



CITY OF COMMERCE AGENDA REPORT

Item No.

TO: Honorable Mayor and City Council Members

FROM: Lena Shumway, City Clerk

SUBJECT: RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION ON JUNE 2, 2020 FOR SUBMITTING TO THE VOTERS OF THE CITY OF COMMERCE TWO (2) REFERENDUM MEASURES REGARDING ORDINANCE NOS. 731 AND 732; SETTING DEADLINES FOR FILING WRITTEN ARGUMENTS FOR AND AGAINST THE REFERENDUM MEASURES, AND REBUTTALS THEREOF; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS; AND RELATED MATTERS TO SAID SPECIAL MUNICIPAL ELECTION

MEETING DATE: FEBRUARY 18, 2020

RECOMMENDATION:

It is recommended that the City Council consider and adopt the attached Resolution, to approve the following actions:

- (1) Call and Give Notice of the holding of a Special Municipal Election on Tuesday, June 2, 2020, for submission to the qualified voters of the City of Commerce two (2) referendum measures regarding Ordinance Nos. 731 and 732 (occurring not less than 88 days after the City Council's order); and
- (2) Set a deadline of March 3, 2020, before 5:30 p.m. for the filing of written arguments for and against the referendum measures, and directing the City Attorney to prepare an impartial analysis of same; and
- (3) Set a deadline of March 16, 2020, before 5:30 p.m. for the filing of rebuttal arguments to the filed arguments for and against the referendum measures; and
- (4) Authorizing that the full text of Ordinance No. 731 and Ordinance No. 732 not be printed in the ballot pamphlet due to cost, but both the ballot and the impartial analysis will let the qualified voters of the City of Commerce know that they will be able to obtain full copies, at no cost, by contacting the City Clerk or accessing the City's website.

BACKGROUND:

Two referendums against Ordinance No. 731 and Ordinance No. 732 qualified to be placed on the ballot for the City of Commerce qualified voters. On January 21, 2020, the City Council voted to call for a Special Municipal Election, not less than 88 days after the City Council's order, to submit two (2) referendum measures regarding Ordinances No. 731 and No. 732 to the voters of the City of Commerce. The date selected for the Special Municipal Election is June 2, 2020. On January 21, 2020, City Council also adopted a resolution requesting the Board of Supervisors of the County

of Los Angeles to render specified services to the City of Commerce relating to conducting the Special Municipal Election on Tuesday, June 2, 2020.

DISCUSSION:

On July 2, 2019, City Council approved the first reading, and on July 16, 2019 the second reading and adopting of two (2) ordinances approving two development agreements concerning the expansion of the Citadel Shopping Outlet Center (Ordinance No. 731), and for the development of a ten acre parcel at the corner of Washington Boulevard and Telegraph Road (Ordinance No. 732) in the City (hereinafter also, "Ordinance" or collectively, "Ordinances"). Specifically, Ordinance No. 731 approved Development Agreement No. 18-032 between the City of Commerce and Citadel Holdings Group, LLC for the improvement and expansion of the Citadel Shopping Outlet Center; made findings consistent with and pursuant to Government Code Section 65867.5; and made findings of a CEQA Environmental Impact Report. Ordinance 732 approved Development Agreement No. 18-033 between the City of Commerce and Citadel Holding Group, LLC and Wash-Tel Commerce, LLC for the development of a ten acre parcel at the Corner of Washington Boulevard and Telegraph Road for commercial, public facility and industrial purposes; made findings consistent with and pursuant to Government Code Section 65867.5; and made findings of a CEQA Environmental Impact Report.

Two (2) qualified Referendum Petitions challenging Ordinances No. 731 and 732 were timely filed and have been verified. The effective date of said Ordinances are currently suspended due to the filing of said Referendum Petitions until the results of the Special Municipal Election of June 2, 2020 are known to either to adopt or reject same.

In order to place the two (2) referendums on the Special Municipal Election ballot on June 2, 2020 , certain actions needs to take place. Pursuant to Election Code Sections 9282 ad 9285, proponents and opponents of the referendum measures are allowed to submit written arguments, as well as rebuttal arguments, to be included in the voters' guide. In addition, pursuant to Election Code Section 9280, whenever a referendum measure qualifies for a place on the ballot, the City Council may direct the City Attorney to prepare an impartial analysis. A statement will also be printed in the ballot advising voters that they may obtain a full copy of Ordinance No. 731 and Ordinance No. 732 upon request at the City Clerk's office, pursuant to Elections Code Sections 9243 and 9223.

It is recommended that the City Council approve the attached Resolution as presented, and direct the City Clerk accordingly, including to notify interested parties as needed.

FISCAL IMPACT:

The cost of the election will be determined by the Los Angeles County Registrar/Recorder Office.

ATTACHMENTS:

One (1) Resolution calling a Special Election; Setting Deadlines for the Submittal of written arguments for and against the referendum measures, and Rebuttals thereof; and directing the City Attorney to prepare an impartial analysis.

Respectfully submitted: Lena Shumway, Administrative Services Director & City Clerk

Recommended by: Edgar P. Cisneros, City Manager

Lena Shumway, Director of Administrative Services & City Clerk

Prepared by: Lena Shumway, Director of Administrative Services & City Clerk and
Norma Copado, Assistant City Attorney

Approved as to Form: Noel Tapia, City Attorney