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
Tuesday, August 20, 2019 – 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 someone 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;
- Profane language directed at individuals in the meeting room;
- Throwing objects at other individuals in the meeting room;
- 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. Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. Code, § 403.)
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 Garcia
   Council / Agency Member Guerrero
   Council / Agency Member Lozoya
   Vice Mayor / Vice Chair Alcantar
   Mayor / Chair Gonzalez

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

   A. City Attorney’s Office overview on rent stabilization

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.)

   (Any person who, without authority of law, willfully disturbs or breaks up a City Council meeting is guilty of a misdemeanor. (Pen. 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. Consideration to Review and Approve the Draft Minutes of August 6, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission (page 7)

Presented by Assistant City Clerk

Recommendation: The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for August 6, 2019.

11. PUBLIC HEARING

A Public Hearing to Consider the Appeal of Applicant Elizabeth OZ, LLC of the Cudahy Planning Commission’s decision to deny Development Review Permit No. 41-516, Conditional Use Permit No. 38-366, Conditional Use Permit No. 38-367 and Tentative Tract Map No. 80.68 (449) to allow the construction of a 48-unit multifamily residential development located at 4302-4312 Elizabeth Street (APN’s 6224-007-002 & 6224-006-016) (page 17)

Presented by Interim Community Development Manager

It is Recommended that the City Council:

a. Open the Public Hearing:
b. Receive a presentation from staff;

c. Pose questions to staff;

d. Receive comment from interested members of the public;

e. Pose closing questions to staff; and

f. Close the Public Hearing and commence deliberations

If the City Council desires, it may:

a. Uphold the Planning Commission’s decision based on the record on appeal and the testimony of City staff, the applicant, and interested members of the public; or

b. Overturn the Planning Commission’s decision based on the record on appeal and the testimony of City staff, the applicant, and interested members of the public, and adopt Resolution No. 19-27:

1. Approving Development Review Permit No. 41-516 to allow the design, site layout, and the construction of a 48-unit multifamily residential development;

2. Approving Conditional Use Permit No. 38-366 to allow a 35 percent density bonus of the number of “base” units allowed in the underlying zone, and incorporating affordable housing units;

3. Approving Conditional Use Permit No. 38-367 to allow tandem parking spaces; and

4. Approving Tentative Tract Map 80.68 (449) to combine two lots into one for the purpose of constructing the proposed 48-unit multifamily residential development in the Medium Density Residential (HDR) Zone for the project located at 4302-4312 Elizabeth Street.

12. BUSINESS SESSION

A. Creation of an Economic Development Ad Hoc Committee and appoint two Council Members to serve on this committee (page 85)

Presented by City Manager

Recommendation: The City Council is requested to form an Economic Development Ad Hoc Committee and appoint two Council Members to serve on this committee.

B. Creation of a Contracts Review Ad Hoc Committee and appoint two Council Members to serve on this committee (page 89)

Presented by Assistant City Clerk
Recommendation: The City Council is requested to create a Contracts Review Ad Hoc Committee and select two Council Members to serve on this committee.

C. Discuss and Consider Placing a Resolution on the Council Agenda, Requesting a Forensic Audit from the California State Controller (page 91)

Presented by Assistant City Clerk

Recommendation: The City Council is requested to discuss, and consider placing a Resolution on the Council agenda, requesting a forensic audit from the California State Controller, by majority vote.

D. Consideration to Appoint Board Members to City Commissions (page 93)

Presented by Assistant City Clerk

Recommendation: The City Council is requested to:

1. Consider appointing Board Members to the following City Commissions: Parks and Recreation Commission; Public Safety Commission; Aging and Senior Citizens Commission;

2. Review all Board Member appointments on the Planning Commission; and

3. Provide staff with direction regarding any changes to the City’s Commission Board Member appointments.

13. COUNCIL DISCUSSION

A. Council Member Guerrero
   i. Discussion regarding increasing public speaking time to three minutes.

B. Mayor Gonzalez
   i. Discuss which two Council Members will serve on the City commissions Ad-Hoc committee.

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
Bedwell Fall via teleconference. At this time, all persons other than Councilman Guerrero and City personnel authorized by either the City Manager or the City Attorney will not be allowed to remain in Bedwell Hall. Once closed session is completed and the City Council returns from closed session into open session, members of the public may then reenter the Council Chamber to rejoin the proceedings.

14. CLOSED SESSION

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

   RECONVENE TO OPEN SESSION

15. CLOSED SESSION ANNOUNCEMENT

16. ADJOURNMENT

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 16th day of August 2019

Richard Iglesias
Assistant City Clerk
STAFF REPORT

Date: August 20, 2019

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

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

Subject: Consideration to Review and Approve the Draft Minutes of August 6, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

RECOMMENDATION

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for August 6, 2019.

BACKGROUND / ANALYSIS

Historically

The Municipal Clerk is one of the oldest professions in government, dating back to 1272 A.D., originating in England. The record keeper then was called Remembrancer; an English official whose job was to remind the Lord Treasurer and Barons of Court, of business pending.

Years later in the 1600’s when early colonist came to America, the office of the Clerk was one of the first offices to be established. Over the years the City Clerk’s office has become the core for local government, and the liaison to the residents of the Community. The Municipal Clerk (City Clerk) is the record keeper of a City’s recorded History.

William Bennett Munro a Canadian historian and political scientist, who taught at Harvard University and the California Institute of Technology, stated in one of his first textbooks written: “No other office in municipal service has so many contacts. It serves the Mayor, the City Council, the City Manager (when there is one), and all administrative departments,
without exception. All of them call upon it, almost daily, for some service or information. Its work is not spectacular, but it demands versatility, alertness, accuracy, and no end of patience. The public does not realize how many loose ends of city administration this office pulls together.”

Moving forward to the present time, the City Clerk’s office today is generally responsible for keeping record of City Council meetings; agreements; recordings of official documents; legal advertisements; municipal elections; commissions and committees current files; claims against the city; and other legal or official documents.

City Clerks in General Law cities are required to keep a record (minutes) of the proceedings of Council meetings (Government Code Sections 36814 and 40801). Minutes are the official record of a meeting which provides a record of the Council’s decisions and actions.

CONCLUSION

City Council is requested to approve the attached City Council / Agency Draft Minutes of the proceedings of August 6, 2019, City Council meeting.

FINANCIAL IMPACT

No Financial Impact.

ATTACHMENT

A. Draft Minutes August 6, 2019
B. Resolution No. 16-38, approving the City Clerk’s use of Summary Action Minutes as the Official Record of the City Council proceedings.
MINUTES

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

August 6, 2019 6:30 P.M.

1. CALL TO ORDER

Mayor / Chair Gonzalez called the meeting to order at 6:41 p.m.

2. ROLL CALL

PRESENT: Council / Agency Member Guerrero
Council / Agency Member Lozoya
Vice Mayor / Vice Chair Alcantar
Mayor / Chair Gonzalez

ABSENT: Council / Agency Member Garcia

ALSO PRESENT: City Manager Jose E. Pulido, City Attorney, Marc Tran, Assistant City Clerk, Richard Iglesias, Finance Director, Steven Dobrenen, Assistant Engineer, Aaron Hernandez, Parks and Recreation Coordinator, Victor Santiago, and Junior Deputy City Clerk, Andres Rangel.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alcantar.

MAYOR GONZALEZ PUSHED AGENDA ITEMS NUMBERS 12B AND 12C TO A FUTURE CITY COUNCIL MEETING

4. PRESENTATIONS

A. Rent control presentation by the City Attorney’s Office
B. Water Resources Consultant, Maria Elena Kennedy reporting on water quality
C. Anthony Rendon’s Office, Adrian Landa

ALL PRESENTATION ITEMS WERE MOVED TO THE NEXT COUNCIL MEETING

5. PUBLIC COMMENTS

Irene Silvestre, asked City Council to approve item 10A as well asked City staff to fix gym equipment that have not been working for years. She concluded her comments by asking Council and staff to address speeding vehicles on River Road as it is a serious problem. She went on to also ask council to address Republic Services’ inadequacies.

Susie de Santiago, clarified the Lugo Gym does not have a dedicated staff member, as that staff member maintains the whole park. Therefore, it should not be charged as an exclusive gym item. She also clarified that the gym does not consume all utility charges, as the gym is not on its own
meter. It shares the Lugo Community Center and Cudahy's maintenance department. In regard to gym equipment maintenance, she argued it is not done on a consistent basis, and typically results in missing equipment. She further noted low turnouts can be attributed to the gym’s unclear future, as residents do not want to invest in a membership that can be potentially closed at any moment unexpectedly.

**Marcos Oliva**, asked Council if the $65,000 appropriation to re-open the gym put the city budget out of balance, and if there is a funding source to fund the gym for the long run, rather than on an year to year basis.

**Pamela Munguia**, asked for public comment to return to three minutes. She went on to ask the City Attorney to note there was a violation as a City Attorney did not allow a Council Member to place an item on a future agenda. Therefore, she asked the City Attorney to have an appointment with Attorney Rick Olivarez. She spoke against Mayor Gonzalez for his tenure as mayor and for scheduling a City Council meeting during National Night Out. She concluded her comments by speaking in favor of a forensic audit.

**Carmen Beltran**, spoke in favor of a forensic audit proposed by Council Member Guerrero. She went on to speak against the City Manager for not bringing enough revenue to the City. She further spoke against the multi family unit developments, arguing there are numerous parcels in the City that can be developed. Having the multi family unit will not work as it would only exacerbate traffic and worsen traffic on Elizabeth and Otis street.

**Patricia Covarrubias**, asked City Council to cancel the meeting due to National Night Out citing other years the Council scheduled a Council meeting during National Night Out. She reminded Vice Mayor Alcantar part of her campaign platform included removing the City Manager, and therefore should keep her promise. She conducted a city-wide survey, resulting in young people in the City speaking negatively of the City and the City Manager. She went on to speak against the City Manager for allegedly not being invested in the City and community. She concluded her comments by speaking in favor of welcoming a forensic audit proposed by Council Member Guerrero, as well as speaking against the City for not granting a handicap space to a Cudahy resident.

**Jack Guerrero**, protested the poor state of public restrooms, emphasizing its unsanitary condition and constant stench of cannabis. He asked Council, the City Manager, and City Attorney to tour the public restrooms and ask themselves if they would use it. He went on to ask Council how it is planning to manage cannabis profits, despite the fact it is federally illegal to store cannabis revenue on federally regulated banks. He further commented he is in contact with Wells Fargo bank to conduct an internal investigation on the City’s relationship with them, as well as contacting the Justice Department of the United States, the Federal Reserve Board, and the Office of the Controller and the Currency to investigate the City’s potential violation of federal banking laws. He concluded his comments by pointing out the latest status update provided by the California State Auditor in regards to the City ranks it among the seventh worst Cities in the state of California, susceptible to waste, fraud, and/or mismanagement.

### 6. CITY COUNCIL COMMENTS

Council Member Guerrero, expressed his condolences to the people who experienced the various shootings over the weekend. He further commented the conditions that give rise to that kind of violence stems from the absence of father figures from the lives of the individuals committing the acts of violence. He noted 26 of the 27 active shooters did not have a father figure in the household. He proposed that any solution proposed on the local or federal level needs to contemplate the decline of the family unit, the absence of fathers, and the deterioration of
traditional morality. He translated his public comments in Spanish starting with the poor state of the City’s public restrooms as well as how the City is going to store cannabis revenue, due to the fact it is illegal to store cannabis funds in federally regulated banks, and pointed out the City ranks seventh worst internal controls systems by the California State Auditor.

Vice Mayor Alcantar, clarified the reason there is a Council meeting during National Night Out is due to the urgency of reopening the Lugo Gym. She expressed her condolences to the victims of the various shootings that happened over the weekend. She further commented that the shooter from El Paso’s act of violence stemmed from bigotry and hate toward the Hispanic community, specifically illegal immigrants.

Mayor Gonzalez, expressed his condolences to the victims of the weekend shootings, asking for solutions at the local level. He clarified the urgency of the Council Meeting is due to reopening the Lugo Gym. He also mentioned that there is already a plan by the City to fix the City’s public restrooms, as well as commented on ways to improve the City’s waste disposal system.

7. CITY MANAGER REPORT (information only)

8. REPORTS REGARDING AD HOC, ADVISORY, STANDING OR OTHER COMMITTEE MEETINGS – NONE

9. WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

Motion: It was moved by Vice Mayor Alcantar and seconded by Mayor Gonzalez to waive the full reading of resolutions and ordinances. The motion carried (2-0-1) by the following roll call vote.

AYES: Alcantar, Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: Guerrero, Lozoya

10. CONSENT CALENDAR

A. Consideration to review and Approve the Draft Minutes of July 16, 2019, for the Regular Meeting of the City Council and the Joint Meeting of the City of Cudahy as Successor Agency and Housing Successor Agency to the Cudahy Development Commission

Presented by the Assistant City Clerk

The City Council is requested to review and approve the City Council / Successor Agency Draft Minutes for July 16, 2019.

Motion: It was moved by Vice Mayor Alcantar and seconded by Mayor Gonzalez to review and approve the City Council / Successor Agency Draft Minutes for July 16, 2019. The motion carried (4-0-1) by the following roll call vote.

AYES: Guerrero, Lozoya, Alcantar, Gonzalez
NOES: None
ABSENT: Garcia
ABSTAIN: None

11. PUBLIC HEARING - NONE
12. BUSINESS SESSION

A. Adopt Proposed Resolution No. 19-26 Approving the Requested Amendment to the Fiscal Year (FY) 2019-20 City Budget Increasing Expenditures by $65,500 from the General Fund to Fund the Lugo Park Fitness Center Operations

Presented by the Parks and Recreation Coordinator

The City Council is requested to adopt proposed Resolution No. 19-26, approving the requested amendment to the FY 2019-20 City Budget increasing expenditures by $65,000 for the General Fund.

Motion: It was motioned by Vice Mayor Alcantar and Seconded by Mayor Gonzalez to adopt proposed Resolution No. 19-26, approving the requested amendment to the FY 2019-20 City Budget increasing expenditures by $65,000 for the General Fund. The motion carried (4-0-1) by the following roll call vote.

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

B. Creation of an Economic Development Ad Hoc Committee and appoint two Council Members to serve on this committee

Presented by the Assistant City Clerk

The City Council is requested to form an Economic Development Ad Hoc Committee and appoint two Council Members to serve on this committee.

THE ITEM WAS MOVED TO A FUTURE COUNCIL MEETING

C. Creation of a Contracts Review Ad Hoc Committee and Appoint Two Council Members to Serve on this Committee

Presented by the Assistant City Manager

The City Council is requested to create a Contracts Review Ad Hoc Committee and select two Council Members to serve on this committee.

THE ITEM WAS MOVED TO A FUTURE COUNCIL MEETING

D. Discuss and Consider Placing a Resolution on the Council Agenda, Requesting a Forensic Audit from the California State Controller

Presented by the Assistant City Clerk

The City Council is requested to discuss, and consider placing a Resolution on the Council agenda, requesting a forensic audit from the California State Controller, by majority vote.

THE ITEM WAS MOVED TO A FUTURE COUNCIL MEETING
13. COUNCIL DISCUSSION

A. Council Member Guerrero
   i. Discussion regarding increasing public speaking time to three minutes.

THE ITEM WAS MOVED TO A FUTURE COUNCIL MEETING

B. Mayor Gonzalez
   i. Discuss which two Council Members will serve on the Commissions Ad-Hoc Committee.

THE ITEM WAS MOVED TO A FUTURE COUNCIL MEETING

CITY COUNCIL RECESSED TO CLOSED SESSION AT 7:26 P.M.

14. CLOSED SESSION

A. Closed Session Pursuant to Government Code Section 54957.6(a) – Conference with Labor Negotiator Regarding Represented Employees
   City’s Designated Representative(s) for Negotiations: City Manager Jose E. Pulido and Special Counsel Oliver Yee
   Employee Organization: Cudahy Miscellaneous Employees Association (CMEA)

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

CITY COUNCIL RECONVENED TO OPEN SESSION AT 7:49 P.M.

15. CLOSED SESSION ANNOUNCEMENT

Deputy City Attorney announced there was no reportable action at this time.

16. ADJOURNMENT

The City Council / Agency meeting was adjourned at 7:49 p.m.

Jose R. Gonzalez
Mayor

ATTEST:

Richard Iglesias
Assistant City Clerk
RESOLUTION NO. 16-38


WHEREAS, pursuant to Section 2.20.010(1) of the Municipal Code of the City of Cudahy, the City clerk is required to perform such duties as are set forth in the Government Code and in the City's Municipal Code and as the City Council from time to time shall direct or authorize; and

WHEREAS, under Government Code Section 40801, the City Clerk is tasked with keeping accurate records of the proceeding of the legislative body; and

WHEREAS, pursuant to Government Code Section 36814, the City Council shall cause the City Clerk to keep a correct record of its proceedings;

WHEREAS, the City Clerk currently prepares and keeps full written minutes of the City Council's meetings and proceedings; and

WHEREAS, instead of summary minutes, the City Council now wishes for the City Clerk to prepare and keep summary action minutes as the official record of its meetings or proceedings; and

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 recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The City Council hereby approves the use of summary action minutes as the official record of its meetings or proceedings in lieu of full form written minutes.

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 12th day of December, 2016.
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. 16-38 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 12th day of December, 2016, and that said Resolution was adopted by the following vote, to-wit:

AYES: Garcia, Markovich, Hernandez, Sanchez

NOES: None

ABSENT: None

ABSTAIN: Guerrero

Richard Iglesias
Deputy City Clerk
STAFF REPORT

Date: August 20, 2019  
To: Honorable Mayor/Chair and City Council/Agency Members  
From: Jose E. Pulido, City Manager/Executive Director  
By: Salvador Lopez Jr., Interim Community Development Manager  

Subject: A Public Hearing to Consider the Appeal of Applicant Elizabeth OZ, LLC of the Cudahy Planning Commission’s decision to deny Development Review Permit No. 41-516, Conditional Use Permit No. 38-366, Conditional Use Permit No. 38-367 and Tentative Tract Map No. 80.68 (449) to allow the construction of a 48-unit multifamily residential development located at 4302-4312 Elizabeth Street (APN’s 6224-007-002 & 6224-006-016)

RECOMMENDATION

It is Recommended that the City Council:

a. Open the Public Hearing;

b. Receive a presentation from staff;

c. Pose questions to staff;

d. Receive comment from interested members of the public;

e. Pose closing questions to staff; and

f. Close the Public Hearing and commence deliberations

If the City Council desires, it may:

a. Uphold the Planning Commission’s decision based on the record on appeal and the testimony of City staff, the applicant, and interested members of the public; or

b. Overturn the Planning Commission’s decision based on the record on appeal and the
testimony of City staff, the applicant, and interested members of the public, and adopt Resolution No. 19-27:

1. Approving Development Review Permit No. 41-516 to allow the design, site layout, and the construction of a 48-unit multifamily residential development;
2. Approving Conditional Use Permit No. 38-366 to allow a 35 percent density bonus of the number of “base” units allowed in the underlying zone, and incorporating affordable housing units;
3. Approving Conditional Use Permit No. 38-367 to allow tandem parking spaces; and
4. Approving Tentative Tract Map 80.68 (449) to combine two lots into one for the purpose of constructing the proposed 48-unit multifamily residential development in the Medium Density Residential (HDR) Zone for the project located at 4302-4312 Elizabeth Street.

BACKGROUND

1. JUNE 17, 2019 PLANNING COMMISSION MEETING

This project was originally scheduled for consideration by the Planning Commission at their June 17, 2019 Meeting. After public testimony and Commission discussion, the Commission voted to continue the item to the next regularly scheduled Planning Commission Meeting (July 15, 2019) to provide them with additional time to review the project and familiarize themselves with the property. Public hearing notices were re-distributed to all property owners within the required 700-foot radius of the project site and a notice of public hearing was re-published in the newspaper on July 5, 2019.

2. JULY 15, 2019 PLANNING COMMISSION MEETING

The project was reconsidered by the Planning Commission at their July 15, 2019 Meeting. The public hearing was reopened for public comment after a brief presentation from city staff. After public testimony and Commission discussion, the project was denied. The Planning Commission expressed several concerns regarding parking, density, community feedback, and the number of affordable units. Commissioners Cuevas and Mendez voted to deny the project in order to avoid any further delay and reiterated that they both are in favor of the project for reasons indicated previously. A copy of the minutes is provided as Attachment #3.
3. APPLICANT FOLLOW-UP

On August 5, 2019 staff received an email from the applicant’s legal counsel, Spencer Kallick providing a letter in support of the Applicant’s appeal (Attachment #5) specifying background information about two California laws, both statutory and case law, supporting their position that the Project was inappropriately rejected by the Planning commission and should be approved on appeal; as none of their concerns were supported by evidence in the record, nor even if accurate, formed a proper basis for rejection of the project. The letter concluded that the Project represents a tremendous example of mixed-income development that falls appropriately under Density Bonus Law and the Housing Accountability Act. Moreover, it states that the project also benefits from the recent wave of legislation adding additional procedures and protections in favor of housing.

On August 19, 2019, staff received a letter (Attachment #4) from the applicant appealing the Planning Commission’s denial of the project to the City Council. The letter memorialized the Commission’s invalid reasons for their rejection/denial and reiterated the project’s conformity with the development standards and provisions of the city’s Zoning Code. An appeal fee of $1,295.00 was also received.

4. PROJECT DESCRIPTION:

The subject property is located on an approximately 1.4 acres (60,740 sq.ft.) located at 4302-4312 Elizabeth Street in the City of Cudahy in the Medium Density Residential (MDR) Zone. The site is currently developed with twelve multi-family units, which according to the Los Angeles County Assessor’s Office, were built from 1925 through 1938. These units are proposed for demolition to accommodate for the new residential construction. The immediate area is developed with a mix of multi-family and single-family residential land uses.

The applicant, Elizabeth OZ, LLC, proposes to construct a new 48-unit apartment complex. According to the plans submitted to the City’s Planning Division, the development will consist of two three-story structures with a maximum height of 30 feet. The first story will primarily accommodate the parking for the development, trash enclosure access, and will provide eight (8) units at ground level. The second and third levels will accommodate the remaining 40 units with a mixture of common open space areas and stairway access points. The site will be accessed from a common 26-foot driveway along the eastern edge of the property along Elizabeth Street and has been reviewed and approved by the Los Angeles County Fire Department.
The project architecture is a high quality modern contemporary style. Treatments incorporate a blend of contemporary and traditional architectural forms and details which include a flat façade, hip style roof, plaster walls, and articulated facades such as inset windows and doors, offset/projected wall features and recessed entryways. Proposed building colors incorporate an earth-tone palette with a dark grey smooth stucco finish, grey and white trims and decorative veneers.

The buildings would be set back from the eastern side property by 26 feet, the rear setback by 10 feet, the western setback by 5 feet and the front setback by approximately 50 feet. A six-foot tall concrete-masonry-unit (CMU) wall would be constructed along the entire perimeter of the property. A preliminary landscape plan has been submitted showing landscape areas on the buildings’ perimeter and in interior open space areas and within the front yard setback. A more detailed plan will be submitted with the formal plan check submittal. Project lighting would consist of security lighting and wall lights on the building perimeters, using LED fixtures. All lighting would be designed to avoid light spillage to neighboring properties.

The table below provides floor area detailed information for the proposed units:

<table>
<thead>
<tr>
<th>Number of units</th>
<th>Number of Bedrooms</th>
<th>Habitable Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>3</td>
<td>1,135 – 1,204 sq.ft.</td>
</tr>
<tr>
<td>12</td>
<td>2</td>
<td>901 - 942 sq.ft.</td>
</tr>
<tr>
<td>4</td>
<td>1</td>
<td>834 - 839 sq.ft.</td>
</tr>
</tbody>
</table>

The development also includes private open spaces for each unit provided through a combination of ground level (first floor) patios and upper level terraces. A series of common open spaces are provided throughout.

A minimum number of on-site parking spaces is required for each residential unit, based on the number of bedrooms, inclusive of guest parking spaces. The table below identifies the number of spaces required by the zoning code based on the bedroom count.

<table>
<thead>
<tr>
<th>Type of unit</th>
<th># of spaces required</th>
<th># of spaces provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>1 space</td>
<td>1 space</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>2 spaces</td>
<td>2 spaces</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>2 spaces</td>
<td>2 spaces</td>
</tr>
</tbody>
</table>

A total of 93 accessible parking spaces are provided throughout the site, of which 42 spaces are provided on the first level of Building A, 40 spaces are provided in Building B, and 11 spaces are...
provided outside of the covered parking areas. The spaces provided within the two separate covered garages will be directly accessible to the second and third level units with a series of stairwells and elevators. These spaces are intentionally designed to be tandem spaces in order to provide additional flexibility in design and to make better use of the space while avoiding additional driveway areas.

**ANALYSIS**

1. **GENERAL PLAN AND ZONING**

The General Plan designates the site and surrounding area as “Medium Density Residential” as noted above, the property’s zoning is Medium Density Residential (MDR). Table 1 below shows the project site and surrounding area’s zoning and land uses.

The MDR Zone incorporates higher-density, multi-story, multi-family residential areas at a density of 1,742 square feet per unit, or approximately 25 dwelling units per acre, and requires 280 square feet of common open space per unit, and 150 square feet of private open space per unit. The MDR Zone restricts building height to three stories or 45 feet, whichever is less, and requires minimum habitable floor areas of 700 square feet for one-bedroom units, 900 square feet for 2-bedroom units, and 1,100 square feet for three-bedroom units (CMC § 20.16.030).

<table>
<thead>
<tr>
<th>ZONING</th>
<th>LAND USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT SITE</td>
<td>MDR</td>
</tr>
<tr>
<td>NORTH</td>
<td>MDR</td>
</tr>
<tr>
<td>EAST</td>
<td>MDR</td>
</tr>
<tr>
<td>SOUTH</td>
<td>I-Ind</td>
</tr>
<tr>
<td>WEST</td>
<td>MDR</td>
</tr>
</tbody>
</table>

The proposed project meets General Plan and Zoning standards for use (multiple-family residential), building height, and front and side setbacks. The project plans show that the individual units’ habitable area and private open space areas either meet or exceed zoning standards. The project proposes a 26-foot driveway as required by the Los Angeles County Fire Department. Table 2 below compares the project’s characteristics with development standards.
### Table 2
Development Standards: Required vs. Proposed Project

<table>
<thead>
<tr>
<th></th>
<th>Genera I Plan</th>
<th>Zoning</th>
<th>Density</th>
<th>Height</th>
<th>Setbacks</th>
<th>Min Floor Area (1, 2 &amp; 3 BR units)</th>
<th>Parking</th>
<th>Private Open Space per unit</th>
<th>Common Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Required</strong></td>
<td>MDR</td>
<td>MDR</td>
<td>1,742 SF/DU (25 du/acre)</td>
<td>35 du/acre max</td>
<td>Front: 15 ft  Side: 5 ft. Rear: 10 ft</td>
<td>700 SF 900 SF 1,100 SF</td>
<td>1.5 - 2 spaces/unit 0.5 guest space/unit</td>
<td>150 SF</td>
<td>280 SF/Unit = 13,440 SF</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>35 du/acre max w/o density bonus</td>
<td>3 stories or 45 feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Proposed</strong></td>
<td>MDR</td>
<td>MDR</td>
<td>48 dwelling units with density bonus</td>
<td>3 stories, 30 ft.</td>
<td>Front: 50 ft. Side: 5-26 ft. Rear: 10 ft</td>
<td>834-839 SF 901-942 SF 1,135-1,204 SF</td>
<td>1-2 spaces/unit Inclusive of guest spaces</td>
<td>varies</td>
<td>17,148 SF</td>
</tr>
<tr>
<td>Consistent?</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Available with Density Bonus CUP?</td>
<td>YES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 2 shows that the proposed development complies strictly with most applicable development standards for development of new multifamily developments in the MDR zone, except for density, parking and common open space. With required findings, discussed below, the latter development standards can be relaxed at the City’s discretion when an applicant requests a density bonus and sets aside affordable units.

### 2. DENSITY BONUS

In order to accomplish the proposed 48-unit project, the applicant is requesting a density bonus of 35% more than the maximum density allowable in the MDR zone. The Cudahy Municipal Code sets the maximum (or “base”) density for the 1.4-acre (60,740 square feet) site at 35 units (1,742 square feet per unit) without additional discretionary approvals, equivalent to 14 units per acre.
California density bonus law (Government Code § 65915(p)) and CMC § 20.110.070 require the City to grant a density bonus up to 35% greater than the base density in return for the applicant’s guarantee that the added units would be restricted to very low, low or moderate income levels. The City may grant greater densities provided that certain findings are made along with a conditional use permit but is not obligated to do so.

For this 1.4-acre site in the MDR zone, the base 35% density bonus is 13 units more than the 35 units that would be allowed by-right, i.e. a 48-unit project (35 x 0.35 = 12.25; 12.25 + 35 = 47.25, which rounds up to 48) – note that California Gov’t. Code § 65915(f)(5) requires that fractional units for affordable housing be “rounded up” to the next whole number.

Here, the applicant is requesting 48 units, 13 units more than are allowed under the base zoning, resulting in a 35% density bonus (35 x 0.35 = 12.25; 12.25 + 35 = 47.25, rounding up to 48 units), and is proposing to set aside six units as “affordable” for very low-income residents.

For the City to grant a conditional use permit for a density bonus greater than the maximum 35%, CMC § 20.110.070 requires that the project set aside no less than the percentage and types of units required to earn a density bonus of 35 percent under the state density bonus law.

The minimum number of affordable units required for this project is:

- Very Low Income Units: 6 set-aside units (11% of 48, rounded up from 5.28)
- Low Income Units: 10 set-aside units (20% of 48, rounded up from 9.6)
- Moderate Income Units: 20 set-aside units (40% of 48, rounded up from 19.2)

Again, the applicant proposes to designate six units for very low-income tenants. This allocation meets the minimum number of required affordable units under both State law and the CMC (see Findings discussion, below).

**Requested Concessions.** As part of the Density Bonus process, an applicant may also request specific concessions, i.e. relaxation of zoning code requirements and/or site development standards, including but not limited to setback and square footage reductions, vehicle parking spaces, communal open space area, or landscaping requirements. The applicant requests the following concessions:

**A. Private Open Space**

The Applicant is requesting a concession to approve a reduction in the private open space
requirement, providing a total of no less than 120 square feet of private open space per residential unit. This concession represents a 20 percent reduction from the 150 square feet of private open space that would be required per unit for this Project without the density bonus and affordable unit set-asides. Section 20.52.330 of the Zoning Code allows an applicant to request up to a 20 percent reduction. The project is proposing 3,708 square feet more than the total required common open space for the entire development. The 20% reduction of the private open space area represents a minor reduction without compromising the availability of usable private space. Staff supports this concession as the patio and terrace areas provide ample space for private enjoyment and the development provides additional common areas throughout and is located directly across the street from Lugo Park and less than 1 mile from the Los Angeles River Bike Path/Greenway Trail. Accordingly, staff supports this concession.

B. **Maximum Building Length (off-list concession)**

The Applicant is requesting a concession to approve a building length of 143 feet, which is 18 feet more than the maximum requirement of 125 feet. CMC § 20.52.330(B) allows an applicant to propose concessions that result in identifiable, financially sufficient, and actual cost reductions. The Fire Department has reviewed the site plan and has not objected to the building lengths as the length of the buildings would not interfere with emergency access and on-site maneuverability. Since strict compliance to the building length standard would likely result in smaller or fewer dwelling units, and because the proposed units exceed the minimum habitable areas for two- and three-bedroom units, while reserving units for very low-income tenants and providing foreseeably better living conditions, staff supports this concession.

3. **DENSITY BONUS PROCEDURAL REQUIREMENTS**

CMC § 20.52.360 states that the density bonus and concessions requested shall be considered in conjunction with any housing development application for the Project. CMC § 20.52.360 requires that a density bonus must be approved by a “decision-making body,” either the Planning Commission or the City Council, depending on the entitlements requested. The requirement for a minimum number of affordable units is discussed above. The applicant has designated six (6) units as affordable for the project development, and a specific condition addressing deed-restriction and income level has been included as a condition of approval.

CMC § 20.52.370 also requires that in approving the density bonus and any related concessions, the City and Applicant shall enter into a Density Bonus Housing Agreement. This has been required as a condition of approval.

Should the City Council elect to deny one or more of the requested concessions, one of the following three findings must be made (Government Code § 65915 (d)(1)), based upon
substantial evidence:

A. The concession or incentive is not required in order to provide for affordable housing costs, as defined in § 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c); and

B. The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of § 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households; and

C. The concession or incentive would be contrary to State or Federal law.

Staff certifies that none of these findings apply to the proposed request, as shown below by the project’s compatibility with many General Plan policies and goals; therefore, staff recommends that the requested concessions be approved, based on the requirements of the Zoning Code.

4. CITY OF CUDAHY GENERAL PLAN LAND USE AND HOUSING ELEMENT PRIOVISIONS

The following provisions relate to the project’s consistency with the City’s policies for affordable housing:

- **Land Use Element Policy 2.8.** The City of Cudahy will provide adequate housing for various family sizes and income levels by allowing for different densities of development.

  *Analysis:* The project’s proposed increased density, governed by the terms of the Conditional Use Permit, would provide at least four affordable units affordable to persons demonstrating “low income.” This is consistent with Policy 2.8, which allows for “different densities of development” when a project would supply housing for various income levels.

- **Housing Element Goal 2.** The City of Cudahy will promote affordable housing and shelter for all economic segments of the community.

  - **Housing Element Policy 2.1.** The City of Cudahy will promote all State, regional and local practices and plans that support housing availability for all economic segments of the population.
Analysis: The project is requesting a density bonus as permitted by State and local law, and must set aside at least six units as affordable. This is consistent with the requirement to support housing availability for all economic segments.

- **Housing Element Policy 2.5.** The City of Cudahy will encourage variety in the supply of housing at costs affordable to the various income levels of the population.

- **Analysis:** The project would supply new 1, 2 and 3-bedroom units that exceed the minimum habitable floor area. Six units would be characterized as “affordable,” consistent with Policy 2.5.

- **Housing Element Policy 3.5.** The City of Cudahy will encourage prompt rehabilitation or demolition and replacement of vacant and abandoned properties.

- **Analysis:** The project would construct new housing on an underutilized parcel in an existing multiple-family neighborhood. It will rehabilitate the property, consistent with Policy 3.5.

**Compatibility with surrounding uses.** The proposed multiple-family residential project is generally compatible and consistent with surrounding uses. Single and multiple-family residential uses lie immediately north, south, east, and west of the project site, in one and two-story structures. The building height of 30 feet does not exceed the MDR zone’s 45-foot maximum height. The placement of the structure on the site, facing a central driveway and a front yard setback of 50 feet, reduces the project’s visual bulk. The project’s 50-foot front setback far exceeds many nearby multiple-family residences along Elizabeth Street, which vary from 13 to 60 feet. The proposed rear setback of 10 feet does not substantially intrude on residential uses.

The Los Angeles County Fire Department’s Land Development Division reviewed the proposed plan for access requirements and has tentatively approved the proposed access (26-foot wide driveway) to the subject property and the proposed units, with conditions of approval, including verifying adequate fire flow at the existing public fire hydrant on Santa Ana Street.
5. REQUIRED FINDINGS

DEVELOPMENT REVIEW PERMIT

CMC § 20.84.210, Basis for Approval or Denial of a Development Review Permit.

• 20.84.210(a) The project is consistent with the City of Cudahy General Plan, any applicable specific plan, and any plan of another governmental agency made applicable by statute or ordinance.

Support for Finding: The project is compatible with the City of Cudahy’s General Plan because it proposes a multiple-family residential project in the Medium Density Residential General Plan designation and the Medium Density Residential zone, at a density allowable under the Cudahy zoning code. The MDR designation and zone set forth a residential density of up to 25 dwelling units/acre.

• 20.84.210(b) The height, bulk, and other design features of structures are in proportion to the building site, and external features are balanced and unified so as to present a harmonious appearance.

Support for Finding: The proposed development’s structure is 30 feet in height, similar to other two-story structures within the immediate neighborhood. There is sufficient area in the 50-foot front setback for ample and dense landscaping, presenting a harmonious appearance with nearby residences that also face the street. Accordingly, the project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines and provides a unified and uniform appearance.

• 20.84.210(c) The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and does not contribute to excessive variety among neighboring uses.

Support for Finding: The existing surrounding properties include single story and two-story single-family and multi-family residences. The proposed development includes 48 multifamily residential units, consistent with the height, bulk, and other design features found in the surrounding area. The proposed surface articulations, including trimmed windows, pop-out terraces etc., avoid monotonous repetition.
• 20.84.210(d) The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development.

Support for Finding: The proposed site layout presents a balanced, axial plan that relates to similar structures along Elizabeth Street. The development’s orientation beyond the deep setback and the common driveway helps to screen the building’s mass from the public right of way and adjacent properties. There are areas available for guest parking, landscaping, including the front setback, the rear setback, the private open space and common areas. The common driveway permits good visibility along the length of the project interior and will have security lighting for safety.

• 20.84.210(e) The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features.

Support for Finding: The proposed development requires minor grading and removal of some existing shrubs. Half of the lot is currently dirt and does not contain any trees. However, the rest of the site is urbanized, flat and there is little evidence of “natural” terrain. There are no “natural” features on the site. Moreover, the project would add new landscaping, including trees and shrubs, which would partially replace those that would be removed.

• 20.84.210(f) The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site.

Support for Finding: The project will not have illuminated signage, with the exception for possible illuminated identifying address signs on the front elevation. That sign must meet CMC standards for property identification signs and the conditions of approval for the project, and thus would be in harmony with the general development of the site.

• 20.84.210(g) Mechanical equipment, machinery, trash, and other exterior service areas are screened or treated in a manner which is in harmony with the design of the structures and grounds.

Support for Finding: There are no proposed exterior mechanical equipment, machinery, or service areas except for the trash enclosures which are located behind decorative view obscuring doors to prevent stormwater runoff and to provide further screening and meets zoning code requirements for multi-family developments. Other mechanical
equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view.

- **20.84.210(h)** The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character of such property.

  *Support for Finding*: The proposed project would re-develop a site that lies between occupied single and multiple-family residences. By introducing new, up-to-date residences with new landscaping, the project would improve the character of the adjacent properties and maintain or improve property value. The design is consistent with the City’s General Plan and zoning designation, meets all development standards within the provisions of the Development Review Permit for the project, is compatible with the surrounding residential use, and will not adversely affect the value or quality of the neighborhood.

**CONDITIONAL USE PERMIT – Tandem Parking Spaces**

**CMC Section 20.44.070, Basis for Approval or Denial of a Conditional Use Permit:**

- **20.84.330(A)** That the use shall be consistent with the General Plan and consistent with the integrity and character of the zone in which it is to be located.

  *Support for Findings*: The incorporation of tandem parking spaces is consistent with the General Plan and the integrity and character of the MDR zone as the tandem design will be located within the enclosed parking areas and not visible from the public right-of-way, thus providing the site with advanced aesthetics while contributing to the character of the neighborhood.

- **20.84.330(B)** That the site for a proposed conditional use should be adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other development features prescribed in this zoning code, or required by the Planning Commission, City Council or other authorized agent in order to integrate the conditional use with the land and uses in the neighborhood.

  *Support for Finding*: The design and location of the tandem parking areas are adequate in size and shape as the spaces are designed to meet the minimum width and length of a tandem stall as prescribed by the provisions of the zoning code and provide for the minimum 24-foot back up and safe and efficient maneuverability.
20.84.330(C) That the nature, condition, and development of adjacent uses, buildings and structures [will not be adversely affected by] the proposed conditional use.

*Support for Finding:* The inclusion of tandem parking spaces in the design of the development will not adversely affect the adjacent uses, buildings, or structures as the tandem stalls will be provided on-site within the enclosed parking structures and will not be visible from the public right-of-way or adjacent properties.

20.84.330(D) That the site for a proposed conditional use should relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.

*Support for Finding:* The proposed development is an infill residential development consistent with applicable zoning and density bonus provisions and the inclusion of tandem parking spaces accessed by Elizabeth Street, which is considered a collector street, is adequate in width and pavement to carry the capacity of traffic generated by the residential development.

20.84.330(E) That adequate provisions for water, sewer and public utilities and services are available to ensure that the use will not be detrimental to the public health and safety.

*Support for Finding:* The use will not be detrimental to the public health and safety as the proposed development has been design to adequately meet the provisions for water, sewer and public utilities and services.

20.84.330(F) That the use will not be detrimental to the public interest, health, safety, convenience or welfare.

*Support for Finding:* The use of tandem parking spaces will not be detrimental to the public interest, health, safety, convenience or welfare of the community.
CONDITIONAL USE PERMIT – 35% RESIDENTIAL DENSITY BONUS

Basis for Approval or Denial of a Conditional Use Permit for a 35% Density Bonus:

- **20.52.340(A).** The project is consistent with the affordable housing provisions of the General Plan.

  *Support for Finding:* The project’s proposed increased density, governed by the terms of the Conditional Use Permit, would provide at least six affordable units. This is consistent with the General Plan Land Use Element Policy 2.8, which allows for “different densities of development” when a project would supply housing for various income levels. The project is requesting a density bonus as permitted by State and local law and must set aside at least six units as affordable. This is consistent with the General Plan Housing Element Policy 2.1 regarding supporting housing availability for all economic segments. The project would supply new residential units that exceed the minimum habitable floor area. At least six units would be characterized as “affordable” to residents with very low incomes, consistent with General Plan Housing Element Policy 2.5. Finally, the project would construct new housing on a parcel in an existing multiple-family neighborhood. It will rehabilitate the property, consistent with General Plan Housing Element Policy 3.5.

- **20.52.340(B).** The project sets aside no less than the percentage and type of units required to earn a density bonus of 35 percent under the state density bonus law.

  *Support for Finding:* The applicant is required to set aside six units as affordable, pursuant to California Government Code § 65915 and to Cudahy Municipal Code § 20.52.300 et seq. The present proposal includes 6 units for very-low income levels, consistent with the minimum number of required units for a 35% density bonus.

- **20.52.340(C).** The applicant has adequately demonstrated that the project will not generate unmitigated significant noise, traffic, parking, or other impacts detrimental to surrounding properties or the general welfare.

  *Support for Finding:* The environmental-impact issues cited above are addressed in the EIR that was adopted as part of the General Plan 2040, which show that the project does not present significant environmental impacts that cannot be mitigated by either existing regulations or specific mitigation measures that have been incorporated into the project’s Conditions of Approval.
TENTATIVE TRACT MAP

California Government Code (Gov. Code) Section 66410 (Subdivision Map Act), Basis for Approval of a Tentative Tract Map:

- **Gov. Code 66473.5.** [T]he proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan.

  *Support for Finding:* As discussed in the EIR for the 2040 General Plan and the administrative staff report prepared for the project, and with relevant conditions of approval/mitigation measures, the proposed project is consistent with General Plan policies for land use and housing.

Additional Findings for Approval:

- The project site is physically suitable for the type and density/intensity of development being proposed by the Tentative Map.

  *Support for Finding:* The site is level and rectangular in shape. The project site plan shows direct access to the public right-of-way, adequate spacing between buildings, adequate setbacks and sufficient access for residents and emergency responders. The project’s soils report indicates that the site is suitable for building construction.

- The subdivision will not be detrimental to the public health, safety, or welfare of the surrounding community or injurious to the property or improvements on the vicinity in which the property is located.”

  *Support for Finding:* The City of Cudahy General Plan and the site’s zone designation supports this type of residential development. The project site is surrounded by residential and institutional development of similar intensity as the proposed project. Any potentially significant environmental impacts will be mitigated to less than significant levels.

- There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety.

  *Support for Finding:* Planning staff and the Los Angeles County Fire Department reviewed the site plan. With application of the conditions of approval, the proposed site plan
complies with the City’s Zoning Code and Fire Department requirements related to vehicle access, fire protection, sanitation, water, and public utilities and services.

- The subdivision, together with the provisions for its design and improvement, will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

  Support for Finding: Planning staff did not identify any public easements on the site and the applicant verified that there are no public easements in place on the subject parcel. Any required public easements are conditions of approval of the project and shall be recorded prior to the final map recordation.

**CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):**

The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq (“CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq), and the City’s Local CEQA Guidelines. In accordance with the provisions of the California Environmental Quality Act (CEQA), an environmental analysis has been completed for this case. As a result of that analysis, it has been determined that this case will not have a significant impact upon the environment and is Exempt, pursuant to Article 12.5, Section 15195, *Residential Infill Exemption*, of the CEQA Guidelines and therefore, no further environmental documentation will be required.

CEQA does not apply to this development as the project meets the following criteria:

1. The General Plan 2040 conducted a community level environmental review within five years of the date in which this application was considered complete. The city’s new General Plan was adopted and certified in March of 2018.
2. The project meets the following size criteria:
   a. The site of the project is no more than four acres in total.
   b. The project does include any single level building that exceeds 100,000 square feet.
3. The project meets both of the following requirements regarding location:
   a. The project is a residential project on an infill site.
   b. The project is within one-half mile of a major transit stop.
4. The Project meets both the following requirements regarding number of units:
   a. The project does not contain more than 100 residential units.
b. The project promotes higher density infill housing and has a density of more than 20 units per acre.

5. The project meets the following requirements regarding the availability of affordable housing. The project would result in housing units being made available to moderate, low, or very low-income families set forth in the following:
   a. The project meets one of the following criteria, and the project developer provides sufficient legal commitments to the appropriate local agency (City of Cudahy) to ensure the continued availability and use of the housing units at set forth below at monthly housing costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code:
      i. At least 10 percent of the housing is sold to families of moderate income, or
      ii. **Not less than 10 percent of the housing is rented to families of low income,** or
      iii. Not less than 5 percent of the housing is rented to families of very-low income.

**ATTACHMENTS:**

A. Location Map
B. Proposed Development Plans
C. July 15, 2019 Planning Commission Meeting Minutes
D. Applicant’s Appeal Letter dated July 19, 2019
E. Letter from Applicant’s Legal Counsel dated August 5, 2019
F. Resolution No. 19-27
ATTACHMENT A

Location Map
LOCATION MAP

4302 – 4312 Elizabeth Street
ELIZABETH APARTMENT BUILDING
4302 AND 4312 ELIZABETH, CUDAHY, CA 90201

ISSUE FOR PLAN CHECK

05.27.2019
PROPOSED SITE PLAN

SCALE: 1/" = 1'-0"

GENERAL NOTES

1. THE AREA OF FIRE FIGHTING OPERATIONS, AS DETERMINED BY THE FIRE
   CODE OFFICIAL, SHALL NOT BE LOCATED UNDERNEATH HIGH
   VOLTAGE TRANSMISSION LINE. FIRE CODE 503.2.9

2. FIRE APPARATUS ACCESS ROADS SHALL BE INDENTIFIED WITH
   SIGNS OR THE OTHER APPROVED NOTICES OR
   BACKGROUND. SIGNS SHALL BE PROVIDED FOR FIRE APPARATUS
   APPROPRIATE SIGNS. TEMPORARY SIGNS SHALL BE INSTALLED AT EACH
   ACCESS ROADS, TO CLEARLY INDICATE THE ENTRANCE TO SUCH A
   AGREEMENTS AS REQUIRED BY THE FIRE INSPECTOR. FIRE CODE 503.3.

3. A KEY BOX SHALL BE DETERMINED BY THE FIRE INSPECTOR.

4. ALL FIRE APPARATUS SHALL MEASURE 6" x 4" x 2'-1/2", BRASS OR BRONZE,
   WITH THE COUNTY OF LOS ANGELES FIRE DEPARTMENT REGULATION 8.

KEY NOTES

INDICATES ACCESSIBLE PATH OF TRAVEL FROM
PARKING TO ACCESSIBLE UNIT, NOT TO EXCEED 5% IN THE DIRECTION OF TRAVEL WITH A CROSS SLOPE OF 2% MAX.

LEGEND

ACCESSIBLE PATH OF TRAVEL
FIRE FIGHTER PATH OF TRAVEL NOT TO EXCEED 5% MIN. SLOPE
CURBLINE
WALKWAY
PL: 155' 11"
26' - 10"
80' - 0" 24' - 0" 38' - 9" 9' - 11"
8' - 0 1/2"
10' - 0"
10' - 0"
NO PARKING
TRASH
STORAGE
8' - 0 1/2"
### Building Area Legend
- **Common Open Space** (not including stairs)
- **Private Open Space**
- **Parking**
- **Service**
- **R-2**

### Typical Building Area and Open Space Analysis

#### Typical Building - First Level
- **Total Gross Building Area**
  - **Area Type** | **Area (sq.ft)**
  - Common Open Space | 1,184.58
  - Private Open Space | 992.70
  - Parking | 1,345.11
  - Gross | 3,522.40

#### Typical Building - Second Level
- **Total Gross Building Area**
  - **Area Type** | **Area (sq.ft)**
  - Common Open Space | 2,020.56
  - Private Open Space | 1,612.02
  - Open Space | 3,632.58
  - R-2 | 11,059.90

#### Typical Building - Third Level
- **Total Gross Building Area**
  - **Area Type** | **Area (sq.ft)**
  - Common Open Space | 3,988.00
  - Private Open Space | 1,611.57
  - Open Space | 5,599.57
  - R-2 | 11,060.38

#### Total Living Building Area
- 37,954.99 sq.ft
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PARKING CALCULATION

- Total of units with two bedrooms: 12 units (parking required: 24 spaces)
- Total of units with one bedroom: 8 units (parking required: 8 spaces)
- Total of parking required: 32 spaces
- Total of parking spaces: 32 spaces
- Onsite parking will be provided through tandem parking or uncovered parking per California State Assembly Bill No 2023 affordable housing density bonus section 1. 

Bicycle parking requires per sec. 20.64.090 = 42 sq ft.
Bicycle parking provided: 135 sq ft.
WALL PARTITION

PROVIDE 7/8" THICK EXTERIOR CEMENT PLASTER, SMOOTH FINISH OVER FINISH FLOOR TO STRUCTURE ABOVE. PROVIDE R-19 INSULATION AT ALL EXTERIOR WALLS. PER TABLE 721.1(2) OF THE 2016 CBCC

NOTE: REFER TO STRUCTURAL PLANS FOR ADDITIONAL INFORMATION

F.O.F

- 5"
- 4"
1. CALL TO ORDER

Vice Chair Beltran called the meeting to order at 6:31 p.m.

2. ROLL CALL

Present:  
Vice Chairperson Beltran  
Commissioner Covarrubias  
Commissioner Cuevas  
Commissioner Mendez

Absent:  
Chairperson Fuentes

Staff Present:  
Interim Community Development Manager, Salvador Lopez Jr.  
City Attorney, Victor Ponto  
Deputy City Attorney, Martin De Los Angeles

3. PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Vice Chair Beltran.

4. PRESENTATIONS – NONE

5. PUBLIC COMMENT

Vice Chairperson Beltran announced that this was the time set aside for citizens to address the Planning Commission on matters relating to Commission business. When addressing the Commission please speak into the microphone and voluntarily state your name and address. Each person will be allowed to speak only once and will be limited to five (5) minutes. The proceedings of this meeting are recorded on audio CD.

Resident, Erica Faosto, 5237 Cecelia Street, voiced her concern about a city owned parking lot where she heard there was going to be a housing project. The parking lot is very small, and we have a concern about the development.

Seeing no further interest, the public hearing was closed.

6. WAIVE FULL READING

A. Approval to waive the full text reading of all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title only.
Recommendation: Motion to waive the full text reading of all resolutions on the agenda.

MOTION: Commissioner Cuevas moved the motion to approve item 6A, motion seconded by Commissioner Covarrubias, which carried with the following roll call vote:

Ayes: Commissioners Beltran, Covarrubias, Cuevas, Mendez
Noes: None
Abstention: None
Absent: Chairman Fuentes

Motion Approved

7. PUBLIC HEARING


Chair moved to re-open the public hearing for public comment.

Public comment:

Property owner and absentee landlord Barbara Sciarra mentioned that her property is separated by a chainlink fence with the “project” and she wants the weeds and grass to be removed so it doesn’t look so unsightly. She requested more low-income units be provided for the project. She requested that in addition to notifying property owners of a public hearing, the city should also inform the tenants so they can come and share their comments and also have a voice.

Property owner and absentee landlord James Sciarra, 4316-4320 Elizabeth Street. He has owned the property for about 60 years. Their property is the most impacted by the project and will catch the brunt on anything and everything the project will bring. Tenants have reported strong odor of natural gas coming from the project site that lasted for quite some time and permeated into their homes. Even though the dirt is wet, it still creates dust and that dust blows northeast and lands on our door steps. There is also a 6-inch space to the west of the project’s driveway that was purposely done to allow a buffer with the neighbor and is requesting survey markings to be in place for this development. He indicated that the developer has not taken care of it. The construction fence appears to be west of the driveway line. They ask that their fence not be attached to their fence and the developer has not done it and would like it corrected. City should continue to monitor the site for the debris dust to ensure the neighbors are protected.

William Padilla, resident, 4318 Elizabeth Street. Concerned about parking on the site.

Rosa Padilla, 5162 Live Oak Street, resident. Requesting ADA parking in front of her property to have access for her handicap son. She wants the city to help all persons with handicap and
submitted her request to staff. She mentioned that she already spoke to Mr. Hernandez who said that she couldn’t it.

Marcos Covarrubias, resident. He is aware of Ms. Padilla’s concerns for the last 12 months and is asking the city to listen to her concerns and requests the commission address her concerns as she has asked several times.

Noemi Preciado, 5149 Live Oak Street. She also supports the need to help the lady with her handicap son. She also stated that there is a lot of graffiti on the streets. She wants the city to please listen to the community. Please help.

Seeing no further interest, the public hearing was closed.

Community Development Manager presented a PowerPoint presentation providing an overview of the project and recommended approval of the project.

Commission Comment:

Commissioner Covarrubias indicated she did an unofficial pole of the residents and a lot of people are against it because of the parking spots. We have a parking problem here and think we are already overcrowded, and she is going to vote no and against the 48 units. She would support the project if there were 12 low-income units and maybe go for the approval.

Vice Chair Beltran voiced her concerns with parking problems and housing instability with a shortage of affordable housing. Instead of 6 can they do 12 affordable housing units as the renters were removed from the property.

Commissioner Cuevas indicated that the development has followed all zoning guidelines and provisions. Our city needs to progress and represents a big opportunity for the community and will bring revenue to the city. Other cities are progressing.

Vice Chair says that the housing crisis is getting worse and many people are getting 60 days to vacate the unit and represents a big problem.

Commissioner Cuevas sees this project as a big opportunity and conforms to the policies of what the city council has passed.

Commissioner Covarrubias stated that in order to change our city we need commercial and NOT residential. Let’s do low income because we are a poor community.

Commissioner Mendez indicated that the developer did follow all the city’s zoning provisions.

Vice Chair Beltran indicated that she was not going to conform to the minimum requirements. We need to do what’s best for the city.

Commissioner Mendez stated that there is more opportunity in the future.
Commissioner Cuevas stated that this is an issue with what was set up by the City Council; referencing the new General Plan and Zoning Code provisions.

Commissioner Covarrubias indicated that Vice Chair Beltran and herself did an unofficial pole of people on the street and they are not in support. They want more low income.

Vice Chair Beltran indicated that the common concern is parking and instability. She asked if the commission can negotiate 12 affordable housing units.

Commissioner Cuevas understands the overall concerns and construction concerns. He stated that this is a huge opportunity for the city and will benefit our residents. He expressed his concern with developers frowning upon the city.

Vice Chair Beltran said that there are problems consuming LA.

Commissioner Mendez acknowledges problem with rent control and stands ground that this is a good opportunity for the city.

Commissioner Cuevas acknowledged the residents concerns and indicated that the city has been stagnant and has not been business friendly in the past and we need to move our city forward by cleaning the Atlantic Avenue corridor and bring new business and development to the city.

Vice Chair Beltran asks if this a project for the current time. She indicated that parking can be dangerous, and safety and the quality of life shall be thought about. What is the best thing for our residents?

**MOTION:** Vice Chair Beltrsan moved the motion to deny item 7A, motion seconded by Commissioner Covarrubias, which carried with the following roll call vote:

- **Ayes:** Commissioners Covarrubias, Cuevas, Mendez and Beltran
- **Noes:** None
- **Abstention:** None
- **Absent:** Chairman Fuentes

City Attorney Victor Ponto asked Commissioner Covarrubias to state the reasons why she is moving to deny the project.

Commissioner Covarrubias relied by saying “because of the residents”.

Commissioners Cuevas and Mendez voted to deny the project in order to avoid any further delay and reiterated that they both are in favor of the project for reasons indicated previously.

**Motion Approved**

**8. BUSINESS SESSION**

None
9. COMMISSION BUSINESS

Commissioner Covarrubias asked for a status report of all cannabis applications to be presented at the next Planning Commission Meeting.

Commissioner Cuevas inquired about street vending/sidewalk vending

Commissioner Mendez announced that there will be a Neighborhood Watch Meeting on August 13th at 6:00pm at 4647 Clara Street.

Vice Chair Beltran announced openings for other city Commissions.

10. ADJOURNMENT

The commission meeting of the Cudahy Planning Commission was adjourned at 7:27 p.m. July 15, 2019 in the City Council Chambers, 5240 Santa Ana St., Cudahy, California, until July 19, 2019 to be held at 6:30 p.m. at City Council Chambers, 5240 Santa Ana Street, Cudahy, CA.

PASSED AND APPROVED, this 16th Day of July 2019

____________________
Martin Fuentes,
Chairperson

ATTEST:

____________________
Salvador Lopez,
Interim Community Development Manager
ATTACHMENT D

Applicant’s Appeal Letter
dated July 19, 2019
August 19, 2019

CITY OF CUDAHY, DEPARTMENT OF PLANNING
5220 SANTA ANA ST, CUDAHY CA 90201

APPEAL LETTER TO CUDAHY CITY COUNCIL

To Whom It May Concern:

This appeal letter is in reference to the Planning Commission Hearing (the "Hearing") of the City of Cudahy on June 15, 2019 at 6:30PM regarding the development of a new 48-unit Multifamily property with an Affordable component (the "Project"):

- Development Review Permit No. 41-516
- Condition Use Permit No. 38-366
- Conditional Use Permit No. 38-367
- Tentative Tract Map (Tract 349) 80-68

The Project conforms to all Zoning codes and Development Standards for the City of Cudahy and was presented to the Planning Commission with a recommendation to approve by the City of Cudahy Planning Department. The Project reserves 11% of units for Very Low Income residents, which provides for a 35% density bonus per State of California Assembly Bill 2222. This is the maximum bonus eligible per this Bill. The Bill also provides 2 building code concessions, which are being used to reduce the private open space requirement (per the Cudahy Development Standards) and allow for a longer building length (which has been approved by LA County Fire Department.) This project is 100% By Right and does not ask for any unapproved variances.

At the Hearing, the Planning Commission voted 4-0 to reject approval of the project based on the following reasons expressed verbally by the commissioners during the Hearing:
1. Parking: Commissioner Covarrubias expressed that the project did not have enough parking. This is a falsehood. The project conforms to all parking requirements for a project with an Affordable component as codified in California State Assembly Bill 2222.

2. Density: Commissioners Beltran expressed that Cudahy is "too dense" and does not need a project with this many new units. This is an invalid reason for rejection as the project meets the allowable density for the Medium Density Residential Zone (MDR) and the Density Bonus provided by California State Assembly Bill 2222.

3. Informal survey: Commission Covarrubias and Beltran expressed they did an informal survey together asking local residents and they found that the "residents did not like the project." This is an invalid reason for rejection.

4. Not Enough Affordable Units: Commissioner Covarrubias and Beltran expressed they would approve the project if 20% of units were reserved as Affordable. This is an invalid reason for rejection. California State Assembly Bill 2222 defines specific criteria for Affordability requirements. The Commissioners cannot simply override the criteria defined in this Bill and there is plenty of case law to support this position.

As the Project conforms to all City of Cudahy Zoning codes, Development Standards and is in full compliance with California State Assembly Bill 2222, we are appealing the rejection of this project to the Cudahy City Council. We have enclosed the Appeal Fee of $1,295 and would like to present at the City Council Meeting on August 6, 2019.

SINCERELY,

[Signature]

DANIEL A. MURILLO
CEO, AQP CAPITAL, LLC, AS MANAGER OF ELIZABETH OZ, LLC
ATTACHMENT E

Letter from Applicant’s Legal Counsel

dated August 5, 2019
Via U.S. Mail

August 5, 2019

Mayor Gonzalez & Honorable Councilmembers
City of Cudahy
5220 Santa Ana Street
Cudahy, California 90201

Re: 4302-4312 Elizabeth Street Apartment Building Project
Applicant: Elizabeth OZ, LLC

Dear Mayor Gonzalez and Honorable Councilmembers,

This law firm represents Elizabeth OZ, LLC ("Applicant") with respect to the property located at 4302-4312 Elizabeth Street in the City of Cudahy ("Property"), and its application and subsequent appeal to permit the construction of 48 housing units, including six restricted for very-low income households ("Project"). On July 19, 2019, the Applicant filed an appeal of the Planning Commission's denial of the Project.

The purpose of this letter is to provide further support for the Applicant's appeal and background information about two California laws that require the City grant the Applicant's appeal and approve the Project. First, California's Density Bonus Law ("DBL") significantly limits the City's ordinary land use discretion to facilitate the production of affordable housing. (Gov. Code § 65915.) Second, California's Housing Accountability Act ("HAA") curbs the City's ability to deny housing development projects that spur the approval and construction of new housing. (Gov. Code § 65589.5.)

By no means do we want this matter to lead to an adversarial process. Our sole intention with this letter is to provide further background information and respectfully request that the City Council grant the appeal. We believe there is an overwhelming amount of both statutory and case law that supports our position that the Project was inappropriately rejected by the Planning Commission and should be approved on appeal. We appreciate your assistance with helping make this Project a reality.
I. PROJECT BACKGROUND

On December 3, 2018, the Applicant submitted an application to the City of Cudahy Planning Department to permit the construction of 48 apartment units, including 6 units set aside for Very Low Income households. The application included requests for Development Review Permit No. 41-516, Conditional Use Permit Nos. 38-366 and 38-367, and Tentative Tract Map (Tract 349) 80-68.

At its June 27, 2019 regular meeting, the Planning Commission held a public hearing on the Project. The Planning Commission continued the matter to provide additional time to consider the Project.

At its July 15, 2019 regular meeting, the Planning Commission again held a public hearing on the Project. Despite a staff recommendation of approval, the Planning Commission voted 4-0 to deny the Project. The Planning Commission expressed several concerns regarding parking, density, community feedback, and the number of affordable units. None of these concerns were supported by evidence in the record, nor even if accurate, form a proper basis for rejection of the Project.

II. PURPOSE OF THE DENSITY BONUS LAW

The purpose of the DBL is to encourage cities to offer bonuses and incentives to applicants that will "contribute significantly to the economic feasibility of lower income housing in proposed housing developments." (Gov. Code § 65917.) The "Density Bonus Law rewards a developer who agrees to build a certain percentage of low-income housing with the opportunity to build more residences than would otherwise be permitted by the applicable local regulations." (Wollmer v. City of Berkeley (2011) 193 Cal. App. 4th 1329, 1339-1340.) The DBL is one of several statutes that implement "an important state policy to promote the construction of low-income housing and to remove impediments to the same." (Bldg. Indus. Ass’n v. City of Oceanside (1994) 27 Cal. App. 4th 744, 770.)

Throughout the DBL's development, the California Legislature explained that affordable housing was critical to California and that cities should not erect obstacles to the development of affordable housing in mixed income housing projects. For example, when the Legislature enacted the DBL in 1979, it declared that a housing shortage crisis must be addressed and that the State should rely on local governments to provide the necessary increased housing stock "provided, that such local discretion and powers not be exercised in a manner to frustrate the purposes of this act." (Notes to Stats. 1979, ch. 1207, at 4738, sec. 3 [Cal. 1979].)

This legislative directive has been accepted by the courts, which have held that the DBL should be fully implemented to create more affordable units. Therefore, the California Legislature
and the courts recognize that more affordable housing is badly needed in California, and cities should not impose roadblocks to thwart development that includes affordable housing unless they can make one of the statutory findings.

In 2016, Assembly Bill (AB) 2501 was enacted to "provide for the expeditious processing of a density bonus application" (Gov. Code § 65915(a)(3)) and to ensure that the DBL is "interpreted liberally in favor of producing the maximum number of total housing units." (Gov. Code § 65915(r).) Coupling the DBL with Government Code section 65858(c)'s purpose of avoiding "undue restrictions on the development of multifamily housing" demonstrates a clear legislative intent to preempt undue procedural restrictions on affordable housing projects.

The legislative trend toward removing local restrictions on affordable housing is manifested by a number of pro-housing bills signed by the Governor in September 2017, wherein the Governor declared: "These new laws will help cut red tape and encourage more and affordable housing." Senate Bill (SB) 167 added provision that seeking a density bonus "shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision." (Gov. Code § 65589.5(j)(3).) The Legislative Analysis regarding this amendment notes that to "help address California's affordable housing shortage, the Legislature enacted [the] density bonus law to encourage the development of more affordable units." The authors of SB 167 thus recognized the importance of the DBL to alleviating our housing shortage, and that the receipt of a density bonus must not impair the ability of a housing project to also employ the protections of the Housing Accountability Act, as discussed below.

The City's implementing ordinance affirms the same principles:

"The City seeks to enhance the public welfare and promote the goals and objectives of the General Plan by establishing incentives for the production of affordable housing, and establishing standards and findings for approval that accord with State law."

(Ordinance No. 648, Recitals.) Therefore, the express purpose of the DBL, as stated by the California Legislature and supported by the courts, is to facilitate the production of affordable housing, even if it limits a city's ordinary land use discretion. This push to reduce local procedural obstacles has been accelerated at the State level through recent legislation, and the overall goal is acknowledged in the Cudahy Municipal Code ("CMC").
III. THE DBL LIMITS LOCAL LAND USE AUTHORITY

A. Local Police Powers Must Not Conflict With State Laws

A city's authority to enact and enforce land use laws is the police power under the California Constitution: "A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." (Cal. Const. art. XI, § 7.) "Under the police power granted by the Constitution, counties and cities have plenary authority to govern, subject only to the limitation that they exercise this power within their territorial limits and subordinate to state law." (Neighbors in Support of Appropriate Land Use v. County of Tuolumne (2004) 157 Cal. App. 4th 997, 1005-1006.)

This constitutional authority given to cities to adopt local ordinances is derived from the "inherent reserved power of the state to subject individual rights to reasonable regulation for the general welfare." (Cotta v. City & County of San Francisco (2007) 157 Cal. App. 4th 1550, 1557.) A city's police power "is as broad as that of the state Legislature itself." (Richeson v. Helal (2007) 158 Cal. App. 4th 268, 277.) For example, local regulations based on aesthetics are permissible so long as they are reasonably related to the general welfare. (Novi v. City of Pacifica (1985) 169 Cal. App. 3d 678, 682.)

Even though the police power is broad, it must not "conflict with the general laws." (Cal. Const. art. XI, § 7.) "If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void." (Candid Enterprises, Inc. v. Grossmont Union High School Dist. (1985) 39 Cal. 3d 878, 885.) A local regulation conflicts with state law if it "duplicates, contradicts or enters an area fully occupied by general law, either expressly or by legislative implication." (Viacom Outdoor, Inc. v. City of Arcata (2006) 140 Cal. App. 4th 230, 236.) As explained below, this preemption doctrine applies to the DBL, which is a state law.

B. A City's Exercise of its Police Powers Must Not Conflict With The DBL

The DBL is part of the state Planning and Zoning Law (Gov. Code §§ 65000 et seq.). "A city may not adopt ordinances and regulations which conflict with the State Planning and Zoning Law." (Bldg. Indus. Ass'n v. City of Oceanside (1994) 27 Cal. App. 4th 744, 762.)

Under the DBL, a local agency cannot deny a request for an incentive or a development standard waiver for a project providing on-site affordable units pursuant to the DBL unless certain statutorily specified findings are expressly made, which findings must be supported by evidence in the administrative record. (Gov. Code §§ 65915, subd. (d)(1) [incentives], subd. (e)(1) [waivers].) The relevant text regarding denial of an incentive requires that the requested incentive:
"...would have a specific, adverse impact as defined [by the Housing Accountability Act] upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households."

(Gov. Code § 65915(d)(1)(B).)

The required findings for denial of development standard waiver requests are similar to those for incentive requests:

"...Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards if the waiver or reduction would have a specific, adverse impact, as defined [by the Housing Accountability Act] upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Nothing in this subdivision shall be interpreted to require a local government to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources, or to grant any waiver or reduction that would be contrary to state or federal law."

(Gov. Code § 65915(e)(1).) If a waiver request is made and refused, and if the developer seeks judicial relief, the court must award the developer attorneys' fees and costs of suit if it determines that such refusal was unwarranted. (Gov. Code § 65915(e)(1).)

IV. APPLICATION OF STATE DBL AND LOCAL LAW TO THE PROJECT

A. Unit Count and Density Bonus

The maximum allowable residential density ("Base Density") for the Project site is 35 units. The Applicant is proposing to construct 48 units, including six units restricted to very-low income households. Taken together, the six very-low income household units constitute 11% of the Base Density, and therefore the Project is eligible for a density bonus of 35% pursuant to Government Code section 65915(f)(1). The Applicant proposes 13 additional "bonus" units and a sum total of 48 units in the Project.
B. Incentives & Waivers

As outlined above, the DBL authorizes concessions relating to site development standards, zoning code requirements, or architectural design requirements. (Gov. Code §§ 65915(d), (e) and (k).) Local law similarly recognizes incentives and waivers, noting that they shall be granted to a project applicant upon request unless certain findings can be made. (CMC §§ 20.110.030(1).)

By providing 11% of its base units for affordable housing, the Applicant is eligible for two incentives and/or waivers in connection with the Project. (Gov. Code § 65915(d)(2)(B).)

The Applicant requests to apply one of its waivers to approve a reduction in the private open space requirement, providing a total of no less than 120 square feet of private open space per residential unit. In its Planning Commission staff report, City staff stated its support for this concession to provide ample space for private enjoyment. By doing so, the Applicant would realize significant cost reductions to provide for affordable housing costs.

The Applicant requests to apply its other waiver to approve a building length of 143 feet, which is 18 feet more than the maximum requirement of 125 feet. In its Planning Commission staff report, City staff stated that the Los Angeles County Fire Department’s Land Development Division reviewed the proposed plan for access requirements and has approved the proposed access (28-foot wide driveway) and has not objected to the building lengths as there would be no interference with emergency access and on-site maneuverability. By doing so, the Applicant would realize significant cost reductions to provide for affordable housing costs.

Both waivers requested by the Applicant fit squarely into the definitions and categories identified in State and local law, and the Applicant is not aware of any specific, adverse impacts upon public health and safety, the physical environment, or any real property that is listed in the California Register of Historical Resources, nor of any reason why these waivers would be contrary to State or federal law.

V. PURPOSE OF THE HOUSING ACCOUNTABILITY ACT

The California Legislature adopted the HAA in 1982, and it has been amended several times, including annual revisions since 2015. In its current form, there is an express finding and declaration by the Legislature of several facts:

- The lack of housing, including emergency shelters, is a critical problem that threatens the economic, environmental, and social quality of life in California. (Gov. Code § 65589.5(a)(1)(A).)

- The excessive cost of the State's housing supply is partially caused by activities and policies of many local governments that limit the approval of housing, increase the
cost of land for housing, and require that high fees and exactions be paid by producers of housing.” (Gov. Code § 65589.5(a)(1)(B).)

• Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions that result in disapproval of housing development projects, reduction in density of housing projects, and excessive standards for housing development projects. (Gov. Code § 65589.5(a)(1)(D).)

In addition to these findings, the 2017 amendments recognized the goal and drew a conclusion, finding that the California Legislature's intent in 1982 was to "significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for, or render infeasible housing development projects and emergency shelters. That intent has not been fulfilled." (Gov. Code § 65589.5(a)(2)(K).) To address that failure, the recent amendments have added specific requirements for local jurisdictions. Overall, the HAA makes clear that it should be interpreted to "to afford the fullest possible weight to the interest of, and the approval and provision of, housing.” (Gov. Code § 65589.5(a)(2)(L).)

VI. HAA APPLICATION TO THE PROJECT

While placing an emphasis on the production of subsidized affordable housing, the reach of the HAA is broad. Subsection (h)(2) defines "housing development project" to include a project that includes residential units. As you know, the Project clearly qualifies under this definition. Moreover, the Project also meets the definition of "housing for very low, low-, or moderate-income households" in subsection (h)(3). Therefore, the Project is a housing development project with housing for very low income households, and the HAA applies.

VII. HAA IMPACTS ON PROJECT REVIEW

In several ways, the HAA provides structure to a city's review processes. This is consistent with the familiar refrain from developers that certainty of process is invaluable to the creation of new housing developments. The HAA sets requirements for local jurisdictions both in terms of timing and standards of review that must be applied in the entitlement process.

A. Timing of Project Consistency Determinations

In 2018, the HAA was amended to provide deadlines and more certainty in the entitlement process. Now, if a city considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in
conformity within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 units or less. (Gov. Code § 65589.5(j)(2)(A).) If the local agency fails to provide this required documentation, the housing development project shall be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision. (Gov. Code § 65589.5(j)(2)(B).) Pursuant to these sections, the Project was deemed consistent, compliant, and in conformity on June 7, 2019.

B. Standards of Review

The HAA also protects housing developments that comply with local planning, zoning, and subdivision regulations. As noted above, the Project was deemed compliant with all applicable regulations on June 7, 2019. As a result, in order to disapprove or reduce the density of the Project, the City must find, with a preponderance of the evidence, that:

• The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete; and

• There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(Gov. Code § 65589.5(j)(1), emphasis added.) The 2018 amendments to the HAA elevated the standard for local jurisdictions from "substantial evidence" to a "preponderance of the evidence" when making findings as to the disapproval of a housing development project. (Gov. Code § 65589.5(j).) Please note that in his July 15, 2019 report to the Planning Commission, Interim Community Development Manager Salvador Lopez recommended approval of the Project.

As further clarification, Assembly Bill 3194, which went into effect on January 1, 2019, provides that the "specific, adverse impact" basis to disapprove an HAA project shall "arise infrequently." (§ 65589.5(a)(3).) We do not see a basis for the City to make the required findings to disapprove the Project while abiding by the requirements of subdivision (j).

In addition to subdivision (j), subdivision (d) further restricts a local agency's ability to deny a housing development including units for very-low income households: "a local agency shall not disapprove... or condition approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate income households," unless it
makes certain written findings based on a preponderance of the evidence. The remaining potential findings are also not applicable to the Project.

VIII. HAA IMPACTS ON ENTITLEMENT LITIGATION

The HAA includes several provisions regarding the litigation process. The City is now subject to a high "preponderance of the evidence" standard when defending a disapproval of a qualified housing project, or imposition "of conditions, design changes, [or] lower density" that would have a "substantial adverse effect on the viability or affordability" of a housing development for lower income households. (Gov. Code § 65589.5(i).)

In addition, the HAA expands the scope of persons or entities that have standing to bring such a lawsuit. Litigation may be filed by developer, an eligible resident, and/or a housing organization. (Gov. Code § 65589.5(k)(1)(A).) If the court rules in favor of the petitioner, it must issue an order or judgment compelling compliance with the HAA, which may include a requirement that a city approve the development project if the court determines that a city acted in bad faith.

If a city fails to timely comply with the court's order, the court may impose fines starting with a minimum of $10,000 per housing unit identified in the development application. (Gov. Code § 65589.5(k)(1)(B).) In addition, even if the court does not determine that a city acted in bad faith, it may order the agency to approved the housing development if a city fails to comply with the court's order within the 60 day period. (Gov. Code § 65589.5(k)(1)(C).) Finally, if the court determines that a city acted in bad faith or failed to comply with the 60 day period, it may multiply the $10,000 per unit fine by a factor of five. (Gov. Code § 65589.5(l).) These modifications represent serious consequences for cities that fail to follow the law and find themselves in the midst of litigation over their housing approval processes.

Finally, the HAA includes express provisions permitting successful project proponent litigants to recover their attorneys' fees. (Gov. Code §§ 65589.5(k)(1)(A.).)
IX. CONCLUSION

The Project represents a tremendous example of mixed-income development that falls squarely under Density Bonus Law and the Housing Accountability Act. The Project also benefits from the recent wave of legislation adding additional procedures and protections in favor of housing. We respectfully request that you grant the Applicant's appeal and approve the Project. If you or anyone else at the City wish to discuss the application of the DBL or HAA to the Project, please do not hesitate to contact me.

Best,

Spencer B. Kallick

Spencer B. Kallick

SBK

CC: Jose Pulido, City Manager
    Salvador Lopez, Interim Community Development Manager
    Richard Iglesias, Deputy City Clerk
    Victor Ponto, City Attorney
RESOLUTION NO. 19-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUDAHY OVERTURING THE PLANNING COMMISSION’S DECISION OF DENIAL AND APPROVING DEVELOPMENT REVIEW PERMIT NO. 41-516, CONDITIONAL USE PERMIT NO’S 38-366 & 38-367, AND TENTATIVE TRACT MAP 80-68 (TTM 449) TO ALLOW THE CONSTRUCTION OF A 48-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 4302-4312 ELIZABETH STREET. APPLICANT: ELIZABETH OZ, LLC.

WHEREAS: The Planning Commission at their July 15, 2019 Meeting denied the development project expressing concerns regarding parking, density, community feedback and the number of affordable units; and

WHEREAS: On July 19, 2019, staff received a letter from the applicant appealing the Planning Commission’s denial of the project to the City Council. The letter memorialized the Commission’s invalid reasons for their rejection/denial and reiterated the project’s conformity with the development standards and provisions of the City’s Zoning Code; and

WHEREAS: The applicant, Elizabeth OZ, LLC, requests approval of a Development Review Permit to allow the design, site layout, and the construction of a 48-unit multifamily residential development, Conditional Use Permit to allow a 35 percent density bonus of the number of “base” units allowed in the underlying zone, and incorporating affordable housing units, Conditional Use Permit to allow tandem parking spaces, and a Tentative Tract Map to combine 2 lots into one to accommodate the construction of a 48-unit multifamily residential development; and

WHEREAS: The subject property is located at 4302-4312 Elizabeth Street in an area that is designated by the Cudahy General Plan and by the Cudahy Zoning Map as Medium Density Residential; and

WHEREAS: The subject property is 60,740 square feet (1.4 acres) in area, and the MDR zone sets forth the maximum residential density of 1,742 square feet per acre. The base density of the parcel is 35 units, calculated by dividing the parcel area by the zone-assigned density and rounding down to the next whole number (60,740/1742 = 34.8). The requested density bonus is thirteen units, 35% of the base density. The Cudahy Municipal Code § 20.110.070 et seq. requires projects requesting a density bonus at 35% of the base density to set aside the minimum number of units required by California density bonus law (Cal. Gov. Code § 65915 et seq), and authorizes the Planning Commission to require additional affordable units; and

WHEREAS: The minimum number of affordable units to be set aside for a 35% density bonus is as follows:

<table>
<thead>
<tr>
<th>Income</th>
<th>Set-Aside Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Low-Income</td>
<td>6 set-aside units (11% of 48, rounded up from 5.28)</td>
</tr>
<tr>
<td>Low Income</td>
<td>10 set-aside units (20% of 48, rounded up from 9.6)</td>
</tr>
<tr>
<td>Moderate Income</td>
<td>20 set-aside units (40% of 48, rounded up from 19.2)</td>
</tr>
</tbody>
</table>

WHEREAS: The applicant proposes to set aside six units for very low-income residents; and
WHEREAS: This matter was duly posted and set for public hearing for August 20, 2019 at 6:30pm consistent with the City of Cudahy's Zoning Ordinance procedures for a 35 percent Density Bonus, Tentative Tract Maps, Development Review Permits, and Conditional Use Permits.

NOW THEREFORE, the City Council of the City of Cudahy hereby resolves:

SECTION 1. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq (“CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq), and the City’s Local CEQA Guidelines. In accordance with the provisions of the California Environmental Quality Act (CEQA), an environmental analysis has been completed for this case. As a result of that analysis, it has been determined that this case will not have a significant impact upon the environment and is Exempt, pursuant to Article 12.5, Section 15195, Residential Infill Exemption, of the CEQA Guidelines and therefore, no further environmental documentation will be required.

SECTION 2. After considering the proposal on the basis for approval or denial of Development Review Permit 41.516 stated in Chapter 20 of the Cudahy Municipal Code, the City Council finds as follows:

DEVELOPMENT REVIEW PERMIT 41.516

A. The project is compatible with the City of Cudahy’s General Plan because it proposes a multiple-family residential project in the Medium Density Residential General Plan designation and the Medium Density Residential zone, at a density allowable under the California and Cudahy density-bonus law. The MDR designation and zone set forth a residential density of up to 25 dwelling units/acre. The Medium Density Residential Zone designation sets forth a residential density of up to 25 units/acre; the MDR zone sets project density to 25 units per acre, but permits greater densities where projects include minimum percentages of affordable housing units and meet conditions of a use permit where greater densities are proposed. The project entitlements include a conditional use permit for a density bonus, and the applicant proposes six very low-income units.

B. The height, bulk, and other design features of the Project’s structures are in proportion to the building site, and external features are balanced and unified so as to present a harmonious appearance. The proposed development’s structure is 30 feet in height, similar to other two-story structures within the immediate neighborhood. There is sufficient area in the 50-foot front setback for ample and dense landscaping, presenting a harmonious appearance with nearby residences that also face the street. Accordingly, the project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines and provides a unified and uniform appearance.

C. The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and does not contribute to excessive variety among neighboring uses. The existing surrounding properties include single story and two-story single-family and multi-family residences. The proposed development includes 48 multifamily residential units, consistent with the height, bulk, and other design features found in the surrounding area. The proposed
surface articulations, including trimmed windows, pop-out terraces etc., avoid monotonous repetition.

D. The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development. The proposed site layout presents a balanced, axial plan that relates to similar structures along Elizabeth Street. The development’s orientation beyond the deep setback and the common driveway helps to screen the building’s mass from the public right of way and adjacent properties. There are areas available for guest parking, landscaping, including the front setback, the rear setback, the private open space and common areas. The common driveway permits good visibility along the length of the project interior and will have security lighting for safety.

E. The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features. The proposed development requires minor grading and removal of some existing shrubs. Half of the lot is currently dirt and does not contain any trees. However, the rest of the site is urbanized, flat and there is little evidence of “natural” terrain. There are no “natural” features on the site. Moreover, the project would add new landscaping, including trees and shrubs, which would partially replace those that would be removed.

F. The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site. The project will not have illuminated signage, with the exception for possible illuminated identifying address signs on the front elevation. That sign must meet CMC standards for property identification signs and the conditions of approval for the project, and thus would be in harmony with the general development of the site.

G. Mechanical equipment, machinery, trash, and other exterior service areas are screened or treated in a manner that is in harmony with the design of the structures and grounds. There are no proposed exterior mechanical equipment, machinery, or service areas except for the trash enclosures which are located behind decorative view obscuring doors to prevent stormwater runoff and to provide further screening and meets zoning code requirements for multi-family developments. Other mechanical equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view.

H. The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character or value of such property. The proposed project would re-develop a site that lies between occupied single and multiple-family residences. By introducing new, up-to-date residences with new landscaping, the project would improve the character of the adjacent properties and maintain or improve property value. The design is consistent with the City’s General Plan and zoning designation, meets all development standards within the provisions of the Development Review Permit for the project, is compatible with the surrounding residential use, and will not adversely affect the value or quality of the neighborhood.
SECTION 3. After considering the proposal on the basis for approval or denial of Conditional Use Permit 38.366 stated in Section 20 of the Cudahy Municipal Code and, the City Council finds as follows:

CONDITIONAL USE PERMIT 38.366, INCLUDING RESIDENTIAL DENSITY BONUS OF 35%

A. The project's proposed increased density, governed by the terms of the Conditional Use Permit, would provide at least six affordable units. This is consistent with the General Plan Land Use Element Policy 2.8, which allows for “different densities of development” when a project would supply housing for various income levels. The project is requesting a density bonus as permitted by State and local law and must set aside at least six units as affordable. This is consistent with the General Plan Housing Element Policy 2.1 regarding supporting housing availability for all economic segments. The project would supply new residential units that exceed the minimum habitable floor area. At least six units would be characterized as “affordable” to residents with very low incomes, consistent with General Plan Housing Element Policy 2.5. Finally, the project would construct new housing on a parcel in an existing multiple-family neighborhood. It will rehabilitate the property, consistent with General Plan Housing Element Policy 3.5.

B. The project sets aside no less than the percentage and type of units required to earn a density bonus of 35 percent under the state density bonus law. The applicant is required to set aside six units as affordable, pursuant to California Government Code § 65915 and to Cudahy Municipal Code § 20.52.300 et seq. The present proposal includes 6 units for very-low income levels, consistent with the minimum number of required units for a 35% density bonus.

C. The applicant has adequately demonstrated that the project will not generate unmitigated significant noise, traffic, parking, or other impacts detrimental to surrounding properties or the general welfare. The environmental-impact issues cited above are addressed in the EIR that was adopted as part of the General Plan 2040, which show that the project does not present significant environmental impacts that cannot be mitigated by either existing regulations or specific mitigation measures that have been incorporated into the project’s Conditions of Approval. Additionally, the project will be subject to measures required by the Los Angeles Unified School District designed to help reduce or eliminate such impacts and are included in the project’s conditions of approval.

SECTION 4. After considering the proposal on the basis for approval or denial of Conditional Use Permit 38.367 stated in Section 20 of the Cudahy Municipal Code and, the City Council finds as follows:

CONDITIONAL USE PERMIT 38.367, TANDEM PARKING SPACES

A. The use shall be consistent with the General Plan and consistent with the integrity and character of the zone in which it is to be located. The incorporation of tandem parking spaces is consistent with the General Plan and the integrity and character of the MDR zone as the tandem design will be located within the enclosed parking areas and not visible from the public right-of-way, thus providing the site with advanced aesthetics while contributing to the character of the neighborhood.

B. The site for a proposed conditional use should be adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping and other
development features prescribed in this zoning code, or required by the Planning Commission, City Council or other authorized agent in order to integrate the conditional use with the land and uses in the neighborhood. The design and location of the tandem parking areas are adequate in size and shape as the spaces are designed to meet the minimum width and length of a tandem stall as prescribed by the provisions of the zoning code and provide for the minimum 24-foot back up and safe and efficient maneuverability.

C. The nature, condition, and development of adjacent uses, buildings and structures will not be adversely affected by the proposed conditional use. The inclusion of tandem parking spaces in the design of the development will not adversely affect the adjacent uses, buildings, or structures as the tandem stalls will be provided on-site within the enclosed parking structures and will not be visible from the public right-of-way or adjacent properties.

D. The site for a proposed conditional use should relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate. The proposed development is an infill residential development consistent with applicable zoning and density bonus provisions and the inclusion of tandem parking spaces accessed by Elizabeth Street, which is considered a collector street, is adequate in width and pavement to carry the capacity of traffic generated by the residential development.

E. Adequate provisions for water, sewer and public utilities and services are available to ensure that the use will not be detrimental to the public health and safety. The use will not be detrimental to the public health and safety as the proposed development has been designed to adequately meet the provisions for water, sewer and public utilities and services.

F. The use will not be detrimental to the public interest, health, safety, convenience or welfare. The use of tandem parking spaces will not be detrimental to the public interest, health, safety, convenience or welfare of the community.

SECTION 5. After considering the proposal on the basis for approval or denial of the Tentative Tract Map stated in Section 19 of the Cudahy Municipal Code and Government Code Section 66410, the City Council finds as follows:

TENTATIVE TRACT MAP 80.66 (TTM 74361)

A. The project is compatible with the City of Cudahy General Plan, any applicable specific plan, and any plan of another governmental agency made applicable by statute or ordinance because it proposes a multiple-family residential condominium project in the High Density Residential/Garden Overlay General Plan designation and the High Density Residential-G zone, at a density allowable under California and Cudahy density-bonus law. The HDR-Garden Overlay designation sets forth a residential density of up to 16 units/acre; the HDR-G zone sets project density to 14 units per acre, but permits greater densities where projects include minimum percentages of affordable housing units and meet conditions of a use permit where greater densities are proposed. The project entitlements include a conditional use permit for a density bonus, and the applicant proposes four low-income units.

B. The site is physically suitable for the type and density/intensity of development being proposed by the Tentative Map. The site is level and rectangular in shape. The project site plan shows direct access to the public right-of-way, adequate spacing between buildings,
adequate setbacks and sufficient access for residents and emergency responders. The project’s soils report indicates that the site is suitable for building construction.

C. The subdivision will not be detrimental to the public health, safety, or welfare of the surrounding community or injurious to the property or improvements on the vicinity in which the property is located. The City of Cudahy General Plan and the site’s zone supports this type of residential development. The project site is surrounded by residential development of similar intensity as the proposed project. Any potentially significant impacts have been mitigated to less than significant levels because the applicant has agreed to relevant mitigation measures contained in the Initial Study/Mitigated Negative Declaration prepared for the project.

D. There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety. The planning staff and Los Angeles County Fire Department reviewed the site plan. With application of conditions of approval, the proposed site plan complies with the City’s Zoning Code and Fire Department requirements related to vehicle access, fire protection, sanitation, water, and public utilities and services.

E. The subdivision, together with the provisions for its design and improvement, will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. Planning staff did not identify any public easements on the site and applicant verified that there are no public easements in place on the subject parcel. Any required public easements are conditions of approval of the project, and shall be recorded prior to the final map recordation.

F. There will be no potential significant adverse effects upon environmental quality and natural resources. The Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the project shows that although the proposed project could have a significant effect on the environment with respect to cultural and tribal resources, greenhouse gas emissions, seismic-related liquefaction, and short-term construction noise, significant effects will be reduced to less than significant levels because the project applicant has agreed to implement the required mitigation measures contained within the IS/MND and the accompanying Mitigation Monitoring Program.

SECTION 5. Based upon the findings contained in this Resolution and on all other written and oral evidence in the record, the City Council hereby approves Development Review Permit No. 41-516, Conditional Use Permit No.38-366, Conditional Use Permit No. 38-367, and Tentative Tract Map 80.68 (TTM 449), subject to the conditions of approval set forth below:

1. The applicant, its successors in interest, and assignees, shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, and disbursements (collectively, “Claims”) arising out of or in any way relating to this project, any discretionary approval granted by the City related to the development of the project, or the environmental review conducted under the California Environmental Quality Act, Public Resources Code section 21000 et seq., (“CEQA”) for the project. If the City Attorney is required to enforce any
conditions of approval, the applicant shall pay for all costs of enforcement, including attorney's fees.

2. The Applicant shall execute and record with the County Recorder a density bonus housing agreement with the City to ensure the continued affordability of all set-aside affordable units, to the satisfaction of the City Manager and City Attorney. For all set-aside units, the agreement shall specify the household income classification, number, location, size, and construction scheduling and shall require set-aside units in a project and phases of a project to be constructed concurrently with the construction of non-set-aside units. The agreement shall run with the land, bind the owner, successors and assigns, and shall include such other provisions as necessary to establish compliance with the requirements of Chapter 20.52.360 of the City's Zoning Code.

3. Subcontractors hired to improve the physical structures of the building shall obtain a contractor's business license from the City Business License Department and submit proof of workers' compensation insurance to the City Building Department, before the issuance of any permits.

4. All conditions shall be binding upon the applicants, their successors and assigns, shall run with the land, shall limit and control the issuance and validity of certificate of occupancy, and shall restrict and limit the construction, location, and use and maintenance of all land and structures within the development.

5. The site shall be kept in a neat manner at all times and any landscaping shall be continuously maintained in a healthy and thriving condition.

6. Any changes in building textures, materials, and colors on the exterior walls are subject to planning approval. A developer is required to submit samples of all exterior materials for approval prior to the issuance of building permits.

7. Construction shall conform to the site plan on file with the Community Development Department and as approved by the Planning Commission.

8. The Developer shall pay into a fund for parkland fees, to be determined at the time of submitting plans into Building and Safety Plan Check, pursuant to the Quimby Act. (Government Code Section §66477).

9. The Developer shall verify in writing that there is sufficient water service for the additional dwelling units proposed. Also, the developer agrees to install any equipment, lines or other necessary improvement to ensure that there will be sufficient water service for the proposed additions.

10. A complete set of plans including the sewer, drainage, grading, and erosion control plans, which accurately depict the location of the proposed structures, driveways, and all other elements of the development, shall be submitted as part of the plan check submittal.

11. All conditions of the State Map Act and the City's Subdivision Ordinance must be met prior to recordation.

12. The applicant shall comply with all conditions set forth by the Los Angeles County Fire Department for this application in its letter of correspondence and on file with the City Planning Department.
13. Anti-graffiti substances shall be used on both sides of the perimeter walls of the subject property.

14. Applicant shall remove graffiti within 24 hours of application. In the event graffiti is not removed within 24 hours, the applicant grants access and indemnifies the City to enter the property to abate graffiti according to CMC Sections 15.20.150 and 15.20.

15. No motor vehicles (commercial or otherwise) shall be parked on the property except in marked parking spaces.

16. Utility equipment including and not limited to electricity, cable, or telephone equipment must be placed underground. Each unit shall have separate sewer and water lines.

17. Pursuant to the National Pollutant Discharge Elimination System (NPDES) Permit requirements, and City of Cudahy Municipal Code Section 11-2: Storm Water and Urban Runoff Pollution Control all construction projects of less than 1 acre are required to meet a minimum of water quality protection (i.e., Owner’s Certification of Compliance with Minimum Requirements Form and/or Wet Weather Control Plan).

18. As part of the plan check submittal, written verification from the local water authority that there is sufficient water service for the additional dwelling units, as well as fire suppression being provided without interruption to residences.

19. A Lighting Plan shall be submitted with construction drawings to Building & Safety for plan check.

20. Landscaping and irrigation plans, which provide for adequate landscaping shall be submitted to the Community Development Department for approval as part of plan check submittal. All types of plants selected, and required watering systems for such landscaping, shall, to the extent possible, conserve water and shall be consistent with any water conservation ordinance enacted by the City.

21. All roof-mounted equipment shall be adequately and decoratively screened and shall not be visible from the street.

22. The locations of air-conditioning condensers shall be shown on the site plan and shall not be visible from the street.

23. A raised curb shall be provided along the borders of the area proposed for parking spaces and open space areas.

24. All vents shall be painted to match the color of the house stucco or wood trim.

25. All building materials and plants selected shall be comparable to the proposed development.

26. The developer shall obtain necessary permits to repair or improve any curb, gutter or sidewalk damaged due to the construction process.
27. The electrical transformer shall be adequately and decoratively screened from view. Dense landscaping, shall be used as screening materials. The applicant shall provide the details with the set of building plans to illustrate this requirement.

28. The applicant shall include all general notes on the plans submitted for plan check as required. The floor plans and elevation drawings shall reflect the same information. The developer is required to check said plans for accuracy and make sure plans are drawn to scale and corrections are made as necessary prior to the issuance of permits.

29. The developer shall not deviate from any of the approved plans without prior approval from the Director of Community Development or the Planning Commission.

30. The developer shall submit a complete listing of all subcontractors used for the project. Each subcontractor shall obtain a contractor’s business license from the City's Business License Department and submit proof of workers’ compensation insurance to the City of Cudahy Building Department, before the issuance of any permits.

31. Contractors hired for the project must guarantee that safe and convenient school pedestrian routes are maintained. This would pertain to the arrival and dismissal times of each schools day. Traffic controls (signs) shall be installed as needed to ensure safe routes to school. Construction vehicle trips scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars.

32. The applicant shall comply with all conditions set forth by the Los Angeles Unified School District for this application in its letter of correspondence, dated June 14, 2019, and on file with the City Planning Department.

33. Increased noise levels will be mitigated by the limitation of construction activities to not earlier than 7:00 A.M. and not later than 6:00 P.M. To reduce temporary construction noise contractors hired for the project shall implement BMPs such as providing advance notification of construction to surrounding land uses, ensuring that equipment is properly muffled, placement of noise sources away from residences, implementing noise attenuation measures, and generally conduct construction in compliance with City of Cudahy Municipal Code Article 23: Environmental Performance Standards.

34. An Affidavit shall be recorded with the Los Angeles County Recorder’s Office stating that the lot shall be maintained as a single contiguous lot and certified copy shall be filed with the City Clerk of the City of Cudahy.

35. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use of said property as set forth by this approval, together with all conditions, which are a part of, said approval.

36. Issuance of Building Permits shall be conditioned upon submission of Covenants, Conditions and Restrictions (CC&Rs) for review and approval by the City Attorney to ensure that: (i) A homeowners association with legal power to maintain the common areas is established, and (ii) the City is made part of the CC&Rs for the purpose of performing common area maintenance if the homeowners association fails to do so and to recoup the City’s cost of doing so via an assessment imposed on the unit owners, and (iii) copies of the signed CC&Rs shall be recorded in the Los Angeles County Recorder’s Office, and a copy given to the City of Cudahy and to each homeowner of the development. A fee must
be paid for city attorney review, which shall be equal to 110 percent of costs reasonably borne for document review.

37. All City Fees, i.e., plan check, building permit fees, school fees, Quimby fees, CC&R review, etc., shall be paid by the applicant prior to the submittal of the plans to the Building and Safety Department”.

38. The applicant shall implement all mitigation measures in the EIR prepared for the project and outlined in the Mitigation Monitoring and Reporting Program on file in the Community Development Department, which include impacts to cultural resources, geology, greenhouse gas, hazardous materials/waste, land use, population, noise and tribal resources.

39. The applicant shall adhere to all requested mitigation measures provided by the Los Angeles Unified School District pursuant to their letter dated June 14, 2019.

40. The applicant shall sign and notarize an Affidavit of Acceptance of Conditions, which acknowledges all of the conditions imposed herein and the applicant's acceptance of this Permit subject to those conditions.

41. The rights granted under DRP No. 41-516, CUP No. 38-366, CUP No. 38-367 and TTM No. 80.68 (TTM 449) may be modified or revoked by the Planning Commission should it be determined that the proposed uses or conditions under which the project is being operated or maintained is detrimental to the public health, welfare or materially harmful to property or improvements in the vicinity, if the property is operated or maintained to constitute a public nuisance or is a contributor to blight, or if the uses on the property are changed from the uses expressly approved herein.

42. The rights granted under DRP No. 41-516, CUP No. 38-366, CUP No. 38-367, and TTM No. 80.68 shall expire within one (1) year of the date of approval by the Planning Commission unless proper building permits have been obtained or the applicant(s) applies for and is granted an extension of time. No extension of time will be considered unless the application for an extension is filed at least 30 days prior to the expiration. An extension will not be granted if conditions have changed in that the requisite findings for approval can no longer be made.

43. Prior to any occupancy permit being granted, or commencement of the approved use, these conditions shall be completed to the satisfaction of the City.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Cudahy at its regular meeting on this 20th day of August 2019.

Jose R. Gonzalez
Mayor
ATTEST:

___________________________
Richard Iglesias
Assistant City Clerk

CERTIFICATION

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

I, Richard Iglesias, Assistant City Clerk of the City of Cudahy, do hereby certify that the above and foregoing Resolution No.19-27, signed by the Mayor and attested by the Assistant City Clerk at a meeting of said City Council of the City of Cudahy held on this 20th day of August 2019, and that said Resolution was adopted by the following votes to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  

_____________________________  
Richard Iglesias  
Assistant City Clerk
STAFF REPORT

Date: August 20, 2019
To: Honorable Mayor/Chair and City Council/Agency Members
From: Jose E. Pulido, City Manager/Executive Director
Subject: Creation of an Economic Development Ad Hoc Committee and appoint two Council Members to serve on this committee

RECOMMENDATION

The City Council is requested to form an Economic Development Ad Hoc Committee and appoint two Council Members to serve on this committee.

BACKGROUND

1. On February 1, 2012, California Governor Brown dissolved the redevelopment areas in cities statewide thereby negating $3 million annually in funds to the Cudahy Community Development Commission (CDC).

2. On July 12, 2014, the City Council held a Special Meeting to prepare a draft strategic plan (Attachment A) which among other things identified the need to establish an economic development plan, develop consistent revenue generators, implement a business retention program, and above all use these various tools to adopt a balanced budget.

3. On August 10, 2015, the City Council approved the addition of an Economic Development Ordinance No. 652 with the goal of providing the City with an economic development policy to implement its General and Strategic Plan.

4. On October 26, 2015, the City Council approved Ordinance No. 653 to amend the municipal code and provide investment and development opportunities in dilapidated and underutilized industrial zones through a Development Agreement (DA).

5. On June 13, 2016, at the regular meeting of the City Council, then Vice Mayor Hernandez requested the creation of an Ad Hoc Committee for Economic Development. The City
Council would eventually appoint then Council Member Markovich and Vice Mayor Hernandez.

6. On June 27, 2017, as part of an Economic Development Ad Hoc Committee presentation on City Council opportunities, commercial cannabis regulations and strategies were discussed by the City Council.

7. On March 20, 2018, the City Council approved a Cudahy 2040 General Plan Update with a comprehensive and implementable Economic Development Element.

8. On July 17, 2018, the City Council adopted the Zoning Code Amendment which formally established the new zoning districts and uses therein.

9. On July 16, 2019, Vice Mayor Alcantar requested that an Economic Development Ad Hoc Committee be established in order to address economic solutions and avenues for new revenues.

ANALYSIS

Over five years ago, the City Council identified a growing number of vacant and dilapidated warehouses within the City. These vacancies created a blighted condition in the City’s industrial areas. Due to the decline in local and national manufacturing industry, businesses once operating successfully, closed and left the City, causing employment opportunities and sales tax dollars to drastically decrease. Because of these dire circumstances, the City Council worked to create new economic development tools for the City, including the establishment of a new economic development chapter to the City’s municipal code (Ordinance 653). The new chapter outlined economic development tools such as Development Agreements to take advantage of emerging business trends.

The Ad Hoc Committee established by that former Council was successful in establishing a set of policies and timelines to revitalize the dilapidated regions with new industries that would aesthetically improve its properties as well as bring in more jobs to City residents and revenues to the City.

In July 2018, the City Council approved the Cudahy 2040 General Plan Update to address outdated land-use policies which will help further the City’s housing, community, economic development goals and policies. Also included in the updated Cudahy 2040 General Plan is an Economic Development Element that: establishes a framework for the implementation of several Private, Public Partnerships (P3) projects on the Successor Agency properties; the creation of a community development corporation a nonprofit focused on revitalizing our City
in a socially conscious and equitable manner; and the Atlantic Avenue Complete Street Project design and construction.

As with the former Economic Development Ad Hoc Committee, this City Council needs to choose two Council members to serve as members of this new Economic Development Ad Hoc Committee. The Ad Hoc Committee would then meet on an as needed basis contingent on the goals and objectives City Council establishes for the Ad Hoc Committee.

The City is currently in discussion with non-profit organizations to bring in development projects to Atlantic Avenue that align with goals and objectives that were outlined in the 2040 General Plan Update. The Ad Hoc Committee would serve a substantial role in guiding these development projects and other future projects that may arise on Atlantic Avenue as well as other potential development regions that were established on the updated Cudahy 2040 General Plan.

**CONCLUSION**

It is recommended that the City Council establish an Ad Hoc Committee for Economic Development as requested by Vice Mayor Alcantar at the July 16, 2019 City Council meeting.

**FINANCIAL IMPACT**

None.

**ATTACHMENTS**

None.
STAFF REPORT

Date: August 20, 2019
To: Honorable Mayor/Chair and City Council/Agency Members
From: Jose E. Pulido, City Manager/Executive Director
       By: Richard Iglesias, Assistant City Clerk
Subject: Creation of a Contracts Review Ad Hoc Committee and appoint two Council Members to serve on this committee

RECOMMENDATION

The City Council is requested to create a Contracts Review Ad Hoc Committee and select two Council Members to serve on this committee.

BACKGROUND

On June 18, 2019, at the regular meeting of the City Council, Mayor Gonzalez requested the creation of an Ad Hoc Committee to review all current contracts.

ANALYSIS

Per Council discussions and recommendations, the City Council will create an Ad Hoc Contracts Review Committee with the purposes of analyzing existing agreements the City has executed.

Upon Contracts revision, the Ad Hoc Committee has the discretion to recommend alternatives or suggestions to contracts for purposes of making the contract in question more efficient and cost effective.

Members of the Ad Hoc Committee can analyze and discuss contracts in question with City Staff members and have a well-rounded understanding of City contracts.

City Council will choose two Council members to serve as members of this new Ad Hoc Committee.
Committee. The Ad Hoc Committee will then meet on an as needed basis contingent on the goals and objectives City Council establishes for the Ad Hoc Committee.

**CONCLUSION**

Council is requested to create a Contracts Review Ad Hoc Committee and select two Council Members to serve on the committee.

**FINANCIAL IMPACT**

None.

**ATTACHMENTS**

None.
STAFF REPORT

Date: August 20, 2019
To: Honorable Mayor/Chair and City Council/Agency Members
From: Jose E. Pulido, City Manager/Executive Director
By: Richard Iglesias, Assistant City Clerk
Subject: Discuss and Consider Placing a Resolution on the Council Agenda, Requesting a Forensic Audit from the California State Controller

RECOMMENDATION

The City Council is requested to discuss, and consider placing a Resolution on the Council agenda, requesting a forensic audit from the California State Controller, by majority vote.

BACKGROUND/ANALYSIS

On November 2, 2012, newly appointed City Council Member Guerrero sent a letter to the State Controller John Chiang, and State Assemblyman Ricardo Lara, requesting support for a forensic audit. The City Council would eventually go on to create a Forensic Audit Ad Hoc Committee to study and bringing back recommendations pertaining to a forensic audit.

On May 7, 2013, City Council provided direction to staff to develop and publish a Request For Proposals (RFP) to engage the services of nationally renowned firms to conduct a forensic audit.

The California State Controller commenced procedures to conduct a Review of Administrative and Accounting Controls (Review Report) on September 30, 2013, and on April 2014, the State Controller issued a Review Report that covered the period of July 1, 2010 through June 30, 2012. The review assessed the adequacy of the City’s controls to safeguard public assets and ensure proper use of public funds.

On February 16, 2018, the California State Auditor conducted an initial assessment to the City. The purpose of the initial assessment was to better understand the City’s risk factors, specifically general fund imbalances and weak internal controls, and understand the City’s
current and planned response to addressing those risk factors.

On July 16, 2019, Council Member Guerrero requested an agenda item calling for a forensic audit by the California State Controller.

CONCLUSION

The City Council is recommended to discuss, and consider requesting a Resolution calling for a forensic audit from the California State Controller, by majority vote.

FINANCIAL IMPACT

Based on the past State Controller Review Report, the approximate cost of an audit would be $133,000.00.

ATTACHMENTS

None.
STAFF REPORT

Date: August 20, 2019
To: Honorable Mayor/Chair and City Council/Agency Members
From: Jose E. Pulido, City Manager/Executive Director
By: Richard Iglesias, Deputy City Clerk
Subject: Consideration to Appoint Board Members to City Commissions

RECOMMENDATION

The City Council is requested to:

Consider appointing Board Members to the following City Commissions: Parks and Recreation Commission; Public Safety Commission; Aging and Senior Citizens Commission;

Review all Board Member appointments on the Planning Commission; and

Provide staff with direction regarding any changes to the City’s Commission Board Member appointments.

BACKGROUND

On May 21, 2019, City Council appointed Board Members to the Planning Commission.

ANALYSIS

Below is an update on the status of each City Commission, and a summary of their role:

- Parks and Recreation Commission: Three Expired Terms (two-year terms)
This Commission serves in advisory capacity to the City Council on the acquisition, use, maintenance, and operation of parks, playgrounds and other public recreational facilities, and to the maintenance of a planned program of public recreation for the citizens of Cudahy. This Commission meets on the fourth Tuesday each month at 6:00 p.m.;

- **Aging and Senior Citizens Commission**: One Unfilled Vacancy, and Two Expired Terms (two-year terms)

This Commission serves in an advisory capacity to the City Council on matters and means to enhance the health and quality of seniors in the community; provide advice based on input received to improve the programs, policies and services. This Commission meets on the second Monday each month at 2:00 p.m.;

- **Public Safety Commission**: One Unfilled Vacancy, and Three Expired Terms (two-year terms)

This Commission serves in an advisory capacity to the City Council on planning and preparation for a program of civil defense and disaster; problems of traffic safety as related to traffic and pedestrian control; and adequacy police, fire and health services. This Commission meets on the second Tuesday of each month at 5:00 p.m.; and

- **Planning Commission**: Two Unfilled Vacancies, and Two Expired Terms (two-year terms)

This Commission serves in advisory capacity to the City Council on land-use policy planning matters which guide the future growth, development, and beautification of the City, including public and private buildings and works, subdivisions, streets, parks and playgrounds and unimproved real property. This Commission meets on the third Monday of each month at 6:30 p.m.

**CONCLUSION**

Currently the City has vacancies and sitting Board Members whose terms have expired on April 30, 2019, on the Aging and Senior Citizens Commission, Parks and Recreation Commission, and Public Safety Commission.

The City Council is requested to consider appointing sitting Board Members; review all Board Member appointments, and provide staff with the appropriate direction.
FINANCIAL IMPACT

There is no fiscal impact in the review and selection of commission appointees.

ATTACHMENT

A. List of City Commission Vacancies and Expired Terms
B. Applications for City Commissions
## List of City Commissions

### Parks and Recreation Commission (three expired terms)

<table>
<thead>
<tr>
<th>*Expired term as of 4/30/19</th>
<th>2-year term* (4/30/19 - 4/30/21)</th>
<th>2-year term** (4/30/18 - 4/30/20)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. *Martin Aguilera</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2. *Gilbert Cuevas</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. *Edin Enamorado</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Tevina Quintana</td>
<td></td>
<td></td>
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<tr>
<td>5. David Rodriguez</td>
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</tr>
</tbody>
</table>

### Aging and Senior Citizens Commission (one vacancy, and two expired terms)

<table>
<thead>
<tr>
<th>*Expired term as of 4/30/19</th>
<th>2-year term* (4/30/19 - 4/30/21)</th>
<th>2-year term** (4/30/18 - 4/30/20)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Vacant</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2. Vacant</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. *Michele Gessner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Frank Gurule</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Vacant</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Public Safety Commission (one vacancy, and three expired terms)

<table>
<thead>
<tr>
<th>*Expired term as of 4/30/19</th>
<th>2-year term* (4/30/19 - 4/30/21)</th>
<th>2-year term** (4/30/18 - 4/30/20)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. *Emanuel Cruz</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2. *Diana Vera</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>3. *Gustavo Mendez</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Enrique Cardonne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Vacant</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Planning Commission (two vacancies, and two expired terms)

<table>
<thead>
<tr>
<th>*Appointed by Council 5/21/19</th>
<th>2-year term* (4/30/19 - 4/30/21)</th>
<th>2-year term** (4/30/18 - 4/30/20)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. *Stephany Beltran</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>2. *Gustavo Mendez</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Name</td>
<td></td>
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<td>---</td>
<td>----------------------</td>
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</tr>
<tr>
<td>3</td>
<td>*Gilbert Cuevas</td>
<td>X</td>
</tr>
<tr>
<td>4</td>
<td>Martin Fuentes</td>
<td>X</td>
</tr>
<tr>
<td>5</td>
<td>*Patricia Covarrubias</td>
<td>X</td>
</tr>
</tbody>
</table>
Public Safety Commission
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   □ Planning Commission
   □ Public Safety Commission
   □ Parks and Recreation Commission
   □ Aging and Senior Citizens Commission

2. Name: JIMENEZ MARIA
   Address: [Redacted]
   Home Phone: [Redacted]
   Business Phone: [Redacted]
   Zip: 90201

   Have you ever been convicted of a crime? If Yes, please explain
   Are you a registered voter within the City of Cudahy?
   How long have you lived within the incorporated city limits of the City of Cudahy?
   □ Yes □ No
   □ Yes □ No

   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity?
   □ Yes □ No

3. Occupation and Place of Employment: CTR MANAGER AT JACK IN THE BOX

4. List Community Organizations or professional groups in which you hold active membership(s):
   ■ BIG BROTHERS & SISTERS FOUNDATION

5. List positions of responsibility held in any of the above organizations:
   ■ FUNDRAISING

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position: I HAVE OVER 10 YEARS WORKING AND DEALING WITH DIFFERENT KIND OF PEOPLE. THAT HAS ALLOW ME TO HAVE A BETTER UNDERSTANDING OF NEEDS. ALSO EXPERIENCE ON TAKING BIG DECISIONS THAT WILL IMPACT THE BUSINESS.

7. Please state the reasons you are interested in filling this vacancy: BECAUSE I'M WORRIED ABOUT MY COMMUNITY DUE TO THE BAD DECISIONS THAT HAVE TAKEN PLACE. I WOULD LIKE TO CONTRIBUTE WITH NEW IDEAS & HARD WORK.
8. Please briefly express your views regarding current and future development in Cudahy:
   Currently Cudahy is facing a lot of challenges (street cleaning, parking).
   I know our city has the potential to do better. Taking the right decisions
   will allow us to go to the next level.

9. References for our community will allow us to go to the next level.
   
   1. **PAULINA PONES**
      Name: 
      Home No.: ( )
      Cell No.: ( )
      
   2. **SILVIA ALTEHA**
      Name: 
      Home No.: ( )
      Cell No.: ( )
      
   3. **MICHELLE MILLAR**
      Name: 
      Home No.: ( )
      Cell No.: ( )
      
   *Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic
    Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed
    they will be required to make information available as to any potential conflict of interest arising from their
    business or affiliations where that affiliation or business may be doing business with the City of Cudahy,
    or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested
    in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings
    as may be required.

   [Signature]
   Applicant's Signature
   5/22/19
   Date

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

---

**FOR INTERNAL USE ONLY**

Meets Minimum Requirements
☐ Registered Voter
☐ Resident of the City of Cudahy (Incorporated Area)
   Reviewed by: 
   Date: 
   Notes:
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

**Instructions (Please Type or Print Clearly)**

All requested information must be furnished on the application itself. Resumes, attachments, and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

Applications received after the deadline will not be considered.

**Information Sheet**

1. Commission being applied for:
   - □ Planning Commission
   - ☑ Public Safety Commission
   - X Parks and Recreation Commission
   - □ Aging and Senior Citizens Commission

2. Name: Rospiles __________________________ (Last)    Arturo __________________________ (First)
   Address: ____________________________________________ Zip: 90201
   Home Phone: __________________________ Business Phone: __________________________
   Email: ________________________________________________________________

   Have you ever been convicted of a crime? If Yes, please explain. □ Yes □ No
   Are you a registered voter within the City of Cudahy? □ Yes □ No
   How long have you lived within the incorporated city limits of the City of Cudahy? 38 Years

   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? □ Yes □ No


4. List Community Organizations or professional groups in which you hold active membership(s):
   NONE

5. List positions of responsibility held in any of the above organizations:
   NONE

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to this position: I'VE LIVED HERE IN CUDAHY MY ENTIRE LIFE AND I SEE WHAT THE CITY NEED TO IMPROVE THE SAFETY OF ITS CITIZENS

7. Please state the reasons you are interested in filling this vacancy:
   REASON WHY I WANT TO JOIN IS TO HELP IMPROVE THIS CITY IN ANY WAY POSSIBLE
8. Please briefly express your views regarding current and future development in Cudahy:

9. References
   1. **NAVARA SALAZAR VILLANUEVA**
      - Name
      - Home No.: [Redacted]
      - Cell No.: [Redacted]
   2. **ERIKI LANDEROS**
      - Name
      - Home No.: [Redacted]
      - Cell No.: [Redacted]
   3. **ERIKI LANDEROS**
      - Name
      - Home No.: [Redacted]
      - Cell No.: ( )

*Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   [Redacted]
   
   Applicant's Signature
   
   
   7-16-2019
   
   Date

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

---

FOR INTERNAL USE ONLY

Meets Minimum Requirements

- [ ] Registered Voter
- [ ] Resident of the City of Cudahy ( Incorporated Area)

Reviewed by: ___________________________ Date: ___________________________

Notes: ___________________________
Planning Commission
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other
supporting documentation may be included but cannot be substituted for an application form. It is important that
you answer all questions on your application fully and accurately. If additional space is needed to answer
questions, attach additional sheets.

Applications received after the deadline will not be considered.

Information Sheet
1. Commission being applied for:
   ✔ Planning Commission
   □ Parks and Recreation Commission
   □ Public Safety Commission
   □ Aging and Senior Citizens Commission

2. Name:
   Cruz
   Cesary
   Efrain
   Address: ____________________________ Business Phone: ____________________________
   Home Phone: ____________________________ Zip: __________
   Email: ________________________________
   Have you ever been convicted of a crime? If Yes, please explain
   Yes ☐ No ☑
   Are you a registered voter within the City of Cudahy?
   Yes ☐ No ☑
   How long have you lived within the incorporated city limits of the City of Cudahy?
   28 ☑
   Have you ever been a member of any Commission, or employed by
   the City of Cudahy? If Yes, in what capacity?
   Yes ☑ No ☐ Former Parks and Rec комиссион

3. Occupation and Place of Employment:
   Owner of Shenanigans Studies

4. List Community Organizations or professional groups in which you hold active membership(s):
   Cudahy en Marcha, Shenanigans Studies, Venice Community Housing

5. List positions of responsibility held in any of the above organizations:
   Chairman of Parks & Rec

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate
   for appointment to his position: I have 7 years of Commission experience and been living in Cudahy my whole life.

7. Please state the reasons you are interested in filling this vacancy:
   I took some time off to build a company and now I'm able to give back & serve my community again.
8. Please briefly express your views regarding current and future development in Cudahy:
   Cudahy is doing great, and with the help of everyone we can only get better for our people.

9. References
   1. Scott Barber  
      Name
      Home No.: ( )  
      Cell No.: ( )
   2. Paulino Estrada  
      Name
      Home No.: ( )  
      Cell No.: ( )
   3. Emanuel Cruz  
      Name
      Home No.: ( )  
      Cell No.: ( )

   *Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings.

   4/9/19
   Date

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

FOR INTERNAL USE ONLY

Received By: ____________________________________________

Meets Minimum Requirements  
☐ Yes  ☐ No

☐ Registered Voter
☐ Resident of the City of Cudahy

Reviewed by: _________________________________________ Date: ____________________________

Notes: _____________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

Application for City of Cudahy Commissions  
Rev. 2/27/18
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5223 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   - Planning Commission
   - Public Safety Commission
   - Parks and Recreation Commission
   - Aging and Senior Citizens Commission

2. Name: CORUERA HERNANDEZ RICHARD
   Address: [Redacted]
   Home Phone: [Redacted] Business Phone: [Redacted]
   Email: [Redacted]

   Have you ever been convicted of a crime? If Yes, please explain.
   Yes [X] No
   Are you a registered voter within the City of Cudahy?
   Yes [X] No
   How long have you lived within the incorporated city limits of the City of Cudahy?
   [Redacted]

   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity?
   Yes [X] No

3. Occupation and Place of Employment:
   Commissioner, city of Cudahy

4. List Community Organizations or professional groups in which you hold active membership(s):
   V/A

5. List positions of responsibility held in any of the above organizations:
   V/A

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position:
   I have been a member of the Planning Commission for 4 years.

7. Please state the reasons you are interested in filling this vacancy:
   I have a general understanding of the City General Plan. My education has been in business and real estate.
8. Please briefly express your views regarding current and future development in Cudahy: I am very happy to have work in the Development of the City's General Plan.

9. References
   1. Elizabeth Amondar
      Name
      Home No.: ____________________________
      Cell No.: ____________________________
   2. Susie de Santiago
      Name
      Home No.: ____________________________
      Cell No.: ____________________________
   3. Martin Aguileva
      Name
      Home No.: ____________________________
      Cell No.: ____________________________
   *Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   ________________________________
   Date

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

---

FOR INTERNAL USE ONLY

Received By: ____________________________________________

Meets Minimum Requirements

☐ Yes  ☐ No

☐ Registered Voter
☐ Resident of the City of Cudahy

Reviewed by: ____________________________________________ Date: ______________________________

Notes:

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   K Planning Commission
   ☐ Public Safety Commission
   ☑ Parks and Recreation Commission
   ☐ Aging and Senior Citizens Commission

2. Name: Padilla Leslie Katherine
   Address: ____________________________
   Home Phone: ________________________
   Business Phone: ____________________
   Email: ____________________________
   Zip: ____________________________

   Have you ever been convicted of a crime? If Yes, please explain.
   ☑ Yes ☑ No

   Are you a registered voter within the City of Cudahy?
   ☑ Yes ☑ No

   How long have you lived within the incorporated city limits of the City of Cudahy?
   ☑ Yes ☑ No

   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity?
   ☑ Yes ☑ No

3. Occupation and Place of Employment:
   Instructor / Self-employed

4. List Community Organizations or professional groups in which you hold active membership(s):
   Sherman Oaks Studios Cudahy and Mancha

5. List positions of responsibility held in any of the above organizations:
   Director

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position:
   I've lived in the City over 20 years, I know its needs and wants

7. Please state the reasons you are interested in filling this vacancy:
   Because I'm passionate about my city.
8. Please briefly express your views regarding current and future development in Cudahy:

9. References:
   1. Cesar Cruz
   2. Guadalupe Martinez
   3. Andres Rangel

   *Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   Applicant’s Signature

   Date

Completed applications should be returned to the City Clerk’s Office, 5220 Santa Ana Street, Cudahy, CA 90201.

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**FOR INTERNAL USE ONLY**

Received By: ____________________________

Meets Minimum Requirements

☐ Yes  ☐ No

☐ Registered Voter
☐ Resident of the City of Cudahy

Reviewed by: ____________________________ Date: ____________________________

Notes: ____________________________________________________________

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_________________________________________________________________

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_________________________________________________________________

Application for City of Cudahy Commissions
Rev. 2/27/18
Aging and Senior Citizen Commission
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   - Planning Commission
   - Public Safety Commission
   - Parks and Recreation Commission
   - Aging and Senior Citizens Commission

2. Name: ___________ Michele ______ Marie ______
   (Last) (First) (Middle)

   Address: _______________________
   Home Phone: _____________________
   Business Phone: ____________
   Email: ________________________

   Have you ever been convicted of a crime? If Yes, please explain. √ No
   Are you a registered voter within the City of Cudahy? √ Yes No
   How long have you lived within the incorporated city limits of the City of Cudahy? √ Yes No

   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? Staff member Oct 2007 - March 8, 2013.

3. Occupation and Place of Employment:
   Sem. Cen. research tech. CNS1 gangengrove.ca

4. List Community Organizations or professional groups in which you hold active membership(s):
   N/A

5. List positions of responsibility held in any of the above organizations:
   N/A

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to this position:
   I have lived in the city for 50 years and became a staff member from 2007-2013. Therefore, I understand what work needs to be done with our seniors.

7. Please state the reasons you are interested in filling this vacancy:
   I am a great worker with knowledge that can help our seniors.
8. Please briefly express your views regarding current and future development in Cudahy:

9. References
   1. Dora Terral ofc
      Name
      Home No.: [redacted]
      Cell No.: [redacted]
   2. Sonny & Irene Parish
      Name
      Home No.: [redacted]
      Cell No.: ( )
   3. [redacted]
      Name
      Home No.: [redacted]
      Cell No.: ( )

*Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In accordance with the Political Reform Act, Planning Commissioners are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

![Signature]

May 15, 2019

Completed applications should be returned to the City Clerk’s Office, 5220 Santa Ana Street, Cudahy, CA 90201.

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FOR INTERNAL USE ONLY

Received By: ____________________________

Meets Minimum Requirements

- [ ] Yes  - [ ] No

- [ ] Registered Voter
- [ ] Resident of the City of Cudahy

Reviewed by: ____________________________ Date: ____________________________

Notes:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk’s Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

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Information Sheet

1. Commission being applied for:
   - Planning Commission
   - Parks and Recreation Commission
   - Public Safety Commission
   - Aging and Senior Citizens Commission

2. Name: Covarrubia Patricia
   Address: [Redacted]
   Home Phone: [Redacted]
   Business Phone: [Redacted]
   Zip: 90201

   Have you ever been convicted of a crime? If Yes, please explain
   Are you a registered voter within the City of Cudahy?
   How long have you lived within the incorporated city limits of the City of Cudahy?

   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? Yes, I was a senior commissioner.

3. Occupation and Place of Employment: Housewife, 7907 Gladon Ave, Cudahy, CA 90201

4. List Community Organizations or professional groups in which you hold active membership(s):
   Unidos por Cudahy and Elizabeth Homeowners Association

5. List positions of responsibility held in any of the above organizations:
   Activist and Secretary

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position:
   I'm active in the community, therefore makes me a suitable candidate, because I now the community needs.

7. Please state the reasons you are interested in filling this vacancy:
   I would like to serve on the planning commission to have a voice in the decision making on future development plans.
8. Please briefly express your views regarding current and future development in Cudahy:

I agree with current development and future development, because the city is in need of revenue.

9. References

1. Jack Guerrero
   Name
   Home No.:
   Cell No.:

2. Blanca Lozoya
   Name
   Home No.:
   Cell No.:

3. Luis Garcia
   Name
   Home No.:
   Cell No.:

*Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   [Signatures]

   Applicant's Signature

   5-13-19

   Date

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.
APPLICATION FOR COMMISSIONS

City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)

All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   - Planning Commission
   - Parks and Recreation Commission
   - Public Safety Commission
   - Aging and Senior Citizens Commission

2. Name: Cruz Cecilio
   Address: [Redacted]
   Home Phone: [Redacted]
   Business Phone: [Redacted]
   Email: [Redacted]
   Zip: 90201
   (Middle)

Have you ever been convicted of a crime? If Yes, please explain
☐ Yes ☒ No
Are you a registered voter within the City of Cudahy?
☐ Yes ☒ No
How long have you lived within the incorporated city limits of the City of Cudahy?
30 years
Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity?
☐ Yes ☒ No

3. Occupation and Place of Employment:
   Self employed

4. List Community Organizations or professional groups in which you hold active membership(s): Innovate SE10-UHM Padres Por Unidad, Unidos Por Cudahy, Cudahy en Marcha

5. List positions of responsibility held in any of the above organizations:
   Leader of group, Bike Leader Organizer

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to this position:
   Because I'm very passionate about my community, I have been involved for over 20 years.

7. Please state the reasons you are interested in filling this vacancy:
   I think is time to take a Bigger Role in Cudahy.
8. Please briefly express your views regarding current and future development in Cudahy:

9. References
   1. Blanca Perez
      Name
      Home No.: [Redacted]
      Cell No.: [Redacted]
   2. Bertha Llerenas
      Name
      Home No.: ( )
      Cell No.: ( )
   3. Emanuel Cruz
      Name
      Home No.: [Redacted]
      Cell No.: [Redacted]

*Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

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11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   [Signature]
   5/2/19
   Date

Completed applications should be returned to the City Clerk’s Office, 5220 Santa Ana Street, Cudahy, CA 90201.

FOR INTERNAL USE ONLY

Received By: ____________________________

Meets Minimum Requirements
☐ Yes  ☐ No

☐ Registered Voter
☐ Resident of the City of Cudahy

Reviewed by: ____________________________ Date: ____________________________

Notes:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.
Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   □ Planning Commission
   □ Public Safety Commission
   □ Parks and Recreation Commission
   □ Aging and Senior Citizens Commission

2. Name: JIMENEZ MARIA
   Address: 
   Home Phone: [Redacted]
   Business Phone: [Redacted]
   Zip: 90201
   (Middle) 0
   Have you ever been convicted of a crime? If Yes, please explain.
   Are you a registered voter within the City of Cudahy?
   How long have you lived within the incorporated city limits of the City of Cudahy?
   □ Yes □ No
   □ Yes □ No
   □ Yes □ No

3. Occupation and Place of Employment: CTR MANAGER AT JACK IN THE BOX

4. List Community Organizations or professional groups in which you hold active membership(s):
   BIG BROTHERS & SISTERS FOUNDATION

5. List positions of responsibility held in any of the above organizations:
   FUNDRAISING

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position: I HAVE OVER 10 YEARS WORKING AND DEALING WITH DIFFERENT KIND OF PEOPLE THAT HAS ALLOW ME TO HAVE A BETTER UNDERSTANDING OF NECESSITIES. ALSO EXPERIENCE ON TAKING BIG DECISIONS THAT WILL IMPACT THE BUSINESS.

7. Please state the reasons you are interested in filling this vacancy: BECAUSE I'M WORRIED ABOUT MY COMMUNITY DUE TO THE BAD DECISIONS THAT HAVE TAKEN PLACE. I WOULD LIKE TO CONTRIBUTE WITH NEW IDEAS & HARD WORK.
8. Please briefly express your views regarding current and future development in Cudahy:
   Currently Cudahy is facing a lot of challenges (street cleaning, parking).
   I know our city has the potential to do better. Taking the right decisions now will allow us to go to next level.

9. References for our community will allow us to go to next level.
   
   1. **Paula Flores**
      - Home No.: ___
      - Cell No.: ___
   
   2. **Silvia Arreaza**
      - Home No.: ___
      - Cell No.: ___
   
   3. **Michelle Miller**
      - Home No.: ___
      - Cell No.: ___

   *Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

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11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   [Signature]
   
   [Date]
   
   Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

---

**FOR INTERNAL USE ONLY**

- [ ] Meets Minimum Requirements
  - [ ] Registered Voter
  - [ ] Resident of the City of Cudahy ( Incorporated Area)

Reviewed by: ____________________________ Date: __________________________

Notes: __________________________
Parks and Recreation Commission
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk’s Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other
supporting documentation may be included but cannot be substituted for an application form. It is important that
you answer all questions on your application fully and accurately. If additional space is needed to answer
questions, attach additional sheets

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   ☐ Senior Commission
   ☑ Parks and Recreation Commission
   ☐ Planning Commission
   ☐ Public Safety Commission

   Note: If you are interested in both commissions, please identify the
   commission of your first choice

2. Name: ____________________________ (Last) ____________________________ (First) ____________________________ (Middle)
   Address: ____________________________
   Home Phone: ____________________________
   Business Phone: ____________________________
   Email: ____________________________
   Zip: ____________________________

   Have you ever been convicted of a crime? If Yes, please explain ____________________________
   Are you a registered voter within the City of Cudahy? ☐ Yes ☐ No
   How long have you lived within the incorporated city limits of the City of Cudahy? ____________________________
   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? ☐ Yes ☐ No

3. Occupation and Place of Employment: Self-employed, Business Administration

4. List Community Organizations or professional groups in which you hold active membership(s):
   SELA Coalition
   I Heart SELA

5. List positions of responsibility held in any of the above organizations:
   In SELA Coalition I helped organize a community forum

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate
   for appointment to his position:
   I have worked with other organizations to bring programs or services that benefit the youth and community (i.e. Child 360 parenting and
   financial literacy classes). For the past 3 years I have organized "International Walk To School Day". I have previously served on the Planning and
   Parks and Recreation Commissions.

7. Please state the reasons you are interested in filling this vacancy:
   I would like to assist the Parks and Recreation Commission in improving the programs Cudahy currently offers and also explore ways in which
   we can bring new programs that will benefit the community.
8. Please briefly express your views regarding current and future development in Cudahy:
Currently we lack resources and program availability for the Community. I want to see our parks and community buildings transform in to a place where families are proud to come learn, relax, and enjoy themselves.

9. References
   1. Baru Sanchez
      Name
      Home No.: ( )
      Cell No.: 
   2. Elizabeth Alcantar
      Name
      Home No.: ( )
      Cell No.: 
   3. Michele Gessner
      Name
      Home No.: ( )
      Cell No.: 

*Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   Applicant's Signature

   05/13/2019
   Date

Completed applications should be returned to the City Clerk’s Office, 5220 Santa Ana Street, Cudahy, CA 90201.

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Application for Planning Commission
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

Instructions (Please Type or Print Clearly)
All requested information must be furnished on the application itself. Resumes, attachments and other supporting documentation may be included but cannot be substituted for an application form. It is important that you answer all questions on your application fully and accurately. If additional space is needed to answer questions, attach additional sheets.

Applications received after the deadline will not be considered.

Information Sheet

1. Commission being applied for:
   Planning Commission
   Public Safety Commission
   Parks and Recreation Commission
   Aging and Senior Citizens Commission

2. Name: Cruz Cecilio
   Address: ____________________________ Zip: 90201
   Home Phone: ________________________ Business Phone: ________________________
   Email: ____________________________
   Have you ever been convicted of a crime? If Yes, please explain □ Yes □ No
   Are you a registered voter within the City of Cudahy? □ Yes □ No
   How long have you lived within the incorporated city limits of the City of Cudahy? 30 years
   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? □ Yes □ No

3. Occupation and Place of Employment:
   Self employed

4. List Community Organizations or professional groups in which you hold active membership(s): Innovate, Padres Por Unidad, Unidos Por Cudahy, Cudahy en Marcha

5. List positions of responsibility held in any of the above organizations:
   Leader of group, Bike Leader Organizer

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position: Because I'm very passionate about my community, I have been involved for over 20 years.

7. Please state the reasons you are interested in filling this vacancy: It's time for a bigger role in Cudahy.

Page 123 of 130
8. Please briefly express your views regarding current and future development in Cudahy:

9. References
   1. Blanca Perez
      Name
      Home No.: 
      Cell No.: 
   2. Bertha Lerma
      Name
      Home No.: 
      Cell No.: 
   3. Emanuel Cruz
      Name
      Home No.: 
      Cell No.: 

*Letters of Recommendation may be attached to application, but cannot be substituted in lieu of the requested references name and contact information.

10. In compliance with state law, City Council members are required to file a Statement of Economic Interests upon appointment to office, and annually thereafter. Applicants are advised that if appointed they will be required to make information available as to any potential conflict of interest arising from their business or affiliations where that affiliation or business may be doing business with the City of Cudahy, or the decisions taken by the City of Cudahy may influence that business or affiliation.

11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   [Signature]

   Date: 5/2/19

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

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FOR INTERNAL USE ONLY

Received By: ____________________________

Meets Minimum Requirements
☐ Yes  ☐ No

☐ Registered Voter
☐ Resident of the City of Cudahy

Reviewed by: ____________________________ Date: ____________________________

Notes:

____________________________________________________________________________

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____________________________________________________________________________

Application for City of Cudahy Commissions
Rev. 2/2/18
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk’s Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

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Information Sheet

1. Commission being applied for:
   - Planning Commission
   - Public Safety Commission
   - Parks and Recreation Commission
   - Aging and Senior Citizens Commission

2. Name: Padilla Leslie Katherine
   Address: 
   Home Phone: 
   Business Phone: 
   Email: 
   Zip: 90201
   Have you ever been convicted of a crime? If Yes, please explain 
   Are you a registered voter within the City of Cudahy? 
   How long have you lived within the incorporated city limits of the City of Cudahy? 
   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? 
   Yes
   No
   20 years

3. Occupation and Place of Employment: instructor/self-employed

4. List Community Organizations or professional groups in which you hold active membership(s):
   Sherman Oaks Studios, Cudahy and Mancha.

5. List positions of responsibility held in any of the above organizations:
   Director

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position:
   I've lived in the city over 20 years, I know

7. Please state the reasons you are interested in filling this vacancy: it's needs and wants
   Because I'm passionate about my city.
8. Please briefly express your views regarding current and future development in Cudahy:

9. References:
   1. Cesar Cruz
      Home No.:   
      Cell No.:   
   2. Guadalupe Martinez
      Home No.:   
      Cell No.:   
   3. Andres Rangel
      Home No.:   
      Cell No.:   

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11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   Applicant's Signature: ____________________________ Date: 01-11-19

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

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Information Sheet

1. Commission being applied for:
   - [X] Planning Commission
   - [ ] Public Safety Commission
   - [X] Parks and Recreation Commission
   - [X] Aging and Senior Citizens Commission

2. Name: Covarrubias Patricia
   Address: [Redacted]
   Home Phone: [Redacted] Business Phone: [Redacted]
   Zip: 90201
   Email: [Redacted]

Have you ever been convicted of a crime? If Yes, please explain
Are you a registered voter within the City of Cudahy?
How long have you lived within the incorporated city limits of the City of Cudahy?

Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? Yes, I was a senior commissioner.

3. Occupation and Place of Employment: Housewife. 7907 Crafton Ave. Cudahy, CA 90201

4. List Community Organizations or professional groups in which you hold active membership(s):
   Unidos por Cudahy and Elizabeth Homeowners Association

5. List positions of responsibility held in any of the above organizations:
   Activist and Secretary

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position: I'm active in the community, therefore makes me a suitable candidate, because I now the community needs.

7. Please state the reasons you are interested in filling this vacancy:
   I would like to serve on the planning commission to have a voice in the decision making on future development plans.
8. Please briefly express your views regarding current and future development in Cudahy:
I agree with current development and future development, because the city is in need of revenue.

9. References
1. Jack Guerrero
   Name
   Home No.: ( )
   Cell No.: ( )
2. Blanca Lozoya
   Name
   Home No.: ( )
   Cell No.: ( )
3. Luis Garcia
   Name
   Home No.: ( )
   Cell No.: ( )

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   [Signature]
   Applicant's Signature
   5-13-19
   Date

Completed applications should be returned to the City Clerk's Office, 5220 Santa Ana Street, Cudahy, CA 90201.

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FOR INTERNAL USE ONLY

Received By: ________________________________

Meets Minimum Requirements

☐ Yes  ☐ No

☐ Registered Voter
☐ Resident of the City of Cudahy

Reviewed by: ________________________________ Date: ________________________________

Notes:

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Application for City of Cudahy Commissions
Rev. 2/27/18

Page 2 of 2
APPLICATION FOR COMMISSIONS
City of Cudahy
City Clerk's Office
5220 Santa Ana Street, Cudahy, California 90201
(323) 773-5143

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Information Sheet
1. Commission being applied for:
   - [ ] Planning Commission
   - [ ] Public Safety Commission
   - [ ] Parks and Recreation Commission
   - [ ] Aging and Senior Citizens Commission

2. Name: ____________________________  ____________________________  ____________________________
   (Last)  (First)  (Middle)
   Address: ____________________________________________________________  
   Home Phone: ____________________________  Business Phone: ____________________________
   Zip: 90201
   Email: ____________________________

   Have you ever been convicted of a crime? If Yes, please explain ____________________________
   Are you a registered voter within the City of Cudahy? [ ] Yes  [ ] No
   How long have you lived within the incorporated city limits of the City of Cudahy? ____________________________
   Have you ever been a member of any Commission, or employed by the City of Cudahy? If Yes, in what capacity? [ ] Yes  [ ] No

3. Occupation and Place of Employment: ____________________________

4. List Community Organizations or professional groups in which you hold active membership(s):
   SVREP, WCVI, YPA, PDR

5. List positions of responsibility held in any of the above organizations:
   Project Coordinator, Community Development Organizer

6. Please state your reasons as to why your background and/or experience makes you a suitable candidate for appointment to his position:
   Coach different sports for youth

7. Please state the reasons you are interested in filling this vacancy:
   To help the youth
8. Please briefly express your views regarding current and future development in Cudahy:

9. References:
   1. James Membreño
      Name
      Home No.: 
      Cell No.: 
   2. Elizabeth Huarez
      Name
      Home No.: 
      Cell No.: 
   3. Lydia Camarillo
      Name
      Home No.: 
      Cell No.: 

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11. I, the undersigned, certify that the above information is true and correct and that I am sincerely interested in serving in this position for the City of Cudahy and, if appointed, will be available for evening meetings as may be required.

   [Signed]

   Applicants Signature
   4-11-19
   Date

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