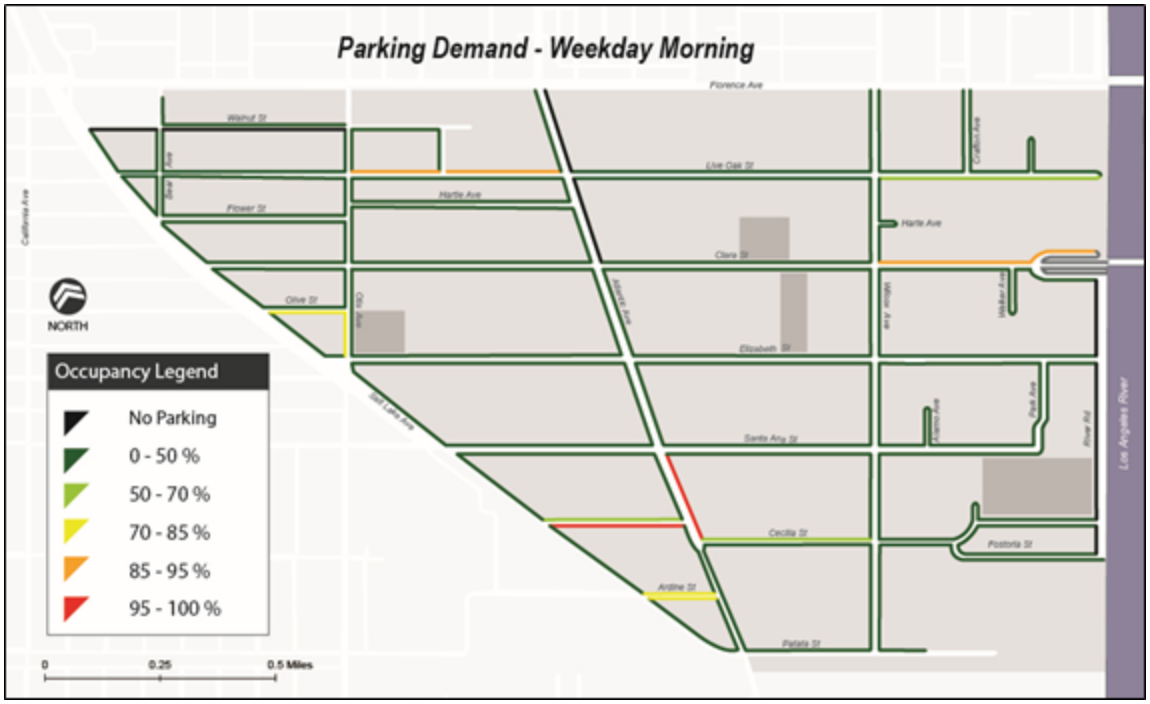


Figure 5.6 Saturday afternoon parking demand

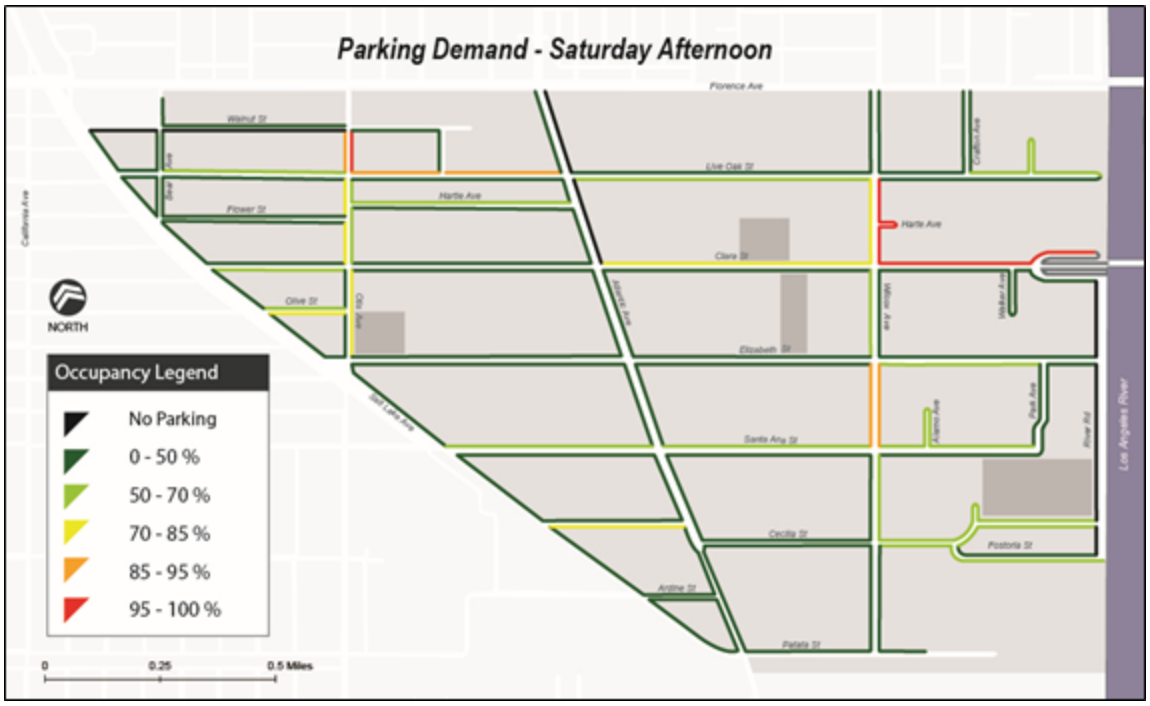
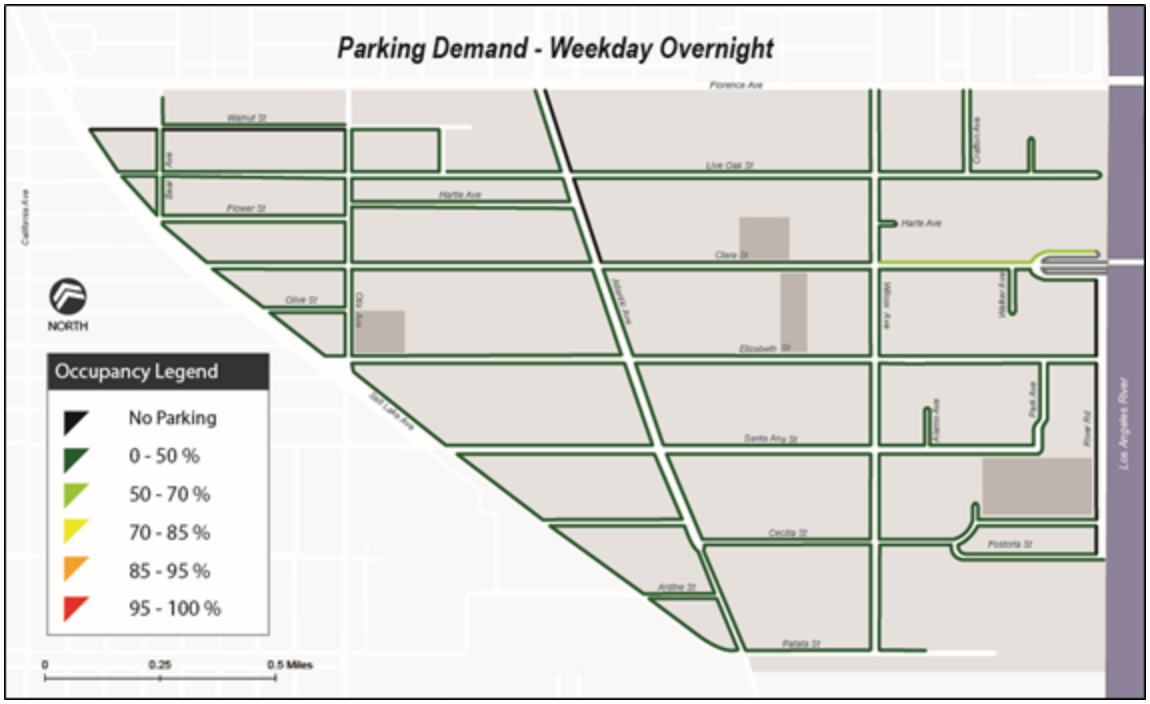


Figure 5.7 Weekday overnight parking demand

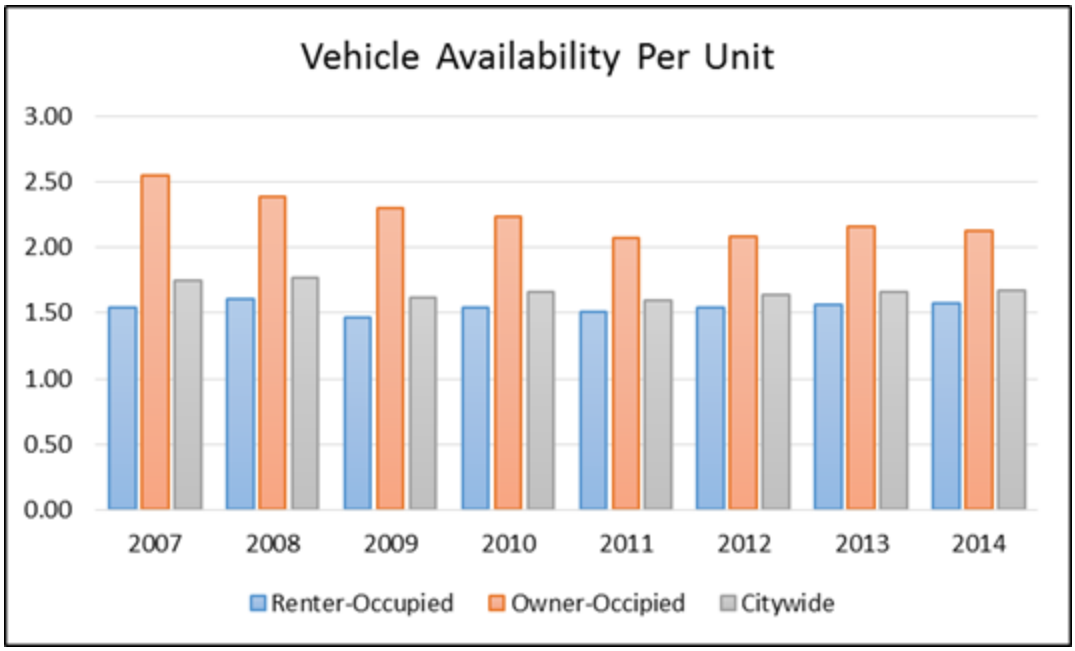


Vehicle Availability Analysis

ACS household vehicle availability represents the greatest possible residential parking utilization, excluding possible overnight visitor parking. According to the 2014 American Community Survey (ACS), there are 9,404 vehicles available in Cudahy, 78% of which are from renter occupied households. Dividing the number of vehicles available for rental households by the number of rental households, (2334 / 4,664) yields an average household vehicle availability of 1.58 vehicles per rental unit. For owner-occupied units, average household vehicle availability (2,070 / 971) of 2.13 vehicles per unit. Citywide, vehicle availability per unit is 1.67. Figure 5.8 shows vehicle availability rates for owner- and renter-occupied units from 2007 – 2014.

From 2007 to 2014, the vehicle availability rates for renter-occupied units has ranged between 1.47 and 1.61. The ACS numbers are lower than the code requirement of 2 to 3 parking spaces per rental unit, as well as the theoretical on-site supply rate of 2.88 spaces per unit, suggesting a lower minimum may be appropriate for rental properties. For owner-occupied housing, which is 60% single-unit and 27% mobile home, vehicle availability ranges between 2.07 and 2.55, the code requirement of 2 spaces per unit is in line with the survey data.

Figure 5.8 Per unit vehicle availability from 2007 to 2014;
Data source: American Community Survey



Findings from Community Input

To understand resident's lived experiences with parking and their perspective on potential changes to parking requirements, we conducted two focus groups with in-depth discussions on parking, specifically focusing on the overnight permit program.

Focus Group One: In the first meeting, residents shared their experiences with parking permits and concerns about the permit process. Residents did not think the City should allow parking without a permit and supported having a permit process for overnight parking. However, residents had significant concerns with the current pilot program and felt that this permit process should be revised. Specific concerns included the cost and time of getting additional paper permits for street cleaning nights, permit requirements that might be too difficult or complicated for some residents (especially for undocumented residents) and the high costs of permits. Residents provided suggestions to address these issues such as reducing the cost and current paperwork requirements and alternating street sweeping to different sides of streets to remove the dual permit needs.

Participants in this focus group also responded to different ideas for parking requirements in Cudahy. Residents did not support the idea of removing parking requirements for new developments. When asked about funds from the parking permit process, residents strongly supported the idea of parking funds being dedicated to a specific purpose as opposed to the general fund. One resident suggested using revenue for decorative signage, such as a "Welcome to the City of Cudahy" sign, and another resident suggested funding for bus shelters with seating and protection from sun and rain.

Focus Group Two: In the second focus group, residents discussed two different recommendations for overnight parking: simplifying the current permit process or allowing parking without a permit. Residents strongly preferred the idea of having a permit for overnight parking instead of allowing parking without a permit. Residents felt that the permit price was too high but residents differed on other aspects of permit requirements. Some residents supported having fewer requirements for a residential permit while other residents wanted permit applicants to demonstrate need or a parking burden (that they have more cars than available parking spaces). As one resident shared stories about parking in other cities and then needing to walk on the bridge over 710 freeway and the LA river, about half of the residents nodded in agreement. Drawing from these experiences, residents worried that if restrictions were lifted, residents from other cities would park in Cudahy. In expressing concerns that streets would be too crowded, one resident mentioned cul-de-sacs or streets that only have parking on one side, so parking proposals will want to account for this. One resident mentioned that this was the first time hearing about the pilot program, so through additional outreach, enrollment in this program would increase. Since parking demand is still unknown, residents suggested having another pilot program to evaluate changes. Other suggestions included have a more durable sticker instead of paper prices and that permit prices should include the guest permits needed to park on street sweeping nights.

Community Meeting

At the community meeting, residents discussed both overnight parking and the idea of removing parking. Residents had some hesitations about the idea of removing parking requirements. Some residents thought that removing requirements should be on a property or project basis and other residents asked about the idea of underground parking. Residents expressed concern about limited parking if parking requirements were removed.

Public Outreach

Outreach with a diverse group of stakeholders helped ensure that recommendations for strategic growth would be based on community experiences and priorities and that recommendations would work with Cudahy's context. We engaged with residents in several ways, including focus groups, community input sessions and surveys. In addition to meeting with residents, we also solicited input from developers, community organizations, and technical experts through a technical advisory committee and developer roundtables.

The goals of the public outreach were as follows:

Understand the daily experiences of Cudahy residents. Public input helped to gain information on resident's daily experiences with using the parks and obtaining parking, as well as the current challenges and barriers to use that exist. As a working-poor, primarily immigrant community, engagement made sure that the experiences and concerns of low-income residents were at the center of policy recommendations.

Hear residents' perspectives on policies for growth. Recommendations related to *future* growth will also affect *current* residents. Outreach helped to gather residents' thoughts and perspectives on growth so that residents' priorities would help shape project recommendations.

Make sure that policies align with community, regional, and statewide initiatives. Sessions with both residents and developers provided insight on how recommendations would work in Cudahy's city and regional context. Technical Advisory Committee (TAC) meetings helped to ensure the relevance of this project to local needs and that policy changes would be in line with regional and statewide initiatives.

While recommendations and themes are specific to Cudahy, this outreach process provides an example of community engagement in a working-class suburb. This knowledge gained from this process will not only strengthen project recommendations, but also provides an example of a community engagement process for other cities.

Outreach took place between August 2015 and June 2016. It's worth noting that there are a number of ongoing changes in the City that are not necessarily reflected in this

feedback, notably to parks programming and services, maintenance, and overnight parking regulations. In addition, the coming years will see implementation of over $7M in grant funds for pedestrian and vehicle safety, which are not reflected in this feedback.

Methods of Engagement

We conducted several different activities to solicit public input, including surveys, activities at community events and community input sessions. Much of the resident feedback focused on parks and parking policy as these two areas both matter for current residents and will be affected by future development. In addition, residents provided feedback on overall project recommendations. From *Lot to Spot*, a community-based nonprofit that is dedicated to creating green spaces in low-income communities and has extensive experience with bilingual community engagement processes, facilitated the various outreach sessions.

Partnerships with residents are not simply about informing residents, but rather having residents inform decisions, or a process of a shared decision-making. Portland's toolkit for community engagement describe a range of public participation methods from informing the community to participation focused on decision-making, with the City implementing residents' decisions (see Appendix). The specific methods and the level of participation will depend on the type and importance of decisions, so cities will have different levels of participation for different contexts. At times, we simply sought input. At other times, we aimed to move beyond participation methods that gathered input to include participation methods where residents were considered as experts. To do this, we focused on accurately depicting the tradeoffs -- for example, the tradeoff between providing many off-street parking spaces and restricting the feasibility of affordable development -- so that residents could directly discuss them.

We conducted outreach in the following ways:

National Night Out outreach. *From Lot to Spot* (FLTS) hosted an interactive sidewalk activity at Cudahy's annual National Night Out event in August 2015; no UCLA staff members were present at this event. National Night Out is an annual community-building event to improve police-community relationships that happens in cities across the United States. FLTS had a table at Cudahy's event where residents could complete a short park survey and a mapping activity to discuss parking concerns.

Community input sessions. Residents provided feedback through two larger community workshops, that were conducted in both English and Spanish. The public workshop was used to disseminate information about the project and get feedback from the community. Thirty-two residents, including the Mayor of Cudahy and city council members, attended the first workshop focused on parks. Twenty-three residents attended the second session where community residents heard overall goals and final recommendations and then provided feedback on project recommendations and priorities.

Focus groups. Residents participated in in-depth discussions through two focus groups. These focus groups discussed parking, with an emphasis on the overnight permit program. Focus groups built off each other as resident feedback from the first focus group fueled additional research. Eight people attended the first focus group and fourteen people attended the second group session.

Technical Advisory Committee and Developer Roundtables. For the technical advisory committee (TAC) meeting, we invited people from fifteen organizations including regional and Cudahy governmental agencies, city offices from nearby cities, community nonprofit organizations, statewide organizations, and universities. Eight people attended the first event, including a UCLA professor, staff from three community organizations that focused on biking and active transportation, greenspace and community gardens, and/ or environmental justice, City staff, and staff with the Los Angeles County Department of Public Health and the Southern California Association of Governments (SCAG). TAC members provided general project feedback, discussed regional and statewide initiatives that could align with this project, and raised key questions and challenges for this project. City staff were able to answer questions about the City's planning practices and policies. Seven people attended the second TAC meeting, including staff with five different community organizations and the County Department of Public Health, where TAC members discussed the final project recommendations and ideas for community engagement during the final community workshop.

Four developers, including both affordable housing and commercial developers, attended the Developer Roundtable. Developers examined different barriers to development in Cudahy and guided us through their decision making process. They also discussed the implications of removing parking minimums or adding an impact fee for developers.

Surveys. Residents completed surveys at parks, during the community input session, and through a web-based survey. Through surveys, residents commented on how they currently use parks, their concerns with parks, and suggestions for improving parks in Cudahy. Seventy-three individuals completed surveys: 38% of surveys were collected at the parks, 38% at the first community meeting, and the remaining 24% of surveys were completed online.

Table 6.1 Outreach activities, dates, and attendance

Activity	Date(s)	Attendance or Number of People Engaged
Sidewalk outreach at National Night Out	August 4, 2015	Unknown
Parks survey	August 2015-June 2016	73
Public workshop #1: parks	September 17, 2015	32
Technical Advisory Committee #1: introduction	October 9, 2015	8
Developer roundtable #1	October 16, 2015	4
Focus group #1: parking	December 15, 2015	8
Focus group #2: parking	February 29, 2016	14
Technical Advisory Committee #2: project recommendations	May 6, 2016	7
Developer roundtable #2	May 12, 2016	1
City Council General Plan Study Session	May 16, 2016	NA
City Council meeting	May 23, 2016	NA
Public workshop #2: project recommendations	June 1, 2016	23

Demographics

Although we did not collect detailed demographic data at outreach events but similar to city demographics, the majority of participants were Latino. Understanding that a large portion of the community is Spanish-only, all community meetings were held in both English and Spanish and focus group sessions were conducted primarily in Spanish. For survey participants, participants who provided information on race or ethnicity were predominantly Latino, save for one survey respondent. 64 % of respondents were female and 36 % of respondents were male. The majority of respondents were between

18- 59 years old, with only 4% of respondents were over 60 (17% of respondents did not provide their age).

Stakeholder Representation

Through public workshops, developer roundtables, and technical advisory committees, we were able to solicit feedback from a wide range of stakeholders, including residents, local and county government, community organizations, regional planning organizations, universities, and developers.

Community Organizations

Community groups helped to increase participation at community events. *Cudahy en Marcha* was an active partner in recruiting people to community input sessions and organized a walk to the Community Workshop to encourage people to attend. At the Technical Advisory Committee, community organizations provided feedback on how plans and projects would work for current residents and discussed ideas for effective community engagement going forward.

Results: What did we Learn?

National Night Out

While filling out surveys, residents shared their daily experiences and concerns with the facilitators from FLTS. With regards to parking, the lack of overnight parking dominated residents' concerns about parking. FLTS facilitators did not talk with anyone who had applied for an overnight parking permit at that time, but residents discussed wanted to purchase permits either through parking machines or online. Residents' suggestions included having more parking, permitting overnight parking, and easing the existing restrictions on parking.

Residents discussed which parks they used, how they used them, and how often they visited. Residents were most likely to use Clara Park and its park expansion, because of its modern, improved look, and its central location. The second most frequented park was Cudahy Park. The most common reason for visiting Cudahy Park was to attend events, though residents also visited Cudahy park because of the library and its location. Most residents reported visiting a park in Cudahy at least twice a week, and in

the evenings (from 5pm until park close). Residents also discussed visiting the park to exercise or for their children to play.

Cudahy community members had many suggestions for park improvements. The most common suggestions included adding more natural elements (i.e. plants and trees), adjusting park layout, adding more adult exercise equipment, and building more walking trails. Residents also wanted to see new community gardens and bike paths in their city.

Cudahy Community Workshop - Park Planning

32 residents broke into four groups to discuss concerns about current conditions and suggested improvements and then they prioritized improvements. The four groups had different priorities (listed below) but common concerns included cleaner, well-maintained restrooms, increased park security, and more opportunities for physical activity, especially through newer and well-maintained exercise equipment.

<u>Resident Feedback from Community Workshop - September, 2016</u>

Group One
1. Install artificial turf at Lugo Park
2. Increase daytime security at Clara Park
3. Add a community garden at Clara Park

Group Two
1. Increase frequency and thoroughness of bathroom upkeep
2. Purchase modern exercise machines for the gymnasium, that are free to use by residents

Group Three
1. Offer more family events (ex. health, community issues)
2. Perform better outreach for meetings and events

Group Four
1. Provide opportunities for persons with disabilities to participate in organized sports
2. Establish a Resource Center with up-to-date computers, where adult education courses can be taught

Residents then used the maps to represent their priorities and suggestions for the different parks. While each group's map had different priorities, common suggestions included increased parking availability, incorporation of community garden space, and improved amenities for physical activity (including soccer fields, exercise machines, walking trails, a running track, and group exercise classes/events).

Focus Groups

Both focus groups focused on parking, with most of the discussion centered on the permitting process for overnight parking. However, this was not the original purpose of those meetings. Initially, we had hoped to discuss parking minimums for new developments and their effect on the cost and supply of affordable housing during the focus group. Residents, however, were not interested in discussing this issue until the issues surrounding the existing overnight permit pilot program were addressed. This experience highlights the fact that planning for future growth is predicated upon existing residents' concerns and realities.

At the first focus group, residents with an overnight permit described their challenges and other residents described concerns with the current pilot program. Residents supported the idea of having a permit process for overnight parking instead of allowing parking without a permit, but residents were in strong agreement that the current process needed revisions. Residents felt that the program had too many requirements, was too expensive, and the process of getting guest permits on street sweeping nights was too costly and inconvenient. One resident brought a multitude of overnight parking receipts and guest passes to illustrate all of the paperwork she was required to have to *legally* park overnight. We also heard several anecdotes about Cudahy residents parking overnight in neighbouring cities or making arrangements with local business owners. Following a thorough examination of the overnight parking program, residents responded to other ideas around parking in Cudahy, such as whether Cudahy should remove parking minimums for new developments and how funds from the permit program should be used. Many of the people in the room also took public transit in addition to using their cars so they were able to comment both on parking and transit.

In the second focus group, residents discussed two different recommendations for overnight parking: (1) simplifying the current permit process, or (2) allowing parking without a permit. Residents did not support the idea of allowing parking without a permit and had a strong consensus around the option for a permit for overnight parking. While residents agreed that the permit price should be lowered, residents had differing opinions on other aspects of permit requirements. Some residents wanted to reduce requirements for a parking permit while other residents wanted applicants to demonstrate need or a parking burden. Residents were concerned overnight parking reform would result in residents from neighboring jurisdictions parking in Cudahy. They also noted that some streets in Cudahy have more acute parking issues than others. One resident had not heard of the pilot program until this discussion, indicating a need for more widespread outreach. Residents felt that after these next revisions, this

program should continue as a pilot program in order to evaluate any changes and demand. Other suggestions included a more durable sticker and including guest permits in the permit prices.

Additional information from the focus groups is the Parking Data Analysis section in Chapter 5: Observations and discussion notes are included in the Appendix.

Resident Feedback from Community Workshop on Plan Recommendations

On June 1, 2016, we presented the project goals and our draft recommendations on parks, transportation, parking and development. Community members then broke up into three different groups to comments on plan recommendations: Parks and Transportation; Development; and Parking. (See Appendix for a list of comments.) Community members provided the following feedback through the three groups:

Parks and Transportation

Residents provided many different suggestions related to parks but two common concerns were the condition of the bathroom and safety. Residents had many ideas on how to make parks safer, including monitoring, lighting, maintenance, and having events at the park. In their conversation around safety, residents discussed how community events can increase safety through creating space for community. Residents showed an interest in park improvements, including having a volunteer organization to help with park improvements.

In regards to transportation, residents discussed ideas such as increasing CART (Cudahy Area Rapid Transit) service, sidewalk maintenance, benches with cover for public transportation, and bike lanes. Residents had differing opinions on bike lanes as some residents thought they would improve bike safety while some people thought with the narrow streets, people in bike lanes were likely to get hit. Discussions around safety applied not only to parks but also to transportation as residents discussed how increased safety would likely lead to increased rates of walking.

Parking

Residents discussed both an overnight permit program and the idea of reducing parking requirements. Residents raised different concerns around overnight parking, such as parking being more difficult in some areas such as cul-de-sacs or near apartments and

residents discussed having parking districts. Residents raised other concerns such as people getting permits for cars that were not under their name. While people did not agree on all parking issues, most people supported the idea of moving street sweeping to the daytime as parking during street sweeping nights remains a problem. Residents also felt that permits were currently too expensive, at roughly $1 per day. They also liked the idea of paying for permits at a kiosk. Participants asked if there was enough parking for both residents and guests, but residents also mentioned the idea of having free visitor permits for family and friends. In response to the idea of reducing parking requirements, one resident suggested underground parking for new developments. Parking for new developments remains a concern for residents and many residents felt that developers should still be required to provide ample parking. Describing the costs for construction spaces and the trade-off between parking and housing was a challenge for this portion of the outreach.

Development

Residents had mixed reactions to the idea of increasing building heights. Some residents felt that increasing building heights would work better for the commercial areas (i.e. Atlantic Avenue) as opposed to the residential areas. Some residents supported the idea of increasing height as long as there was underground parking but other residents worried that increased height would result in “overpopulation.” These residents felt that the City was already “over-populated” and that increasing building heights would exacerbate the parking problem.

In development discussions, residents also raised concerns around parking. One resident did not support removing requirements for all developments but supported the idea of adjusting requirements based on project type and lot constraints. Residents also provided ideas for development, including mixed-income, mixed-use development along the City’s commercial boulevard, Atlantic Avenue. In discussing new commercial development, one resident the opinion that there are already too many fast food options. When discussing low-income housing and affordability, people asked if Cudahy residents could have priority for low-income housing and about incorporating a rent control program. When residents were informed that it would be discriminatory to give priority to Cudahy residents for affordable housing units, they were less enthusiastic.

Residents also commented on policies related to legalizing accessory dwelling units. Residents’ overall feedback was that they would like people living in converted garages to have the opportunity to move into safe dwelling spaces. Residents supported this idea and provided additional ideas, such as an amnesty period, financial incentives to

increase safety, sending notification before citations, and including trailer parks and mobile homes in an ADU program.

Survey Results

Residents completed two types of surveys about parks. For a pen and paper survey, residents answered questions about a specific park. For the online survey, residents answered questions about parks in general, including the different parks that they use. Many residents reported frequent use of the park, using the park at least once a week. Zero people discussed using Riverside Park. General comments referred to having cleaner restrooms, increased activities and programs, and concerns around safety, often related to smoking in the park. Additional results are discussed under overall themes and open-ended comments from the park survey are listed in the Appendix.

Technical Advisory Committee Meetings

After hearing a presentation about the first meeting, TAC members discussed their work in Southeast Los Angeles County related to transportation and environmental health, how this project could align with existing efforts and ideas for community participation. They provided models for affordable growth such as Rosemead's Rails to Trails program. They also discussed challenges that could affect this project such as policies around the 710 corridor, affordable housing barriers, impacts to community health from nearby industry and development, and regional ordinances and policies. While Cudahy currently has less growth and development, committee members also talked about the importance of making sure the existing community is protected if there is additional growth. This meeting helped to place this project in a larger regional context, acknowledge challenges that could affect the success of any initiatives, and provide examples of community engagement.

At the second meeting, TAC members provided feedback on the overall plan and recommendations. If recommendations were to include changing height and parking requirements, then TAC members felt that Cudahy could charge an impact fee. In looking at developers, Essentially, the developers told us that the benefit of the zoning changes has to be significantly larger than the fee imposed. TAC members also anticipated challenges with legalizing ADUs due to absentee landlords.

TAC members shared ideas for park funding and larger park initiatives to connect to, such as First 5 funding, parking revenue for park funding and the county-wide needs

assessment. To increase park programs and activities, TAC members provided ideas such as having nonprofits (such as Kaiser or Cal State) provide programs and joint use agreements with schools.. TAC committee members asked how discussions around recommendations and growth would be framed during the public meeting as this is a difficult topic for discussion. They provided suggestions such as being honest but positive about the City's role in having these discussions and including pictures of different building heights and densities to see what community could look like.

Developer Roundtables

Developers discussed current barriers to development and their factors for development decisions. They listed incentives that could increase development, such as reductions in parking requirements, proximity to transit that allows for these reductions, direct subsidies, strong city infrastructure, and creative land use options. They strongly felt that some of current requirements, such as building heights, served as a barrier for development. Even if Cudahy removed the current parking requirement, developers had negative reactions towards the idea of an impact fee. Stating "the more you tax, the less you get," developers felt that this fee would inhibit development, especially if a fee happened alongside requirements such as the building height. However, they provided alternative ideas to a fee, such as treating fees as a deferred loan or having payment of the fee be dependent on profits.

For the second meeting, Joan Ling, affordable housing developer and adjunct lecturer at UCLA, was in attendance. She discussed selective upzoning in the portion of the City adjacent to the Los Angeles river and the idea that with increased density, the City could ask for either inclusion of affordable housing and a fee. This way, the City and residents will also benefit from any increased density (see Santa Monica as an example.) We also talked about how to depict the urban forms at different density levels to give a better picture of density at community meetings.

Themes: What are Key Considerations?

Parks

Parks are a key community resource. While residents use the parks at varying levels, two-thirds of surveyed residents described daily or weekly use of these parks. 65% of respondents reported visiting the park with family, either with adult or children family

members, so parks are an important resource for Cudahy families. Regular users come to the parks to participate in team sports (soccer, baseball/softball, and basketball), use the playgrounds, go for a walk, utilize the exercise equipment, or attend a picnic. With such frequent use, parks are an important asset for residents in Cudahy. Park use will increase as the City grows, so it will be important to have a plan for maintaining parks during growth.

Common concerns about parks. While residents described different concerns and suggested improvements, residents frequently mentioned having improving safety, cleaner restrooms and additional activities at parks as the most important improvements. Residents were more likely to rate improving existing facilities and providing additional programming as important or very important compared to their ratings for providing additional parks. When asked about improvements to parks, Residents expressed a preference for programmatic improvements, with adult sports leagues, fitness and dances classes, and park events and fairs, earning the most votes

When talking about improvements during the community meeting, some residents talked about volunteer days to help improve the park. Residents talked about being ready to take action and asked about a volunteer organization that could help with the parks.

Ideas for Improving Parks

Cleaner bathrooms. This came up as a theme through both survey responses and the Cudahy community workshop. Bathroom use in parks could increase with future growth so this maintenance need would increase with future growth.

Increase programming and events at current parks. While some residents indicated that they would be interested in parks or parks closer to the City, residents expressed a higher interest in improving parks closer to their house, such as adding events and improving the current facilities. Previous research has found that increased programs and activities are associated with higher park use and increased physical activities (Cohen et al., 2010; Han et al,2014), so these changes would encourage additional residents to use parks and improve the health of residents.

Multiple ways to increase safety. At the community meeting, residents expressed concerns about safety and offered several ideas to improve safety, such as lighting and park maintenance and community-building ideas such as hosting events. Residents felt

that having events and creating a sense of community and ownership was an important way to make parks feel safer.

Use of community volunteers. Residents expressed interest in helping to improve the park and thought that community volunteers could help with some park improvements. With volunteers eager to help, they thought it would be helpful to have an organization that coordinate volunteer opportunities.

Role of partnerships. While programming can be challenging with limited funding, TAC members thought that nonprofits and other educational organizations could play a role in providing programming. Joint use agreements with schools could also keep parks while Cudahy can also connect to larger parks initiatives, such as the county needs assessment.

Parking

Parking themes generally focused on the current permit program for overnight parking. While overnight parking was previously banned, Cudahy started a pilot program in summer 2015 where residents that had more cars than available spaces could apply for a parking permit. Residents discussed their current experiences and concerns with the program and offered suggestions for improving the parking program.

Experiences of Residents

Challenges due to street sweeping nights. One of the main concerns was about not being able to use their overnight permits two nights each week because street sweeping is conducted between 3 a.m. – 6 a.m. during those two nights. Residents have applied for separate guest permits for each night to park on nights with street sweeping but they must spend additional money and time to apply each week at Cudahy City Hall.

Burdensome Requirements. Residents were concerned that there were too many requirements to apply and that with all the requirements, the current process would be too difficult for some residents such as undocumented residents.

Importance of a permit program. residents were concerned about the need for parking and they had concerns about the current process, but they still felt that there should be a permit process for overnight parking.

Suggestions for improving parking permits

Residents supported the idea of a permit program but suggested changes to make it a simpler process.

Alternate the street sweeping schedule. If street sweeping is on different sides of the street on different nights, residents will have somewhere to park on street sweeping nights. Residents currently rely on guest permits in order to find parking on street sweeping nights, so adjusting the street sweeping schedule is a key change for simplifying the permit process.

Reduce the current requirements and costs. Some residents felt that the permit process could be simpler with fewer requirements. However, other residents were concerned about crowded streets and wanted to continue requiring evidence of a parking burden. While residents disagreed on the requirements, residents expressed concern that the current permit price was too high.

Some areas of the City will be especially affected by parking changes. At the focus group, one resident referred to cul-de-sacs and streets that only have parking on one side. This streets may have an increased parking burden if overnight parking is allowed.

Revenue from Permit Process

Residents supported the idea of using money generated from parking permits for a specific purpose. In focus groups, residents mentioned the idea of improved signs on certain streets or more seating (with cover) at bus stops. However, because program costs are currently higher than revenue from permits, permit revenue is going towards the cost of the program.

As the City looks at revenue, additional program requirements will increase administration time and, as a result, the cost to the program. Removing requirements could help decrease costs of administration and make a pilot program more cost-effective even as the City lowers the permit price. However, not all residents were in agreement around removing requirements for the permit program as they were concerned about people outside the City applying for permits and limited parking after requirements are reduced.

Changing Parking Requirements for new Developments

While many of the comments focused on the overnight permit program, residents also discussed the idea of reducing or removing parking minimums for new developments. However, residents expressed concern and hesitation around this idea as many residents were concerned about the lack of parking.

Transportation

The different forms of outreach focused less on transportation but residents discussed transportation ideas at final community meeting. Residents discussed ideas such as increasing CART service, bus shelters with seating and shade, and sidewalk maintenance. Residents mentioned concerns around bike safety but did not agree on whether adding bike lanes would be a good idea. Ideas of safety also extended to transportation as some residents felt that increasing safety would increase walking.

Overall project themes

Trade-offs and Difficult Conversations in Community Planning Discussions

Residents understand the need for growth and the need for people to have places to live, and are supportive of efforts to encourage development and legalize Accessory Dwelling Units. On the other hand, they are concerned about the impacts on traffic and parking. Resolving these two competing ideas will be a key challenge for the City going forward. Immediate concerns about practical realities and what is and isn't working now may be more pressing and easier to discuss than long-term community visioning. While these conversations are challenging, residents wanted to participate in community planning.

Concern about project ideas

Participants expressed concerns or hesitations regarding specific project ideas such as an impact fee and reducing parking minimums. Developers expressed some concerns about the feasibility of an impact fee but provided some alternative funding ideas to an impact fee. Members of the TAC, however, were in support of the impact fee, suggesting that developers contribute funds for park improvements and active transportation infrastructure. Residents expressed concerns about removing parking minimums in both the first focus group and during the community meeting. In another

meeting, proximity to transit was highlighted as important for parking reductions. While we had asked developers about removing parking requirements, they felt strongly about other requirements such as the building height restriction.

Role of other Regional Initiatives

TAC members described other current initiatives and advocacy campaigns, such as organizing related to the expansion of the 710 Freeway. This project is happening at the same time as other efforts so recommendations will be more successful when they work with other efforts. For example, transportation initiatives should align with Safe Routes to School Plans or any 710 access plans.

Challenges with Implementing Recommendations

While residents and the City of Cudahy are committed to many of these ideas, project implementation occurs within a specific context that could present challenges for project implementation. Small working-class suburbs face real financial constraints and Cudahy had a revenue gap of $1,118,055 in the 2015-2016 adopted budget. Money for contracts such as the county sheriff is already allocated so cuts may happen at the expense of city services. In addition, Cudahy will be affected by jurisdictional spillovers from nearby cities. TAC members discussed additional barriers, such as limits to affordable housing policy. These challenges could affect the success of any recommendation.

Investment from Residents

In their event reports, *From Lot to Spot* highlighted the high level of community involvement among residents and anecdotally, we noticed a high level of engagement in Cudahy compared to other cities. Residents were extremely invested in providing feedback to improve their city, especially related to overnight parking and creating green, active living spaces in their city parks. Residents also expressed interest around volunteering for park improvements. Whether volunteering or attending planning meetings, residents are very committed to improving their city. This is a key asset for any future planning effort and as Cudahy looks at ways to improve their city, residents can provide important insights and be a key part of any potential changes.

Limitations: What Public Outreach is Currently Missing?

Surveys focused on people over age 18 because UCLA protocols require prohibitive additional processes regarding informed consent for minors. However, with a median age of 26 years, Cudahy is a young city compared to the Los Angeles County. Young people are more likely to use parks in Cudahy and would be affected by any changes with future growth. Future outreach plans with Cudahy should include youth voices.

While we hosted evening meetings in order to accommodate work schedules, many residents cannot attend an evening meeting and not all residents feel comfortable participating in a public meeting format. *From Lot to Spot* included interactive activities in their meeting facilitation to encourage participation, but public meetings and workshops is one type of participation method and will not work for everyone. For authentic participation, it is important to have alternative engagement methods, such as door-to-door outreach, social media, or tabling outside grocery stores or other community spaces. Adding these methods can help to change a practice of one-time workshops into an ongoing practice of engagement.

Recommendations for Policy and for Future Public Engagement

We have developed the following recommendations from the different community engagement methods. In addition to these recommendations, we have additional recommendations related to parks and parking in their respective project sections. Recommendations primarily focus on Cudahy, but these recommendations also show the role of community engagement processes in preparing for affordable, sustainable growth.

1. An initial focus on how existing policies work for current residents can help strengthen later policies for growth.

Residents were eager to discuss what was or wasn't working now. Before proposing new policies and any changes, it is important to understand how policies are working for existing residents. For example, it would be difficult to get support from residents to remove parking minimums until Cudahy addresses current parking challenges and refines the current overnight parking policy.

2. Prioritize improving existing parks before creating new parks

Residents indicated a strong interest in improving facilities and adding programs to existing parks and this was often indicated as a higher priority than adding new parks. If Cudahy was to grow, this could increase demand on facilities, so these improvements could become an even bigger priority. Residents listed a variety of potential improvements (see Appendix) that would help improve existing parks. While Cudahy may have limited money for these programs, they could use this evidence of current use and interest in parks to apply for grant funds.

Many residents raised the idea of improving safety in parks and discussed a wide range of strategies, from lighting to maintenance to creating a sense of ownership through community events. In looking at safety, it is important to include aspects such as building community and youth programs.

3. Simplify the current overnight parking process

Residents supported the idea of a permit program for overnight parking and did not want to allow overnight parking without a permit. However, they felt that the current process needed to be refined. Cudahy should look at reducing requirements and costs so that more people can apply. Additional recommendations related to parking are in Chapter 5.

In order to simplify the overnight process, Cudahy would have to adjust the street sweeping schedule so that residents can park overnight on street sweeping nights. Residents end up purchasing guest passes for those two nights but this can also complicate the street sweeping process. If Cudahy had different sides of the street cleaned on different nights (or had street cleaning during the day), residents would be able to park overnight, addressing a key challenge around overnight parking.

4. Make sure that current residents are part of the long-term vision

While Cudahy has had less development recently, some stakeholders discussed the importance of having protections in place for current residents when growth happens so that low-income residents will not be displaced.

5. Make sure that community engagement is part of future policy revisions

Residents were very active in community outreach events and have valuable experience that can inform the policy process. Community organizations such as Cudahy en Marcha can also serve as partners in outreach. We learned extremely valuable information from residents and this community knowledge strengthened recommendation. Authentic engagement that includes shared power and decision making should be a key part of any policy revisions and can help to ensure that policies will work in a city's specific context. This participation should include information, such as data about current projects, examples from other communities, and tradeoff and constraints with decisions, so that residents can help make decisions. This project had multiple methods of engagement, including surveys, focus groups, and community events but future engagement should include additional methods in order to reach more residents and to be part of an ongoing practice of community participation.

Recommendations

Finally, we present a suite of recommended revisions to local land use and parking policy in Cudahy that advance the project's core goals. These recommendations aim to enable the production of housing, particularly affordable housing; they also aim to address the lack of sustainable funding sources for active transportation and parks. As an auxiliary to the land use and parking recommendations, and where there are compelling findings from the data and outreach, we also make some general recommendations with regards to active transportation and parks.

Development regulation shapes what kinds of development projects are feasible, and thus what gets built given market conditions. Here, we conduct two types of analyses to illuminate these dynamics. The first is a project feasibility analysis, to illuminate the magnitude of the impact of various height, density, and parking regulations on development costs, and thus on what types of projects are feasible. The second is that we inventory the costs of planned active transportation infrastructure and perform the exercise of allocating these costs to development units. This reveals that new development cannot come even close to covering the full costs of the infrastructure the City wants to build, but that development fees could make a meaningful dent as matching funds.

Our recommendations, in rough chronological order, are as follows.

- Implement a new overnight parking program. Monitor it carefully, and continually adjust the price and number of permits going forward to ensure that spaces are available and predictable.
- Reform minimum parking requirements.
- Allow for increased density and height.
- Pursue an impact fee for parks and active transportation.
- Pursue legalization of accessory dwelling units.

Relaxation of parking requirements removes rather large costs and constraints from development projects. It is then possible to levy a relatively modest impact fee for parks and active transportation. Further, the rationale for doing so is sound: as Cudahy grows, demand for these resources will increase, and an impact fee is an attractive policy option to address this demand, relative to the other immediately available options, which include grant monies and tax instruments.

Summary of Findings

These recommendations are informed by the findings from our observations, public outreach, and developer roundtables. It is worth reiterating a few of the key findings that are most relevant here:

There is evidence of rampant **underground ADU construction**. Barring a major shift in code enforcement policy, ADUs are likely to continue to be the most immediate source of additional housing in Cudahy.

Cudahy has an **extremely high rate of walking**. There is robust evidence for this: trip mode splits (33% walking) and pedestrian counts, parks surveys, and ACS data.

There is **ample on-street parking**. Average occupancy is below 40% citywide. During our observations, there were only a handful of areas where parking occupancy exceeded 85% at any given time. This is an underused resource due to the overnight parking restriction. Also note that residents are currently going to absurd lengths to park their vehicles overnight: parking in other cities and walking 1-2 miles or more home, or converting private property to surface parking at a cost of roughly $8,000 per space.

The relatively weak real estate market in Cudahy means that **an impact fee is unlikely to be a substantial source of financing** for parks or active transportation infrastructure in the near term. At the same time, reductions in parking requirements allow the City can to still levy a modest fee while reducing the overall regulatory burden. Reducing parking requirements is key: it advances the City's multimodal goals by supporting walkable, bikeable, and transit-accessible development.

Most of the community's desires regarding parks improvements are related to **parks operations, maintenance, and programming**, not capital needs for new parks.

There is broad community support for affordable and equitable development, but **immediate concerns regarding on-street parking access** dominate residents' feedback.

Project Feasibility Analysis for Housing Developments

We conducted a feasibility analysis for various housing development projects under various parking and density and height regimes. While the relatively weak real estate market in Cudahy makes many market-rate projects infeasible, we show that with

relaxed parking and height regulations, some projects can pencil out. Further, projects with tax credits for affordable housing and grant monies can much more easily pencil out. This analysis is based on a real parcel in Cudahy on Santa Ana St. just west of Atlantic Ave. Multifamily residential development is plausible here for multiple reasons: the parcel is large enough, at 60,000 square feet; it is near Atlantic Ave., where community engagement for this project and the General Plan suggests that there is community support for increased densities, and it is currently vacant. Cost estimates in this analysis are based on RS Means, a print and web-based service that provides relatively accurate and up-to-date costs and that is commonly used by developers in the pre-development phase. The cost of land is based on Zillow for multifamily residential land in communities adjacent to Cudahy, and is estimated at $50 / square foot. This cost estimate is conservative, in that it is higher than the land costs reflected in recent parcel sales conducted by the City, where land was valued at closer to $25 / square foot. The value of land for a given project is likely to fall in between these two values, and would be dependent on a number of factors, including zoning, parcel access, regional markets for housing and real estate, and others.

This feasibility analysis guides the recommendations that follow, in that it illuminates the magnitude of the cost and constraint burden of parking requirements. It then guides us to propose impact fees that are smaller in magnitude than the reduced burden due to parking requirement reform.

Two-Story Market Rate Project with Two Parking Spaces per Unit

Per the Cudahy Municipal Code (CMC), residential development in areas zoned for Community Commercial (Atlantic Avenue) is limited to two stories, with a lot coverage maximum of 50%. The CMC also requires that the developer provide a minimum of two parking spaces per dwelling unit. Based on the assumptions below, if the developer were to maximize a the 60,000 sf parcel's unit potential, they could build up to 42 units and 84 parking spaces. At $4,000 per space, the total cost of parking is $328,000. Although the developer could theoretically provide more units by constructing structures of underground parking, it is far too expensive to do so at $15,000 and $30,000 a space, respectively.

In this scenario, parking was the limiting factor. With a building footprint of 29,000 sf, there was only enough area remaining to accommodate 84 surface parking spaces, which means that the developer can only provide 42 residential units. Dividing the gross building area (GBA) by 42, each unit would be approximately 1,250 sf. Each unit would contain 2-3 bedrooms, and command rents of roughly $2,000 under current market

conditions for new developments. Despite the higher rents, the project was still over $3.7 million in the red.

With a negative profit at sale, this theoretical project would be ruled infeasible. The project produced negative returns because the value upon completion is less than the total development cost. Put simply, the project does not produce enough income to work. This failure can therefore be attributed to the parking requirement of two spaces per unit.

Table 7.1 Scenario 1: two-story construction and two parking spaces per unit

Assumptions			
Parcel Size			60,000 sf
Building Height			2 Stories
Residential GBA			59,000 sf
Residential Footprint			29,500 sf
Net Leasable Area			52,500 sf
	Number of Units	*42 Units*	
	Unit Size	*1,250 sf*	
Parking Footprint			29,000 sf
	Parking Requirement	*2 per Unit*	
	Total	*84 Spaces*	
	Space Size	*350 sf*	
	Construction Type	*Surface Parking*	

Development Costs			
Residential Cost		*$151 per sf*	$8,900,000
Parking Cost	*Surface Parking*	*$4000 per space*	$328,000
Total Hard Costs			**$9,228,000**
Soft Costs		*30% of H. Costs*	$2,768,000
Contingencies		*5% of H. + S. Costs*	$600,000
Land Costs		*$50 per sf*	$3,000,000
Total Costs			**$15,596,000**

Income			
Rent per Unit		*Per Craigslist*	$2,000
Monthly Rent	No. Units	*42 Units*	$83,600
Annual Rent	No. Units	*42 Units*	$1,003,200
Annual Expenses		*$0.25 per sf per Mo.*	$156,500
Net Operating Income			**$847,000**
Value at Completion			**$12,096,000**
Profit if Sold			**($3,712,000)**

Two-Story Market Rate Project with Parking Reduction

If development regulations were relaxed to one parking space per unit, then a greater number of units could be built. Based on the development assumptions, there is approximately 29,500 sf available for surface parking, which is equivalent to 84 parking spaces and 84 units. If the developer were to provide a combination of 1 and 2 bedroom units, averaging to 750 sf per unit, approximately 70 units could be built. Thus in this scenario, building height is the limiting factor. Regardless, the project produces enough income to render it feasible, with a profit of $1,123,000.

Table 7.2 Scenario 2: two-story construction and one parking space per unit

Assumptions			
Parcel Size			60,000 sf
Building Height			2 Stories
Residential GBA			59,000 sf
Residential Footprint			29,500 sf
Net Leasable Area			51,300 sf
	Number of Units	*70 Units*	
	Unit Size	*750 sf*	
Parking Footprint			24,350 sf
	Parking Requirement	*1 per Unit*	
	Total	*70 Spaces*	
	Space Size	*350 sf*	
	Construction Type	*Surface Parking*	

Development Costs			
Residential Cost		*$151 per sf*	$9,050,000
Parking Cost	*Surface Parking*	*$4000 per space*	$278,000
Total Hard Costs			**$9,328,000**
Soft Costs		*30% of H. Costs*	$2,798,000
Contingencies		*5% of H. + S. Costs*	$606,000
Land Costs		*$50 per sf*	$3,000,000
Total Costs			**$15,732,000**

Income			
Rent per Unit		*Per Craigslist*	$1,600
Monthly Rent	No. Units	*70 Units*	$111,360
Annual Rent	No. Units	*70 Units*	$1,336,300
Annual Expenses		*$0.25 per sf per Mo.*	$156,000
Net Operating Income			**$1,180,000**
Value at Completion			**$16,855,000**
Profit if Sold			**$1,123,000**

Four-Story Affordable Housing Project with Parking Reduction

In the third scenario, we tested whether an increase in height would make projects more profitable. Continuing with surface parking we reached the maximum of 84 units at 4-stories, with a unit size of 1,250 sf.

Initially, the model was run with market-rate rents of $2,000. However, the additional height and larger unit size resulted in high development costs that rendered the project infeasible. Subsequently, the model was run as an affordable housing project with federal tax credit equity. Residents would include families earning at or below 30% of the area median income (AMI); per the California Tax Credit Allocation Committee TCAC rent would $700 per month. The project is feasible, since the tax credit equity covered approximately 70% of development costs. The 4-story project was able to return a profit of $127,600.

Although a developer could provide more units by building structured or underground parking, there is not enough income to cover the additional construction costs. If market conditions were to improve down the road, the higher rents could make it possible for developers to provide structured parking.

Table 7.3 Scenario 3: four-story construction and one parking space per unit

Assumptions			
Parcel Size			60,000 sf
Building Height			4 Stories
Residential GBA			120,000 sf
Residential Footprint			30,000 sf
Net Leasable Area			105,000 sf
	Number of Units	*84 Units*	
	Unit Size	*1,250 sf*	
Parking Footprint			30,000 sf
	Parking Requirement	*1 per Unit*	
	Total	*84 Spaces*	
	Space Size	*350 sf*	
	Construction Type	*Surface Parking*	

Development Costs			
Residential Cost		*$142 per sf*	$17,050,000
Parking Hard Cost	*Surface Parking*	*$4000 per space*	$343,000
Total Hard Costs			**$17,343,000**
Soft Costs		*30% of H. Costs*	$5,220,000
Contingencies		*5% of H. + S. Costs*	$1,130,000
Land Costs		*$50 per sf*	$3,000,000
Total Costs			**$26,693,000**

Sources of Funds			
9% Tax Credit Equity			$21,300,000
Developer Equity			$2,200,000
Bank Loan (15 yrs)			$3,250,000
	Interest Rate	*6.5%*	

Income (Affordable Development)			
Rent per Unit		*TCAC Rents*	$700
Monthly Rent	No. Units	*84 Units*	$58,800
Annual Rent	No. Units	*84 Units*	$705,600
Annual Expenses		*$0.25 per sf per Mo.*	$315,000
Net Operating Income			**$390,600**
Value at Completion			**$5,580,000**
Profit if Sold			**$127,600**

Accessory Dwelling Unit with and without Required Parking

Per the municipal code, all single-family homes in Cudahy must have at least two covered parking spaces. If a homeowner were to build an accessory dwelling unit, they would have to provide an additional covered space. For many, the cost to provide covered parking space makes *permitted* ADU construction financially infeasible. In a low-income city like Cudahy it is unlikely that a resident will have the funds or credit necessary to simultaneously pay for both the residential space and the garage. What is more, homeowners may not have enough physical land space for the ADU and covered parking.

It will cost the homeowner approximately $65,950 to build the 500 sf ADU, and $17,321 for the covered parking (RS Means Cost Estimate, 2016). If the ADU was rented out at $650 per month, it will return a profit at sale of $21,015. If the parking requirement was removed, the homeowner would save $17,321 in upfront costs, and the profit at sale would be $38,336. Alternatively, the City could maintain the parking requirement, but allow surface parking in lieu of covered parking.

Table 7.4 Scenario 4: ADU construction and one parking space per unit

Assumptions			
Building Height			1 Story
Net Leasable Area			500 sf
Parking Footprint			350 sf
	Parking Requirement	*ADU: 1*	

Development Costs			
Residential Cost		*$ per sf*	$131.90
		Total	$65,950
Parking Cost	*Garage*	*One Car Garage*	$17,321
Land Cost			$0
Total Hard Costs			$83,271

Income			
Monthly Rent (ADU)		*Per Craigslist*	$650
Annual Rent (ADU)			$7,800
Annual Expenses			$500
Net Operating Income			**$7,300**
Value at Completion			**$104,286**
Profit if Sold			**$21,015**

Table 7.5 Scenario 5: ADU construction and no parking requirement

Assumptions			
Building Height			1 Story
Net Leasable Area			500 sf
Parking Footprint			350 sf
	Parking Requirement	*ADU: 1*	

Development Costs			
Residential Cost		*$ per sf*	$131.90
		Total	$65,950
Parking Cost	*Garage*	*One Car Garage*	$0
Land Cost			$0
Total Hard Costs			$65,9501

Income			
Monthly Rent (ADU)		*Per Craigslist*	$650
Annual Rent (ADU)			$7,800
Annual Expenses			$500
Net Operating Income			**$7,300**
Value at Completion			**$104,286**
Profit if Sold			**$38,336**

Implement a New Overnight Parking Action Plan

Managing On-Street Parking Advances Sustainability and Affordability by Enabling Parking Reform

Active management of on-street parking is a practical and political prerequisite for reform of off-street parking requirements. If on-street parking is consistently very difficult to find, or in the case of overnight parking in Cudahy, prohibited, this creates a political imperative to build off-street spaces and maintain minimum parking requirements. Permits enable the City to manage on-street parking so that availability is consistent and guaranteed, without imposing the high and inequitable costs of minimum parking requirements.

We provide detailed recommendations regarding overnight parking on City streets. Why? Residents repeatedly answered questions about minimum parking requirements with extensive feedback on the current overnight parking situation.

Current Overnight Parking Policy

In 2015 the City initiated a pilot parking program to allow residents to purchase permits for overnight parking. Up until that point, Cudahy had banned parking on city streets between 3 a.m. and 6 a.m. Responding to community feedback, the City seeks to improve the permitting process for overnight parking. The goal is to make the permit application process reasonable, accessible and simple. Easing the requirements for overnight parking will have demonstrable, immediate benefits to residents, allow for a more efficient use of a public resource, and allows the City to reduce the pressure on developers to provide for all residents' cars to be parked off street.

To participate in the current pilot program, residents must present to City Hall staff a valid photo-ID and vehicle registration, and documentation establishing a parking burden.[1] Eligible residents may purchase one overnight parking permit[2] per dwelling unit; permits are priced at $1 per day for residents and $2 per day for guests. On street sweeping days, however, overnight parking is prohibited, regardless of whether a permit has been obtained. Residents can, however, purchase a separate weeklong guest permit to allow them to park overnight on street sweeping days.

Community Response + Data Analysis

At a community workshop and focus group organized by the UCLA Lewis Center, From Lot to Spot, and City Planning staff, residents described their parking behaviors before and after the pilot's initiation. Although residents are in strongly in favor of maintaining the pilot permit program, they expressed frustration over its navigability, terms, and price. The most common criticism concerned the street sweeping schedule. To legally park on Monday and Thursday nights, residents have had to visit City Hall to obtain guest parking passes; this workaround is quite burdensome for residents as well as being a burden on City staff time and resources.

On September 18th, 2015, researchers from UCLA collected data on overnight parking. On that night, there were 219 cars parked on the streets. Based on an estimated supply of 3,550 parking spaces, approximately 6% of spaces were occupied. Obviously, resident participation in the pilot is somewhat limited. Likewise, city staff reported that the volume of applicants has been lower than the demand anticipated. Accordingly,

[1] Residents must prove that the number of cars registered to the address exceeds the number of on-site spaces.
[2] Permits are not issued for the parking of recreational, non-operational, or commercial vehicles.

UCLA Lewis Center researchers recommend that the City revise its overnight parking policy and implement a new pilot program starting in July, 2016.

Recommendations

We recommend that Cudahy keep its permitting process, as it will help the City manage its on-street parking in years to come. Further, residents expressed a clear preference for permits to stay in place as opposed to simply allowing for on-street parking without a permit. We believe that this preference stems from a real and justified concern about interjurisdictional spillovers and the existence of a black market for parking permits in the Gateway Cities. The application process, however, should be simplified to make it easier and cheaper for residents to utilize, and reduce the associated administrative costs. The program should aim to be cost-neutral, with a price structure founded on staff and administrative costs; based on community feedback and comparisons with other cities in Los Angeles County, $40 per year may be the appropriate price. If the program is profitable, dedicating revenue to specific improvements, like street improvements, will help residents perceive the benefit of the permit price.

Parking management strategies were presented to the community at a focus group session held February 29, 2016. Based on information gleaned from that focus group meeting and conversations with city stall, the following is recommended:

Table 7.6 Recommended overnight parking policy items with explanation

Policy	Rationale
The initial application shall be submitted at City Hall. Permits are valid up to 12 months, and can be renewed online; monthly, 6-month and 12-month permits will be offered.	It is important that the City offer low priced, short term options for residents; even seemingly small sums can be a burden for low-income residents, Likewise, residents may simply prefer to purchase permits as needed.
Residents shall present photo ID and proof of residency. Acceptable forms of identification include a California Driver's license, State ID, Military ID, or passport. Proof of residency can be satisfied with a rental agreement, mortgage document, utility bill or bank statement.	Residency can be established using simple, easily obtainable documents, without triggering concerns about citizenship or immigration status.

Residents are not required to provide evidence of a parking burden (defined above).	This was an overly burdensome requirement in the pilot that drove down participation
Residents may purchase up to three parking permits, provided that all vehicles are registered to a Cudahy address. Permits are priced on a graduated structure, with a $10/year increase for each additional permit.	Restricting the maximum number of permits available per dwelling unit will reduce concerns over a black market developing for permits. Likewise, a graduated pricing structure will discourage residents parking multiple cars on the streets and purchasing more permits than they actually need.

Implementation

The current overnight parking pilot program is set to expire on August 31st, 2016. At that time, the new 6-month pilot program would be launched. On multiple occasions, the pilot program should be evaluated via parking study and resident surveys. From there, City Planning staff can advise whether to fully adopt the revised overnight parking program or make any additional changes.

Parking permits will be produced by an outside vendor, who will also maintain the online application system. The administrative cost to process each permit through a vendor is $5 per permit issuance. In terms of staffing, the program is estimated to occupy staff time according to the schedule below.

Table 7.7 Overnight parking program administrative costs

City Hall Receptionist	Municipal Officer	Community Development Manager
5% of time @ 40 hours a week Yearly Salary: $20,650	90% of time @ 40 hours a week Yearly Salary: $27,550	5% of time @ 40 hours a week Yearly Salary: $87,350
$1,032	**$24,795**	**$4,367**

Adding up staff costs, program administration will cost approximately $30,200 per year. If permits are priced at $40 each, with a $5 loss to the vendor, the City would have to sell just 865 permits to be cost neutral. For reference, we estimate that there are 3,550 on-street spaces in the City.

Ongoing Monitoring

Annually, the City should monitor how many permits are sold, rates of parking occupancy throughout the City, and spatial distribution of permit purchasers. Annually, the City should adjust permit prices accordingly, lowering the price if occupancy is low, and raising it if occupancy is high. If and where there is substantial crowding, the City can also implement parking districts to manage parking by neighborhood. A process for neighborhood opt-in and opt-out via public referendum might also be implemented. Ongoing monitoring and ongoing adjustments are crucial to ensuring that on-street parking is well managed and available occupancy is consistently and predictably available. Without this, reducing or removing minimum parking requirements, even with all of the benefits of doing so, will be a tough sell.

Revise Local Development Regulations

Regulation can't dictate exactly what people will do or how they will live, but it can set up the right incentives. Regulation is but one factor among many that determine behaviors and choices with respect to transportation and housing. People -- and firms -- make choices based upon preferences, prices, markets, and many other external factors.

In proposing these revisions, our intention is to create conditions that allow for the development of housing, particularly affordable housing; as well as conditions that enable Cudahy to grow with a multimodal transportation system and an urban form that is supportive of walking, biking, and transit.

Zoning and local land use regulations such as minimum parking requirements affect the cost of housing and what kinds of development projects are feasible. We aim to reduce the net burden imposed on developers, and to shift the burden that remains towards fees and exactions that align with the City's goal of being a multimodal and sustainable City.

Reform Minimum Parking Requirements

As the crucial link between transportation and land use, and the largest regulatory burden currently placed on new development, parking is a crucial component of these recommendations. We recommend changes to minimum parking requirements as well as to the management of on-street parking.

The intention of minimum parking requirements is to prevent parking spillover and strain of scarce on-street parking resources. This seems reasonable at first, but minimum parking requirements immediately run into problems. First, how much parking to require? Planners have approached this problem by attempting to determine the peak demand for *free* parking. But parking is not free; it is quite expensive to build.[3]

Because these costs get shifted into the cost of housing, minimum parking requirements have well-known negative unintended consequences. They limit the production of housing units by raising development costs and reducing the amount of land available for housing. They make affordable housing especially difficult to build, and more generally, they prevent developers from constructing housing for persons without cars and those willing to park on the street. Taken together, these effects raise the cost of housing. They also force people who don't drive or can't afford a car to pay for parking they don't use. By ensuring that all parking is free, planners subsidize one of the largest costs of driving and car ownership, and make other forms of transportation relatively less appealing.

But don't people have cars, and need to park them somewhere? Yes, but minimum parking requirements are not necessary for developers to provide parking -- they can still provide as much parking as they think there is a market for and that people are willing to pay for, and the evidence shows that they will still build parking (Manville 2014). With minimum parking requirements relaxed or removed, developers can also price parking separately from housing. The demand for parking is not a fixed, magical number that can only be estimated by transportation engineers. Rather, the demand for parking spaces is as responsive to price as the demand for any other good. To cite Manville (2014):

> Housing consumers, like consumers in all markets, have myriad tastes. Of course many people want parking attached to their unit. But "many people" is not "everyone." Some people will live in buildings with little parking. Maybe these people don't drive, or don't mind parking a small distance from where they live. Perhaps they could not afford housing if it automatically included a parking space. Parking requirements deprive these people of options, and threaten the vitality of cities.

As the feasibility analysis shows, there is only so much burden that the City can place on developers, given the financial realities that both profit and non-profit developers

[3] Construction costs for parking: underground parking is priced at $30,000 per space, structure parking at $15,000 per space, and surface parking at $6,000 per space.

face. Reducing parking requirements allows the City to focus the burden it does place on regulations that advance its vision of the City it wants to become. Reducing parking requirements also allows affordable developments and accessory dwelling units to pencil out, easily, and makes many more market-rate developments feasible.

As Willson notes, many local planners and elected officials are reluctant to change minimum parking requirements, feeling more comfortable with precedent. However, there is no magic to current requirements, and there are many cities that have had success reducing minimum parking requirements. In downtown Los Angeles, a 1999 law exempting historic buildings in the downtown core from minimum parking requirements resulted in a very large boom in the production of housing downtown. Other large cities such as Portland, Washington, D.C., and San Francisco have removed parking minimums. Locally, cities such as Lancaster, San Bernardino, and Temecula have reduced their parking requirements in transit-oriented areas or in their downtown cores. Parking requirement reductions have been enacted successfully in suburbs, urban cores, and small towns, and in wealthy neighborhoods, low-income neighborhoods, and neighborhoods in between (Strong Towns, 2015).

Current residential parking requirements for Cudahy are shown in Table 1. Based on regulations published in the Cudahy Municipal Code and parcel data from the LA County Assessor's Office, the theoretical supply of on-site residential parking is roughly 15,850 spaces. Note that all of these requirements are above the citywide vehicles per unit, which is 1.67 (see p. 5.32).

Table 7.8 Residential Parking Requirements, City of Cudahy Municipal Code

Required Number of Parking Spaces	
One-Family Dwellings - *One unit*	Two parking spaces with an enclosed garage
One-Family Dwellings - *Two units*	Three parking spaces with an enclosed garage
One-Family and Multiple Dwellings - *More than two units*	For legal nonconforming lots, there shall be at least three parking spaces for each dwelling unit, two of which shall be within an enclosed garage. Otherwise, each dwelling must have a two-car garage and one guest parking space. Dwellings with five or more bedrooms must have a three-car garage and one guest parking space
Trailer Parks	Two parking spaces per trailer site

These recommendations take an sequential approach to parking reform in Cudahy. Policy can then be adjusted in response to community feedback and observational parking studies. The new overnight parking action plan would be implemented and monitored over the next 6 months to a year. Reductions in minimum parking requirements can be implemented over the next 1-3 years.

Removing parking requirements will not prohibit developers from including parking in their projects. Rather, removing parking minimums gives developers the freedom to provide as much or little parking as they like. The developer will provide the amount of parking spaces they think buyers will demand. Lenders also often make the provision of financing conditional on providing parking in the development.[4]

Short of removing minimum parking requirements altogether, the City may wish to take more incremental steps. Here we outline some options. The project feasibility analysis for housing developments shows that simply **reducing the requirement from 2 spaces per unit to one space per unit** makes a great deal of difference in the types of developments that are feasible. The reduction need not even be this large: 1.5 spaces per unit, or even 1.8 spaces per unit, could make a difference in project feasibility for multiunit buildings. ADUs will rarely be feasible with a requirement of even one space per unit. We recommend a separate regulation for accessory dwelling units that does not require any parking for those units. This step could be taken after the initial

[4] It is typical for a lender to require at least one space per dwelling unit.

monitoring of the overnight parking action plan, in mid-2017. A few years after implementing this, the City could consider further reductions, perhaps around transit stations, or reductions to commercial parking requirements.

Willson (2013) outlines a thorough process with a myriad of options for reforming parking minimums. These include in-lieu fees, “unbundling” or allowing tenants to pay for parking separately from housing, and allowing for the substitution of dedicated spaces for shared cars. Rather than proscribing the details here, we simply note that some kind of reform of the parking requirements is a prerequisite to enabling affordable development, as well as to the implementation of impact fees more aligned with the City’s multimodal, sustainable vision for itself.

Residents expressed ambivalence about the idea of removing parking minimums at community meetings. Some residents believed that housing costs and the impacts on affordability were a good reason to remove parking minimums. Some residents thought that they should only be removed under certain conditions. Many residents expressed concerns about parking spillover. This underscores the importance of effective on-street parking management, as well as continued community engagement.

Allow for Increased Density and Height

In their 2013 Housing Element Update, Cudahy acknowledged the severe deficiency between the number of residents and the number of available housing units. The City recognized that restrictions on residential density and building height will have to be eased in order to promote the production of new housing, while still maintaining affordability.

Regulatory adjustments would incentivize housing production, by providing developers with the financial returns they need in order to pursue a project. For one, taller and denser projects have lower per unit costs, since fixed project costs can be spread across more units. Second, the developer would collect be able to receive additional income from the ‘new’ units.

Two regulations in particular constrain what developers can currently build in Cudahy: the height limit and the maximum density. Citywide, the maximum height of a residential building is limited to two stories or 35 ft, whichever is less. Out of 3,580 residential buildings citywide, 85% are one-story buildings and 15% are two-story buildings; the average building height is 13.9 ft. Residential density restrictions for each land use designation are outlined in Table 7.9.

Table 7.9 Density restrictions per zoning designation

Land Use	Description	Maximum Density
Low Density Residential	Single-family development on small lots	9 DU/acre
Medium Density Residential	One or two single-family units on a lot or multifamily developments	12 DU/acre
High Density Residential	Single-family and multifamily developments on lot that are predominantly one-half acre in size	<1 acre: 16 DU/acre 1-1.9 acres: 20 DU/acre 2-2.9 acres: 25 DU/acre 3+ acres: 30 DU/acre
Community Commercial	Service and retail stores as found along the Atlantic Avenue corridor. Also includes mixed use.	Maximum 1.5 FAR

At the Developer Roundtable, we learned that limitations on height and density had discouraged developers, affordable and market-rate, from pursuing projects in Cudahy. Therefore, we recommend that the City permit greater heights and density along Atlantic Avenue and areas zoned for Community Commercial use. Based on community feedback, a height limit of 5 stories is reasonable. In addition, above five stories, the construction methods and materials qualitatively change the nature of the project. We also suggest increasing the maximum building height by at least one story in areas zoned for High Density Residential use. In addition, it would be prudent for the City to upzone parcels bordering the Los Angeles River for higher densities, as demand for their development will almost certainly increase once the river revitalization process begins. To be effective, height and density standards would have to be adjusted simultaneously, as the most restrictive requirement that remains will be what prevents project feasibility. The City should also consider implementing a Graduated Density Zoning program to promote targeted, dense development. With Graduated Density Zoning, higher densities are allowed on larger parcels (Shoup, 2008). Ultimately, efforts to improve the regulatory environment for development will put the City in a better position to exact fees or ask developers for affordable housing.

Although residents supported our initiative to increase heights along the commercial corridors, they opposed across the board increases in density. They stated that the City is already “overpopulated,” and that single family neighborhoods need to be protected.

Pursue an Impact Fee for Parks and Active Transportation

Because of the relatively weak real estate market in Cudahy, the focus of this work program shifted away from proposing an impact fee and toward grant readiness and on-street parking reform. Further, we underestimated the substantial legal work that is necessary to establish an innovative nexus, as elaborated below. What we do here is lay out a framework for such a fee and identify the needed next steps.

Magnitude

The impact fee must be implemented after the reduction of minimum parking requirements, in order to ensure that the overall burden on developers is not increased. Here we assume that minimum parking requirements have been reduced by at least one space per unit. Thus, the magnitude of the total impact fee for parks and active transportation should strictly not exceed $8000, the cost of one surface parking space. Setting the amount of the fee is an exercise in balancing competing demands: on the one hand, the smaller the fee, the smaller the impact on potential project feasibility. On the other hand, the larger the fee, the more revenue collected per project. This is a classic example of a price-setting problem that can be solved by a market, but with the significant caveat that there is a procedural and political cost associated with changing the price, and opportunities to assess whether the price is right are few and far between due to the low rates of development in Cudahy currently. Something like $2,000 per unit for accessory dwelling units and $3,000 per unit for multi-unit buildings is a first guess.

Even with only a handful (5-10) developments a year, most of them ADUs, it is feasible that an impact fee of this amount could provide the matching funds for active transportation capital improvements. Consider that the estimated cost of all of the colored bike lanes currently planned in the City's SRTS Plan is $180,000. A typical match to compete in a granting program like the state's Active Transportation Program would be 10%, or $18,000. Thus, a small impact fee could make a material difference by providing matching funds for grant funding.

Parks: Needs, Costs, and Nexus

The key challenge in designing the parks fee is that parks needs in the City of Cudahy are not capital in nature. There is very little available land for new parks, and residents' expressed a clear preference for improvements to programming and maintenance at existing parks rather than construction of new parks. However, the legality of using

impact fees for programming and maintenance is not entirely clear. The letter of Mitigation Fee Act, the California law that grants local jurisdictions the authority to levy impact fees, does not clearly distinguish capital, operations, maintenance, and programs. It clearly allows for capital expenditures but is less clear on how those are defined. It might be possible to define, for example, a nexus for new bathrooms or new toilets -- small capital expenses which might typically be conceptualized as maintenance costs. Recent case law is relatively short on examples. The City Attorney's Office would need to review, and consider retaining the services of attorneys who specialize in California's Mitigation Fee Act.

Table 7.10 Parks costs for impact fee calculation; demographic data from 2014 American Community Survey (U.S. Census)

	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Parks and Recreation	**$801,397**	**$789,128**	**$903,277**	**$912,427**
Personnel	$533,109	$512,903	$715,425	$248,125
Operations	$268,288	$276,225	$187,852	$664,302

	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Parks Maintenance	**$386,378**	**$384,860**	**$347,557**	**$273,407**
Personnel	$193,273	$170,619	$283,643	$66,937
Operations	$193,105	$214,241	$63,914	$206,470

	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Recreation	**$415,019**	**$404,268**	**$555,720**	**$639,020**
Personnel	$339,836	$342,284	$431,782	$181,188
Operations	$ 75,183	$ 61,984	$123,938	$457,832

	2012 - 2013	2013 - 2014	2014 - 2015	2015 - 2016
Per person costs	$33	$33	$37	$38
Maintenance	$16	$16	$14	$11
Recreation	$17	$17	$23	$26
Household Size	4.25	4.28	4.30	4.30
Per Unit Per Year Fee Estimate	**$141**	**$140**	**$160**	**$161**

The City's current parks maintenance expenditures are roughly $11 per resident per year (2015 - 2016). It stands to reason that to maintain the same level of service with growth, an impact fee could charge this amount, amortized over the lifetime of the unit. Assuming a 3% rate of inflation, a lifetime of 50 years, this is roughly $1,250 per person. This can be converted to a per unit cost by making an assumption about the number of people per unit. This could be 1-1.5 for ADUs, and more for multifamily units. The City's current average is 4.3 persons per unit. Again, it is unwise to set the price at this full

cost, given the weak real estate market in Cudahy. To show a nexus, the City will need to model the relationship between development and the need for maintenance, or possible construction of facilities. For reference, the City of Santa Monica has a recommended parks impact fee $5,060 per dwelling unit (City of Santa Monica, 2013).

The City's current parks programming expenditures are roughly $26 per resident per year. Although it's quite reasonable to state that there is a nexus between new growth and the need for parks programming, the legality of a nexus fee for programs is questionable. These financial needs may be best met by user fees or other instruments.

Active Transportation: Needs, Costs, and Nexus

There are few models for active transportation impact fees. What few exist rely upon positing walking and biking as ways to reduce the predicted number of vehicle trips. The number of trips reduced is typically modeled using a travel demand model. There is ample precedent for doing so, and thus using travel demand models perhaps limits legal risk. This regulatory scheme is currently in use in the City of Santa Monica and is in development in the City of Los Angeles. But these travel demand models often lack empirical validation, and they rely upon the assumption that all growth must generate vehicle trips. When biking and walking are primarily viewed as ways to reduce vehicle trips, support (financial and political) for these modes is diminished when vehicle travel is reduced in more direct ways, such as parking reform and pricing driving. In other words, this scheme inadvertently pits biking and walking against directly dealing with the problems with driving and cars. Further, and to cite a more specific example, if a proposed development is an ADU with no parking and no vehicle trips predicted, under this regulatory regime there would be no mechanism to collect funds to support infrastructure for walking, biking, and transit access for the people who will live in that ADU.

We thus must turn to alternative conceptions of the relationship between growth and transportation. It may be possible to use much cruder models of this relationship, and environmental case law suggests that the courts will not scrutinize their empirical validity. A City might simply adopt a mode split goal and seek to fund policies and infrastructure that are empirically known to advance that goal. Or, using trip generation surveys, a City could directly model the new biking and walking trips that come from a development, and fund the infrastructure to support them. These examples are necessarily vague, and more work is needed, with strong legal research.

At over $6.4M, the City's capital needs for active transportation would need to be spread over thousands of units in order to be conceivably funded by a development impact fee. But it is not unimaginable that perhaps half of these costs could be funded by a modest $2,000 / unit fee spread out over 1,500 units over the next twenty years. With regulatory revisions and upzoning, construction at that rate is plausible.

Table 7.11 Cost of the SRTS Plan infrastructure

Improvement	Units	Per Unit Cost	Quantity	Total Cost
Bike route with sharrows	Linear mile	$15,000	0.6	$9,000
Bike route with greenback sharrows	Linear mile	$50,000	3.4	$170,000
Colored bike lanes	Linear mile	$100,000	1.8	$180,000
Bike lane one side, bike route with greenback sharrows on the other side	Linear mile	$50,000	2.4	$120,000
Double buffered bike lanes	Linear mile	$75,000	0.4	$30,000
Bike path with lighting	Linear mile	$2,000,000	1.9	$3,800,000
Bike and scooter/ skateboard racks	Number	$250	170	$42,500
Advanced stop lines / yield markings	Number	$1,000	44	$44,000
Curb Extensions with curb ramps	Number	$10,000	78	$780,000
Large curb extensions with curb ramps	Number	$15,000	8	$120,000
Bus bulbs	Number	$15,000	10	$150,000
Reduce curb returns (count each face)	Number	$3,000	2	$6,000
Protected left turns	Number	$31,000	2	$62,000
Audible pedestrian signals	Number	$500	56	$28,000
Countdown signals	Number	$4,000	32	$128,000
Crossing islands (pair)	Number	$4,000	4	$16,000
Move bus stops	Number	$5,000	1	$5,000
Raised crosswalks	Number	$18,000	16	$108,000
Median nose	Number	$1,000	68	$8,000
Sidewalk	linear feet	$50	200	$10,000
Signs	Number	$250	37	$9,250
Remove pavement markings	Number	$150	4	$600
Remove signals (per intersection)	Number	$10,000	1	$10,000
Stop signs with flashing LED lights	Number	$4,000	9	$36,000
Zebra-stripe crosswalks on 2-lane streets	Number	$1,500	39	$58,500
Zebra-stripe crosswalks on 4-lane streets	Number	$3,000	6	$18,000
Roundabouts	Number	$250,000	1	$250,000
RR pedestrian gate with edge line	Number	$2,000	4	$8,000
Landscaped islands	Number	$2,000	7	$14,000
Mid-block curb extensions	Number	$5,000	2	$15,000
Flatten sidewalks with driveway ramps in buffer	Number	$2,000	100	$200,000
Raised sidewalk	Square feet	$12	150	$1,800
Move curbs in to narrow driveway	Number	$1,000	2	$2,000
Designate bus loading area	Number	$800	1	$800
TOTAL				**$6,440,450**

Implications for Accessory Dwelling Units

Reduction in parking requirements will make legal ADUs feasible. It's likely that a significant portion of any real new construction of housing that could come from this proposed regulatory scheme would come from ADUs. It's possible that much of the revenue from impact fees in the short-term will come from property owners who are constructing legal ADUs. These are not the people who typically come to mind when developers are discussed, but they are likely to be a significant share of the developers in Cudahy. It's important to keep this in mind when considering these recommendations, because ADUs are not what is typically imagined by the words "affordable housing," nor are single-family homeowners what is typically imagined by the word "developer."

Other Funding Sources for Parks and Active Transportation

The City currently operates at a deficit, and has been drawing down a small reserve over the past few years. The City's general fund is not a viable source of support for parks and active transportation improvements. The General Plan identifies an initial strategy of hiring a grant writer, which our initial work certainly suggests would be effective.

We also recommend that the City return parking permit revenues to local streetscape improvements. As described by Shoup (2005), this builds political support for parking pricing while returning benefits to residents.

Parks Improvements

Just as water, sewer, and public safety are considered essential public services, parks are vitally important to establishing and maintaining the quality of life in a community. Parks and recreation centers promote healthy lifestyles, foster community interaction and improve educational opportunities. Given the limited availability of open space in Cudahy, we suggest that the City focus its efforts on improving existing park facilities, increasing staffing and offering new and expanded programs. Parks programs should aim to be revenue neutral, utilizing user fees as is feasible.

The following recommendations for park and recreation facilities are based on the results of the survey and public input. Throughout this process, several themes emerged:

User surveys revealed that the current level of *park maintenance* is inadequate.

- Restrooms require continual maintenance to adequately serve the public. Each restroom should reliably offer at least a minimum level of service, including being as safe, clean and accessible as possible. Although restrooms are regularly cleaned and generally repaired as needed, heavy use and sometimes misuse by the public makes it difficult to keep them in a condition acceptable to all. Accordingly, we recommend increasing the frequency of restroom servicing. This will better enable staff to respond to park user complaints that restrooms are "dirty" or "disfuncional." To keep costs low, restrooms can be locked when the park is closed.

- Vandalism and graffiti are persistent problems in public parks; they adversely affect quality of life and community attractiveness. Abatement will require a multifaceted approach, that focuses on removal and design improvement. With regards to graffiti, blank, smooth surfaces are most frequently vandalized - walls, signs, restrooms, play equipment. Low cost, preventative tactics include community murals, barrier coatings, and landscaping.

- Multiple approaches to improving safety: Residents discussed different ways to improve safety at the community meeting, from improved lighting, increased monitoring and maintenance to hosting community events. For residents, the idea of increasing community presence through community events was an important part of safety.

- In general, the City needs to address a backlog of deferred park maintenance. Doing so will require the City to place more staff in parks. There are currently 1.63 full-time equivalent employees (FTE), at a personnel cost of $66,937. If the City were to retain 3 full-time employees, they would incur a personnel cost of $123,196; this is $56,259 more than what is budgeted for in 2016. Residents were interested in volunteering to help with park upkeep, however, there would likely still be a cost for maintenance beyond the City's current budget.

Residents request that the City offer additional recreational programming and expand existing successful programs.

- Parks programs provide places for health and well-being that are accessible by persons of all ages and abilities. In fact, recent study concluded that park

programming is the most important correlate of park use and park-based physical activities. In community meetings, residents also felt that programs and events could create a sense of ownership and increase safety. In view of that, we recommend that the City enhance its offerings and place more staff in parks. The most requested recreational programs, for both youth and adults, included sports leagues, and fitness and dance classes. Based on anecdotal evidence and community feedback, soccer, skating, cheerleading, and baseball are the most popular physical activities amongst Cudahy youth. In addition, Cudahy should offer more programs targeted towards senior populations.

- Within the recreation department, there are currently 7.5 full-time equivalent (FTE) employees, at a personnel cost of $181,188 or $24,158 per FTE. If the City were to retain 10 full-time employees, they would incur a personnel cost of $241,584; this is $60,396 more than what is budgeted for in 2016. Additional programs could be staffed by resident volunteers - for example, a parent could coach a sports league in exchange for a fee remission for their children.

- Given the limited budget, members of the technical advisory committee offered ideas for increasing programming, such as working with local universities to provide programs or partnerships with nonprofits, including nonprofit hospitals. Community members expressed interest in volunteering and asked about an nonprofit organization that could sponsor park volunteer opportunities.

Rethinking existing open space:

- Several residents suggested that the City establish a community garden.

- Many noted that Cudahy River Park is severely underutilized and often locked

- How can the City improve its connection to the river?

- Given the lack of available open space, should the City explore a shared use agreement with the local school district and LAUSD? During the summer months, could school facilities be used for sports leagues?

Active Transportation Improvements

The City's Safe Routes to School Plan is fairly comprehensive in terms of proposing walking and biking networks that connect the City. Implementing that is an excellent place to start. In addition, consider the following findings as important principles.

Support walking and walking infrastructure. Cars and driving are a common way of traveling so this infrastructure will matter for growth. Cars play an important role, especially around getting to work, but Cudahy also has a high amount of walking. As the City grows, it is important not to let future growth have a negative effect on infrastructure for walking. With high rates of walking measured through both pedestrian counts and through surveys, the importance of safe, hospitable street design for walking is extremely important. Community members also commented on a lack of sidewalk maintenance and that concerns about safety could reduce walking, so transportation infrastructure will extend beyond city streets. Cudahy may also be in a good position to apply for grants to improve pedestrian infrastructure due to their high rates of walking compared to other cities.

Include carpooling in transportation conversations. When projecting auto demand from growth, knowing the amount of trips by carpooling compared to driving alone can help provide a better estimate of increases in vehicles due to growth. If conversations on driving and public transit exclude discussion on carpooling, we will not have a full understanding of the overall transportation picture. Parking reforms such as removing minimum parking requirements and adequate parking pricing incentivize carpooling, so the City has a role to play in enabling and encouraging carpooling

Importance of a regional perspective. Cudahy is a small city and residents not only travel to other locations in Cudahy but to other Gateway cities or the larger region. Travel boundaries do not stop of the Cudahy city boundary and regional planning is critical when looking at transportation infrastructure. This can also present a challenge for Cudahy as even when the City creates transportation policy, they will still be affected by transportation policies in nearby cities.

Improvements to public transportation. Public transportation also plays an important role and residents discussed increasing CART service during community meetings, including increasing frequency of routes or having routes that go in two different directions. While adding routes may be costly, residents also raised the idea of new bus shelters that had seating and shade.

Conclusion and Directions for Future Work

Towards Implementation

All of these recommendations depend upon implementation by the City. City staff, the City Council and engaged residents will be the key actors. Ongoing monitoring and evaluation will be just as important as discrete policy changes. As of July 27, the City has adopted a modified version of our parking pilot recommendations, albeit without the recommendations regarding simplified identity and vehicle registration documents.

Some Final Notes on What We Learned

We confirmed that large, administrative data sets such as the Census and the NHTS do not fully capture travel behavior in particular communities such as Cudahy. Direct observations revealed that parks are extremely well-used, and walking is an extremely prominent mode. Through public outreach, we found and learned from a highly engaged community that understands the need for growth, and speaks with compassion about overcrowding, but is at the same time focused on current problems.

We learned how little of the empirical literature and best practices for land use regulation are relevant to cities with low-income populations. Likewise, the literature and dialogue on affordability is to a notable extent not very applicable to Cudahy. With some regulatory reform, there is hope for affordable housing developers to be able to execute projects in Cudahy, and the developers at our roundtable were excited to be invited to the conversation. At the same time, ADUs -- the greatest source of affordable housing construction in the City, and extremely affordable at that -- are a topic that is not well-grasped by the literature or the dialogue. Their existence is hidden, or willfully ignored. ADUs will not be an easy reality to accept, but accepting them and building a path to legalization is the only way to ensure that residents of Cudahy live in safe and secure dwellings.

Our understanding of impact fees and their potential applicability was poor at the outset of this project. We learned that policy frameworks and dialogues centered on strong real estate markets and large urban areas can have low applicability to small jurisdictions and low-income areas.

Municipal fiscal policy is a deep field, and we touched the edges of it while grasping its importance. Better understand intergovernmental transfers, such a subsidy for no

property tax cities. It may or may not be promising for the City to raise conventional tax instruments, such as the sales tax and the property tax. It is outside our expertise, but quite germane to the question of how to fund parks and active transportation.

Future Research

More work is needed to advance better policy frameworks for cities grappling with significant underground ADU construction. The literature lacks a systematic understanding of the financial challenges faced by low-income cities, and the relationship between these financial situations and the provision of transportation infrastructure, particularly active transportation infrastructure. As the high rates of walking in Cudahy, particularly for school travel, show, continued work is needed to develop granular understandings of travel behavior that account for local access as well as demographics and nativity. The empirical literature regarding land use regulation is relatively nascent, beset by empirical difficulty, and lacks in studies of low-income communities.

Implications for Regional and State Governments

This work underlines the extent to which it is important for regional and state governments to support parking management, as it is a key barrier to parking reform, which in turn is a key barrier to affordable housing production and strategic growth.

The policy frameworks and discourses related to strategic growth tend to implicitly refer to strong real estate markets where the dangers of gentrification are a dominating concern. More careful focus is needed on areas of concentrated poverty and weak real estate markets.

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Appendix A: Park Observation Form

Date: _____ Park ID: _____ Observer: ____

Target Area: _____

Start: _____ End: _____

Conditions of Target Area (only for items in target area)	Yes	No	Notes
Area is Shaded (if yes, indicate where)			
Usable (e.g., not too wet or windy; equipment working)			
Equipment/ Facilities in good condition/ Well maintained			
Park Staff on site			
Park has adequate lighting (if applicable)			

Comments*:

*Please indicate comments related to park conditions (e.g. trash cans overfilled, restrooms or drinking fountains not working) and comments related to activities (e.g. presence of multiple large parties)

List of Activities

If applicable, choose an activity from this list

Baseball/softball
Basketball (indoors)
Basketball (outdoors)
Picnic
Celebration with large group
Frisbee
Gymnasium activity
Exercise Equipment
Playground
Playing Chess
Sitting in Park (by themselves)
Sitting in Park (with groups)
Sleeping
Skating
Soccer
Tennis
Walking
Walking with dog
Watching Kids on playground
Watching Sport (please indicate sport)

Age Categories: C = Child (0 -11); T = Teen (12 - 17); A = Adult (18 - 59); S = Senior (60+)- Use your best estimates

Race/ Ethnicity Categories: L = Latino; B = Black/ African American; W = White; O = Other

Please record each person and their activity

Person	Sub Area	Gender	Age Category	Race/ Ethnicity	Activity	Notes
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						

14						
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16						
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30						
31						
32						
33						
34						
35						

Date: _____ Park ID: _____ Observer: _____

Target Area: _____

Start: _____ End: _____

Conditions of Target Area (only for items in target area)	**Yes**	**No**	**Notes**	**Comments*:**
Area is Shaded (if yes, indicate where)				
Usable (e.g., not too wet or windy; equipment working)				
Equipment/ Facilities in good condition/ Well maintained				
Park Staff on site				
Park has adequate lighting (if applicable)				

*Please indicate comments related to park conditions (e.g. trash cans overfilled, restrooms or drinking fountains not working) and comments related to activities (e.g. presence of multiple large parties)

Age Categories: C = Child (0 -11); T = Teen (12 - 17); A = Adult (18 - 59); S = Senior (60+)- Use your best estimates

Race/ Ethnicity Categories: L = Latino; B = Black/ African American; W = White; O = Other

Please record the number of people for each category of activity

Activity	Females				Males			
	# children	#Teens	# Adults	#Seniors	# children	#Teens	#Adults	#Seniors

List of Activities

If applicable, choose an activity from this list

Baseball/softball
Basketball (indoors)
Basketball (outdoors)
Picnic
Celebration with large group
Frisbee
Gymnasium activity
Exercise Equipment
Playground
Playing Chess
Sitting in Park (by themselves)
Sitting in Park (with groups)
Sleeping
Skating
Soccer
Tennis
Walking
Walking with dog
Watching Kids on playground
Watching Sport (please indicate sport)

Appendix B

Park User Survey

Survey also available in Spanish

Surveyor ID	_____
Park	_____
Date	_____
Time	_____

INTERVIEWER TO READ STATEMENT: "This survey is about [name of park]. Please think about this park when you answer the questions."

1. How often do you come to this park? (check one)
   □ Daily □ A few times a week □ Once per week
   □ A couple times per month □ Monthly □ A few times a year
   □ This is the first time

2. On a typical day when you go to the park, how long do you stay at the park? (check one)
   □ < 15 min. □ 15-30 min. □ 30-60 min. □ 1 – 2 hours
   □ 2 – 3 hours □ 3 – 5 hours □ More than 5 hours

3. How did you get to the park? (check one)
   □ Walk □ Bike □ Car □ Public transit

4. Who did you come to the park with? (Check all that apply)
   □ Came alone □ Family (child) □ Family (adults) □ Friends

5. What do you usually do in this park? (Check all that apply)
   □ Baseball/softball □ Basketball (indoors) □ Basketball (outdoors)
   □ Celebrations, picnics □ Frisbee □ Gymnasium activity
   □ Exercise Equipment □ Meet friends □ Playground
   □ Sitting in Park (relax) □ Skating □ Soccer
   □ Tennis □ Walking □ Walking with Dog
   □ Supervise Children □ Local Events

6. In general, how safe do you feel the park is? (check one)
   □ Very safe □ Safe □ Not very safe □ Not safe at all

7. If you don't feel safe, why? (Check all that apply)
   □ Safety hazards □ Crime or violence □ Other _____

8. Do you allow your child to go to the park alone? (check one)
   □Yes, often □ Yes, sometimes □ Rarely □ Never

9. Do you or your children participate in any of the programs sponsored by the City Department of Recreation and Parks? (Check one)
   - □ Yes, including: _____
   - □ No (why not?): _____

10. Condition of Park (check one)

This place has enough lighting at night	□ Yes	□ No	□ N/A
There is broken glass in this place	□ Yes	□ No	□ N/A
There is spray paint, graffiti, or tagging in this place	□ Yes	□ No	□ N/A
There is litter in this place	□ Yes	□ No	□ N/A

11. What is the nearest intersection to your home? (complete street name)
    Major Street: _____ Cross Street: _____

12. Are there other parks closer to your house than this park? □ Yes □ No
    If yes, why do you go to this park instead? _____

13. We would like to know how we can improve the park. What additional activities, programs, or facilities would you like to see in your community (Check all that apply)
    - □ Bicycle paths
    - □ Adult sports leagues
    - □ Additional youth sports leagues
    - □ Park events/fairs, competitions
    - □ Additional/different landscaping
    - □ Walking paths or trails
    - □ Adult fitness or dance classes
    - □ Organized adventure/walks
    - □ Park concerts/dances
    - □ Other _____

14. If the city was to expand parks, how important are the following: (check one)

    A park closer to my house
    □ Very important □ Somewhat important □Not important □Don't know

    More parks in this city
    □ Very important □ Somewhat important □Not important □Don't know

    More/better facilities at current parks
    □ Very important □ Somewhat important □Not important □Don't know

    More programs at current parks
    □ Very important □ Somewhat important □Not important □Don't know

15. Do you have any additional comments to share about this park?

Demographic Information

Gender: _____

Age: _____

Race: Latino White Black Asian Other: _____

Cudahy Park Survey

This survey is about the park that you use the most.

Which park do you use the most? □ Clara Parks □ Cudahy Park □Lugo Park
□ I don't use the parks in Cudahy
If you don't use the parks: Why don't you use the parks in Cudahy?
_____

Please answer the questions for the park you use the most

15. How often do you come to this park? (check one)
    □ Daily □ A few times a week □ Once per week
    □ A couple times per month □ Monthly □ A few times a year
    □ Once time □ I never go to parks

16. On a typical day when you go to the park, how long do you stay at the park? (check one)
    □ < 15 min. □ 15-30 min. □ 30-60 min. □ 1 – 2 hours
    □ 2 – 3 hours □ 3 – 5 hours □ More than 5 hours

17. How do you usually go to the park? (check one)
    □ Walk □ Bike □ Car □ Public transit

18. Who do you usually come to the park with? (Check all that apply)
    □ I come alone □ Family (child) □ Family (adults) □ Friends

19. What do you usually do in this park? (Check all that apply)
    □ Baseball/softball □ Basketball (indoors) □ Basketball (outdoors)
    □ Celebrations, picnics □ Frisbee □ Gymnasium activity
    □ Exercise Equipment □ Meet friends □ Playground
    □ Sitting in Park (relax) □ Skating □ Soccer
    □ Tennis □ Walking □ Walking with Dog
    □ Supervise Children □ Local Events

20. In general, how safe do you feel the park is? (check one)
    □ Very safe □ Safe □ Not very safe □ Not safe at all

21. If you don't feel safe, why? (Check all that apply)
    □ Safety hazards □ Crime or violence □ Other _____

22. Do you allow your child to go to the park alone? (check one)
    □Yes, often □ Yes, sometimes □ Rarely □ Never

23. Do you or your children participate in any of the programs sponsored by the City Department of Recreation and Parks? (Check one)
    - □ Yes, including: _____
    - □ No (why not?): _____

24. Condition of Park (check one)

This place has enough lighting at night	□ Yes	□ No	□ N/A
There is broken glass in this place	□ Yes	□ No	□ N/A
There is spray paint, graffiti, or tagging in this place	□ Yes	□ No	□ N/A
There is litter in this place	□ Yes	□ No	□ N/A

25. What is the nearest intersection to your home? (complete street name)
    Major Street: _____ Cross Street: _____

26. Are there other parks closer to your house than this park? □ Yes □ No
    If yes, why do you go to this park instead? _____

27. We would like to know how we can improve the park. What additional activities, programs, or facilities would you like to see in your community (Check all that apply)
    - □ Bicycle paths
    - □ Walking paths or trails
    - □ Adult sports leagues
    - □ Adult fitness or dance classes
    - □ Additional youth sports leagues
    - □ Organized adventure/walks
    - □ Park events/fairs, competitions
    - □ Park concerts/dances
    - □ Additional/different landscaping
    - □ Other _____

28. If the city was to expand parks, how important are the following: (check one)

    A park closer to my house
    □ Very important □ Somewhat important □Not important □Don't know

    More parks in this city
    □ Very important □ Somewhat important □Not important □Don't know

    More/better facilities at current parks
    □ Very important □ Somewhat important □Not important □Don't know

    More programs at current parks
    □ Very important □ Somewhat important □Not important □Don't know

29. Do you have any additional comments to share about this park?

_____

_____

Demographic Information

Gender: _____

Age: _____

Appendix C: Participation Spectrum
(from the City of Portland's Public Involvement Toolkit)

DRAFT Public Participation Spectrum

Level:	Public Participation Goal:	*The City will:*	Tools* to Consider:	*The Community:*
Decide	To place final decision-making in the hands of the public.	*Implement what the public decides.*	#5 Committees #6 Feedback Mechanisms #8 Community Driven & Organized #9 Techniques & Methods	***Decides***
Collaborative	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	*Partner with public in each aspect of decision.*	#6 Feedback Mechanisms #8 Community Driven & Organized #9 Techniques & Methods	***Partners***
Involve	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	*Work with the public to ensure that their concerns are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.*	#5 Committees #6 Feedback Mechanisms #7 Formal Hearings/Forums #8 Community Driven & Organized	***Participates***
Consult	To obtain public feedback on analysis, alternatives, and/or decisions.	*Keep the public informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.*	#3 Events/ Meetings #5 Committees #6 Feedback Mechanisms #7 Formal Hearings/Forums	***Contributes***
Inform	To provide the public with balanced & objective information to assist them in understanding the problem, alternatives, opportunities, and/or solutions.	*Keep the public informed.*	#1 Information/ Notification #2 Publications #3 Events/ Meetings #4 Community Education	***Learns***

Increasing Level of Public Involvement

*Refer to "Public Involvement Tools, by Category" on the next page for the full list of techniques.

Adapted from IAP2's Public Participation Spectrum (www.iap2.org)

DRAFT – October 2006 – Bureau Innovation Project # 9, City of Portland

Appendix C of City of Portland Public Involvement Toolkit – Page 6

Appendix D: Focus Group Discussion Notes

Notes from the Focus Group 1

Tuesday, December 15
Facilitated and note-taking by *LyftToSpot*

Enabling Just and Sustainable Growth Project: City of Cudahy

PARKING FOCUS GROUP - NOTES

- There is no overnight parking
- Parking permits have been a good idea
  - Strict Requirements
  - Too expensive **+2**
  - Additional permits (2 per week) is too much
  - Process is too time consuming **+1**
- Two types of permits is not reasonable
- Visitor parking should be free
- Applying for various permits is too difficult
- If parking is open to all, streets will be crowded
- Need better process
- High density apartment buildings need more parking
- Parking permit requirements are too strict for undocumented members

- Funds from parking fees should go towards night security
- Parking priorities should go to residents of Cudahy
- Permits should be granted at lower prices but not free
  - Requirements should be simple
- Parking on Walter Street is very hard to find
- Parking enforcement practices are too strict
- Create a cost analysis for how parking fees are used and how funds can improve the situations

- Balance costs
  - Street sweeping should be alternated on different streets
- Remove dual permit needs
  - Look at surround southeast cities to see what parking enforcement they have

---

- Make permits reasonable, accessible, and simple
- Visitor parking should have the same process
- Parking requirements should not be removed for developers
- Applying for permits in person makes it more secure **+1**
- Keep other <u>options</u> available
- Kiosks or machines can be another option
- Funds
- Street improvements
- Decorative signage
- Seasonal décor on streets
- More seating on bus stops **+2**
  - Better transit stops
    - Include shadings and roofs **+1**
- More trash cans on streets
- Transparency on how much funds have been gathered
- Funds should be allocated to different improvements

- Fund allocations should be specific and we should know where it's going
- Improve sidewalks and driveways
- Permits should not be made of paper
- Adapt other durable materials
  - Stickers
  - Plastic
  - Plaques, etc.

Discussion Notes from Focus Group 2

Monday, February 29, 2016
Facilitated by From Lot to Spot

<u>Option 1:</u>

- § One resident expressed option 1 being better BUT but thinks that they should demonstrate that they need a parking permit.
- § Permits should be need-based à use documents that show a need for permits
    - v Suggestion to have an inspector come view the property this will determine if one needs a parking permit
- § Concern for parking congestion
- § COST: still too high
    - v $100 is too much
    - v Maywood charges $10, Cudahy residents think they should be paying less
    - v Residents recommend $40
    - v Want to pay a similar price to neighboring cities
    - v permits should include street cleaning days in the total price
- § Permit material: the material currently used (paper) is not effective
    - v Durable material for the permit (sticker or plaque)
    - v Paper permit is inconvenient
- § A resident questioned why there is street cleaning in the nights
- § VISITOR parking:
    - v Know the information of who has a permit/ have a process for guest permits
    - v Some residents do not want guest permit requirements (this is adding more to the process)
- § Residents have to park their vehicles in other neighboring cities (H.P. and South Gate)
    - Experiences of crossing the bridge to park in another city;
    - Residents worried that with fewer restrictions, people from other cities may park in Cudahy.
- § Patrolling in the area
    - v Residents do not see an activity of patrolling

<u>Option 1 Thoughts:</u>

- v Too many requirements and price is too high (Different opinion on requirements than previous resident's response)
- v Does not have a number limit on the number of permits one can have
- v There is split opinions among residents on whether permits should be given on a necessity base or if you just want it and can pay for it
- v Should we require a proof of parking burden?
- One resident mentioned that this was the first time he was parking about this pilot program.
- v Compared to West Hollywood model: price for permit should stay the same regardless of the number of permits applied for
- v A resident who has contact with Maywood residents says due to Maywood's low price and simple permit process this brings problems and just isn't working

Option 2 Thoughts:

- v NOONE agreed with this option
- v Prefer having permits

Last Thoughts:

- v Want street cleaning to take place early in the day
- v Version of option 1 preferred BUT with some changes
- v Run the new program as a pilot program
- v Change the time frame of pilot program (6 months) enough to evaluate if the program is functioning
- v Too low permit prices will generate problems
- v PRICE: ideal would be between $10-$100
- v Have the option of paying for yearly or monthly permits

Overall, it seemed like the two main concerns were price: $100 is still too high. The second issue was how permits get distributed: Is it on a need-only basis or any residents who can afford

Appendix E: June 1 Community meeting Discussion notes

Parking Discussion

1. Can't park at night, during the day it's hard to find parking
2. Around cul de sac, there is a lot of apartments. Apt only has parking for one car...some families have 3-4 cars. Even if she pays for parking, there is no space available. Some areas have red paint/ no parking. Only 7 cars have permits to park in this area (Walker)
3. Have pay station to buy parking permits to park overnight. Have parking limit during the day
4. On pilot program, lots of issues providing identification
5. Lowering costs of parking permits
6. Free parking increases chances for crime in the city
7. Too many permits at once to be able to park
8. Short streets don't have too much parking/ none at all
9. Have kiosk at city hall so that guests can get parking permit (when city hall is closed)
10. Issue with cars not being under name of person who went to get parking permit
11. Concept of reducing parking requirements (positive feedback)
12. New housing/ development is a yes.. But you didn't address the issue of parking.
13. Where are you supposed to park on nights you cannot park overnight? Crime has happened when parking outside of Cudahy
14. Conflict of guest parking + resident parking- not enough spaces
15. For developers- build underground parking
16. Park inside park parking lots
17. Colored parking permits per street (districts)
18. Controlled application for parking permits (esp. apartments)
19. + parking permits = + needed parking spaces
20. Agreement on street sweeping during the day
21. For every new development has to provide parking
22. Overnight parking prohibition + safety
23. Make permits affordable and only for CUdahy residents
24. Free visitor permits for family and friends

Development

elopment is good and growth is not preventable
ousing and be creative in where with the city
l parking regulations but adjust based on property and project needs

- Interesting idea to integrate ADUs legally with city review
- Do not force to remove ADUs ?
- The need for families to add campers is because not all fit
- The city is overpopulated

- How can we fit new tenants with a lack of parking?
- Increasing building height will overpopulate even more-
    - what will happen with schools who are filled
- THe city can increase height and it will be positive for commercial only
- Parking requirements that are removed will impact parking on streets
- 4 or 5 levels of building is too much in residential areas
- 4 or 5 levels in commercial areas- yes
- Commercial mix use will overpopulate the city
- We wish to conserve traditional housing
- People in ADUs may not move to low income housing because they are already accustomed to it
- Incorporate a rent control program
- Help property owners to legalize ADUs and provide financial incentives to improve safety
  = must follow up.
- Low income housing developments must give priority to Cudahy residents if you increase height maximums
- Promote low-income housing
- Incentivize developers to come to the city to invest
- Legalize ADUs for safety: include amnesty period to bring up to code, send a notification first to let property owners know before citations are charged
    - Include trailer parks & motor homes to increase safety
    - The city sent over all regulating actions to the state
- Increasing height max is good but include subterranean parking
- Build mixed use on vacant properties on Atlantic
- Commercial sites should not be chain restaurants for fast food: we already have too much
- Included mixed income housing to bring funds to the city

Parks/ Transportation

Parks

- Q: Do we have enough parks? Are they efficient?
  A: People want more activities @ existing parks
- Q: What is the point of River Park? It's always locked!!
- Q: Why is this park (Northern part of Clara Park) dipped?
    - Would like more usable landscape
- Need more lighting!
- Problem: drinking, smoking weed in park
    - Want: more code enforcement, More exercise equipment, ** Place to jog
- Problem: graffiti on sidewalks
    - Need youth involvement
    - -through city and schools; schools opening doors to the community

- Park Concerns: Restrooms (need paper towels and doors);**Outdated/ unsafe playground equipment; *maintenance
- Problem- Parks close at 9, people go running in South Gate
    - Solution- Better lighting
- Ways to increase safety
    - Music, activities, programming
    - Parks after Dark, take back the park
- Community says "We will help build/ install exercise equipment."
    - Need an org of existing volunteers to create programming
- For River, vegetation is blocking view, change vegetation to drought tolerant

<u>Transportation</u>

- Clean the bike path/ Light the bike path; Bike lanes
- Public transit to business
- FIxing Roads; Traffic control
- On Atlantic/ Patata, parked cars create a hazard
    - zoning so no cars are parked during rush hour

<u>Non-park questions</u>

- Parking question- who gets permits?
- Atlantic/ Santa Ana vacant building- want a community garden on this site

Group Two

<u>Park Discussion</u>

- Improvements included Bathrooms, Play group equipments, sponge in playground has dissolved (need upgrade)
- Safety improvements- Open later, more lighting, park monitors/ maintenance, brighter lights at night for walking (LED)
- Composting

<u>Transportation</u>

- More bus services (Previous bus from Bell Garden to Huntington Park, bus was discontinued.)
- CART should also go in opposite directions, more frequent
- Bus specifically to rec center (can combine transit and parks)
- Benches/ seating @ bus stop- with <u>shade</u> & lighting
- Garbage cans
- Debate on bike lanes
    - can provide a safe path to river but are roads too small?
    - Can we look at wider streets for bike lanes?
- Safer crossings; flashing cross lights at Clara/ Walker
- More input into river development
- Synchronizing signals, new street signage,

- Bike Racks
- Discounts for public transport/ Incentives to use transportation (ex. Free trip to DTLA for Cudahy residents)
- Speed bumps; specifically around schools
- Access to information
    - Ex: city website promoting things like farmers market

Appendix F: Survey Comments

General Comments from Surveying

- They should invest in landscaping
- Problem with young adults smoking marijuana
- No staff present/ bathrooms are always dirty and unsanitary for children and adults/ need law enforcement presence
- Clean neighborhood riverbank/ river park
- Update the playground, work on vandalism with authorities
- Need to be more aware of safety for kids- bad people, smoking, cleaning up paraphernalia.
- Teens smoking at strange hours
- More shading for playground
- Need more water foundations/ shading in playground area
- My kids spend much of their time training at the park, it's nice to have them here (at the park) instead of home.
- I would like more supervision with police, there's a lot of homeless and teenagers smoking weed.
- Rules about not smoking near or around the park
- Remodel/ upgrade playground
- Better light in restrooms/ restrooms dirty (after swap meets on Sat)
- I like to come (to the park) a lot but sometimes there is a lot of dog poop
- When the parks are improved, they need to be maintained and have staff during operating hours
- More surveillance, cleaner, more green lawns, and more games for kids
- We want tournaments for kids that are not expensive. I believe $20 is fair for 6 months
- Lugo Park is in poor condition for the past 15-20 years. The park needs to convert to synthetic park for the safety of kids to play soccer
- Need to improve restroom, security and expand programs and services
- We need more surveillance and parking because sometimes there isn't any, and programs for teens, especially part-time work
- Practical additions to parks, (i.e. a fountain to refill bottles and containers)
- I would like our parks to have a defined theme
- I would like to get handicapped people involved in sports (basketball)
- More parks, more bike trains, increased safety and creating a social behavior of keeping parks clean
- Has gotten better, safer and cleaner in recent years
- Fees are so expensive
- Your outreach (for the community meeting) needs to improve
- May more attention to programs of the third age(?) and occupy their attention
- More police checking during the day; There are young men fighting

- We need more surveillance so that our young people are staying busy and not on drugs or in gangs (2)
- The bathrooms are not sufficiently hygienic.
- More surveillance in the parks
- Many youth smoking marijuana
- Need more picnic tables and areas where there is shade
- Many more people with pets, we do need a dog park in the community.
- There should be more emphasis in improving the appearance of Cudahy park considering the city hall and library are located there. Different color paint and landscaping would make it look more appealing
- I would like to see Cudahy expand our city by promoting organized TRAVEL sports and Please please fix the restrooms and have the park employees clean them on a regular schedule, thank you.

Appendix G: Affordable Housing Calculations

Affordable Housing - 4 stories

Assumptions			
Parcel Size			60,000 sf
Building Height			4 Stories
Residential GBA			120,000 sf
Residential Footprint			30,000 sf
Net Leasable Area			105,000 sf
	Number of Units	*84 Units*	
	Unit Size	*1,250 sf*	
Parking Footprint			30,000 sf
	Parking Requirement	*1 per Unit*	
	Total	*84 Spaces*	
	Space Size	*350 sf*	
	Construction Type	*Surface Parking*	

Development Costs			
Residential Hard Cost		*$142 per sf*	$17,050,000
Parking Hard Cost	*Surface Parking*	*$4000 per space*	$343,000
Total Hard Costs			**$17,343,000**
Soft Costs		*30% of H. Costs*	$5,220,000
Contingencies		*5% of H. + S. Costs*	$1,130,000
Land Costs		*$50 per sf*	$3,000,000
Total Costs			**$26,693,000**

Sources of Funds			
9% Tax Credit Equity			$21,300,000
Developer Equity			$2,200,000
Bank Loan (15 yrs)			$3,250,000
	Interest Rate	*6.5%*	

Income (Affordable Development)			
Rent per Unit		*TCAC Rents*	$700
Monthly Rent	No. Units	*84 Units*	$58,800
Annual Rent	No. Units	*84 Units*	$705,600
Annual Expenses		*$0.25 per sf per Month*	$315,000
Net Operating Income			**$390,600**
Value at Completion			**$5,580,000**
Profit if Sold			**$127,600**

2-stories WITHOUT Parking reduction

Assumptions			
Parcel Size			60,000 sf
Building Height			2 Stories
Residential GBA			59,000 sf
Residential Footprint			29,500 sf
Net Leasable Area			51,300 sf
	Number of Units	*42 Units*	
	Unit Size	*1,250 sf*	
Parking Footprint			29,000 sf
	Parking Requirement	*1 per Unit*	
	Total	*84 Spaces*	
	Space Size	*350 sf*	
	Construction Type	*Surface Parking*	

Development Costs			
Residential Cost		*$151 per sf*	$8,900,000
Parking Cost	*Surface Parking*	*$4000 per space*	$328,000
Total Hard Costs			**$9,228,000**
Soft Costs		*30% of H. Costs*	$2,768,000
Contingencies		*5% of H. + S. Costs*	$600,000
Land Costs		*$50 per sf*	$3,000,000
Total Costs			**$15,596,000**

Income (Affordable Development)			
Rent per Unit		*Per Craigslist*	$2,000
Monthly Rent	No. Units	*42 Units*	$83,600
Annual Rent	No. Units	*42 Units*	$1,003,200
Annual Expenses		*$0.25 per sf per Mo.*	$156,500
Net Operating Income			**$847,000**
Value at Completion			**$12,096,000**
Profit if Sold			**($3,712,000)**

Item Number
12C

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor/Chair and City Council/Agency Members

From: Jose E. Pulido, City Manager/ Executive Director
By: Michael Allen, Community Development Manager and
Aaron Hernandez-Torres, P. E., Assistant City Engineer

Subject: **Consideration to Approve Construction Contract Award to Belco Elecnor Group for the Cudahy Citywide Pedestrian Crosswalk Improvement Project Safe Routes to School (SRTS) – Active Transportation Program - Cycle 1 (ATP-1)**

RECOMMENDATION

The City Council is requested to approve a Contract Services Agreement with Belco Elecnor Group, the lowest responsive bidder, in the negotiated bid amount of $1,003,993 from ATP-1 State Grant Funds to undertake the Cudahy Citywide Pedestrian Crosswalk Improvement Project.

BACKGROUND

1. On May 20, 2014, the City's in-house staff prepared and submitted a Grant Application for the Cudahy Citywide Pedestrian Crosswalk Improvement Project under the Active Transportation Program - Cycle 1 (ATP-1).

2. On November 18, 2014, California Department of Transportation (Caltrans) notified City staff of the ATP-1 Grant Award to the City in the amount of $1,271,000 to fully fund the above mentioned project (no local match).

3. From November, 2014 to November, 2015, the Engineering Department started the implementation of the awarded ATP-1 Grant and executed all necessary agreements with corresponding agencies (Caltrans and Metro).

4. On March 17, 2015, the City entered into an agreement with Transtech Engineers to provide Professional Consulting Services for On-Call Project Management and Project Design Services for Capital Improvement Projects (CIP) and Community Development Grant (CDBG) Projects in the amount of $322,242.

5. In June 2015, City staff included expenses for the Design Phase of the Project in the amount of $98,000 in the City's Budget for Fiscal Year (FY) 2015/16.

6. On November 2, 2015, Transtech Engineers submitted a proposal for design services in the amount of $98,000 for the ATP-1 Project, per contract agreement dated March 17, 2015 between City and Transtech Engineers.

7. On December 15, 2015, the Transtech proposal to provide design services for this project was approved by City staff, consistent with the contract agreement between City and Transtech Engineers approved on March 17, 2015.

8. On May 14, 2016, The California Transportation Commission (CTC) approved Construction Funds for the ATP-1 Project in the amount of $1,173,000. This amount includes construction costs, contingency, and construction engineering/project management costs.

9. On September 21st and 28th, 2016, the Engineering Department issued a Notice to Contractors to procure construction services for the aforementioned project. The project was properly advertised in the newspaper for two consecutive weeks, construction planrooms and City's website.

10. On October 11, 2016, the City Clerk's Office conducted the bid opening meeting at the City Council Chambers. A total of two bids were received for this project, ranging in cost from $1,266,804 to $1,338,269.03. Belco Elecnor Group, submitted a bid proposal in the amount of $1,266,804 and is the lowest responsive and responsible bidder.

11. On October 27, 2016, City staff and Transtech personnel met with the lowest responsible and responsive bidder, Belco Elecnor Group, to negotiate contract amount due to limited funds available to proceed with 100% of Belco's proposal of $1,266,804. The revised bid contract amount is $1,003,993 (An additional $71,307 is reserved for Contingency Costs).

ANALYSIS

In order to address growing community concern surrounding pedestrian and bicycle safety, the City applied for the Active Transportation Program – Cycle 1 (ATP-1) Grant on May 20, 2014. The proposed project under the ATP-1 Grant is the Cudahy Citywide Pedestrian Crosswalk Improvement Project Safe Routes to School (SRTS).

The City's Active Transportation Program - Cycle 1 (ATP-1) focuses on crosswalks directly in front and within the immediate vicinity of the schools located in the City at the following locations: Teresa Hughes Elementary School; Park Avenue Elementary School; Elizabeth Learning Center; Ellen Ochoa Learning Center; and Jaime Escalante Elementary School. As well as the City's access point to the LA River Pedestrian/Bike Path located on River Road adjacent to Clara Street and the 710 Freeway.

In order to accommodate the large population of pedestrians and bicyclist, the project's purpose is to address the immediate need by increasing the safety of all crosswalks directly in front and within the immediate vicinity of the five schools located in the City; as well as, to increase safety and usage of the City's access points to the LA River Pedestrian/Bike Path and other traffic calming measures. By improving safety and mobility, while increasing the number of pedestrian/bicycle trips, the City intends to also reduce the amount of vehicular trips. In turn, this project will contribute to the reduction of greenhouse gas emissions.

The project proposes upgrades to the existing pedestrian crosswalks around schools as required per existing site conditions. This includes implementation of one or more of the following items:

- Installation of Rectangular Rapid Flashing Beacons (RRFB);
- LED Crosswalk Warning System;
- Overhead signs and flashing beacons;
- Triple Four Crosswalk with reflective markers;
- Blinker sign pedestrian and bike path LED Warning System;
- Flashing stop signs;
- High visibility traffic striping with reflective markers;
- Signage;
- Construction of raised medians;
- Construction of curb extensions and/or bulb outs;
- Removal and re-construction of concrete wheelchair ramps for ADA compliance;
- Redesign Drop-off/ Pick-up areas near schools to ensure pedestrian and bicyclist safety; and/ or
- Other traffic calming measures as deemed necessary per site specific needs.

The project has been properly engineered with plans and specifications developed by Transtech Engineers. The project was properly bid and two bids were received ranging in cost from $1,266,804 to $1,338,269.03:

- Belco Elecnor Group, submitted a bid proposal in the amount of $1,266,804 and is the lowest responsive and responsible bidder; and
- California Professional Enginering, Inc. submitted a proposal in the amount of $1,338,269.03 and is the second lowest bidder.

The City's construction budget for the Project is based upon funding pursuant to Cycle 1 of the Active Transportation Program (ATP-1) conducted by Caltrans. The City's total construction budget based upon California Transportation Commission (CTC) approved funds is $1,173,000. However, Elecnor's bid for the Project was in the amount of $1,266,804.

Given the discrepancy between Belco Elecnor Group bid and the City's total construction budget, the City utilized its authority as set forth in the bid package to reduce the scope of work in order to stay within the budgeted funds eligible under the Caltrans grant specified above. Despite its authority to reject all bids and commence a new bidding process in light of the available Caltrans grant amount, the City has elected to move forward with the project, as legitimately modified, in order to accelerate City residents' safety and mobility while reducing greenhouse gases. Accordingly, revisions to the scope of work were made to accommodate the modified budget.

For this purpose, City staff and Transtech personnel met with the lowest responsible and responsive bidder, Belco Elecnor Group, to negotiate contract amount due to limited funds available to proceed with the project's full scope of work. The revised bid contract amount is $1,003,993. An additional $71,307 is reserved for Contingency Costs for unforeseen site conditions. In the event that there are no unforeseen site conditions and/or valid change orders, the City will utilize all contingency construction funds by extending scope of work quantities of eligible items as legally allow by this contract.

With this revision, the revised subcontracted total work is calculated to be:

Subcontractor Name	Revised Dollar Amount
All American Asphalt (This work is deducted)	$497,021
Superior Pavement (This work remains the same)	$82,538
Total Revised Subcontracted Work	**$579,559**
Total Revised Bid Amount	**$1,003,993**

Revised Subcontracted Work Percentage	**58%**
Max Allowed Subcontracted Work Percentage	**60%**

As per above calculations, revised subcontracted work complies with the bid requirements.

It is important to mention that the reduced scope of work includes items that are not part of the original project scope of work. Therefore the reduction in the contract amount will not impact the delivery of the project as originally planned. The items reduced or deleted in the contractors bid are mostly related to pedestrian lighting improvements and were included as an enhancement to the original project improvements, only if enough funding were available in this project's phase. Although these lighting improvements will not be part of this project, they will be included in the approved Active Transportation Program Cycle 2 (ATP-2) Project (Wilcox Avenue and Complete Streets SRTS Project). ATP-2 is also a grant awarded to the City in 2015 in the amount of $1,344,000. Construction Phase of the ATP-2 Project is scheduled for Fiscal Year (FY) 2018/19.

Failure to approve the work will not comply with the Agency State-Master Agreement No. 00462S and Program Supplement Agreement No. 0N06 Rev. 01, which state that "administering agency agrees to award the construction contract within 6 months of the construction fund allocation and to complete and accept the construction within 36 months of award". Further, the City will lose ATP-1 funding for this project.

CONCLUSION

City Council approval of the Construction Contract Services Agreement with Belco Elecnor Group would resolve the immediate need of the safety of all crosswalks directly in front and within the immediate vicinity of the five schools located in the City; as well as, increase safety and usage of the City's access points to the LA River Pedestrian/Bike Path and other traffic calming measures. In addition, approval of the plan and associated contract would prevent much more costly infrastructure repairs in the future.

FINANCIAL IMPACT

The project has been budgeted in the Fiscal Year (FY) 2016/17 City's Budget using Non-General Fund monies. Active Transportation Program Cycle 1 (ATP-1) funds in the amount of $1,173,000 have been allocated for the specific purpose of improving pedestrian crosswalks citywide. The project as developed, meets ATP-1 and Caltrans guidelines and the expenditure

of these funds are deemed appropriate.

This is a State Only Funded Project under the Active Transportation Program - Cycle 1 (ATP-1) as approved by the California Transportation Commission (CTC) with no local match or General Fund contribution.

ATTACHMENTS

A. Bid Opening Minutes
B. Bid Proposal – Belco Elecnor Group
C. Contract Services Agreement – Belco Elecnor Group

BID OPENING MINUTES

Contracting Agency: **City of Cudahy**
Agency Representative: **Richard Iglesias, City Clerk**
Project Name: **ATP-1 Cudahy Citywide Pedestri8an Crosswalk Improvement Project (SRTS) 5369 (010)**
Project Number: **235-7088-6725**
Bid Opening Date: **October 11, 2015** Time of Bid Opening: **2:00 PM**
Place of Bid Opening: **City Hall Chamber**

	NAME OF COMPANY	BID SUBMITTED		Amount of Bid
		Date	Time	
1	Belco - Electric Group	10-11-16	1:52 P.M.	$ 1,266,804.00
2	California Professional Engineers, Inc.	10-11-16	1:58 P.M.	$ 1,338,269.03
3				
4				
5				
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7				

LATE BID SUBMISSION

	NAME OF COMPANY	BID SUBMITTED		Amount of Bid
		Date	Time	
1				
2				
3				

CERTIFICATION

Richard Ilesias	AARON HERNANDEZ-TORRES
Witness (Name / Title)	Witness (Name / Title)
Signature	Signature
10-11-16	10/11/16
Date	Date

BIDS OPENED BY:

RICHARD ILESIAS, CITY CLERK AND AARON HERNANDEZ-TORRES, P. E., ASSISTANT CITY ENGINEER

PROJECT NAME: CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)
ATPL-5369 (010) ATP CYCLE 1, Project Number: 235-7088-6725

Detailed Breakdown of Revised Bid Amount per each Site
(Site Nos per Construction Plans)

	Original Bid Schedule as Submitted by Elecnor Belco Electric, Inc.					Revised Bid Schedule after necessary quantity deductions/deletions (Deductions and deletions are less than 25% of the total bid amount, and therefore same unit prices will be used) (Revised quantities are highlighted in yellow)			
	Bid Item and Description	Qty	Unit	*Unit Price*	Total Price	Revised Qty	Unit	*Unit Price*	Total Price
1	Wet sand blast and remove existing conflicting/faded Marking and Striping including Reflective Markers and AC Pavement Repair	1	LS	*$15,000.00*	$15,000.00	1	LS	*$15,000.00*	$15,000.00
2	Restore Marking and Striping	1	LS	*$7,000.00*	$7,000.00	1	LS	*$7,000.00*	$7,000.00
3	Remove Signs	100	EA	*$18.00*	$1,800.00	100	EA	*$18.00*	$1,800.00
4	Remove existing Pole and Base including removal and reconstruction of 3' by 3' square of 4" PCC walk around the pole	24	EA	*$1,250.00*	$30,000.00	24	EA	*$1,250.00*	$30,000.00
5	Remove Push Button & Solar Panel assembly	17	EA	*$325.00*	$5,525.00	17	EA	*$325.00*	$5,525.00
6	Remove existing in road lights and patch repair AC pavement	643	LF	*$139.00*	$89,377.00	643	LF	*$139.00*	$89,377.00
7	Remove existing improvements (within the limit of removal and construction lines as shown on the Plans) to construct new bulb out, curb ramp, driveway and/or PCC walk which will include curb ramp, PCC walk, curb and gutter, driveway, and 10" deep AC pavement section	10,370	SF	*$10.50*	$108,885.00	10,370	SF	*$10.50*	$108,885.00
8	Remove and reconstruct PCC Driveway to comply with ADA per detail on sheet 27 (Driveway west of Los Angeles River Bridge)	153	SF	*$29.00*	$4,437.00	153	SF	*$29.00*	$4,437.00
9	Remove 10" AC pavement section	2,274	SF	*$11.00*	$25,014.00	2,274	SF	*$11.00*	$25,014.00
10	Remove existing Tree	2	EA	*$1,934.00*	$3,868.00	2	EA	*$1,934.00*	$3,868.00
11	Remove existing PED Push Button assembly and install new APS Ped Push Button assembly with audible countdown timer, ADA Push Button and Brail Push Button Sign R10-3b, Polara EZ-Comm 2-wire Navigator APS System or approved equal	4	EA	*$3,683.00*	$14,732.00	0	EA	*$3,683.00*	$0.00
12	Remove, relocate and reconstruct existing regulatory sign including construction of new pole and foundation	2	EA	*$200.00*	$400.00	2	EA	*$200.00*	$400.00
13	Remove interfering Portion of Wrought Iron Fence including post foundation	15	LF	*$174.00*	$2,610.00	15	LF	*$174.00*	$2,610.00
14	De-energize and remove existing entire Trafic Signal System/Overhead Beacon Structure including Pole, Foundation, Lighting, Heads, Signs, Beacon, Push button, and attachment	4	EA	*$1,825.00*	$7,300.00	4	EA	*$1,825.00*	$7,300.00
15	Remove existing Pedestrian Head and mounting and install new Pedestrian Signal Head, Dialight part number 430-6479-001XC (Caltrans Compliant) to include mount framework & housing	4	EA	*$1,026.00*	$4,104.00	0	EA	*$1,026.00*	$0.00
16	Furnish and construct Standard Sign Pole and foundation per detail on the plan	46	EA	*$120.00*	$5,520.00	46	EA	*$120.00*	$5,520.00
17	Furnish and install Blinkersigns by Tapco Solar-Powered LED Flashing 36" Stop Sign R1-1 System complete with solar or approved equal	11	EA	*$3,378.00*	$37,158.00	11	EA	*$3,378.00*	$37,158.00
18	Furnish and install 36" Stop (R1-1) Sign	14	EA	*$86.00*	$1,204.00	14	EA	*$86.00*	$1,204.00
19	Furnish and install Speed Sign (R2-1)	3	EA	*$86.00*	$258.00	3	EA	*$86.00*	$258.00
20	Furnish and install Yield Here Sign (R1-5)	10	EA	*$74.00*	$740.00	10	EA	*$74.00*	$740.00
21	Furnish and install One Way Sign (R6-1) including pole (1.5 feet high) & foundation	1	EA	*$200.00*	$200.00	1	EA	*$200.00*	$200.00
22	Furnish and install Stop Here On Red Sign (R10-6)	2	EA	*$75.00*	$150.00	2	EA	*$75.00*	$150.00
23	Furnish and install No Stopping Sign (R28(S)(CA)	12	EA	*$64.00*	$768.00	12	EA	*$64.00*	$768.00
24	Furnish and install R4-7 & OM2-1H K-1(CA) Signs	2	EA	*$75.00*	$150.00	2	EA	*$75.00*	$150.00
25	Furnish and install School Ahead Signage (S1-1)	18	EA	*$173.00*	$3,114.00	18	EA	*$173.00*	$3,114.00
26	Furnish and install SW24-1 Sign	2	EA	*$175.00*	$350.00	2	EA	*$175.00*	$350.00

Detailed Breakdown of Revised Bid Amount per each Site
(Site Nos per Construction Plans)

	Site 1			Site 2			Site 3			Site 4			Site 5			Site 6A and Site 6B			Site 7			Site 8			Site 9			Site 10			Site 11			Site 12			Site 13		
	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price
1	Lump sum item																																						
2	Lump sum item																																						
3	15	EA	$270.00	19	EA	$342.00	12	EA	$216.00	12	EA	$216.00	6	EA	$108.00	10	EA	$180.00	4	EA	$72.00	4	EA	$72.00	0	EA	$0.00	0	EA	$0.00	6	EA	$108.00	10	EA	$180.00	2	EA	$36.00
4	6	EA	$7,500.00	5	EA	$6,250.00	2	EA	$2,500.00	2	EA	$2,500.00	1	EA	$1,250.00	5	EA	$6,250.00	2	EA	$2,500.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	1	EA	$1,250.00	0	EA	$0.00
5	4	EA	$1,300.00	4	EA	$1,300.00	2	EA	$650.00	1	EA	$325.00	2	EA	$650.00	2	EA	$650.00	2	EA	$650.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
6	174	LF	$24,186.00	153	LF	$21,267.00	40	LF	$5,560.00	140	LF	$19,460.00	72	LF	$10,008.00	0	LF	$0.00	64	LF	$8,896.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
7	2,788	SF	$29,274.00	71	SF	$745.50	582	SF	$6,111.00	234	SF	$2,457.00	1,714	SF	$17,997.00	1,000	SF	$10,500.00	816	SF	$8,568.00	0	SF	$0.00	0	SF	$0.00	874	SF	$9,177.00	544	SF	$5,712.00	1,410	SF	$14,805.00	337	SF	$3,538.50
8	0	SF	$0.00	0	SF	$0.00	153	SF	$4,437.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
9	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	2,274	SF	$25,014.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
10	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	1	EA	$1,934.00	1	EA	$1,934.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
11	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
12	1	EA	$200.00	0	EA	$0.00	0	EA	$0.00	1	EA	$200.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
13	0	LF	$0.00	0	LF	$0.00	15	LF	$2,610.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
14	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$3,650.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$3,650.00	0	EA	$0.00	0	EA	$0.00
15	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
16	4	EA	$480.00	1	EA	$120.00	1	EA	$120.00	2	EA	$240.00	3	EA	$360.00	14	EA	$1,680.00	4	EA	$480.00	7	EA	$840.00	0	EA	$0.00	4	EA	$480.00	0	EA	$0.00	2	EA	$240.00	4	EA	$480.00
17	2	EA	$6,756.00	0	EA	$0.00	2	EA	$6,756.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	4	EA	$13,512.00	0	EA	$0.00	0	EA	$0.00	3	EA	$10,134.00	0	EA	$0.00	0	EA	$0.00
18	1	EA	$86.00	3	EA	$258.00	2	EA	$172.00	3	EA	$258.00	2	EA	$172.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$172.00	1	EA	$86.00
19	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	1	EA	$86.00	0	EA	$0.00	2	EA	$172.00	0	EA	$0.00
20	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$148.00	4	EA	$296.00	2	EA	$148.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$148.00
21	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	1	EA	$200.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
22	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$150.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
23	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	12	EA	$768.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
24	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$150.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
25	2	EA	$346.00	2	EA	$346.00	0	EA	$0.00	3	EA	$519.00	0	EA	$0.00	3	EA	$519.00	2	EA	$346.00	4	EA	$692.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$346.00
26	0	EA	$0.00	0	EA	$0.00	2	EA	$350.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00

PROJECT NAME: CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)
ATPL-5369 (010) ATP CYCLE 1, Project Number: 235-7088-6725

Detailed Breakdown of Revised Bid Amount per each Site
(*Site Nos per Construction Plans)*

	Original Bid Schedule as Submitted by Elecnor Belco Electric, Inc.					Revised Bid Schedule after necessary quantity deductions/deletions (Deductions and deletions are less than 25% of the total bid amount, and therefore same unit prices will be used) (Revised quantities are highlighted in yellow)			
	Bid Item and Description	Qty	Unit	*Unit Price*	Total Price	Revised Qty	Unit	*Unit Price*	Total Price
27	Furnish and install 48"X60" School Crosswalk Warning Assembly SW24-2 Sign	1	EA	*$175.00*	$175.00	1	EA	*$175.00*	$175.00
28	Furnish and install School Advance Crossing Assembly/Ahead Sign (SW24-3)	6	EA	*$200.00*	$1,200.00	6	EA	*$200.00*	$1,200.00
29	Furnish and install Pedestrian Sign (W11-2)	6	EA	*$200.00*	$1,200.00	6	EA	*$200.00*	$1,200.00
30	Furnish and install Downward Arrow Facing Downward (W16-7P)	14	EA	*$29.00*	$406.00	14	EA	*$29.00*	$406.00
31	Furnish and install Ahead Sign ((W16-9P)	24	EA	*$55.00*	$1,320.00	24	EA	*$55.00*	$1,320.00
32	Furnish and install Blinkerbeacon Flashing Beacon or approved equal	9	EA	*$3,493.00*	$31,437.00	9	EA	*$3,493.00*	$31,437.00
33A	Furnish and install TWO-Pole Crossing System Double Sided Solar-powered Rectangular Flashing Beacon (RRFB-XL2 by Tapco or approved equal), with double Sided Led Blinking School Crossing Assembly Sign(S1-1) (Blinkersigns S1-1 or approved equal) and Downward Arrow Sign (W16-7P) complete with XAV Push Button, Control Cabinet, Solar Controller, Blinkersbeam Radio Controller, Solar Panel and Batteries (A Set is composed of Two-Pole System)	4	SET	*$17,472.00*	$69,888.00	4	SET	*$17,472.00*	$69,888.00
33B	Furnish and install THREE-Pole Crossing System Double Sided Solar-powered Rectangular Flashing Beacon (RRFB-XL2 by Tapco or approved equal), with double Sided Led Blinking School Crossing Assembly Sign(S1-1) (Blinkersigns S1-1 or approved equal) and Downward Arrow Sign (W16-7P) complete with XAV Push Button, Control Cabinet, Solar Controller, Blinkersbeam Radio Controller, Solar Panel and Batteries (A Set is composed of Three-Pole System)	2	SET	*$26,208.00*	$52,416.00	2	SET	*$26,208.00*	$52,416.00
34	Construct Type 1-A (12') RRFB Pole and Foundation per Detail 6 on Sheet 29 of the plan	12	EA	*$1,700.00*	$20,400.00	12	EA	*$1,700.00*	$20,400.00
35	Furnish and install Solar Powered Radar Speed Feedback Sign System, RU2 System Fast-275 Model with CA MUTCD R2-1 sign	1	EA	*$11,000.00*	$11,000.00	1	EA	*$11,000.00*	$11,000.00
36	Furnish and install Detectable Warning Surface per Caltrans RSP A88A	144	SF	*$52.00*	$7,488.00	144	SF	*$52.00*	$7,488.00
37	Install DBL yellow line per Caltrans Std. Plan A20A, Det 22	400	LF	*$1.60*	$640.00	400	LF	*$1.60*	$640.00
38	Install Median Island per Caltrans Std. Plan A20B, Det. 29 with 4" yellow diagonal line every 10 feet.	200	LF	*$1.90*	$380.00	200	LF	*$1.90*	$380.00
39	Install Median Yellow Line per Caltrans Std. Plan A20B, Det. 32	329	LF	*$2.00*	$658.00	329	LF	*$2.00*	$658.00
40	Install DBL Yellow Center Line per Caltrans Std. Plan A20D, Det. 41	68	LF	*$2.00*	$136.00	68	LF	*$2.00*	$136.00
41	Install Single Yellow Center Line per Caltrans Std. Plan A20D, Det. 41	48	LF	*$2.00*	$96.00	48	LF	*$2.00*	$96.00
42	Construct 12' Yellow Ladder Crosswalk including reflective markers	10,746	SF	*$2.50*	$26,865.00	8,226	SF	*$2.50*	$20,565.00
43	Construct 12' White Ladder Crosswalk including reflective markers	240	SF	*$2.50*	$600.00	240	SF	*$2.50*	$600.00
44	Install Limit Line per Caltrans A24E	479	LF	*$3.00*	$1,437.00	361	LF	*$3.00*	$1,083.00
45	Install Shark Teeth Yield Line per Caltrans A24E	200	LF	*$18.50*	$3,700.00	200	LF	*$18.50*	$3,700.00
46	Install 6" White Transition Line with 6" diagonal line at 12' O.C.	340	LF	*$2.10*	$714.00	340	LF	*$2.10*	$714.00
47	Install Word/Number Markings per Caltrans applicable standard	107	EA	*$195.00*	$20,865.00	107	EA	*$195.00*	$20,865.00
48	Construction of Curb ramp to include PCC Ramp, retaining curb, landing area and associated curb & gutter, Detectable warning surface	2,727	SF	*$52.00*	$141,804.00	2,727	SF	*$52.00*	$141,804.00
49	Construct A2-6 Curb & Gutter, CF=6", W=2'	235	LF	*$60.00*	$14,100.00	235	LF	*$60.00*	$14,100.00

Detailed Breakdown of Revised Bid Amount per each Site
(Site Nos per Construction Plans)

	Site 1			Site 2			Site 3			Site 4			Site 5			Site 6A and Site 6B			Site 7		
Item	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price
27	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	1	EA	$175.00
28	0	EA	$0.00	1	EA	$200.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
29	0	EA	$0.00	0	EA	$0.00	2	EA	$400.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
30	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$58.00	6	EA	$174.00	2	EA	$58.00
31	2	EA	$110.00	2	EA	$110.00	2	EA	$110.00	3	EA	$165.00	2	EA	$110.00	3	EA	$165.00	2	EA	$110.00
32	0	EA	$0.00	3	EA	$10,479.00	2	EA	$6,986.00	3	EA	$10,479.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
33A	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	1	SET	$17,472.00	0	SET	$0.00	1	SET	$17,472.00
33B	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	2	SET	$52,416.00	0	SET	$0.00
34	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$3,400.00	4	EA	$6,800.00	2	EA	$3,400.00
35	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
36	0	SF	$0.00	36	SF	$1,872.00	36	SF	$1,872.00	0	SF	$0.00	0	SF	$0.00	72	SF	$3,744.00	0	SF	$0.00
37	200	LF	$320.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	200	LF	$320.00	0	LF	$0.00
38	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	200	LF	$380.00	0	LF	$0.00
39	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	329	LF	$658.00	0	LF	$0.00
40	68	LF	$136.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
41	0	LF	$0.00	0	LF	$0.00	48	LF	$96.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
42	756	SF	$1,890.00	1,000	SF	$2,500.00	0	SF	$0.00	996	SF	$2,490.00	432	SF	$1,080.00	818	SF	$2,045.00	288	SF	$720.00
43	0	SF	$0.00	0	SF	$0.00	240	SF	$600.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
44	34	LF	$102.00	48	LF	$144.00	26	LF	$78.00	54	LF	$162.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
45	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	36	LF	$666.00	68	LF	$1,258.00	32	LF	$592.00
46	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	140	LF	$294.00	0	LF	$0.00	120	LF	$252.00
47	9	EA	$1,755.00	9	EA	$1,755.00	2	EA	$390.00	12	EA	$2,340.00	9	EA	$1,755.00	12	EA	$2,340.00	6	EA	$1,170.00
48	409	SF	$21,268.00	132	SF	$6,864.00	111	SF	$5,772.00	180	SF	$9,360.00	178	SF	$9,256.00	575	SF	$29,900.00	196	SF	$10,192.00
49	112	LF	$6,720.00	13	LF	$780.00	23	LF	$1,380.00	0	LF	$0.00	52	LF	$3,120.00	5	LF	$300.00	30	LF	$1,800.00

	Site 8			Site 9			Site 10			Site 11			Site 12			Site 13		
Item	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price
27	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
28	0	EA	$0.00	0	EA	$0.00	2	EA	$400.00	0	EA	$0.00	3	EA	$600.00	0	EA	$0.00
29	0	EA	$0.00	0	EA	$0.00	2	EA	$400.00	2	EA	$400.00	0	EA	$0.00	0	EA	$0.00
30	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$58.00	2	EA	$58.00
31	4	EA	$220.00	0	EA	$0.00	0	EA	$0.00	2	EA	$110.00	0	EA	$0.00	2	EA	$110.00
32	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	1	EA	$3,493.00	0	EA	$0.00
33A	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	1	SET	$17,472.00	1	SET	$17,472.00
33B	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00	0	SET	$0.00
34	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	2	EA	$3,400.00	2	EA	$3,400.00
35	0	EA	$0.00	0	EA	$0.00	1	EA	$11,000.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
36	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
37	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
38	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
39	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
40	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
41	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
42	1,872	SF	$4,680.00	0	SF	$0.00	312	SF	$780.00	0	SF	$0.00	888	SF	$2,220.00	864	SF	$2,160.00
43	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
44	80	LF	$240.00	0	LF	$0.00	0	LF	$0.00	49	LF	$147.00	70	LF	$210.00	0	LF	$0.00
45	0	LF	$0.00	0	LF	$0.00	30	LF	$555.00	0	LF	$0.00	0	LF	$0.00	34	LF	$629.00
46	0	LF	$0.00	0	LF	$0.00	80	LF	$168.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
47	16	EA	$3,120.00	0	EA	$0.00	7	EA	$1,365.00	3	EA	$585.00	16	EA	$3,120.00	6	EA	$1,170.00
48	0	SF	$0.00	0	SF	$0.00	153	SF	$7,956.00	300	SF	$15,600.00	244	SF	$12,688.00	249	SF	$12,948.00
49	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00

PROJECT NAME: CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)
ATPL-5369 (010) ATP CYCLE 1, Project Number: 235-7088-6725

Detailed Breakdown of Revised Bid Amount per each Site
(Site Nos per Construction Plans)

	Original Bid Schedule as Submitted by Elecnor Belco Electric, Inc.					Revised Bid Schedule after necessary quantity deductions/deletions (Deductions and deletions are less than 25% of the total bid amount, and therefore same unit prices will be used) (Revised quantities are highlighted in yellow)			
	Bid Item and Description	Qty	Unit	*Unit Price*	Total Price	Revised Qty	Unit	*Unit Price*	Total Price
50	Construct A2-6 Curb & Gutter, CF=6", W=1.50'	11	LF	*$75.00*	$825.00	11	LF	*$75.00*	$825.00
51	Construct A2-6 Curb & Gutter, CF=6", W=1'	18	LF	*$78.00*	$1,404.00	18	LF	*$78.00*	$1,404.00
52	Construct AC 10" deep AC pavement section with 5" AC on 5" CMB	2,081	SF	*$30.00*	$62,430.00	2,081	SF	*$30.00*	$62,430.00
53	Construct 6" Curb	264	LF	*$57.00*	$15,048.00	264	LF	*$57.00*	$15,048.00
54	Construct 4" PCC Walk	3,369	SF	*$12.00*	$40,428.00	3,369	SF	*$12.00*	$40,428.00
55	Earth Fill for future landscape area (site 1)	160	SF	*$13.00*	$2,080.00	160	SF	*$13.00*	$2,080.00
56	Construct A2 C&G modified to join existing PCC cross gutter/PCC Pavement including dowels (Site 1)	1	LS	*$3,500.00*	$3,500.00	1	LS	*$3,500.00*	$3,500.00
57	Construct 8" Curb & Gutter & PCC pavement to blend and join existing PCC Pavement (Site 5)	1	LS	*$3,500.00*	$3,500.00	1	LS	*$3,500.00*	$3,500.00
58	Construct to extend existing Cross Gutter to parkway drain including curb opening as shown on the plan (Site 10)	1	LS	*$3,500.00*	$3,500.00	1	LS	*$3,500.00*	$3,500.00
59	Construct modified Curb Drain per SPPWC Std Plan 151-3, S=18" (Site 5)	64	LF	*$110.00*	$7,040.00	64	LF	*$110.00*	$7,040.00
60	Construct modified Curb Drain per SPPWC Std Plan 151-3, S=12" (Site 7 & Site 10))	52	LF	*$110.00*	$5,720.00	52	LF	*$110.00*	$5,720.00
61	Construct to extend existing Parkway Drain to new Curb (S=Match Existing per SPPWC Std Plan 151-2)	5	LF	*$108.00*	$540.00	5	LF	*$108.00*	$540.00
62	Construct 3"x12.50" Alhambra A-470 Rectangular Cast Iron Pipe or Approved equal (Site 7)	58	LF	*$109.00*	$6,322.00	58	LF	*$109.00*	$6,322.00
63	Construct Red Brick Pavers on 6" sand	502	SF	*$48.00*	$24,096.00	502	SF	*$48.00*	$24,096.00
64	Paint/Repaint existing (Red or White or Green) Curb to match existing with the limit of work	2,765	LF	*$1.20*	$3,318.00	2,525	LF	*$1.20*	$3,030.00
65	Reconstruct portion of cross gutter to include associated monolithic curb and gutter, dowel and core drilling and 8" CMB	739	SF	*$29.00*	$21,431.00	739	SF	*$29.00*	$21,431.00
66	Construct Quick Set Emulsion Aggregate Slurry Type II (Cationic) with 2½ percent Latex Additive in various different locations as shown on the Plans	95,441	SF	*$1.00*	$95,441.00	50,000	SF	*$1.00*	$50,000.00
67	Furnish and install Type 15 Lighting Standard including 6 feet Mast Arm, Pole, Foundation and Leotek Green Cobra LED GCL1 80G (Multi Tap) Luminaire or approved equal	13	EA	*$5,200.00*	$67,600.00	0	EA	*$5,200.00*	$0.00
68	Furnish and install Type 15 Lighting Standard including 10 feet Mast Arm, Pole, Foundation and Leotek Green Cobra LED GCL1 80G (Multi Tap) Luminaire or approved equal	1	EA	*$5,400.00*	$5,400.00	0	EA	*$5,400.00*	$0.00
69	Furnish and install Type 15 Lighting Standard including 12 feet Mast Arm, Pole, Foundation and Leotek Green Cobra LED GCL1 80G (Multi Tap) Luminaire or approved equal	3	EA	*$5,600.00*	$16,800.00	0	EA	*$5,600.00*	$0.00
70	Furnish and install Type 15D (Double Arm) Lighting Standard including Pole, Foundation and Leotek Green Cobra LED GCL1 80G (Multi Tap) Luminaire or approved equal	2	EA	*$6,400.00*	$12,800.00	0	EA	*$6,400.00*	$0.00
71	Remove existing single Mast Arm and luminaire from street light pole and install new 6" double mast arm on the same pole per Detail C of Caltrans Std Plan ES-6D (Site 3) including electrical rewiring for the new LED luminaire	1	LS	*$9,600.00*	$9,600.00	0	LS	*$9,600.00*	$0.00
72	Furnish and install street lighting 3 1/2 pull box per Caltrans RSP ES-8A	16	EA	*$600.00*	$9,600.00	0	EA	*$600.00*	$0.00
73	Locate and intercept existing street lighting Power line and furnish and install 3 1/2 Pull Box per Caltrans RSP ES-8A	3	EA	*$1,800.00*	$5,400.00	0	EA	*$1,800.00*	$0.00
74	Furnish and install 1 1/2" PVC Conduit Schedule 80 with three Number 8 and one number 10 Conductors	889	LF	*$28.00*	$24,892.00	0	LF	*$28.00*	$0.00
75	Remove existing street light fixture, provide and install new Leotek Green Cobra LED GCL1 80G (Multi Tap) Luminaire or approved equal	20	EA	*$1,100.00*	$22,000.00	0	EA	*$1,100.00*	$0.00
76	Furnish and install Pacific Utility Products, Metered Pedestal, Type III-AF Service Equipment Enclosure or approved equal	5	EA	*$3,500.00*	$17,500.00	0	EA	*$3,500.00*	$0.00
	GRAND TOTAL BID AMOUNT				**$1,266,804.00**				**$1,003,993.00**

Detailed Breakdown of Revised Bid Amount per each Site
(Site Nos per Construction Plans)

	Site 1			Site 2			Site 3			Site 4			Site 5			Site 6A and Site 6B			Site 7			Site 8			Site 9			Site 10			Site 11			Site 12			Site 13		
	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price	Qty	Unit	Total Price
50	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	11	LF	$825.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
51	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	18	LF	$1,404.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
52	678	SF	$20,340.00	33	SF	$990.00	217	SF	$6,510.00	53	SF	$1,590.00	160	SF	$4,800.00	326	SF	$9,780.00	140	SF	$4,200.00	0	SF	$0.00	0	SF	$0.00	173	SF	$5,190.00	55	SF	$1,650.00	156	SF	$4,680.00	90	SF	$2,700.00
53	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	44	LF	$2,508.00	214	LF	$12,198.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	6	LF	$342.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
54	1,060	SF	$12,720.00	102	SF	$1,224.00	218	SF	$2,616.00	0	SF	$0.00	1,110	SF	$13,320.00	175	SF	$2,100.00	486	SF	$5,832.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	218	SF	$2,616.00	0	SF	$0.00
55	160	SF	$2,080.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
56	1	LS	$3,500.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00
57	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	1	LS	$3,500.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00
58	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	1	LS	$3,500.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00
59	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	64	LF	$7,040.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
60	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	52	LF	$5,720.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
61	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	5	LF	$540.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
62	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	58	LF	$6,322.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
63	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	502	SF	$24,096.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00
64	200	LF	$240.00	180	LF	$216.00	180	LF	$216.00	100	LF	$120.00	100	LF	$120.00	740	LF	$888.00	150	LF	$180.00	250	LF	$300.00	0	LF	$0.00	175	LF	$210.00	0	LF	$0.00	400	LF	$480.00	50	LF	$60.00
65	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	0	SF	$0.00	739	SF	$21,431.00	0	SF	$0.00
66	4,822	SF	$4,821.65	3,377	SF	$3,377.47	2,434	SF	$2,434.35	4,313	SF	$4,312.64	3,632	SF	$3,631.98	6,734	SF	$6,733.74	1,469	SF	$1,468.70	5,752	SF	$5,751.51	0	SF	$0.00	1,657	SF	$1,656.92	3,197	SF	$3,197.20	9,942	SF	$9,941.54	2,672	SF	$2,672.29
67	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
68	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
69	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
70	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
71	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00	0	LS	$0.00
72	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
73	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
74	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00	0	LF	$0.00
75	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00
76	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00	0	EA	$0.00

CITY OF CUDAHY

PUBLIC WORKS CONTRACT

CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK
IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)
ATPL-5369 (010) ATP CYCLE 1
Project Number: 235-7088-6725

THIS AGREEMENT "Agreement" is made and entered into this ____ day of November, by and between the CITY OF CUDAHY, a Municipal Corporation located in the County of Los Angeles, State of California hereinafter called CITY, and, Electnor Belco Electric, Inc., a located at 4331 Schaefer Avenue, Chino, California, 91710, hereinafter called CONTRACTOR, collectively referred to as the Parties.

RECITALS

CITY, by its Notice Inviting Bids, duly advertised for written bids to be submitted on or before October 11, 2016, for the following:

CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK
IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)
ATPL-5369 (010) ATP CYCLE 1
Project Number: 235-7088-6725

in the City of CUDAHY, California, hereinafter called PROJECT.

At 2:00 p.m. on said date, in the CUDAHY Council Chambers, said bids were duly opened.

At its regular meeting held on November 14, 2016 the CITY Council duly accepted the bid of CONTRACTOR for said PROJECT as being the lowest reasonable bid received and directed that a written contract be entered into with CONTRACTOR.

NOW, THEREFORE, in consideration of the promises and of the mutual covenants and agreements herein contained, said parties do hereby agree as follows:

ARTICLE I – CONTRACT DOCUMENTS

The CONTRACT DOCUMENTS for the PROJECT shall consist of:

- document titled:
  CONTRACT DOCUMENTS PLANS AND SPECIFICATIONS
  for
  CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK

- CONTRACTOR's Proposal
- Section 3 Clause & Requirements
- Federal Labor Standard Provisions
- Current Federal DOL Wage Decision
- Federal EEO and Affirmative Action Requirements
- and all referenced specifications, details, standard drawings, and appendices, together with this contract and all required bonds, insurance certificates, permits, notices and declarations, affidavits, and also including any and all addenda or supplemental agreements clarifying, amending, or extending the work contemplated as may be required to insure its completion in an acceptable manner.

All of the above-mentioned documents are intended to complement the other documents so that any work called for in one, and not mentioned in the others, or vice versa, is to be executed the same as if mentioned in all of said documents. The document comprising the complete contract are hereinafter referred to as the CONTRACT DOCUMENTS and are incorporated herein by this reference and made and part hereof as though they were fully set forth herein.

All of the rights and obligations of the CITY and CONTRACTOR are fully set forth and described in the CONTRACT DOCUMENTS.

In the event there is a conflict between the terms of the Contract Documents, the more specific or stringent provision shall govern. City shall decide which option is the more specific or stringent provision.

ARTICLE II - AGREEMENT

For and in consideration of the payments and agreements be made and performed by CITY, CONTRACTOR hereby agrees to furnish all materials and perform all work required for the PROJECT and to fulfill all other obligations as set forth in the CONTRACT DOCUMENTS.

ARTICLE III - COMPENSATION

CONTRACTOR hereby agrees to receive and accept the total amount of One Million Three Thousand Nine Hundred Ninety-Three Dollars ($1,003,993.00), based upon those certain unit prices set forth in CONTRACTOR's Bid Schedule, a copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein and made a part hereof, as full compensation for furnishing all materials, performing all work, and fulfilling all obligations hereunder.

Said compensation shall cover all expenses, losses, damages, and consequences arising out of the nature of the work during its progress or prior to its acceptance including those for well and faithfully completing the work and the whole thereof in the manner and time specified in the CONTRACT

DOCUMENTS, and also including those arising from actions of the elements, unforeseen difficulties or obstructions encountered in the prosecution of the work, suspension or discontinuance of the work, and all other unknowns or risks of any description connected with the work.

The sum identified in Article III is not subject to escalation, the CONTRACTOR having satisfied himself with said CONTRACT price, which includes all labor and material increases anticipated throughout the duration of this CONSTRUCTION CONTRACT.

CITY shall retain five percent (5%) of said CONTRACT price until said time as the provisions of Article XIV herein have been met.

Progress payments shall be made in accordance with Section 9 of the Standard Specifications for Public Works as amended by the General Provisions and Special Provisions.

Upon receipt of a properly presented payment request, the Contract Officer shall process the payment request in accordance with Public Contracts Code Section 20104.50. The Contract Officer shall review the payment request as soon as possible. If the Contract Officer rejects the payment request, it shall be returned to the Contractor within seven days of its receipt by the City with an explanation for the reasons of its rejection. If the payment request is approved in writing by the Contract Officer, payment shall be made within thirty (30) days of receipt of an undisputed and properly presented payment request. Late payments shall bear interest at the legal rate of interest in accordance with Code of Civil Procedure 685.010. City shall pay Contractor a sum based upon ninety-five percent (95%) of the contract price apportionment of the labor and materials incorporated into the work under the contract during the period covered by said statement. The remaining five percent (5%) thereof shall be retained as performance security.

Substitution of Securities for Retention. The contractor may deposit securities in lieu of the 5% progress payment retentions in accordance with California Public Contracts Code 22300.

CITY's obligation is payable only and solely from Community Development Block Grant (CDBG) funds appropriated from the United States Department of Housing and Urban Development (HUD) and for the purpose of this CONTRACT. All funds are appropriated every fiscal year beginning July 1. In the event this CONTRACT extends into the succeeding fiscal year and funds have not been appropriated, this CONTRACT will automatically terminate as of June 30 of the current fiscal year. The CITY will notify the CONTRACTOR in writing in ten (10) days of receipt of the non-appropriation notice.

ARTICLE IV - CONTRACTOR REPRESENTATIONS

CITY hereby promises and agrees to employ, and does hereby employ, CONTRACTOR to provide the materials, do the work, and fulfill the obligations according to the terms and conditions herein contained and referred to, for the said amounts set forth in Article III hereof, and hereby agrees to pay the same at the time, in the manner, and upon the conditions set forth in the CONTRACT DOCUMENTS.

In addition, CONTRACTOR hereby promises and agrees to comply with all of the provisions of both State and Federal law with respect to the employment of unauthorized aliens.

Should CONTRACTOR so employ such unauthorized aliens for the performance of work and/or services

covered by this contract, and should the Federal Government impose sanctions against the CITY for such use of unauthorized aliens, CONTRACTOR hereby agrees to, and shall, reimburse CITY for the cost of all such sanctions imposed, together with any and all costs, including attorney's fees, incurred by the CITY in connection therewith.

Furthermore, CONTRACTOR hereby represents and warrants that it is not currently, and has not at any time within the past five (5) calendar years been, suspended, debarred, or excluded from participating in, bidding on, contracting for, or completed any project funded in whole or in part by any federally funded program, grant or loan, or any project funded in whole or in part by a program, loan or grant from the State of California, and that CONTRACTOR currently has and for the past five (5) calendar years has maintained in good standing, a valid California contractor's license. CONTRACTOR agrees to complete and execute any statement or certificate to this effect as may be required by the City or by any federal or State of California program, loan or grant utilized on this PROJECT.

ARTICLE V – COMMENCEMENT DATE

CONTRACTOR shall commence work on the date specified in the Notice to Proceed to be issued to said CONTRACTOR by the Director of Public Works of CITY and shall complete work on the PROJECT on the date specified in the Notice to Proceed to be issued to said CONTRACTOR by the Director of Public Works of CITY, however completion of the work on the PROJECT by CONTRACTOR shall completed no later than sixty (60) working days of the effective date of such Notice to Proceed .

ARTICLE VI – NO DISCRIMINATION

CONTRACTOR shall not discriminate in its recruiting, hiring, promotion, demotion or termination practices on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, age, or sexual orientation in the performance of this CONTRACT and shall comply with the provisions of the California Fair Employment and Housing Act as set forth in Part 2.8 of Division 3, Title 2 of the California Government Code; the Federal Civil Rights Act of 1964, as set forth in Public Law 88-352, and all amendments thereto; Executive Order 11246; and all administrative rules and regulations issued pursuant to such acts and order.

CONTRACTOR hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act (8 USCA 1101, *et seq.*), as amended; and, in connection therewith, shall not employ unauthorized aliens as defined therein. Should CONTRACTOR so employ such unauthorized aliens for the performance of work and/or services covered by this AGREEMENT, and should the Federal Government impose sanctions against the CITY for such use of unauthorized aliens, CONTRACTOR hereby agrees to, and shall, reimburse CITY for the cost of all such sanctions imposed, together with any and all costs, including attorney's fees, incurred by the CITY in connection therewith.

ARTICLE VII – LABOR CODE REQUIREMENTS

Compliance with SB 854 Registration: This Work is subject to compliance monitoring and enforcement by the Department of Industrial Relations. No prime contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the

Department of Industrial Relations pursuant to Labor Code section 1725.5. No prime contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. The Contractor will be required to post job site notices as described in 8 California Code of Regulation section 16451(d).

Contractor acknowledges that under California Labor Code sections 1810 and following, 8 hours of labor constitutes a legal day's work. Contractor will forfeit as a penalty to City the sum of $25.00 for each worker employed in the execution of this Agreement by Contractor or any subcontractor for each calendar day during which such worker is required or permitted to work more than 8 hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of Labor Code section 1810. (Labor Code § 1813).

Copies of the determination of the Director of the Department of Industrial Relations of the prevailing rate of per diem wages for each craft, classification or type of worker needed to execute this Agreement will be made available upon request from the City Engineer's Office.

Contractor must post at the work site, or if there is no regular work site then at its principal office, for the duration of the Contract, a copy of the determination by the Director of the Department of Industrial Relations of the specified prevailing rate of per diem wages. (Labor Code § 1773.2). The Contractor shall post WH-1321 ENGLISH and WH-1321 SPANISH at the work site.

Contractor, and any subcontractor engaged by Contractor, must pay not less than the specified prevailing rate of per diem wages to all workers employed in the execution of the contract. (Labor Code § 1774.) Contractor is responsible for compliance with Labor Code section 1776 relative to the retention and inspection of payroll records.

Contractor must comply with all provisions of Labor Code section 1775. Under Section 1775, Contractor may forfeit as a penalty to City up to $50.00 for each worker employed in the execution of the Contract by Contractor or any subcontractor for each calendar day, or portion thereof, in which the worker is paid less than the prevailing rates. Contractor may also be liable to pay the difference between the prevailing wage rates and the amount paid to each worker for each calendar day, or portion thereof, for which each worker was paid less than the prevailing wage rate.

Nothing in this Contract prevents Contractor or any subcontractor from employing properly registered apprentices in the execution of the Contract. Contractor is responsible for compliance with Labor Code section 1777.5 for all apprenticeable occupations. This statute requires that contractors and subcontractors must submit contract award information to the applicable joint apprenticeship committee, must employ apprentices in apprenticeable occupations in a ratio of not less than one hour of apprentice's work for every five hours of labor performed by a journeyman (unless an exception is granted under §1777.5), must contribute to the fund or funds in each craft or trade or a like amount to the California Apprenticeship Council, and that contractors and subcontractors must not discriminate among otherwise qualified employees as apprentices solely on the ground of sex, race, religion, creed, national origin, ancestry or color. Only apprentices defined in Labor Code section 3077, who are in training under apprenticeship standards and who have written apprentice contracts, may be employed on public works in apprenticeable occupations.

This is a federally-assisted CONSTRUCTION CONTRACT. Federal Labor Standards Provisions, including prevailing wage requirements of the Davis-Bacon and Related Acts will be enforced. In the event of a conflict between Federal and State wages rates, the higher of the two will prevail. Modification of Federal Wage Rates published within ten (10) days prior to the scheduled Bid Opening date shall apply to the contract.

The Contractor shall submit payroll records to the City weekly for each week in which any contract work is performed. The Contractor is also responsible for the submission of payroll records by all its Subcontractors performing any contract work on this Project.

The payroll records submitted shall set out accurately and completely all of the information required to be maintained under Section 5.5(a) (3) (i) of 29 C.F.R. Part 5. Each payroll submitted shall be accompanied by a Statement of Compliance signed by the Contractor or Subcontractor or his or her agent who pays or supervises the payment of the persons employed under the Contract, and shall certify the following:

- The payroll records for the payroll period contains the information required to be maintained under Section 5.5(a)(3)(i) of 29 C.F.R. Part 5, and that such information is correct and complete;
- Each employee employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in Regulations, 29 C.F.R. Part 3;
- Each employee has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the Contract.

This information may be submitted in any form desired, however, Form WH-347 is provided as an optional template. The Contractor shall submit a Statement of Non-Performance for each week of work for which craft work was not performed.

The falsification of any of the above certifications may subject the Contractor or Subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

The Contractor shall submit copies of apprentice certification(s) for each apprentice performing work on the Contract to accompany the first payroll record in which that apprentice appears. The City will recognize apprentice certifications from the U.S. Department of Labor and the California Division of Apprenticeship Standards. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed.

The CONTRACTOR's duty to pay State prevailing wages can be found under Labor Code Section 1770 et q. and Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices including forfeitures and debarment.

The Contractor agrees that the City, through its authorized representatives, has the right, at all reasonable times, to make site visits to review Project accomplishments and for other reasons, such as employee interviews. If any site visit is made by the City on the premises of the Contractor or any of its Subcontractors under this Contract, the Contractor shall provide and shall require its Subcontractors to

provide, all reasonable facilities and assistance for the safety and convenience of City representatives in the performance of their duties. All site visits and evaluations shall be performed in such a manner as will not unduly delay work being conducted by the Contractor or Subcontractor(s).

If the work involves excavation of any trench five feet or more in depth the contractor shall submit a detailed plan of shoring, bracing, sloping or other provisions to be made for worker protection. Such plan shall be approved by a qualified representative of the City. (LC 6705).

ARTICLE VIII - PROVISIONS REQUIRED BY LAW

Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Project. Such laws, rules and regulations shall include, but not be limited to the following.
Contractor's License.

The Contractor shall possess a type A-General Engineering Contractor California Contractor's license at the time of award of the Contract.

Ineligible Contractor Prohibited.

Any contractor or subcontractor who is ineligible to perform work on a public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code is prohibited from performing work under this Contract.

Unfair Business Practices Claims.

The Contractor or subcontractor offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2, (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the City renders final payment to the Contractor without further acknowledgment by the parties. (Section 7103.5, California Public Contract Code.).

Hazardous Materials and Unknown Conditions.

A. CONTRACTOR shall, without disturbing the condition, notify CITY in writing as soon as CONTRACTOR, or any of CONTRACTOR's subcontractors, agents or employees have knowledge and reporting is possible, of the discovery of any of the following conditions:

   1. The presence of any material that the CONTRACTOR believes is hazardous waste, as defined in Section 25117 of the Health and Safety Code;

   2. Subsurface or latent physical conditions at the site differing from those indicated in the specifications; or,

   3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of this

character provided for in this Contract.

B. Pending a determination by CITY of appropriate action to be taken, CONTRACTOR shall provide security measures (e.g., fences) adequate to prevent the hazardous waste or physical conditions from causing bodily injury to any person.

C. CITY shall promptly investigate the reported conditions. If CITY, through its Director of Public Works, or her designee, and in the exercise of its sole discretion, determines that the conditions do materially differ, or do involve hazardous waste, and will cause a decrease or increase in the CONTRACTOR's cost of, or time required for, performance of any part of the work, then CITY shall issue a change order.

D. In the event of a dispute between CITY and CONTRACTOR as to whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in the CONTRACTOR's cost of, or time required for, performance of any part of the work, CONTRACTOR shall not be excused from any scheduled completion date, and shall proceed with all work to be performed under the Contract. CONTRACTOR shall retain any and all rights which pertain to the resolution of disputes and protests between the parties.

ARTICLE IX - INDEMNITY

CONTRACTOR shall assume the defense of and indemnify and save harmless the CITY, its elective and appointive boards, officers, agents and employees, and Design Engineer and Construction Manager from all claims, loss, damage, injury and liability of every kind, nature and description, directly or indirectly arising from the performance of the CONTRACTOR's work, regardless of responsibility of negligence; and from any and all claims, loss, damage, injury and liability, howsoever the same may be caused, resulting directly or indirectly from the nature of the work covered by the contract, regardless of responsibility of negligence; provided

(a) That CITY does not, and shall not, waive any rights against CONTRACTOR which it may have by reason for the aforesaid hold-harmless AGREEMENT because of the acceptance by CITY or the deposit with CITY by CONTRACTOR, of any of the insurance policies hereinafter described in this AGREEMENT.

(b) That the aforesaid hold-harmless AGREEMENT by CONTRACTOR shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations of CONTRACTOR, or any subcontractor, regardless of whether or not such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

ARTICLE X - BONDS

Warranty & Guarantee

New Materials. Contractor guarantees that all materials and equipment furnished will be new unless otherwise specified in the Contract Documents.

One Year Guarantee. Contractor guarantees all materials and equipment furnished and Work performed for a period of one (1) year from the date of substantial completion is free from all defects due to faulty materials or workmanship. Contractor shall promptly make such corrections as may be necessary by reasons of such defects including the repairs of any damage to other property, whether real or personal. The City will give notice of observed defects with reasonable promptness. If Contractor fails to make such repairs, or other Work that may be made necessary by such defects, the City may do so and charge the Contractor the cost thereby incurred, plus 10% for administrative expenses. The Performance Bond shall remain in full force and effect through the guarantee period. Contractor shall execute the Public Improvement Warranty.

Bonds.

Contractor shall provide a payment bond consistent with the terms of this section and City may not waive this requirement. Contractor shall also provide a performance bond consistent with the terms of this section, unless City waives such requirement in writing. Each bond shall (1) be in writing; (2) signed by at least one admitted surety insurer under oath; (3) if a bond is signed by more than one surety insurer, include a statement that the sureties are jointly and severally liable on the obligations required hereunder; (4) list the address at which the principal and surety/sureties may be served with notices, papers, and other documents under this chapter; (5) be in the form of a bond and not in a deposit in lieu of a bond; (6) be consistent with any other requirements of the City that reasonably relate to a guarantee that the project will be completed at no cost to the City.

Payment Bond. Contractor shall furnish and file with City a bond in the sum of one hundred percent (100%) of the Compensation. Consistent with Civil Code § 3248, the bond shall provide that if the Contractor or any subcontractors hired by Contractor fails to pay (1) any of the persons named in Civil Code § 3181; (2) amounts due under the Unemployment Insurance Code with respect to work or labor performed under this Agreement; or (3) for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the contractor and subcontractors pursuant to Unemployment Insurance Code §13020 with respect to the work and labor that the sureties will pay for the same, and also, in case suit is brought upon the bond, a reasonable attorney's fee, to be fixed by the court. The bond shall, by its terms, inure to the benefit of any of the persons named in Civil Code § 3181 so as to give a right of action to those persons or their assigns in any suit brought upon the bond. The bond provided under this section shall be released by written authorization of the City Engineer at the completion of the one year warranty period described in section 0, above, provided that Contractor is not in default on any provision of this Agreement.

Performance Bond. Contractor shall provide City with a bond in the sum of one hundred percent (100%) of the Compensation to guarantee the completion of the Work, to protect City if Developer is in default of this Agreement, and to secure Contractor's one-year guarantee and warranty. The City Council may, in its sole and absolute discretion and upon recommendation of the City Engineer, partially release a portion or portions of the security provided under this section as the Public Improvements are accepted

by City, provided that Contractor is not in default on any provision of this Agreement. All security provided under this section shall be released at the end of the warranty period described in section 0, above, provided that Contractor is not in default on any provision of this Agreement.

ARTICLE XI - INSURANCE

CONTRACTOR shall not commence work under this contract until CONTRACTOR shall have obtained all insurance required by the CONTRACT DOCUMENTS and such insurance shall have been approved by CITY as to form, amount and carrier, nor shall CONTRACTOR allow any subcontractor to commence work on any subcontract until all similar insurance required of the subcontractor shall have been so obtained and approved.

(a) COMPENSATION INSURANCE - CONTRACTOR shall take out and maintain, during the life of this contract, Worker's Compensation Insurance for all of CONTRACTOR's employees employed at the site of improvement; and, if any work is sublet, CONTRACTOR shall require the subcontractor similarly to provide Worker's Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by CONTRACTOR. If any class of employees engaged in work under this contract at the site of the PROJECT is not protected under any Workers' Compensation law, CONTRACTOR shall provide and shall cause each subcontractor to provide adequate insurance for the protection of employees not otherwise protected. CONTRACTOR shall indemnify CITY for any damage resulting to it from failure of either CONTRACTOR or any subcontractor to take out or maintain such insurance.

(b) COMPREHENSIVE GENERAL LIABILITY, PRODUCTS/ COMPLETED OPERATIONS HAZARD, COMPREHENSIVE AUTOMOBILE LIABILITY AND CONTRACTUAL GENERAL LIABILITY INSURANCE. CONTRACTOR shall take out and maintain during the life of this contract such comprehensive general liability, products/completed operations hazard, comprehensive automobile liability and contractual general liability insurance as shall protect CITY, its elective and appointive boards, officers, agents and employees, Design Engineer and Construction Manager, CONTRACTOR, and any subcontractor performing work covered by this contract, from claims for damage for personal injury, including death, as well as from claims for property damage which may arise from CONTRACTOR's or any subcontractor's operations under this contract, whether such operations be by CONTRACTOR or by any subcontractor, or by anyone directly or indirectly employed by either CONTRACTOR or any subcontractor, and the amounts of such insurance shall be as follows:

(1) Public Liability Insurance in an amount of not less than TWO MILLION DOLLARS ($2,000,000);

(2) Products/Completed Operations Hazard Insurance in an amount of not less than TWO MILLION DOLLARS ($2,000,000);

(3) Comprehensive Automobile Liability Insurance in an amount of not less than TWO MILLION DOLLARS ($2,000,000);

(4) Contractual General Liability Insurance in an amount of not less than TWO MILLION DOLLARS ($2,000,000).

A combined single limit policy with aggregate limits in an amount of not less than TWO MILLION DOLLARS ($2,000,000) shall be considered equivalent to the said required minimum limits set forth hereinabove.

(c) PROOF OF INSURANCE - The insurance required by this AGREEMENT shall be with insurers which are Best A rated, and California Admitted or better. The CITY and Design Engineer and Construction Manager shall be named as "additional insured" on all policies required hereunder, and CONTRACTOR shall furnish CITY, concurrently with the execution hereof, with satisfactory proof of carriage of the insurance required, and adequate legal assurance that each carrier will give CITY at least thirty (30) days' prior notice of the cancellation of any policy during the effective period of the contract.

(d) NOTICE TO COMMENCE WORK - The CITY will not issue any notice authorizing CONTRACTOR or any subcontractor to commence work under this contact until CONTRACTOR has provided to the CITY the proof of insurance as required by subparagraph (c) of this article.

ARTICLE XII - ATTORNEY FEES

If either party to this Contract is required to initiate or defend, or is made a party to, any action or proceeding in any way connected with this Contract, the party prevailing in the final judgment in such action or proceeding, in addition to any other relief which may be granted, shall be entitled to reasonable attorney's fees and costs. Attorney's fees shall include reasonable costs for investigating such action.

ARTICLE XIII - LIQUIDATED DAMAGES

The parties agree that it would be impractical and extremely difficult to fix the actual damages to the CITY in the event the PROJECT is not commenced and/or completed on or before the dates specified for commencement and completion of the PROJECT in the CONTRACT DOCUMENTS. The parties have considered the facts of a breach of this contract and have agreed that the liquidated damages sum hereinafter set forth is reasonable as liquidated damages in the event of a breach, and that said sum shall be presumed to be the amount of the damages sustained by the CITY in the event such work is not begun and/or completed and accepted by the times so specified in the CONTRACT DOCUMENTS, the sum of Five Hundred Dollars ($500.00) shall be presumed to be the amount of damages suffered by the CITY for each calendar day's delay in the starting and/or completion and acceptance of said PROJECT after the dates specified in the CONTRACT DOCUMENTS for the start and/or completion thereof, and CONTRACTOR hereby agrees to pay said sum of Five Hundred Dollars ($500.00) as liquidated damages for each calendar day of delay in the starting and/or completing and acceptance of said PROJECT beyond

the dates specified in the CONTRACT DOCUMENTS. Any and all such liquidated damages assessed shall be done so in accordance with that certain edition of the *Standard Specification for Public Works Construction* currently in effect on the execution date of this CONTRACT. The payment of such liquidated damages is not intended as a forfeiture or penalty within the meaning of California Civil Code § 3275 or § 3369.

CONTRACTOR: Elecnor Belco Electric, Inc. a California Corporation	CITY OF CUDAHY a Municipal Corporation
by:_____ John Wong, Vice President	by:_____ Baru Sanchez, Mayor

ARTICLE XIV - NOTICE OF COMPLETION

Upon completion of PROJECT and acceptance of same by the CITY Council, the CITY Manager shall have cause to be recorded a Notice of Completion with the office of the Los Angeles County Recorder; and, after thirty-five (35) days from the date said Notice of Completion is recorded, the Director of Finance of CITY shall release the funds retained pursuant to Article III hereof; provided there have been no mechanics' liens or stop notices filed against said work which have not been paid, withdrawn or eliminated as liens against said work.

ARTICLE XV - NO - ASSIGNMENT

This contract shall not be assignable, either in whole or in part, by the CONTRACTOR without first obtaining the written consent of the CITY thereto.

ARTICLE XVI - CUMULATIVE RIGHTS

The provisions of this AGREEMENT are cumulative and in addition to and not in limitation of any rights or remedies available to CITY.

ARTICLE XVII - TERMINATION

A. Termination for Convenience. The CITY may terminate this contract, in whole or in part, with 30 days written notice to the CONTRACTOR when it is in the CITY's best interest. The CONTRACTOR shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The CONTRACTOR shall promptly submit its termination claim to CITY to be paid the CONTRACTOR. If the CONTRACTOR has any property in its possession belonging to the CITY, the CONTRACTOR will account for the same, and dispose of it in the manner the CITY directs. The CONTRACTOR may terminate this contract, in whole, with 90 days written notice to the CITY.

B. Termination for Default. If at any time the CONTRACTOR is determined to be in material breach of the Contract, a Notice of Potential Breach of Contract shall be prepared by the CITY, and will be

served upon the CONTRACTOR and its sureties. If the CONTRACTOR continues to neglect or refuses to comply with the Contract or with the Notice of Potential Breach of Contract to the satisfaction of the CITY within the time specified in such Notice, the CITY shall have the authority to terminate the Contract for this Project.

C. Waiver of Remedies for any Breach. In the event that CITY elects to waive its remedies for any breach by CONTRACTOR of any covenant, term or condition of this Contract, such waiver by CITY shall not limit CITY's remedies for any succeeding breach of that or of any other term, covenant, or condition of the Contract.

ARTICLE XVIII – FEDERAL REQUIREMENTS

Notwithstanding any other provision of this Agreement, if the construction work covered under this Agreement is financed in whole or in part with assistance provided under a program of the U.S. Department of Housing and Urban Development or some other source of Federal funding, Contractor shall also comply with and cause its subcontractors to comply with the requirements of the Davis-Bacon Act (40 U.S.C. 276 et seq.). The Davis-Bacon Act requires the payment of wages to all laborers and mechanics at a rate not less than the minimum wage specified by the Secretary of Labor in the periodic wage rate determinations as described in the Federal Labor Standards Provisions (HUD-4010) available from the Agency's Compliance Division. If Contractor is required to comply with the Davis-Bacon Act, Contractor shall pay the higher of Davis-Bacon Act or state prevailing wages, on a trade-by-trade basis.
By entering into this Agreement, Contractor certifies that it is not a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or if HUD funds are involved, to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24. Contractor agrees to include, or cause to be included, the above provision, to be applicable to contractors and subcontractors, in each contract and subcontract for work covered under this Agreement.

Contractor shall comply with all mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

The City, the federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives shall have access to any books, documents papers and records of the Contractor and any subcontractors which are directly pertinent to this Agreement, for the purpose of making audit, examination, excerpts and transcriptions. Contractor shall maintain all required records for three years after City makes final payments and all other pending matters are closed.

Contractor shall comply with the Copeland "Anti-Kick Back" Act, 18 U.S.C. §874, as supplemented in Department of Labor regulations. (29 C.F.R. part 3.)

Contractor shall ensure compliance with sections 103 and 107 of the Contract Work Hours and Safety Standards Act, 40 U.S.C. §§ 327 – 33, as supplemented by Department of Labor regulations. *See* 29 C.F.R. part 5.

Contractor and any subcontractors must comply with Executive Order 11246 as amended by Executive Order 11375 and as supplemented in Department of Labor regulations. (41 C.F.R. part 3.)

If the Compensation exceeds $100,000, Contractor shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act, Section 508 of the Clean Water Act, Executive Order 11738, and Environmental Protection Agency (EPA) regulations, which prohibit the use under non-exempt federal contracts, grants or loans of facilities included on the EPA List of Violating Facilities. (*See e.g.* 47 C.F.R. §18.36(i)(12).)

If the Compensation exceeds $100,000 for construction or facility improvements, Contractor must observe the building requirements contained in Attachment B of OMB Circular A-110.

--------SIGNATURES ON FOLLOWING PAGE--------

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed on the _____ day of November, 2016, by their respective officers duly authorized in that behalf.

CITY OF CUDAHY
a Municipal Corporation

by:_____
Baru Sanchez, Mayor

ATTEST:

by:_____
Richard Iglesias, Interim City Clerk

APPROVED AS TO FORM

by: _____
Rick R. Olivarez, City Attorney

CONTRACTOR Elecnor Belco Electric, Inc.
a California Corporation

by:_____
John Wong, Vice President

by:_____
Secretary

PUBLIC IMPROVEMENTS WARRANTY
CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK
IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)

On _____, 200__, the City of CUDAHY accepted as complete and meeting the standards of City, the following public improvement(s):

_____
_____
_____, built and constructed by or for _____, ("Contractor")

Contractor hereby warrants and guarantees the aforementioned public improvements as to the material used and workmanship performed for a period of one (1) year following the date set forth above.

In the event of a defect, malfunction, or failure to conform t the improvement specifications and all applicable local standards, the Contractor shall repair or replace said improvements at Contractor's own and sole expense within a reasonable time from notice of the defect from City. Should Contractor fail to cure any defect within a reasonable period of time, Contractor agrees to reimburse City for any and all costs of City's efforts to cure any defect once City has provided notice to the Contractor of the defect and the City's intent to cure such defect.

Should litigation be necessary to enforce the provisions of this warranty, the prevailing party shall be entitled to reimbursement for attorneys fees and court and related costs.

Executed at _____, California, on the day and year first written above.

CONTRACTOR

By:_____
Signature

By:_____
(Typed Name)

Its:_____
Title

By:_____
Signature

By:_____
(Typed Name)

Its:_____
Title

[NOTARY REQUIRED]

FAITHFUL PERFORMANCE BOND
CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK
IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)

KNOW ALL MEN BY THESE PRESENTS that _____, as CONTRACTOR and_____, as SURETY, are held and firmly bound unto the City of CUDAHY, in the penal sum of _____dollars ($), which is 100 percent of the total contract amount for the above stated project, for the payment of which sum, CONTRACTOR and SURETY agree to be bound, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, whereas CONTRACTOR has been awarded and is about to enter into the annexed Contract with the City for the above stated project, if CONTRACTOR faithfully performs and fulfills all obligations under the contract documents in the manner and time specified therein, then this obligation shall be null and void, otherwise it shall remain in full force and effect in favor of the City; provided that any alternations in the obligations or time for completion made pursuant to the terms of the contract documents shall not in any way release either CONTRACTOR or SURETY, and notice of such alternations are hereby waived by SURETY.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this ____day of _____, 20___.

CONTRACTOR* _____

_____

SURETY*
_____

_____
* Provide CONTRACTOR/SURETY name, address and telephone number and the name, title, address and telephone number for authorized representative.

Subscribed and sworn to this _____ day of _____, 20__.

NOTARY PUBLIC:_____

MATERIAL AND LABOR BOND
CUDAHY CITYWIDE - PEDESTRIAN CROSSWALK
IMPROVEMENT PROJECT SAFE ROUTES TO SCHOOL (SRTS)

KNOW ALL MEN BY THESE PRESENTS that _____, as CONTRACTOR and_____, as SURETY, are held and firmly bound unto the City of CUDAHY, in the penal sum of _____dollars ($), which is 100 percent of the total contract amount for the above stated project, for the payment of which sum, CONTRACTOR and SURETY agree to be bound, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, whereas CONTRACTOR has been awarded and is about to enter into the annexed Contract with the City for the above stated project, if CONTRACTOR faithfully performs and fulfills all obligations under the contract documents in the manner and time specified therein, then this obligation shall be null and void, otherwise it shall remain in full force and effect in favor of the City; provided that any alternations in the obligations or time for completion made pursuant to the terms of the contract documents shall not in any way release either CONTRACTOR or SURETY, and notice of such alternations are hereby waived by SURETY.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this ____day of _____, 20___.

CONTRACTOR* _____

_____

SURETY*
_____

_____

* Provide CONTRACTOR/SURETY name, address and telephone number and the name, title, address and telephone number for authorized representative.

Subscribed and sworn to this _____ day of _____, 20__.

NOTARY PUBLIC:_____

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Item Number 12D

STAFF REPORT

Date: November 14, 2016

To: Honorable Mayor / Chair and City Council / Agency Members

From: Richard Padilla, Assistant City Attorney
Joaquin Vazquez, Assistant City Attorney

Subject: **Approval of Third Amendment to Extend Existing City Manager Employment Agreement along with Certain Other Amendments**

RECOMMENDATION

It is recommended that the City Council approve the attached Third Amendment instrument to the City Manager's existing agreement to: extend the term for a period of three (3) years; adjust the annual base compensation the City Manager to $195,000 per year; and modify the terms of the City Manager's work schedule.

BACKGROUND

1. On August 5, 2014, the City Council approved a two (2) year employment contract with Jose Pulido to serve as City Manager (hereinafter, the "Master Agreement"). The Master Agreement had a two (2) year term commencing from August 10, 2014.

2. On December 14, 2015, the City Council created an Ad Hoc Committee composed of Mayor Sanchez and Vice Mayor Hernandez, which was tasked with formulating and recommending proposed amendments to the City Manager's existing contract.

3. In open session at its regular meeting of August 8, 2016, the City Council approved a First Amendment instrument to the Master Agreement which extended the term of the Master Agreement to September 7, 2016 so that the City Council could refine and finalize the terms of a longer term extension.

4. The City Council, in anticipation of the pending expiration of the Master Agreement, as amended, on September 7, 2016, approved a Second Amendment, which extended the

term of the Master Agreement, as amended, on a month-to-month basis for a maximum of three (3) months (through November 30, 2016 at the latest) to allow the City Council time to refine and finalize the terms of a longer term extension and approve the City's Fiscal Year 2016-2017 budget.

5. The Second Amendment was approved by the City Council at its regular meeting of August 29, 2016 in open session.

6. On September 26, 2016, the City Council continued consideration of a Third Amendment to the City Manager's Master Agreement, as amended, to allow for approval of the City's Fiscal Year 2016-2017 budget.

ANALYSIS

The Council Ad Hoc Committee, in consultation with the City Attorney's Office, formulated a set of proposed amendments which address the following areas: (a) the number of years by which the City Manager's contract should be extended; (b) the amount of annual base compensation the City Manager should receive; and (c) the City Manager's work schedule. The Ad Hoc Committee's recommendations were shared with the City Council in Closed Session during the July 25, 2016 meeting.

The City Attorney's Office has prepared a draft Third Amendment instrument to the Master Agreement, as amended, which incorporates the recommendations of the Ad Hoc Committee. The proposed modifications are as follows:

- ***Annual base salary will be set at $195,000 per year;***

- ***The Master Agreement will be extended for an extension term of three (3) years commencing as of November 14, 2016; and***

- ***Provisions of the Master Agreement relating to the City Manager's work schedule have been changed to provide that the City Manager, as requested by the City Council, will be available to attend and participate in meetings, events and other activities of the City that may occur outside of the City's regular business.***

All other provisions of the Master Agreement, as amended, however, remain the same, including provisions requiring that the City Manager submit to an annual performance review. It should also be noted that the Third Amendment instrument does not implement any sort of

automatic cost of living adjustment ("COLA") to the City Manager's base salary and any proposed future increase in salary would remain subject to the City Council's review and approval at a regular meeting of the City Council.

RECOMMENDATION

It is recommended that the City Council approve the attached Third Amendment instrument to the Master Agreement, as amended, and authorize the Mayor to execute the same on behalf of the City.

ATTACHMENT

Third Amendment to Master Employment Agreement with Master Employment Agreement, as amended, attached thereto.

2016

THIRD AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

(Employee: Jose Pulido)

THIS THIRD AMENDMENT ("Third Amendment") to that certain agreement entitled "Employment Agreement for the Position of City Manager," dated as of August 6, 2014 by and between the CITY OF CUDAHY ("City") and JOSE PULIDO, an individual ("Employee") is made and entered into this _____ day of _____ 2016 ("Effective Date"). For purposes of this Third Amendment, the capitalized term "Parties" shall be a collective reference to both City and Employee. The capitalized term "Party" may refer to either City or Employee as appropriate.

RECITALS

WHEREAS, the Parties executed and entered into an agreement dated August 6, 2014 and entitled "Employment Agreement for the Position of City Manager" (the "Master Agreement"); and

WHEREAS, Section 9.4 (Amendments) of the Master Agreement allows the Parties to amend the Master Agreement provided such amendments are memorialized in the form of a written amendment approved by the Parties; and

WHEREAS, the Cudahy City Council ("City Council"), in anticipation of the pending expiration of the Master Agreement on August 10, 2016, approved a First Amendment instrument to the Master Agreement (hereinafter, the "First Amendment") which extended the term of the Master Agreement to September 7, 2016 to allow the City Council time to refine and finalize the terms of a longer term extension to the Master Agreement; and

WHEREAS, the First Amendment was approved by the City Council at its regular meeting of August 8, 2016 in open session; and

WHEREAS, the City Council, in anticipation of the pending expiration of the Master Agreement, as amended, on September 7, 2016, approved a Second Amendment instrument to the Master Agreement, as amended (hereinafter, the "Second Amendment"), which extended the term of the Master Agreement, as amended, on a month-to-month basis for a maximum of three (3) months (through November 30, 2016 at the latest) to allow the City Council time to refine and finalize the terms of a longer term extension to the Master Agreement, as amended; and

WHEREAS, the Second Amendment also provided that the City Council may terminate the City Manager's employment on thirty (30) days' notice for convenience during such month-to-month period; and

WHEREAS, the Second Amendment was approved by the City Council at its regular meeting of August 29, 2016 in open session; and

WHEREAS, the Master Agreement, as amended by the First Amendment and Second Amendment, is attached hereto as **Exhibit "A"**; and

WHEREAS, on September 26, 2016, the City Council continued consideration of a Third Amendment to the City Manager's Master Agreement, as amended, to allow for approval of the City's Fiscal Year 2016-2017 budget; and

WHEREAS, this Third Amendment now reflects the long term agreement between the Parties; and

WHEREAS, the amendments to the Master Agreement, as amended, as embodied in this Third Amendment, include an extension of the Term for an additional three (3) years as well as an increase in the Employee's annual base compensation; and

WHEREAS, the amendments to the Master Agreement, as amended, as embodied in this Third Amendment, also include modified language intended to reflect the City Council's desire that Employee be available to participate in meetings, events and functions that may occur outside of the City's normal business hours as requested by the City Council or as circumstances may reasonably prescribe; and

WHEREAS, notwithstanding the preceding recital, the City Council recognizes that Employee should be afforded reasonable flexibility in scheduling his work day; and

WHEREAS, execution of this Third Amendment was approved in open session at the City Council's regular meeting of November 14, 2016 as required under Government Code Section 53262.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

SECTION 1. Subsection 1.3.1 of Section 1.3 (Term; At-will) of the Master Agreement as amended by way of the First Amendment and Second Amendment is hereby amended by the addition of the following sentence which shall follow the first sentence of Subsection 1.3.1:

> ***The foregoing notwithstanding, the Term is extended by an extension term of three (3) years commencing November 14, 2016.***

The extension to the Term of the Master Agreement, as amended, as set forth in this Third Amendment shall supersede and replace the extension set forth in the Second Amendment.

SECTION 2. The text of Section 1.5 (Hours of Work) of the Master Agreement is hereby deleted, repealed and replaced in its entirety by the following:

> ***<u>Work Schedule</u>. Throughout the Term of this Agreement and any extension term, PULIDO shall devote the time reasonably necessary to adequately perform his duties as City Manager and shall also devote time reasonably necessary to effectively and competently manage City staff and oversee the day-to-day business operations of the City. In furtherance of the foregoing, PULIDO shall maintain a reasonably substantial onsite presence at Cudahy City Hall during the City's regular work week and during the City's***

regular business hours which are currently set at a schedule of Monday through Thursday with a ten (10) hour workday. The foregoing notwithstanding, PULIDO shall also be available and present at Cudahy City Hall and at other locations in the City of Cudahy during non-business hours as requested by the City Council from time to time or as reasonably necessary to participate in City Council meetings or to engage with individual members of the City Council, members of the community and community stakeholder groups. The position of City Manager shall be deemed an exempt position under state and federal wage and hour laws. PULIDO's compensation (whether salary or benefits or other allowances) is not based on hours worked and PULIDO shall not be entitled to any compensation for overtime.

SECTION 3. The text of Subsection 2.1 (Base Salary) of the Master Agreement is hereby deleted, repealed and replaced in its entirety by the following:

PULIDO shall receive an annual salary of One Hundred and Ninety-Five Thousand Dollars ($195,000) paid incrementally according to the payroll schedule in place for City employees paid bi-weekly.

The amendment to Subsection 2.1 (Base Salary) set forth in this Section 3 shall become operative on November 14, 2016 and shall be applied prospectively.

SECTION 4. With respect to Section 5.1.3 of the Master Agreement, as amended, detailing the severance Employee is entitled to receive, the Parties acknowledge and agree that Employee has been employed continuously with the City beyond August 11, 2015 and is therefore eligible to receive six (6) months' severance subject to the terms, conditions, restrictions and limitations set forth under Section 5 of the Master Agreement.

SECTION 5. Except as otherwise set forth in this Third Amendment, the Master Agreement, as amended by the First and Second Amendments, shall remain binding, controlling and in full force and effect. The provisions of this Third Amendment shall be deemed a part of the Master Agreement, as amended. Except as otherwise provided under this Third Amendment, the Master Agreement as amended, and all provisions contained therein, shall remain binding and enforceable. In the event of any conflict or inconsistency between the provisions of this Third Amendment and the provisions of the Master Agreement, as amended, the provisions of this Third Amendment shall govern and control, but only in so far as such provisions conflict with the Master Agreement, as amended, and no further.

SECTION 6. The Master Agreement, as amended by way of this Third Amendment, and previous amendments constitute the entire, complete, final and exclusive expression of the Parties with respect to the matters addressed herein and supersedes all other agreements or understandings, whether oral or written, or entered into between City and Employee prior to the execution of this Third Amendment. No statements, representations or other agreements, whether oral or written, made by any Party which are not embodied herein shall be valid or binding. No amendment, modification, or supplement to the Master Agreement, as amended by this Third Amendment or previous amendments, shall be valid and binding unless in writing and duly executed by the Parties in the form of a written contract amendment.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties hereto have caused this Third Amendment to be executed on the day and year first appearing above.

CITY:

City of Cudahy

By:_____
Baru Sanchez
Mayor

EMPLOYEE

Jose Pulido, an individual:

By:_____

Name: _____

Title: _____

APPROVED AS TO FORM

By:_____

Name:_____

Title:_____

Exhibit "A"
Master Agreement as Amended by First Amendment and Second Amendment

2016

SECOND AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

(Employee: Jose Pulido)

THIS SECOND AMENDMENT ("Second Amendment") to that certain agreement entitled "Employment Agreement for the Position of City Manager" originally executed on August 6, 2014 by and between the CITY OF CUDAHY ("City") and JOSE PULIDO, an individual ("Employee") is made and entered into this 29th day of August 2016 ("Effective Date"). For purposes of this Second Amendment, the capitalized term "Parties" shall be a collective reference to both City and Employee. The capitalized term "Party" may refer to either City or Employee as appropriate.

RECITALS

WHEREAS, the Parties executed and entered into an agreement dated August 6, 2014 and entitled "Employment Agreement for the Position of City Manager" (hereinafter, the "Master Agreement"). (A true and correct copy of the Master Agreement is attached and incorporated hereto as Exhibit "A"); and

WHEREAS, Section 9.4 (Amendments) of the Master Agreement allows the Parties to amend the Master Agreement provided such amendments are memorialized in the form of a written amendment approved by the Parties; and

WHEREAS, the Cudahy City Council ("City Council"), in anticipation of the pending expiration of the Master Agreement on August 10, 2016, approved a First Amendment instrument to the Master Agreement (hereinafter, the "First Amendment") which merely extended the term of the Master Agreement to September 7, 2016 to allow the City Council time to refine and finalize the terms of a longer term extension to the Master Agreement; and

WHEAREAS, the First Amendment was approved at the City Council's Regular meeting of August 8, 2016 in open session; and

WHEREAS, the City Council requires additional time before it can approve a long-term extension instrument which would, among other things, result an adjustment to the City Manager's compensation and other contract terms; and

WHEREAS, the need for additional time is driven, in part, on the City Council's need to finalize and approve the City's fiscal year budget; and

WHEREAS, the approval of this Second Amendment instrument is only intended to prevent the underlying Master Agreement from expiring on its own terms before the terms of a long term extension can be finalized and approved; and

WHEREAS, this Second Amendment was approved by the City Council in open session at its meeting of August 29, 2016 under Joint Special Meeting Agenda Item No. 5.A.

NOW, THEREFORE, the Parties agree as follows:

1. The forgoing recitals are true and correct.

2. The Master Agreement is hereby extended on a month-to-month basis for a maximum of three (3) months commencing as of September 1, 2016. The foregoing notwithstanding and notwithstanding any other provisions of the Master Agreement to the contrary, City reserves the right to terminate the Master Agreement as amended by way of this Second Amendment and all prior amendments for convenience and without cause upon thirty (30) days prior written notice to Employee at any time during the interim 3-month, month-to-month extension period established under this Second Amendment. Nothing in this Second Amendment shall operate to adjust or otherwise amend, the rates of compensation Employee receives under the Master Agreement or any non-monetary benefits received by Employee.

3. This Second Amendment will cease to remain in effect upon the earlier of the following: (a) 11:59 pm on Wednesday, November 30, 2016; or (b) the approval and execution of a Third Amendment to the Master Agreement which sets forth the terms and conditions of a longer term extension of the Master Agreement, which long term extension shall be approved in compliance with Section 53262 of the Government Code.

4. The Parties agree the Master Agreement as amended by way of this Second Amendment and all prior amendments shall remain the operative, final, and integrated employment agreement between City and Employee.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, City has caused this Second Amendment to be signed and executed on its behalf by its Mayor and duly attested to by its City Clerk and Employee has signed and executed this Second Amendment, as of the date of the last Party to sign this Second Amendment, below.

By: _____ Date: _____
Baru Sanchez
Mayor

By: _____ Date: _____
Jose Pulido
Employee/ City Manager

APPROVED AS TO FORM:

By: _____
for Rick Olivarez, City Attorney
Richard Padilla
Asst. City Atty.

ATTEST:

By: _____
City Clerk

2016

FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

(Employee: Jose Pulido)

THIS FIRST AMENDMENT ("Amendment") to that certain agreement entitled "Employment Agreement for the Position of City Manager" originally executed on August 6, 2014 by and between the CITY OF CUDAHY("City") and JOSE PULIDO, an individual (" Employee") is made and entered into this 8th day of August 2016 ("Effective Date"). For purposes of this Amendment, the capitalized term "Parties" shall be a collective reference to both City and Employee. The capitalized term "Party" may refer to either City or Employee as appropriate.

RECITALS

WHEREAS, the Parties executed and entered into an agreement dated August 6, 2014 and entitled "Employment Agreement for the Position of City Manager" (hereinafter, the "Master Agreement") (A true and correct copy of the Master Agreement is attached and incorporated hereto as Exhibit "A"); and

WHEREAS, Section 9.4 (Amendments) of the Master Agreement allows the Parties to amend the Master Agreement provided such amendments are memorialized in the form of a written amendment approved by the Parties; and

WHEREAS, the Parties desire to extend the term of the Master Agreement subject to its same terms and conditions on a temporary basis while a longer term extension instrument is formulated; and

WHEREAS, the City Council believes that a finalized extension instrument will likely be ready for approval by the first regular meeting of the City Council on September 6, 2016.

NOW, THEREFORE, the Parties agree as follows:

1. The forgoing recitals are true and correct.

2. The Master Agreement is hereby extended subject to its same terms and conditions for a period commencing on August 11, 2016 and ending September 7, 2016 to allow the Parties time to finalize and approve the terms of a longer term extension instrument.

3. This Amendment will cease to remain in effect upon the earlier of the following: (i) September 7, 2016; or (ii) the approval and execution of a Second Amendment to the Master Agreement which sets forth the terms and conditions of a longer term extension of the Master Agreement.

4. The Parties agree that other than this Amendment, the Master Agreement is not otherwise Amended and shall remain the operative, final, and integrated employment agreement between City and Employee.

IN WITNESS WHEREOF, City has caused this Amendment to be signed and executed on its behalf by its Mayor and duly attested to by its City Clerk and Employee has signed and executed this Amendment, as of the date first executed by the Parties below.

By: _____ Date: _____
Baru Sanchez
Mayor

By: _____ Date: _____
Jose Pulido
Employee/ City Manager

APPROVED AS TO FORM:

By: _____
Rick Olivarez, City Attorney

ATTEST:

By: _____
City Clerk

EMPLOYMENT AGREEMENT
For the Position of
CITY MANAGER

This Employment Agreement ("Agreement") is made and entered into this 6th day of August, 2014, by and between the CITY OF CUDAHY ("CITY"), a California municipal corporation, and JOSE E. PULIDO ("PULIDO"), an individual, on the following terms and conditions:

RECITALS

A. CITY desires to employ the services of PULIDO as Manager of CITY ("City Manager") as that position is generally described under Chapter 2.12 (City Manager) of the Cudahy Municipal Code; and

B. The City Council finds that PULIDO possesses the education, training, experience and expertise necessary to perform the duties of City Manager; and

C. PULIDO desires to accept employment as City Manager in consideration of and subject to the terms, conditions, and benefits set forth in this Agreement; and

D. The City Council approved this Agreement and the execution of same in open session at its meeting of August 6, 2014 as required under Government Code section 53262.

NOW, THEREFORE, for and in consideration of the mutual agreements contained herein, CITY and PULIDO agree as follows:

SECTION 1. Position, Duties and Term.

1.1 **Position**. PULIDO accepts employment with CITY as its City Manager and shall perform all functions, duties and services set forth in Section 1.4 [Duties] of this Agreement.

1.2 **Commencement Date/Conditions of Employment.**

1.2.1 PULIDO shall commence the performance of his duties as the City Manager on August 11, 2014 ("Commencement Date"), subject to subsection 1.2.2 below.

1.2.2 PULIDO's employment with the CITY is contingent upon PULIDO's submitting to a general medical exam by a qualified physician selected by CITY prior to the Commencement Date. CITY and PULIDO shall receive a copy of all medical reports related to the examination.

1.3 **Term; At-will.**

1.3.1 The term of this Agreement ("Term") shall commence upon the Commencement Date and shall expire on August 10, 2016. The foregoing notwithstanding, nothing in this Section shall operate to prohibit, modify or otherwise restrict the City Council's ability to terminate PULIDO's employment at any time for cause or for convenience without cause at any time prior to the expiration of the Term.

1.3.2 PULIDO's employment with CITY shall be "at-will" pursuant to the provisions of *Government Code* § 36506. PULIDO's employment shall be subject to the provisions of this Agreement and provisions applicable to the office of the City Manager contained in the City's Municipal Code, as it may be amended from time to time. PULIDO acknowledges that he is an at-will employee of CITY who shall serve at the pleasure of the City Council at all times during the period of his service hereunder. To the extent they conflict with his at-will status, the terms of the CITY's personnel rules, policies, regulations, procedures, ordinances, and resolutions including, without limitation, CITY Personnel Policies, as they may be amended or supplemented from time to time, shall not apply to PULIDO, and nothing in this Agreement is intended to, or does, confer upon PULIDO any right to any property interest in continued employment, or any due process right to a hearing before or after a decision by the City Council to terminate his employment, except as is expressly provided in Section 5 [Termination] of this Agreement. Nothing contained in this Agreement shall in any way prevent, limit or otherwise interfere with the right of CITY to terminate the services of PULIDO as provided in Section 5 [Termination]. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of PULIDO to resign at any time from this position with CITY, subject only to the provisions set forth in Section 5 [Termination] of this Agreement.

1.4 **Duties.** PULIDO shall serve as the City Manager and shall be vested with the powers, duties and responsibilities set forth in Section 2.12.030 of the Cudahy Municipal Code, the terms of which are incorporated herein by reference, as may be amended from time to time. PULIDO shall provide service at the direction and under supervision of the City Council. It is the intent of the parties that the City Manager shall keep the City Council fully apprised of all significant ongoing operations of CITY. To that end, PULIDO shall report directly to the City Council and will periodically, or as may be otherwise specifically requested by the City Council, provide oral or written status reports to the City Council on his activities and those of CITY.

PULIDO's duties as City Manager shall include, but are not limited to:

a. Attending all meetings of the City Council, unless excused by the Mayor (or presiding officer if the Mayor is unavailable), and taking part in the

discussion of all matters before the City Council. The City Manager shall receive notice of all regular and special meetings of the City Council;

b. Reviewing all agenda documents before preparing the agenda for any regular or special meetings of the City Council;

c. Directing the work of all elective and appointive CITY officers, department directors, division managers and all CITY employees, except those that are directly appointed by or report directly to the City Council. The City Manager shall endeavor to implement changes that the City Manager believes will result in greater efficiency, economy, or improved public service in the administration of CITY affairs;

d. Recommending to the City Council from time to time of the adoption of such measures as the City Manager may deem necessary or expedient for the health, safety, or welfare of the community or the improvement of administrative services;

e. Conducting research in administrative practices in order to bring about greater efficiency and economy in CITY government and develop and recommend to the City Council long range plans to improve CITY operations and prepare for future CITY growth and development;

f. Providing management training and developing leadership qualities among department heads and staff as necessary to build a CITY management team that can plan for and meet future changes; and

g. Exercising control of CITY government in emergencies as authorized by the City's Municipal Code and California law.

h. Duties as prescribed under Chapter 2.12 of the Cudahy Municipal Code, incorporated herein by reference, as it may be amended from time to time.

It is the intent of the City Council for the City Manager to function as the chief executive officer of the CITY's organization. Without additional compensation, PULIDO shall provide such other services as are customary and appropriate to the position of City Manager, together with such additional services assigned from time to time by the City Council as may be consistent with California law and the CITY's Municipal Code and policies. PULIDO shall devote his best efforts and full-time attention to the performance of these duties. Notwithstanding PULIDO's duties as City Manager, nothing in this Agreement shall be construed to prohibit direct communications between the City Council and employees of the CITY in a manner consistent with the CITY's personnel rules, administrative policies and City Council policies.

1.5 **Hours of Work**. PULIDO shall devote the time necessary to adequately perform his duties as City Manager during the term of employment commencing August 11, 2014. At a minimum, PULIDO shall work eight (8) hours per day, five (5) days per week. PULIDO shall, to the extent reasonably practicable and excluding those days when PULIDO is taking vacation, sick or management leave, maintain an onsite presence at City Hall during each day City Hall is

open for regular business and shall make himself available to the City Council, CITY staff and members of the community during normal business hours for City Hall and for the performance of his duties and of CITY business. The position of City Manager shall be deemed an exempt position under state and federal wage and hour laws. PULIDO's compensation (whether salary or benefits or other allowances) is not based on hours worked and PULIDO shall not be entitled to any compensation for overtime.

1.6 **Other Activity**. In accordance with *Government Code* § 1126, during the period of his employment, PULIDO shall not accept, without the express prior written consent of the City Council, any other employment or engage, directly or indirectly, in any other business, commercial, or professional activity, whether or not to pecuniary advantage, that is or may be competitive with CITY, that might cause a conflict-of-interest with CITY, or that otherwise might interfere with the business or operation of CITY or the satisfactory performance of PULIDO's duties as City Manager.

1.7 **Residence**. PULIDO shall not be required to reside within the territorial boundaries of the CITY. The foregoing notwithstanding, PULIDO shall maintain a permanent residence within a reasonable distance to the CITY so as to permit PULIDO travel to the CITY within one hundred twenty (120) minutes in the event of CITY emergencies.

1.8 **Conflicts of Interest.** PULIDO shall not, during the term of this Agreement, individually, as a partner, joint venture, officer or shareholder, invest or participate in any business venture conducting business in the corporate limits of the CITY, except for stock ownership in any company whose capital stock is publicly held and regularly traded, without prior approval of the City Council. PULIDO shall further refrain from developing a financial stake in any commercial venture or partnership with any entity doing business with the CITY where such financial stake would create a violation of Government Code section 1090. For and during the term of this Agreement and any extension term, PULIDO further agrees that except for a personal residence or residential property acquired or held for future use as his personal residence, PULIDO will not invest in any other real estate or property improvements within the corporate limits of the CITY without the prior consent of the City Council and subject to the restrictions of all applicable financial conflict of interest laws.

SECTION 2. **Compensation**. For the services to be provided pursuant to this Agreement, PULIDO shall receive the following compensation, subject to appropriate tax and governmental deductions:

2.1 **Base Salary**. PULIDO shall receive an annual salary of **One Hundred Eighty Thousand Dollars ($180,000.00)** paid according to the payroll schedule in place for CITY employees paid bi-weekly.

2.2 **Evaluation**. At a time agreed upon by the City Council and PULIDO on or before August 11th each year, the City Council will review and evaluate the performance of PULIDO as City Manager and may use an experienced professional outside facilitator mutually agreed upon by the City Council and PULIDO to do so. No later than thirty (30) calendar days prior to August 11th, CITY shall send a Notice of Upcoming Evaluation to PULIDO so that

CITY and PULIDO may begin discussions regarding the date and contents of the upcoming evaluation review. The purpose of the review shall be to provide PULIDO with feedback on his performance, including the performance of the duties set forth in Section 1.4 above, progress in meeting, achieving, or exceeding City Council defined goals, objectives, priorities, activities, and programs, and to identify areas requiring improvement and how such improvement may be accomplished. In conducting the performance evaluation and considering adjustments to PULIDO's compensation, the City Council may consider, among other things, PULIDO's:

a. overall performance as City Manager, including leadership and management skills;

b. professional ethics;

c. progress in meeting, achieving, or exceeding City Council defined goals, objectives, priorities, activities, and programs;

d. involvement in local, regional, and statewide organizations beneficial to the CITY;

e. the financial feasibility or desirability of authorizing any proposed adjustment to compensation in light of current and/or projected economic conditions, including whether the CITY is operating with a balanced budget;

f. prevailing job market conditions and compensation trends; and

g. such other factors as the City Council may find relevant.

The City Council shall at all times retain discretion to agree to or deny any proposed adjustment to PULIDO's compensation terms, notwithstanding the findings or determinations of any performance review. Failure of CITY to provide a performance evaluation shall not limit CITY's ability to terminate this Agreement pursuant to Section 5 [Termination].

2.3 **Mutual Commitments.**

2.3.1 Strategic Workshops

a. The City Council and the City Manager will meet annually to review the CITY's existing Strategic Plan and/or set out goals and priorities for the City Manager to implement. This annual meeting shall occur between January 1st and February 28th of each year. For purposes of clarity, the City Council and the City Manager shall further establish a relative priority among those goals and objectives within the Strategic Plan.

2.4 **Benefits.**

2.4.1 Health Insurance.

Health Insurance: PULIDO shall receive health insurance benefits equivalent to all other non-represented CITY management employees, as those benefits may change from time to time. CITY shall pay one hundred percent (100%) of premiums for PULIDO and his family members.

Dental Insurance: PULIDO shall receive dental insurance benefits equivalent to all other non-represented CITY management employees as those benefits may change from time to time. CITY shall pay one hundred percent (100%) of premiums for PULIDO and his family members.

Vision Care: PULIDO shall receive vision benefits equivalent to all other non-represented CITY management employees as those benefits may change from time to time. CITY shall pay one hundred percent (100%) of premiums for PULIDO and his family members.

2.4.2 Long Term Disability.

Except as otherwise set forth in this Agreement, and in addition to the benefits specified herein, PULIDO shall receive any and all employee long term disability program benefits otherwise accorded CITY's executive management employees, as prescribed as of the Effective Date of this Agreement and as those benefits may be changed from time to time.

2.4.3 Term Life Insurance.

CITY shall select and provide PULIDO with a policy of term life insurance and shall pay the entire cost of the life insurance premium during the Term of this Agreement or any extension term. During the Term of this Agreement, the death benefit payable on the life insurance policy shall be capped at the maximum sum of One Million Dollars ($1,000,000.00). In the event of PULIDO's death during the Term of this Agreement, PULIDO's designated beneficiary shall receive one hundred percent (100%) of the death benefit payment.

2.4.4 Accidental Death & Dismemberment.

Except as otherwise set forth in this Agreement, and in addition to the benefits specified herein, PULIDO shall receive any and all employee accidental death and dismemberment program benefits

otherwise accorded CITY's executive management employees, as prescribed as of the Effective Date of this Agreement and as those benefits may be changed from time to time.

2.5 **Automobile Allowance**. CITY recognizes that PULIDO's duties as City Manager may require extensive use of an automobile in the ordinary course of performing his duties as City Manager. Accordingly, CITY, as added compensation, shall provide PULIDO with an automobile allowance in the amount of Four Hundred Dollars ($400.00) per month to assist PULIDO with the cost of using and operating his own private vehicle and to offset expenses such as gasoline, auto insurance, maintenance, repair and other automobile related costs and expenses. PULIDO shall be responsible for maintaining and paying for liability insurance as required by State law and for all operating, maintenance and repair costs of PULIDO's automobile and for any other automobile-related expenses in excess of the allowance set forth herein.

2.6 **Business Related Equipment**. CITY shall provide a cell phone and cover service costs and other personal data devices (e.g., iPad, computer, etc.) in so far as such items are necessary for the performance of CITY-related business and are in fact used for CITY business.

2.7 **Business Expenses.** Excluding those expenses already covered by the supplemental compensation allowances set forth under Sections 2.5 and 2.6 above, CITY shall reimburse PULIDO for reasonable and necessary travel, subsistence and other business expenses incurred by PULIDO in the performance of his duties or in connection with PULIDO's participation in those authorized activities referenced under Section 1 above. All reimbursements shall be subject to and in accordance with any limitations or restrictions set forth under the laws of the State of California and any CITY-adopted reimbursement policies as either may be adopted, updated or otherwise amended from time to time.

SECTION 3. Vacation and Other Leave.

3.1 **Vacation Leave**. PULIDO shall be eligible to accrue six and two-thirds (6 2/3) hours of vacation leave each month, for a maximum of eighty (80) hours of vacation leave per year during the Term of this Agreement. Vacation leave may be carried over from year to year. Notwithstanding the foregoing, at no time shall PULIDO accrue more than three hundred twenty (320) hours or forty (40) business days of total vacation leave. In recognition of this limit, PULIDO shall cease to accrue any additional vacation leave time so long as his total accrued but unused vacation leave remains at 320 hours or 40 business days total. On December 31st of each year, PULIDO may sell back accumulated but unused vacation leave time at his applicable base salary hourly rate, provided that fifty (50) hours of accrued vacation time remains on the books.

Section 5.5 below notwithstanding, upon separation of employment for any reason, CITY shall buy back PULIDO's accrued and unused vacation leave time at applicable base salary hourly rate, in addition to the payment contemplated under Section 5.1, below.

3.2 **Holidays.** Paid holidays shall be in accordance with CITY's current practices and are subject to change. Paid holidays will be those deemed authorized by CITY.

3.3 **Sick Leave.** PULIDO shall be eligible to accrue eight (8) hours of sick leave each month, for a maximum of ninety six (96) hours of sick leave per year during the Term of this Agreement. Sick leave shall be used by PULIDO only in cases of actual sickness of PULIDO or a member of PULIDO's immediate family, including PULIDO's dependents. Sick leave may be carried over from year to year. Notwithstanding the foregoing, at no time shall PULIDO accrue more than four hundred eighty (480) hours or sixty (60) business days of total sick leave time. In recognition of this limit, PULIDO shall cease to accrue any additional sick leave time so long as his total accrued but unused sick leave remains at 480 hours or 60 business days total. On July 1st of each year, PULIDO may sell back at full rate of pay (applicable base salary hourly rate) a maximum of ninety-six (96) hours of accrued but unused sick time, provided however that at least fifty-eight (58) hours remain on the books prior to PULIDO being eligible for any sick leave buy-back.

Section 5.5 below notwithstanding, in the event CITY terminates PULIDO for convenience, PULIDO may sell back up to one hundred ninety-two (192) hours of accrued but unused sick leave to CITY at applicable base salary hourly rate, in addition to the payment contemplated under Section 5.1, below.

3.4 **Management Leave.** CITY recognizes that while PULIDO is an exempt employee and not entitled to overtime pay, PULIDO's duties will likely require him to be available more than forty (40) hours per week. Accordingly, PULIDO shall be eligible to accrue two and one-fourth (2 ¼) hours of management leave each month, for a maximum of twenty-seven (27) hours of management leave per year during the Term of this Agreement. Accrued but unused management leave time may be carried over from year to year. On July 1st of each year, PULIDO may sell back at full rate of pay (applicable base salary hourly rate) accrued but unused management leave time, provided however that at least twenty-seven (27) hours remain on the books. Upon separation from employment with CITY, PULIDO shall not be entitled to compensation for, and CITY shall not buy back, any accrued but unused management leave time.

SECTION 4. **Retirement.**

The CITY is a member of the Public Employees Retirement System (PERS) for the purpose of employee retirement benefits. PULIDO shall be eligible for coverage under PERS as provided under paragraph 7 of the contract between PERS and the CITY, as amended on October 16, 2011. CITY shall provide PULIDO membership in PERS using the Two Percent (2%) at age 60 formula; CITY shall contribute CITY's Employer Share of the cost of membership in PERS during the Term of this Agreement and PULIDO shall contribute the cost of the Employee Share.

SECTION 5. **Termination.**

5.1 **By CITY Not for Cause/For Convenience.** CITY may terminate PULIDO for any reason, and at any time, with or without cause, by providing PULIDO thirty (30) days prior written notice thereof. In lieu of providing thirty (30) days prior written notice of termination,

CITY may place PULIDO on paid leave status during the thirty (30) day notice period or any portion thereof. This Agreement and its provisions govern the procedures for termination of PULIDO; any practice or procedure contained in or arising from any personnel policies or past CITY practices relating to the employment, discipline, or termination of its employees shall not apply to the procedures utilized by CITY for termination of PULIDO.

5.1.1 If PULIDO is terminated without cause, or he separates from CITY employment by mutual agreement between the CITY and PULIDO, at any time prior to February 11, 2015, he shall not be entitled to severance pay.

5.1.2 If PULIDO is terminated without cause, or upon his separation by mutual agreement between the CITY and PULIDO, at any time on or after February 11, 2015 but prior to August 11, 2015, he shall be entitled to severance pay of twelve (12) months' base salary, less any and all applicable or legally required deductions.

5.1.3 If PULIDO is terminated without cause, or upon his separation by mutual agreement between the CITY and PULIDO, at any time on or after August 11, 2015, he shall be entitled to severance pay of six (6) months' base salary, less any and all applicable or legally required deductions and subject to the limitations of Government Code section 53260.

5.1.4 Severance pay shall be paid by the CITY within thirty (30) days of termination. PULIDO shall receive any and all compensation for accrued but unused vacation and sick leave time for which he is eligible under Section 3 in addition to any severance payment provided under section 5.1.

5.1.5 The foregoing notwithstanding, CITY shall not exercise its right to terminate PULIDO for convenience and without cause during the 30-day period immediately following any General Municipal Election of the CITY in which one or more City Council seats are subject to an election contest or during the 30-day period immediately following any Special Municipal Election of the CITY in which one or more City Council seats are subject to an election contest.

5.2 **By Employee**. PULIDO may terminate his employment for any reason, and at any time, with or without cause, by providing CITY with thirty (30) days advance written notice. Notwithstanding Section 5.1, above, in the event that PULIDO terminates his employment, CITY shall have the option, in its complete discretion, to make PULIDO's termination effective at any time prior to the end of such 30-day period, provided CITY pays PULIDO all compensation due and owing him through the last day actually worked. In the event PULIDO resigns, he will not be entitled to severance pay.

5.3 **By CITY for Cause**. CITY may terminate this Agreement at any time by providing PULIDO written notice of his termination for cause. No severance payment shall be paid in the event CITY terminates this Agreement for cause, except that CITY shall pay PULIDO his accumulated and unused vacation leave as provided for in this Agreement. For

purposes of this Agreement, cause for termination shall include, but not be limited to, the following:

a. Commitment of any illegal or unethical act involving personal gain to PULIDO;

b. Willful or intentional failure or refusal to perform his duties and responsibilities consistent with his obligations under this Agreement, or to comply with lawful directives issued by the City Council pertaining to performance of his job duties and responsibilities;

c. Engaging in unlawful discrimination or harassment of employees or any third party while on CITY premises or time;

d. Material breach of the terms and conditions of this Agreement;

e. Any intentional or grossly negligent act or omission that materially and substantially:

   i. impedes or disrupts the operations of CITY or its organizational units;

   ii. is detrimental to PULIDO's safety, the safety of any other CITY official, agent, or employee, or public safety; or

   iii. violates properly established CITY rules or procedures as established by collective action of the City Council, including but not limited to the adoption of ordinances and resolutions;

f. Commission of an act of moral turpitude. Under California law, acts of moral turpitude are acts including, but not limited to dishonesty, fraud, and theft, violence or the threat of violence, driving under the influence, possession of controlled substances for sale, vandalism, abuse, lewd acts, and securities violations. The City Council will not make a finding or determination about whether PULIDO has engaged in such conduct without first providing PULIDO a full, fair opportunity to rebut, defend, and justify any such alleged act involving moral turpitude in an open or closed session, at PULIDO's sole choice, provided that PULIDO may be placed on administrative leave without pay pending the outcome of any CITY investigation of such acts;

g. Conviction of a felony, or plea of, guilty or nolo contendere or conviction of a misdemeanor involving moral turpitude, provided that PULIDO may be placed on administrative leave without pay should he be charged with any such crime;

h. Willful or negligent destruction, misappropriation, or misuse of public property, waste of public supplies, or use of public property or supplies for other than a public purpose;

i. Willful political activity involving the support of (or opposition to) candidates for City Council;

j. Willful and unlawful retaliation against any other CITY officer or employee or member of the general public who in good faith discloses, divulges, or otherwise brings to the attention of any appropriate authority any facts or information relative to actual or suspected violations of law occurring on the job or directly related thereto;

k. Violation of any conflict of interest or incompatibility of office laws including, but not limited to the Political Reform Act and *Government Code* § 1090;

l. Willful violation of any laws involving an abuse of office or position, as defined in *Government Code* § 53243.4;

m. Performance of material outside business interests;

n. Abuse of any prescription or non-prescription drugs, alcohol, or controlled substances that affect the performance of the City Manager's duties;

o. Engaging in conduct tending to bring embarrassment or disrepute to CITY; and/or

p. Unexcused absences from work for three (3) consecutive days without notice, except in case of emergency.

PULIDO expressly waives any rights provided for Administrative Personnel under CITY's Personnel Policies, any rights provided for the City Manager or Administrative Personnel under the Cudahy Municipal Code, or under state or federal law to any form of pre- or post-termination hearing, appeal, or other administrative process pertaining to termination.

5.4 **Termination Obligation**. PULIDO agrees that all property, including without limitation, all equipment, tangible Proprietary Information (as defined in Section 6, below), documents, records, notes, contracts, and computer-generated materials furnished to or prepared by him incident to his employment belongs to CITY and shall be returned promptly to CITY upon termination of PULIDO's employment. PULIDO's obligations under this subsection shall survive the termination of his employment and the expiration of this Agreement.

5.5 **Benefits Upon Termination**. All benefits to which PULIDO is entitled under this Agreement shall cease upon PULIDO's termination in accordance with this Section 5, unless expressly continued either under this Agreement, under any specific written policy or benefit plan applicable to PULIDO, or unless otherwise required by law.

5.6 **Cessation of Work Due to Non-Permanent Illness or Injury.** In addition to any right of termination set forth under Sections 5.1 and 5.3, above, CITY reserves the right to terminate PULIDO's employment along with this Agreement if PULIDO ceases to work as a result of illness or injury: (i) which does not arise out of the course of employment; (ii) which does not limit a major life activity within the meaning of California's Fair Employment and

Housing Act; and (iii) where the cessation of work continues beyond the longer of the following: a period of four successive weeks beyond PULIDO's accrued sick leave; or a period of twenty consecutive days beyond a period of thirty consecutive days of incapacity due to the illness or injury.

5.7 **Disability.** In addition to any right of termination set forth under Sections 5.1 and 5.3, above, CITY reserves the right to terminate PULIDO's employment along with this Agreement after PULIDO suffers any physical or mental disability that does not arise out of the course of employment and that prevents the performance of PULIDO's essential job duties, unless reasonable accommodation can be made to allow PULIDO to continue working. The foregoing notwithstanding, CITY may terminate PULIDO if the disability poses a direct threat to CITY, PULIDO or any other employees working for CITY and any reasonable accommodation attempted by CITY would not mitigate or eliminate such a threat. The CITY will not provide a severance payment if PULIDO is terminated under this Section of this Agreement.

5.8 **Illness, Injury or Disability Arising Out of the Course of Employment.** In the event PULIDO suffers a physical or mental disability arising out of the course of employment, CITY's ability to terminate PULIDO solely and exclusively on the basis of the illness, injury or disability shall be subject to applicable workers' compensation laws for the State of California, the Americans with Disabilities Act (42 U.S.C. §§ 12101 et. seq.) and the California Fair Employment and Housing Act. Further, PULIDO's exclusive remedy or remedies against CITY for such illness, injury or disability shall be those legally required under the workers' compensation laws of the State of California.

5.9 **Medical Examination.** PULIDO agrees to submit to a medical and/or psychological examination by a qualified physician or psychiatrist selected by the CITY, in the event a decision must be made under Sections 5.6 through 5.8. CITY and PULIDO shall receive a copy of all medical reports related to the examination.

5.10 **Death of Employee.** This Agreement along with PULIDO's employment shall terminate automatically upon PULIDO's death.

SECTION 6. **Proprietary Information.**

"Proprietary Information" is all information and any idea pertaining in any manner to the business of CITY (or any CITY affiliate), its elected and appointed officials, officers, employees, clients, consultants, or business associates, which was produced by any employee of CITY in the course of his or her employment or otherwise produced or acquired by or on behalf of CITY. Proprietary Information shall include, without limitation, trade secrets, product ideas, inventions, processes, formulae, data, know-how, software and other computer programs, copyrightable material, marketing plans, strategies, sales, financial reports, forecasts and customer lists. All Proprietary Information not generally known outside of CITY's organization, and all Proprietary Information so known only through improper means, shall be deemed "Confidential Information." During his employment by CITY, PULIDO shall use Proprietary Information, and shall disclose Confidential Information, only for the benefit of CITY and as is or may be necessary to perform his job responsibilities under this Agreement. Following termination,

PULIDO shall not use any Proprietary Information and shall not disclose any Confidential Information, except with the express written consent of CITY. PULIDO's obligations under this Section shall survive the termination of his employment and the expiration of this Agreement.

SECTION 7. **Conflict of Interest**. PULIDO represents and warrants to CITY that he presently has no interest, and represents that he will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or interfere in any way with performance of his services under this Agreement.

SECTION 8. **Professional Development**. The CITY acknowledges its interest in PULIDO's continuing professional development and agrees to allow and pay all expenses associated with his attendance at annual conferences of the International City Management Association, League of California Cities, and California City Managers Association. Further, the CITY agrees to pay the membership dues for PULIDO in the International City Management Association and City Manager's Department of the League of California Cities. With the prior consent of the Council, the CITY agrees to allow PULIDO to attend and participate in such other professional associations and conferences as may be mutually agreeable to both parties. The CITY acknowledges the right of PULIDO to engage in other professional activities as long as they do not interfere or conflict with PULIDO's duties as City Manager. Such professional activities may include teaching, writing, consulting and others.

SECTION 9. **General Provisions**.

9.1 **Notices**. All notices, requests, demands and other communications under this Agreement shall be in writing and shall be effective upon delivery by hand or three (3) business days after deposit in the United States mail, postage prepaid, certified or registered, and addressed to CITY at the address below, or at the last known address maintained in PULIDO's personnel file. PULIDO agrees to notify CITY in writing of any change in his address during his employment with CITY. Notice of change of address shall be effective only when accomplished in accordance with this Section.

City's Notice Address:

City of Cudahy
5220 Santa Ana Street
Cudahy, California 90201
Attn: Mayor and City Council

Pulido's Notice Address: [Deliver to last updated address in personnel file]

9.2 **Indemnification**. Subject to, in accordance with, and to the extent provided by the California Tort Claims Act [*Government Code* §§ 810 et seq.], CITY will indemnify, defend, and hold PULIDO harmless from and against any action, demand, suit, monetary judgment or other legal or administrative proceeding, and any liability, injury, loss or other damages, arising out of any act or omission occurring within the course and scope of PULIDO's duties as City Manager during PULIDO's tenure as City Manager. The CITY shall pay the amount of any

settlement or judgment thereon; provided that PULIDO cooperates in the defense of the claim, demand, or action. In this regard, the CITY shall have the discretion to compromise or settle any such claim, demand or action and pay the amount of any settlement rendered thereon. Notwithstanding the foregoing, the CITY shall have no duty to indemnify, defend or hold PULIDO harmless from any criminal proceeding or with regard to any civil, criminal or administrative proceeding initiated by him.

Without limiting the application of this Section 9.2, nothing in this Agreement shall expand the CITY'S defense and indemnification obligations beyond those provided in the Tort Claims Act and *Government Code* §§ 995-996.6. Further, in the event CITY provides funds for legal criminal defense pursuant to this sub-section and the terms of the *Government Code*, PULIDO shall reimburse the CITY for such legal criminal defense funds, and for any paid leave provided pursuant to Section 5.3 above, if PULIDO is convicted of a crime involving an abuse of office of position as provided by *Government Code* §§ 53243-53243.4.

9.3 **Bonding**. The CITY shall bear the full cost of any fidelity or other bonds required of the City Manager under any laws or ordinance.

9.4 **Integration**. This Agreement is intended to be the final, complete, and exclusive statement of the terms of PULIDO's employment by CITY. This Agreement supersedes all other prior and contemporaneous agreements and statements, whether written or oral, express or implied, pertaining in any manner to the employment of PULIDO, and it may not be contradicted by evidence of any prior or contemporaneous statements or agreements. To the extent that the practices, policies, or procedures of CITY, now or in the future, apply to PULIDO and are inconsistent with the terms of this Agreement, the provisions of this Agreement shall control.

9.5 **Amendments**. This Agreement may not be altered, amended or modified except in a written document signed by PULIDO, approved by the City Council and signed by CITY's Mayor or designee.

9.6 **Waiver**. Failure to exercise any right under this Agreement shall not constitute a waiver of such right. No waiver of a provision of this Agreement shall constitute a waiver of any other provision, whether or not similar. No waiver shall be binding unless executed in writing by the party making the waiver.

9.7 **Assignment**. PULIDO shall not assign any rights or obligations under this Agreement. CITY may, upon prior written notice to PULIDO, assign its rights and obligations hereunder.

9.8 **Severability**. If a court or arbitrator holds any provision of this Agreement to be invalid, unenforceable, or void, the remainder of this Agreement shall remain in full force and effect.

9.9 **Attorneys' Fees**. In any legal action, arbitration, or other proceeding brought to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs.

9.10 **Governing Law**. This Agreement shall be governed by and construed in accordance with the laws of the State of California, with venue properly only in Los Angeles County, State of California.

9.11 **Interpretation**. This Agreement shall be construed as a whole, according to its fair meaning, and not in favor of or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit or against the party responsible for any particular language in this Agreement. Captions are used for reference purposes only and should be ignored in the interpretation of the Agreement. Each party waives its future right to claim, contest, or assert that this Agreement was modified, cancelled, superseded or changed by any oral agreement, course of conduct, waiver or estoppel.

9.12 **Acknowledgment**. PULIDO acknowledges that he has had the opportunity to consult legal counsel with regard to this Agreement, that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

9.13 **Miscellaneous.** The provisions of Chapter 2.12 of the Cudahy Municipal Code relating to the City Manager are incorporated into this Agreement by this reference, as amended from time to time.

IN WITNESS WHEREOF, CITY has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested to by its Interim City Clerk, and PULIDO has signed and executed this Agreement, as of the date first indicated above.

CITY OF CUDAHY

By:_____
Chris Garcia, Mayor

CITY MANAGER

By_____
Jose E. Pulido, City Manager

APPROVED AS TO FORM:

By: _____
Isabel Birrueta, Assistant City Attorney

ATTEST:

By: _____
Donna Schwartz, Interim City Clerk