



City of Santa Fe Springs

AGENDA

FOR THE JOINT REGULAR MEETINGS OF THE COMMUNITY DEVELOPMENT COMMISSION CITY COUNCIL

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

APRIL 9, 2009

6:00 P.M.

Luis M. Gonzalez, Mayor
Betty Putnam, Mayor Pro Tem
William K. Rounds, Councilmember
Joseph D. Serrano, Sr., Councilmember
Gustavo R. Velasco, Councilmember

Public Comment: *The public is encouraged to address City Council on any matter listed on the agenda or on any other matter within its jurisdiction. If you wish to address the City Council, please complete the card that is provided at the rear entrance to the Council Chambers and hand the card to the City Clerk or a member of staff. The City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. The City Council will hear public comment on matters not listed on the agenda during the Oral Communications period.*

Americans with Disabilities Act: *In compliance with the ADA, if you need special assistance to participate in a City Council meeting or other services offered by the City, please contact the City Clerk's Office at (562) 868-0511. Notification of at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.*

Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

Please Note: *Staff reports are available for inspection at the City Clerk's office during regular business hours 7:30 a.m. – 5:30 p.m. Monday – Friday. City Hall is closed every other Friday.*

1. **CALL TO ORDER**

2. **ROLL CALL**

William K. Rounds, Councilmember
Joseph D. Serrano, Councilmember
Gustavo R. Velasco, Councilmember
Betty Putnam, Mayor Pro Tem
Luis M. Gonzalez, Mayor

COMMUNITY DEVELOPMENT COMMISSION

3. **REPORT OF THE CITY MANAGER AND EXECUTIVE DIRECTOR**

4. **CONSENT AGENDA**

Consent Agenda items are considered routine matters that may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the Commission.

Minutes

- A. Minutes of the Joint Study Session of March 19, 2009

Recommendation: That the Commission approve the minutes as submitted.

- B. Minutes of the Regular Community Development Commission Meeting of March 26, 2009

Recommendation: That the Commission approve the minutes as submitted.

5. **UNFINISHED BUSINESS**

Resolution No. 221-09 – Approving the Use of Community Development Commission Funds for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue

Recommendation: That the Commission adopt Resolution No. 221-09; and authorize the City Engineer to advertise for construction bids for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue.

6. Approval of Major Public Facilities (CIP) Funding Plan

Recommendation: That the Commission approve the Funding Plan (Attachment A); and approve the Funding Actions (Attachment B).

7. **CLOSED SESSION**
CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 13210 Telegraph Road

Negotiating Parties: Staff and Property Owner

Under Negotiation: Terms of Agreement

CITY COUNCIL

8. **CLOSED SESSION**
CONFERENCE WITH LABOR NEGOTIATOR

Agency Negotiator: City Manager

Employee Organizations: Santa Fe Springs Firemen's Association

9. **CONSENT AGENDA**

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the City Council.

Minutes

- A. Minutes of the Joint Study Session of March 19, 2009

Recommendation: That the City Council approve the minutes as submitted.

- B. Minutes of the Regular City Council Meeting of March 26, 2009

Recommendation: That the City Council approve the minutes as submitted.

10. **NEW BUSINESS**

Resolution No. 9172 – Approving the Use of Community Development Commission Funds for the Sorensen Avenue Sidewalk Project

Recommendation: That the City Council adopt Resolution No. 9172 finding that the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue benefits the Washington Boulevard Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the community.

11. Appeal of Planning Commission Approval of Tentative Parcel Map No. 70811

Recommendation: That the City Council may, in its discretion, pursuant to Section 154.09(B) of the City Code, reject the complaint within fifteen (15) days, or set the matter for public hearing at a later date.

Please note: Item Nos. 12-23 will commence in the 7:00 hour.

12. **INVOCATION**

13. **PLEDGE OF ALLEGIANCE**

INTRODUCTIONS

14. Representatives from the Youth Leadership Committee

15. Representatives from the Chamber of Commerce

16. **ANNOUNCEMENTS**

PRESENTATIONS

17. Proclaiming April 22, 2009 as "Earth Day in Santa Fe Springs"

18. Proclaiming April 2009 as "Municipal Community Services Month"

19. Proclaiming April 22, 2009 as "Denim Day"

20. **APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS**

Committee Appointments

21. **ORAL COMMUNICATIONS**

This is the time for public comment on any City Council matter that is not on tonight's agenda. Anyone wishing to speak on an agenda item is asked to please comment at the time the item is considered by the City Council.

22. **EXECUTIVE TEAM REPORTS**

23. **ADJOURNMENT**

In the memories of Paul Tagaban, father of City employee Ruth Slusher; and Barbara Osuna, mother of City employee Randy Osuna.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at the following locations; Santa Fe Springs City Hall, 11710 Telegraph Road; Santa Fe Springs City Library, 11700 Telegraph Road; and the Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 72 hours prior to the meeting.

Barbara Earl, CMC, City Clerk

April 2, 2009

MINUTES

JOINT STUDY SESSION CAPITAL IMPROVEMENT PLAN COMMUNITY DEVELOPMENT COMMISSION/CITY COUNCIL

**THURSDAY, MARCH 19, 2009
5:00 P.M.**

CALL TO ORDER

Chairperson/Mayor Gonzalez, at 5:15 p.m., called the Joint Study Session to order.

1. ROLL CALL

Councilmembers/Commissioners Putnam, Rounds, Serrano, Velasco,
Mayor/Chairperson Gonzalez

Also present: Fred Latham, City Manager; Paul Ashworth, Director of Planning and Development; Don Jensen, Director of Public Works; Fernando Tarin, Director of Police Services; Ana Alvarez, Director of Community Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief.

2. ORAL COMMUNICATIONS

Chairperson/Mayor Gonzalez, opened Oral Communications and invited interested parties to come forward to address the Commission/Council.

Having no one come forward, Chairperson/Mayor Gonzalez closed Oral Communications.

SUBSEQUENT NEED

Demolition of the Aquatic Center Shade Structure

Recommendation: That the City Council appropriate \$25,000 from the General Fund Reserve and authorize the Director of Public Works to proceed with the demolition of the Aquatic Center shade structure.

Mr. Latham advised that a Subsequent Need Item was also before the Commission/Council. He explained that in order for an item to qualify for placement on the agenda as a Subsequent Need Item, it must meet two criteria: 1) that staff became aware of the item after the preparation of the agenda and 2) that the matter could not wait for the next meeting to be acted on. He further stated that this item met both criteria.

Commissioner/Councilmember Rounds moved to place the item on the agenda. Commissioner/Councilmember Putnam seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Chairperson/Mayor Gonzalez

NOES:

ABSENT:

Commissioner/Councilmember Rounds moved the recommendation. Commissioner/Councilmember Putnam seconded the motion, which carried unanimously.

NEW BUSINESS

3. Community Development Commission Funding with Regard to Capital Improvement Projects

City Manager Latham provided the opening framework for the Study Session.

Paul Ashworth, Director of Planning/Executive Director of the Community Development Commission, and Jose Gomez, Director of Finance and Administrative Services, gave an overview of the Redevelopment mission and financing.

Jose Gomez, Director of Finance and Administrative Services, did a review of Community Development Commission resources.

City Manager Latham provided a big picture view of City Capital Resources.

City Manager Latham also provided a big picture review of Capital and Community Development Resource uses.

Don Jensen, Director of Public Works, gave an overview of the City's six-year Capital Improvement Plan.

Don Jensen, Director of Public Works, and Al Fuentes, Commission Redevelopment Consultant, gave a review of priority Public Facility Projects.

City Manager Latham outlined recommendations for follow-up actions.

Upon the conclusion of the presentations, Commissioner/Councilmember Serrano moved to approve the recommendations as outlined: 1) That the Library Modernization Project move forward with current Commission direction to receive construction bids for Phase I and report to the Commission and Council at the April 9 meetings as to the outcome of that process, and, if the bids are acceptable and fundable, award the contract; 2) That the Library Modernization Project move forward with current Commission direction to finalize a bid package for Phase II (Garden

Area) and return to the Commission and Council seeking authorization to bid; 3) That the City manager and Director of Finance and Administrative Services prepare a resource package sufficient to fund the following projects and make appropriate recommendations to the Commission and Council at the April 9 meetings:

- Fund the Library Project Phases 1 and 2 @ \$4,978,000 including an unappropriated funding gap of \$2,938,000.
- Fund the “Core and Modernization Phases” of the Neighborhood Center Project @ \$5,611,000 including an unappropriated funding gap of \$2,582,000.
- Fund a “Master Plan Development Process” for the Activity Center @ Phase 1 - \$300,000 and Phase II - \$200,000

4) Add the Activity Center Project to the City’s Capital Improvement Plan.

Commissioner/Councilmember Putnam seconded the motion, which carried unanimously.

4. **ADJOURNMENT**

Chairperson/Mayor Gonzalez, at 8:15 p.m., adjourned the Joint Study Session.

MINUTES
JOINT REGULAR MEETINGS
OF THE
PUBLIC FINANCING AUTHORITY
COMMUNITY DEVELOPMENT COMMISSION
CITY COUNCIL

CITY OF SANTA FE SPRINGS
MARCH 26, 2009

1. CALL TO ORDER

Chairperson/Mayor Gonzalez, at 6:05 p.m., called the Public Financing Authority, Community Development Commission and City Council meetings to order.

2. ROLL CALL

Present: Directors/Commissioners/Councilmembers Putnam, Rounds, Serrano, Velasco, Chairperson/Mayor Gonzalez

Also present: Fred Latham, City Manager; Barbara Earl, City Clerk; Steve Skolnik, City Attorney; Paul Ashworth, Director of Planning and Development; Don Jensen, Director of Public Works; Fernando Tarin, Director of Police Services; Ana Alvarez, Director of Community Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief.

PUBLIC FINANCING AUTHORITY

3. APPROVAL OF MINUTES

Public Financing Authority Meeting of February 26, 2009

Recommendation: That the Authority approve the Minutes as submitted.

Director Putnam moved to approve the Minutes. Director Serrano seconded the motion, which carried unanimously.

NEW BUSINESS

4. Monthly Report on the Status of Debt Instruments issued through the City of Santa Fe Springs Public Financing Authority (PFA)

Recommendation: That the Authority receive and file the report.

Director Velasco moved to approve Item No. 4. Director Rounds seconded the motion, which carried unanimously.

COMMUNITY DEVELOPMENT COMMISSION

5. REPORT OF THE CITY MANAGER AND EXECUTIVE DIRECTOR

No reports were given.

JOINT PUBLIC HEARING – Sale of Residential Property

6. Joint Public Hearing on the Sale of a Community Development Commission-Owned Property Acquired and to be Constructed for Sale under the Housing Acquisition and Rehabilitation Program (HARP) Located at 9203 Danby Avenue, Approval of City Council Resolution No. 9169 and Community Development Commission Resolution No. 220-09

Recommendation: That the Community Development Commission make the requested findings outlined in the staff report and adopt Resolution No. 220-09.

City Attorney Skolnik advised handling this matter jointly with No. 15 on the Council Agenda.

Chairperson Gonzalez opened the Public Hearing and invited interested parties to come forward to address the Commission/Council.

Having no one come forward, Chairperson Gonzalez closed the Public Hearing.

Commissioner Velasco moved to adopt Resolution No. 220-09 and Resolution No. 9169. Commissioner Rounds seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Chairperson Gonzalez

NOES:

ABSENT:

ABSTAIN:

JOINT PUBLIC HEARING

7. Approval of Seven Proposed Amendments to the Section 8 Administrative Plan

Recommendation: That the Community Development Commission approve and authorize the recommendations as outlined in the staff report.

City Attorney Skolnik advised handling this matter jointly with Item No. 16 on the Council Agenda.

Chairperson Gonzalez opened the Public Hearing and invited interested parties to come forward to address the Commission/Council.

Having no one come forward, Chairperson Gonzalez closed the Public Hearing.

Commissioner Velasco moved to approve Item Nos. 7 and 16. Commissioner Rounds seconded the motion, which carried unanimously.

8. CONSENT AGENDA

A. Minutes

Minutes of the Regular Community Development Commission Meeting of March 12, 2009

Recommendation: That the Commission approve the Minutes as submitted.

Award of Contract

B. Meandering Sidewalk at Southwest Corner of Telegraph Road and Pioneer Boulevard

Recommendation: That the Community Development Commission appropriate \$60,000 from unallocated Community Development Commission funds; accept the bids for the meandering sidewalk at the southwest corner of Telegraph Road and Pioneer Boulevard; and award a contract to Belaire-West Landscape, Inc. of Buena Park, California in the amount of \$35,850.

Commissioner Velasco moved to approve the Consent Agenda, including Item Nos. 8-A and 8-B. Commissioner Rounds seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Chairperson Gonzalez

NOES:

ABSENT:

ABSTAIN:

NEW BUSINESS

9. Development Plan Approval Case No. 857

Request to allow the construction of a new 10, 334 sq ft concrete, tilt-up industrial building on property located at 10250 Freeman Avenue (APN#8011-004-040), in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project Area (Capco Laboratories).

Recommendation: That the Community Development Commission make the findings as outlined in the staff report and approve Development Plan Approval Case No. 857, subject to the conditions of approval.

Commissioner Serrano moved to approve Item No. 9. Commissioner Velasco seconded the motion, which carried unanimously.

10. Chamber of Commerce Lease

Recommendation: That the Community Development Commission approve the lease amendment for a five-year term and authorize the Executive Director to execute the Agreement subject to approval as to form by the Commission Attorney.

Commissioner Putnam moved to approve Item No. 10. Commissioner Rounds seconded the motion, which carried unanimously.

11. Loan Agreement

Recommendation: That the Community Development Commission approve the loan Agreement and authorize the Executive Director to execute the Agreement subject to approval as to form by the Commission Attorney.

Commissioner Rounds moved to approve Item No. 11. Commissioner Velasco seconded the motion, which carried unanimously.

12. **Councilmember-Requested Item**

Installation of Access Ramp along Promenade Landscaping Area

Recommendation: That the Community Development Commission include the installation of a disabled person's access ramp along the Promenade walkway with the Meandering Sidewalk Project on Telegraph Road west of Pioneer Boulevard.

Commissioner Velasco moved to approve Item No. 12. Commissioner Rounds seconded the motion, which carried unanimously.

CITY COUNCIL

JOINT PUBLIC HEARING – Sale of Residential Property

15. Joint Public Hearing on the Sale of a Community Development Commission-Owned Property Acquired and to be Constructed for Sale under the Housing Acquisition and Rehabilitation Program (HARP) Located at 9203 Danby Avenue, Approval of City Council Resolution No. 9169 and Community Development Commission Resolution No. 220-09

Recommendation: That the City Council make the requested findings outlined in the staff report and adopt Resolution No. 9169.

Commissioner Velasco moved to adopt Resolution No. 220-09 and Resolution No. 9169. Commissioner Rounds seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Chairperson Gonzalez

NOES:

ABSENT:

ABSTAIN:

JOINT PUBLIC HEARING

16. Approval of Seven Proposed Amendments to the Section 8 Administrative Plan

Recommendation: That the Community Development Commission approve and authorize the recommendations as outlined in the staff report.

Commissioner Velasco moved to approve Item Nos. 7 and 16. Commissioner Rounds seconded the motion, which carried unanimously.

ORDINANCE FOR PASSAGE

17. Ordinance No. 997 – Amending Subsection (A) of Section 50.22 of the City Code Regarding Garbage and Refuse

Recommendation: That the City Council waive further reading and adopt Ordinance No. 997, an ordinance amending Subsection (A) of Section 50.22 of the City Code regarding garbage and refuse.

City Attorney Skolnik read Ordinance No. 997 by title as follows: An Ordinance of the City of Santa Fe Springs Amending Subsection (A) of Section 50.22 of the City Code Regarding Garbage and Refuse.

Councilmember Velasco moved to adopt Ordinance No. 997. Councilmember Serrano seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Chairperson Gonzalez

NOES:

ABSENT:

ABSTAIN:

18. CONSENT AGENDA

Minutes

A. Minutes of the Regular City Council Meeting of February 26, 2009

Recommendation: That the City Council approve the Minutes as submitted.

Extension of Contract

B. Additional Engineering Services for the Valley View Avenue Grade Separation Project

Recommendation: That the City Council approve an extension of the contract with Hanson Wilson, Inc. in the amount of \$269,037 to cover the cost of additional engineering services for the Valley View Avenue Grade Separation Project; and authorize the Director of Public Works to execute the work order in order to incorporate these additional services into the contract.

Treasurer's Reports

- C. Consideration of Treasurer's Reports of Investment Transactions for the City of Santa Fe Springs and the Community Development Commission for the Month of January, 2009

Recommendation: That the City Council receive and file the Treasurer's Reports for the month of January, 2009.

Mayor Pro Tem Putnam moved to approve the Consent Agenda, including Item Nos. 18-A, 18-B and 18-C. Councilmember Rounds seconded the motion, which carried unanimously.

UNFINISHED BUSINESS

19. Approve Renewal of General Services Agreement between the City of Santa Fe Springs and the County of Los Angeles

Recommendation: That the City Council approve Renewal of General Services Agreement between the City of Santa Fe Springs and the County of Los Angeles for a five-year period commencing July 1, 2009, and, in so doing, authorize the Mayor to execute the Agreement documents.

Councilmember Serrano moved to approve Item No. 19. Mayor Pro Tem Putnam seconded the motion, which carried unanimously.

NEW BUSINESS

20. Adopt Resolution No. 9170 – Making a Finding as to the Industrial Disability of Robert Gillis

Recommendation: That the City Council adopt Resolution No. 9170 making a finding as to the industrial disability of Robert Gillis.

Mayor Pro Tem Putnam moved to adopt Resolution No. 9170. Councilmember Velasco seconded the motion, which carried unanimously.

21. Adopt Resolution No. 9171 – Making a Finding as to the Industrial Disability of Martin Wells

Recommendation: That the City Council approve Resolution No. 9171 making a finding as to the industrial disability of Martin Wells.

Mayor Pro Tem Putnam moved to adopt Resolution No. 9171. Councilmember Serrano seconded the motion, which carried unanimously.

22. Addition of Section 11-3.1 (Appeal Process for Disciplinary Action – Safety Employees) to the City's Policies and Procedures Manual

Recommendation: That the City Council approve the addition of Section 11-3.1 (Appeal process for Disciplinary Action – Safety Employees) to the City's Policies and Procedures Manual.

Mayor Pro Tem Putnam moved to approve Item No. 22. Councilmember Rounds seconded the motion, which carried unanimously.

23. Adoption of Funeral Reception Fees for the Use of Designated City Facilities

Recommendation: That the City Council adopt and establish a fee for funeral reception services at designated City facilities.

Councilmember Velasco moved to approve Item No. 23. Mayor Pro Tem Putnam seconded the motion, which carried unanimously.

Councilmember Serrano stated that he would like to have language added to the effect that those in need may approach either the City Manager or the Council for a fee waiver.

City Manager Latham stated that staff would include the additional language.

RECESS

Mayor Gonzalez, at 6:20 p.m., recessed the meetings to go into Closed Session.

COMMUNITY DEVELOPMENT COMMISSION

CLOSED SESSION

13. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: Villages at Heritage Springs – Bounded by Telegraph Rd., Bloomfield Ave., Clark Street and Norwalk Boulevard

Negotiating Parties: Staff and Property Owner

Under Negotiation: Terms of Agreement

CITY COUNCIL

CLOSED SESSION

14. CONFERENCE WITH LABOR NEGOTIATOR

Agency Negotiator: City Manager

Employee Organizations: Santa Fe Springs Firemen's Association
Santa Fe Springs Employees' Association

RECONVENE

Mayor Gonzalez, at 7:10 p.m., reconvened the meetings.

City Attorney Skolnik advised that he had no report from the Closed Session.

24. INVOCATION

Councilmember Velasco gave the Invocation.

25. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Putnam led the Pledge of Allegiance.

INTRODUCTIONS

26. Representatives from the Youth Leadership Committee

Those present came forward and introduced themselves.

27. Representatives from the Chamber of Commerce

Wendy Meador, Tangram Interiors; Debbie Baker, Simpson Advertising; Kathie Fink, Chamber CEO; Mike Foley; and Sylvia Southerland, Southern California Edison, were present.

28. ANNOUNCEMENTS

Wayne Bergeron, Management Assistant, updated the Community Events Calendar.

Mayor Gonzalez called upon Wendy Meador and Debbie Baker to make a presentation.

On behalf of the American Cancer Society, Ms. Meador and Ms. Baker thanked the Council for their support of the Relay for Life and presented them with the "Thanks a Million" award for raising over one million dollars through their sponsorship of the event. Pictures with Council and staff were taken.

PRESENTATIONS

29. Proclaiming April 2009 as "Santa Fe Springs Reads" Month

Ana Alvarez, Director of Community Services, called upon Hilary Keith, Director of Library and Cultural Services, to introduce the "One Book, One City" Program. Ms. Keith gave an overview of the Program, thanked City staff Joyce Ryan and Cherie Blake for their involvement, and called upon the Friends of the Library and Rosa Zavala, Professor of Chicano Studies at Rio Hondo College, to accept the proclamation.

Mayor Gonzalez called upon City Clerk Barbara Earl to read the proclamation; pictures with Council followed.

30. The California Park & Recreation Society Awards of Excellence for 2008

Ms. Alvarez thanked Council for their leadership in the area of parks and recreation, introduced and thanked various community, staff and association representatives, and called upon Mr. Bergeron to give the presentation.

Mr. Bergeron gave an overview of the recent ceremony and introduced Pamela Yugar, past president of CPRS, to present the awards to Council.

Ms. Yugar congratulated Council and staff on receiving three Awards of Excellence as well as the Award of Distinction, the highest honor given by the CPRS. Pictures with Council and staff followed.

APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS

31. Committee Appointments

Mayor Gonzalez appointed Jessica Aguilar and Victor Becerra to the Youth Leadership Committee.

32. ORAL COMMUNICATIONS

Chairperson/Mayor Gonzalez opened Oral Communications and invited interested parties to come forward to address the Authority/Commission/Council.

Having no one come forward, Chairperson/Mayor Gonzalez closed Oral Communications.

33. EXECUTIVE TEAM REPORTS

Mayor Gonzalez apologized to staff for a comment he made regarding the late start of the Youth In Summer Employment Program; Maricela Balderas, Director of Family & Human Services, provided follow-up information to him.

Councilmember Serrano reminded staff and Council of the "Lights Out" Program to take place on Saturday from 8:30-9:30.

Mayor Gonzalez announced that Councilmember Velasco was recently recognized by the South Whittier Coordinating Council.

Fernando Tarin announced a Safe Neighborhood Team Block Party to be held on April 4 from 10:00 a.m. to 2:00 p.m. at Roxabel and Seibert; emergency preparedness will be among the topics to be addressed.

Ana Alvarez, Director of Community Services, thanked the Community Services staff, department heads, directors and supervisors for the work they do every day. She further commented that she is blessed to work with such professionals; she thanked her peers and thanked the Council for the opportunity to serve them.

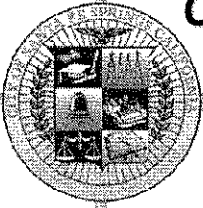
34. ADJOURNMENT

Chairperson/Mayor Gonzalez, at 8:00 p.m., adjourned the Public Financing Authority, Community Development Commission and City Council meetings in the memories of the fallen officers in Oakland, California: Sgt. Mark Dunakin, Sgt. Erv Romans, Sgt. Dan Sakai and Officer John Hege.

Luis M. Gonzalez
Chairperson/Mayor

ATTEST:

Barbara Earl, CMC, City Clerk



City of Santa Fe Springs

Community Development Commission Meeting

April 9, 2009

CITY ENGINEER'S REPORT

Resolution No. 221-09 – Approving the Use of Community Development Commission Funds for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue

RECOMMENDATION

That the Community Development Commission take the following actions:

1. Adopt Resolution No. 221-09 finding that the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue benefits the Washington Boulevard Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the Community; and
2. Authorize the City Engineer to advertise for construction bids for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue.

BACKGROUND

Pursuant to California Community Redevelopment Law, Section 33445, the City Council and Community Development Commission must approve the spending of Community Development Commission funds for public improvements including "...pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvements which are publicly owned either within or outside the project area." In order to make the expenditure of Community Development Commission funds, two findings must be made:

1. That buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvements are within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvements are of benefit to an adjacent project area of the agency.
2. That no other reasonable means of financing such buildings, facilities, equipment, structure, or other improvements, are available to the community.

SORENSEN AVENUE SIDEWALK PROJECT BETWEEN WASHINGTON BOULEVARD AND SLAUSON AVENUE

This project involves the furnishing of all materials, equipment, tools, labor and incidentals as required by the plans, specifications and contract documents. The general items of work include clearing and grubbing, installation of new PCC sidewalk, access ramps, replacement of driveways, curb and gutter, modification of existing irrigation systems and replacement of landscaping.

Report Submitted By: Don Jensen, Director
Department of Public Works

Date of Report: March 27, 2009

A handwritten signature, likely of Don Jensen, is written over the printed name and title.

5

In response to an accessibility issue on both sides of Sorensen Avenue between Washington Boulevard and Slauson Avenue, staff has completed the preparation of plans and specifications for the installation of missing sections of sidewalk and missing curb access ramps. The Public Works Department is now ready to advertise for construction bids for this project. The total estimated cost of the project including engineering, inspection and contingency is \$325,000. A request for appropriation of funds will be made at the time of contract award.

FISCAL IMPACT

The project will reduce overall ongoing maintenance costs.

INFRASTRUCTURE IMPACT

This project will provide continuous sidewalk and improve accessibility on both sides of Sorensen Avenue between Washington Boulevard and Slauson Avenue.

FINDINGS

1. That the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue is of benefit both within and outside the Washington Boulevard Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager



Paul Ashworth
Executive Director

Attachment(s):

Resolution No. 221-09

RESOLUTION NO. 221-09

A RESOLUTION OF THE
COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE SORENSEN AVENUE SIDEWALK PROJECT BETWEEN
WASHINGTON BOULEVARD AND SLAUSON AVENUE

WHEREAS, the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue will be of benefit to the community within the Washington Boulevard Redevelopment Project Area; and

WHEREAS, the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue will improve and eliminate blighting influences within the City; and

WHEREAS, no other reasonable means to complete the funding for this improvement is available except through the Community Development Commission.

NOW, THEREFORE, THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: The expenditure of funds from the Community Development Commission is hereby authorized for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue; and

Section 2: The Commission Secretary shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 9th day of April, 2009.

CHAIRPERSON

ATTEST:

COMMISSION SECRETARY



City of Santa Fe Springs

Community Development Commission Meeting

April 9, 2009

NEW BUSINESS

Approval of Major Public Facilities (CIP) Funding Plan

RECOMMENDATION

That the Community Development Commission take the following actions:

1. Approve the Major Public Facilities Funding Plan as described in Attachment A;
2. Approve the Funding Actions for Designated Projects as listed in Attachment B.

BACKGROUND

At the March 19, 2009 CIP Study Session, the Community Development Commission (CDC) received an overview of resources available to fund major public facilities and other eligible projects. The CDC was also informed that approximately \$6 million in additional funding was required to complete the funding for the CDC approved Library Renovation and Modernization Project, the Neighborhood Center Renovation and Modernization Project and the 2-Phase approach recommended by the City Manager to develop a Master Plan for the Activity Center.

As part of several actions at the Study Session, the CDC directed the City Manager and Director of Finance and Administrative Services to develop a Major Public Facilities (CIP) Plan to fund the gap for the approved Library, Neighborhood Center and Activity Center Phase 1 and 2 Projects.

The plan proposed by staff to fund the gap is described in Attachment A. The first of several actions required to implement both the funding plan and the designated projects are described in Attachment B. In summary, the Plan addresses the following need for additional resources based on the City Engineer's estimate of costs:

Funding Gap Summary

Library Renovation and Modernization Project		
Revised Cost of Core and Modernization Improvements		\$4,978,000
Approved Funding		<u>\$2,040,000</u>
	Funding Gap	\$2,938,000
Neighborhood Center Renovation and Modernization Project		
Revised Cost of Core and Modernization Improvements		\$5,611,000
Approved Funding		<u>\$3,029,000</u>
	Funding Gap	\$2,582,000
Activity Center Phase 1 and Phase 2 Master Plan Project		
		<u>\$ 500,000</u>
	Total Funding Gap	\$6,020,000

6

Major Public Facilities (CIP) Funding Plan and Recommended Actions for Designated Projects



Frederick W. Latham
City Manager



Paul Ashworth
Executive Director

Attachment(s)

Attachment A: Major Public Facilities Funding Plan (CIP) for Library Renovation and Modernization Project, Neighborhood Center Renovation and Modernization Project and Activity Center Master Plan Phase 1 & 2

Attachment B: List of Recommended Actions by CDC for Designated CIP Projects

ATTACHMENT A

MAJOR PUBLIC FACILITIES (CIP) FUNDING PLAN For Library Renovation and Modernization Project Neighborhood Center Renovation and Modernization Project Activity Center Master Plan Phase 1 and 2

Step 1: Deappropriation of Budgeted Funds

- De-Appropriate CDC Funding for the Fire Headquarters Station Expansion Project: **\$2,750,000**
- De-Appropriate CDC Funding for the Lakeview Park Project **\$2,868,000**
- Subtotal: \$5,618,000**

Step 2: Appropriation of Funds

- Use CDC funds previously appropriated for the Lakeview Project to cover the Fire Headquarters Expansion Project **\$2,750,000**
- Commit \$118,000 in CDC funding previously appropriated for the Lakeview Project to the Activity Center Project **\$ 118,000**
- Subtotal: \$2,868,000**

Proposed Funding Plan

1. Use Balance of Funds Remaining After Above Actions: **\$2,750,000**
2. \$2.0 million General Fund Loan from City to CDC **\$2,000,000**
 - a) 3-Year maximum payback period (absent an extension agreed to by both parties)
 - b) Repayment in full from:
 - Loan Proceeds from 3 current CDC Economic Development Loans (Heritage Crossing, Bloomfield 1, Bloomfield 2)
 - Proceeds from future CDC land sales
 - Reimbursement from Ameron Polanco action
 - Any combination of the above
3. Commit \$1.250 million in CDC Tax-Exempt Bond Funds **\$1,250,000**
- Total Available for 3 Major CIP Project Funding Gap** **\$6,000,000**

ATTACHMENT B

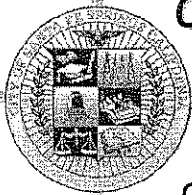
LIST OF RECOMMENDED ACTIONS FOR DESIGNATED CIP PROJECTS

It is recommended that the Community Development Commission approve and take the following actions in order to establish the Funding Plan as outlined in Attachment A:

1. De-Appropriate \$2.750 million of CIP Funding for the Headquarters Fire Station Expansion Project;
2. De-Appropriate \$2.868 million in CIP Funding for the Lakeview Park Facility Project;
3. Appropriate \$2.750 from the Lakeview Park Facility Project to the Headquarters Fire Station Expansion Project;
4. Direct that \$118,000 of the CDC funding formerly allocated to the Lake View Park Facility Project be reserved and designated for the Activity Center Master Plan Phase 1 &2 Project
5. Direct the City Manager to prepare an Activity Center Master Plan Phase 1 and Phase 2 Scope of Work for CDC review and approval. The Scope of Work will be part of a Request for Qualifications and Cost Proposal to perform services for an Activity Center Phase 1 Site and Needs Assessment and a Phase 2 Visioning Process;
6. Direct the Finance Director to prepare a Report and Recommendation for CDC action to approve a \$2 million General Fund Loan from the City to the CDC. The Report will identify the loan specifics including a 12% interest rate, 3-year maximum payback period and repayment in full options including loan proceeds from 3 current CDC Economic Development loans, proceeds from CDC land sales, or proceeds from the Ameron Polanco reimbursement actions.
7. Direct the City Engineer to amend the LPA Agreement in the amount of \$391,000 to prepare Bid Documents for the CDC approved Core and Modernization Improvements for the Neighborhood Center Renovation and Modernization Project. Funding for the expanded scope of services will be from the currently approved CDC funding obligation for this project.

PLEASE REFER TO ITEM NO. 4 –A

PLEASE REFER TO ITEM NO. 4 –B



City of Santa Fe Springs

City Council Meeting

April 9, 2009

CITY ENGINEER'S REPORT

Resolution No. 9172 – Approving the Use of Community Development Commission Funds for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue

RECOMMENDATION

That the City Council adopt Resolution No. 9172 finding that the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue benefits the Washington Boulevard Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the Community.

BACKGROUND

Pursuant to California Community Redevelopment Law, Section 33445, the City Council and Community Development Commission must approve the spending of Community Development Commission funds for public improvements including "...pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure, or other improvements which are publicly owned either within or outside the project area." In order to make the expenditure of Community Development Commission funds, two findings must be made:

1. That buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvements are within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvements are of benefit to an adjacent project area of the agency.
2. That no other reasonable means of financing such buildings, facilities, equipment, structure, or other improvements, are available to the community.

SORENSEN AVENUE SIDEWALK PROJECT BETWEEN WASHINGTON BOULEVARD AND SLAUSON AVENUE

This project involves the furnishing of all materials, equipment, tools, labor and incidentals as required by the plans, specifications and contract documents. The general items of work include clearing and grubbing, installation of new PCC sidewalk, access ramps, replacement of driveways, curb and gutter, modification of existing irrigation systems and replacement of landscaping.

In response to an accessibility issue on both sides of Sorensen Avenue between Washington Boulevard and Slauson Avenue, staff has completed the preparation of plans and specifications for the installation of missing sections of sidewalk and missing curb access ramps. The Public Works Department is now ready to advertise for construction bids for this project. The total estimated cost of the project including engineering, inspection and contingency is \$325,000.

Report Submitted By: Don Jensen, Director
Department of Public Works

Date of Report: March 27, 2009

FISCAL IMPACT

The project will reduce overall ongoing maintenance costs.

INFRASTRUCTURE IMPACT

This project will provide continuous sidewalk and improve accessibility on both sides of Sorensen Avenue between Washington Boulevard and Slauson Avenue.

FINDINGS

1. That the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue is of benefit both within and outside the Washington Boulevard Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager

Attachment(s):
Resolution No. 9172

RESOLUTION NO. 9172

A RESOLUTION OF THE
COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE SORENSEN AVENUE SIDEWALK PROJECT BETWEEN
WASHINGTON BOULEVARD AND SLAUSON AVENUE

WHEREAS, the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue will be of benefit to the community within the Washington Boulevard Redevelopment Project Area; and

WHEREAS, the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue will improve and eliminate blighting influences within the City; and

WHEREAS, no other reasonable means to complete the funding for this improvement is available except through the Community Development Commission.

NOW, THEREFORE, THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: The expenditure of funds from the Community Development Commission is hereby authorized for the Sorensen Avenue Sidewalk Project between Washington Boulevard and Slauson Avenue; and

Section 2: The City Clerk shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 9th day of April, 2009.

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

April 9, 2009

NEW BUSINESS

Appeal of Planning Commission Approval of Tentative Parcel Map No. 70811

RECOMMENDATION

That the City Council may, in its discretion, pursuant to Section 154.09(B) of the City Code, reject the complaint within fifteen (15) days, or set the matter for public hearing at a later date.

BACKGROUND

On March 23, 2009 at a public hearing, the Planning Commission upheld staff's recommendation to approve Tentative Parcel Map No. 70811 by a 5-0 vote. Tentative Parcel Map No. 70811 was a request to subdivide four parcels (APN: 8168-001-008, 8168-001-801, 8168-001-810, 8168-001-811) of approximately 13.473 acres into three parcels: Parcel 1 of 5.194 acres, Parcel 2 of 3.625 acres and Parcel 3 of 4.654 acres. The four parcels, three of which are railroad right-of-ways, are generally located on Burke Street (11630 Burke Street) and also on Norwalk Boulevard in the M-2 -BP, Heavy Manufacturing- Buffer Parking, Zone and also in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project Area.

On March 19, 2009, Staff was approached by Mr. David Thaete, EHS Manager of Phibro-Tech, Inc, which is located southeast of the proposed subdivision. According to Mr. Thaete, he received the notification of the public hearing on March 13, 2009, and has some concerns about the proposed subdivision because Phibro-Tech currently has an agreement with the railroad company for a wastewater discharge line that is on the railroad's property. If the proposed subdivision is approved, the wastewater line will no longer be on the railroad's property. Mr. Thaete informed staff that he will be at the Planning Commission meeting of March 23, 2009. A copy of the map and the contact information for Mr. David Thaete was forwarded to the engineer for the proposed subdivision.

During the March 23, 2009 public hearing, Mr. Thaete addressed the Commission regarding their lease agreement with the railroad company for the wastewater discharge line and also asserted that they have an easement by prescription for the wastewater line. Mr. Thaete requested that the Planning Commission grant a continuance of this case.

Mr. Skolnik reminded the Planning Commission that Case No. 70811 is a straightforward request for a subdivision and does not pertain to easement rights. Mr. Skolnik clarified that the lease agreement is between the two property owners and does not pertain to the subject request (See attached minutes of the March 23, 2009 meeting).

After some discussion, the Planning Commission voted unanimously to approve Tentative Parcel Map No. 70811.

Discussion/Analysis:

Staff's recommendation to approve Tentative Parcel Map No. 70811 was based on the following:

1. That Tentative Parcel Map No. 70811 is an exempt activity (Subdivision of certain properties in urban areas into four or fewer parcels) pursuant to Section 15315-Class 15 of the California Environmental Quality Act (CEQA) and is, therefore, listed as a categorically-exempt project.
2. That Tentative Parcel Map No. 70811, together with the provisions for its design and improvement, is consistent with the City's General Plan.
3. That Tentative Parcel Map No. 70811, together with the provisions for its design and improvement, meets the standards as set forth in Sections 66474 and 66474.6 of the Subdivision Map Act for the granting of approval of a Tentative Parcel Map.

Appeal Request:

On April 1, 2009, the City received the attached appeal letter from a law firm retained by Phibro-Tech, Inc, the adjacent property owner to the southeast.



Frederick W. Latham
City Manager

Attachments:

1. Appeal Letter
2. Planning Commission Minutes of March 23, 2009

Paul Hastings

RECEIVED
City Clerk's Office

APR 01 2009

City of
Santa Fe Springs

Paul, Hastings, Janofsky & Walker LLP
515 South Flower Street
Twenty-Fifth Floor
Los Angeles, CA 90071
telephone 213-683-6000 • facsimile 213-627-0705 • www.paulhastings.com

Copies to:
Council
FWL
Spalding
Paul A.

(213) 683-6255
robertmcmurry@paulhastings.com

April 1, 2009

26754.80602

The Honorable Luis González, Mayor and Members of the City of Santa Fe Springs City Council
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, California 90670

Re: Appeal of City Planning Commission Approval of Tentative Parcel Map. No. 70811

Dear Members of the City of Santa Fe Springs City Council,

This law firm has been retained by First Dice Road Company, A California Limited Partnership and Phibro-Tech, Inc. (collectively, "PTI"), the owner and operator of property located at 8851 Dice Road, Santa Fe Springs, California (the "PTI Property"). We are writing to appeal the City of Santa Fe Springs Planning Commission's March 23, 2009 approval of Tentative Parcel Map No. 70811 (the "Tentative Parcel Map") subdividing property to be developed by the project applicant Kekropia, Inc. (the "Kekropia Property"). The PTI Property adjoins the Kekropia Property and PTI, along with the surrounding community, will experience severe harm if the City Council approves the Tentative Parcel Map.

Mrs. Susan Beasley, Secretary of the Santa Fe Springs Planning Department, has informed this office that the City of Santa Fe Springs (the "City") does not charge a filing fee or have a prescribed form to complete to appeal the Planning Commission's approval of the Tentative Parcel Map to the City Council. If this information is inaccurate, please notify us and we will immediately submit the required fee and form.

This appeal letter will (1) provide a brief history of the relationship between the PTI Property and the Kekropia Property; (2) demonstrate PTI's prescriptive easement and identify the harm suffered by PTI if the Tentative Parcel Map is approved in relation to the prescriptive easement; (3) address the multiple violations of the California Environmental Quality Act¹ ("CEQA") if the Tentative Parcel Map is approved and (4) illustrate that the City failed to provide adequate notice for the March 23, 2009 Planning Commission hearing.

¹ California Public Resources Code §§ 21000 et seq.

Atlanta
Beijing
Brussels
Chicago
Frankfurt
Hong Kong
London
Los Angeles
Milan
New York
Orange County
Palo Alto
Paris
San Diego
San Francisco
Shanghai
Tokyo
Washington, DC

The Honorable Luis González, Mayor and Members of the City of Santa Fe Springs City Council

April 1, 2009

Page 3

and abutters' rights, drainage, public utility easements and other public easements.³

II. PTI HAS AN EASEMENT BY PRESCRIPTION FOR THE PTI WASTEWATER PIPE AND PTI WILL ENDURE SEVERE HARM IF THE TENTATIVE PARCEL MAP IS APPROVED

PTI owns an easement by prescription in the Railroad Right-of-Way because its use of the PTI Wastewater Pipe has been (1) continuous for over 5 years, (2) open, notorious and visible, and (3) hostile and adverse. (See *Jones v. Harmon* (1959) Cal.App.2d 869 (upholding utility easement for irrigation pipeline under land of neighboring property).) Although PTI acquired the prescriptive easement decades ago, it has not recorded such easement because the overlying property owner has recognized PTI's rights under the prescriptive easement and permitted placement and operation of the wastewater connection. Since Kekropia, Inc. has indicated that it will not recognize the prescriptive easement, PTI will take prompt steps to have it recorded.

The Subdivision Map Act requires the written consent of record owners to apply for a subdivision.⁴ PTI has not authorized, and does not authorize the approval of the Tentative Parcel Map.

Furthermore, Kekropia, Inc. has advised our client that it will have the ability to terminate the further use of the PTI wastewater pipe after the City approves the Tentative Parcel Map and it acquires the property from Union Pacific. Thus, the City's approval of the Tentative Parcel Map without a condition resolving the wastewater issue would likely result in extensive litigation between the parties.

III. APPROVAL OF THE TENTATIVE PARCEL MAP WILL VIOLATE CEQA

The City's approval of the Tentative Parcel Map would violate CEQA because the City is segmenting the project and improperly relying on a categorical exemption.

It remains unclear what the applicant is requesting and what the City has in fact approved. Based on the City's staff report, it is clear that the applicant anticipates constructing a 106,189 square foot building on the subject property after the City approves the Tentative Parcel Map. The staff report suggests that the City has approved either (a) the subdivision of four parcels into three parcels, or (b) the subdivision of four parcels into three parcels and the development of a 106,189 square foot building.

³ City of Santa Fe Springs Municipal Code § 154.11

⁴ California Government Code § 66430

The Honorable Luis González, Mayor and Members of the City of Santa Fe Springs City Council

April 1, 2009

Page 5

proposed 106,189 square foot building will be very limited if it complies with the zoning for the property, the environmental review of this issue will take place, if at all, at a time when the discretionary decisions as to the type, density, and basic conditions of development on the site have largely been determined.

This type of segmentation to avoid full environmental analysis as required by the CEQA and other environmental statutes has been tried and rejected by the courts as a violation of law. In *Citizens Association for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, the County approved general plan amendments and zoning reclassifications, along with two negative declarations for a shopping center project. Nearly three months later, the County approved the tentative tract map, road abandonment, variance and a negative declaration for the shopping center. (Id. at 156.) In reversing the trial court and requiring the preparation of an EIR, the Court of Appeal held that "division of the shopping center project into two parts constituted an abuse of discretion by the lead agency." (Id. at 167.) The Court went further, holding that the filing of separate environmental documents, each with a finding of no significant environmental impact, can lead to the adoption of successive negative declarations and may mask the existence of significant environmental impacts that become apparent when those documents are reviewed in conjunction with one another. (Id. at 155-156.) Similarly, here, the project applicant is attempting to avoid the preparation of an EIR by splitting a single project that requires multiple approvals into two projects solely to circumvent CEQA.

As the California Supreme Court stated in *Bozung v. Local Agency Formation Com.*, (1975) 13 Cal.3d 263, CEQA mandates "... that environmental considerations do not become submerged by chopping a large project into many little ones - each with a minimal potential impact on the environment - which cumulatively may have disastrous consequences." (Id. at 283-284.) This is exactly what the project applicant is attempting to do here. Further, an exemption determination that ignores evidence of an unusual circumstance creating a reasonable possibility of a significant environmental impact will be set aside. (See, e.g., *Committee to Save the Hollywoodland Specific Plan v. City of Los Angeles* (2008) 161 Cal.App.4th 1136, 1148.)

The California Supreme Court has established a two-prong test for determining when two projects are so integral to one another that they require a single environmental review with a single project description: (i) whether the one project under consideration "is a reasonably foreseeable consequence of" the other project, and (ii) whether the development of the project under consideration "will be significant in that it will likely change the scope or nature of [the other project] or its environmental effects." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal. 3d 376, 396.)

Here, it is clear that Kekropia is attempting to obtain approval of the Tentative Parcel Map, while delaying approval of the entitlements for the development of the 106,189

The Honorable Luis González, Mayor and Members of the City of Santa Fe Springs City Council.

April 1, 2009

Page 7

the proposed building to the public, it is impossible to analyze the potential environmental impacts and harm its use may cause the surrounding community.

The second applicable exception to the categorical exemption applies if there is a "reasonable possibility" that significant environmental impacts will result due to "unusual circumstances." (CEQA Guidelines, §15300.2(c).)⁸

The analysis of the applicability of this exception involves two distinct issues:

- (1) whether the project raises the "reasonable possibility" that a "significant effect on the environment" may occur,
- and (2) whether this possibility is due to "unusual circumstances."⁹

There is without doubt more than a "reasonable possibility" that a "significant effect on the environment" may occur if the Tentative Parcel Map is approved.

A significant effect is a substantial, or potentially substantial, adverse change in the environment.¹⁰ This means that an activity has a significant effect if, among other things, it has the potential to degrade the quality of the environment. It follows that where there is any reasonable possibility that a project or activity may have a significant effect on the environment, an exemption would be improper. (*Azusa Land Reclamation Company v. Main San Gabriel Basin Watermaster* (2nd Dist. 1997) 52 Cal.App.4th 1165, 1191.) There is without doubt more than a "reasonable possibility" that a "significant effect on the environment" may occur if the entire project is being approved based on the magnitude of the development and its expected operation-related impacts.

In determining whether "unusual circumstances" exist to satisfy the second prong of the test, the court in *Azusa Land* held that the applicable test is whether "the circumstances of a particular project (1) differ from the general circumstances of the projects covered by a particular categorical exemption, and (2) those circumstances create an environmental risk that does not exist for the general class of exempt projects." (Id. at 1207.) Furthermore, when relying on any categorical exemption, the approving agency should create an administrative record showing that the agency fully considered whether the project might cause significant impacts. (See *East Peninsula Education Council, Inc. v. Palos Verdes Peninsula Unified School District* (2nd Dist. 1989) 210 Cal.App.3d 155, 170-175.) An exemption determination that ignores evidence of an unusual circumstance creating a reasonable possibility of a significant environmental impact may be set aside.

⁸ Guidelines refers to the California Code of Regulations, Title 14, Chapter 3, §§15000 et seq.

⁹ "[A] categorical exemption shall not be sued for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." Guidelines § 15300.2(c)

¹⁰ CEQA § 21068

Paul Hastings

The Honorable Luis González, Mayor and Members of the City of Santa Fe Springs City Council


April 1, 2009

Page 9

PTI will defend not only its rights to the prescriptive easement, but also the health and safety of the surrounding community and its employees.

Please let us know if you have any questions or may need additional information pertaining to the appeal.

Sincerely,



Robert I. McMurry
of PAUL, HASTINGS, JANOFSKY & WALKER LLP

cc: Mr. Ed Rhodes, Union Pacific
Mr. W. Dwight Glover, President, Phibro-Tech, Inc.
Mr. Kirk Cartozian, Cartozian Associates Real Estate

LEGAL_US_W # 61395393.3

**MINUTES
REGULAR MEETING
SANTA FE SPRINGS PLANNING COMMISSION
MARCH 23, 2009**

1. CALL TO ORDER

Chairperson Moore called the Planning Commission meeting to order at 4:30 p.m.

2. PLEDGE OF ALLEGIANCE

Mr. Luis Collazo led the Pledge of Allegiance.

3. ROLL CALL was taken, with the following results:

Present: Chairperson Moore
Vice Chairperson Oblea
Commissioner Madrigal
Commissioner Puentes
Commissioner Rios

Staff: Paul Ashworth, Director of Planning and Development
Steve Masura, Redevelopment Manager
Wayne Morrell, Principal Planner
Cuong Nguyen, Associate Planner
Luis Collazo, Code Enforcement Inspector
Steve Skolnik, City Attorney
Susan Beasley, Executive Secretary
Phillip DeRousse, Police Services
Andy Lazzaretto, Consultant

4. ORAL COMMUNICATIONS

There being no one wishing to speak, Oral Communications were declared closed by Chairperson Moore.

5. APPROVAL OF MINUTES

The minutes of March 9, 2009, upon unanimous consent, were declared approved by Chairperson Moore.

PUBLIC HEARING

6. Tentative Parcel Map No. 70811

Request for approval of Tentative Parcel Map No. 70811, a request to subdivide four parcels (APN: 8168-001-008, 8168-001-801, 8168-001-810, 8168-001-811), of approximately 13.473 acres into three parcels: Parcel 1 of 5.194 acres, Parcel 2 of 3.625 acres and Parcel 3 of 4.654 acres. The four parcels, three of which are railroad right-of-way, are generally located on

Burke Street (11630 Burke St) and on Norwalk Boulevard, in the M-2-BP, Heavy Manufacturing-Buffer Parking, Zone and in the M-2, Heavy Manufacturing Zone within the Consolidated Redevelopment Project Area. (Samir Khoury for Kekropia, Inc.)

The subject case was presented by Mr. Wayne Morrell.

The applicant, Larry Patsouras of Kekropia, Inc., and Samir Khoury of Coory Engineering were present in the audience.

Vice Chairperson Oblea asked if the railroad tracks on the subject lots were abandoned or operative.

Mr. Morrell answered that two of the tracks had been abandoned and one is still operative.

Having no further questions from the Planning Commission, Chairperson Moore opened the public hearing.

Mr. David Thaete, EHS Manager of Phibro-Tech, located southeast of the proposed subdivision, addressed the Commission. Their concern pertained to their lease agreement with the railroad company for a wastewater discharge line that is on the railroad's property. Mr. Thaete requested that the Planning Commissioner grant a continuance of this case for further negotiations with the applicant, as outlined in conditions of approval #9.

Having no other public speakers, Chairperson Moore closed the public hearing.

Mr. Skolnik reminded the Planning Commission that Case No. 70811 is a straightforward request for a subdivision and does not pertain to easement rights. Mr. Skolnik clarified that the lease agreement is between the two property owners and does not pertain to the subject request and condition #9 should not be valid.

Commissioner Madrigal asked about the notification process.

Mr. Morrell clarified that the legal requirement is to send a public notice to all tenants within 500 ft of the subject property within 10 days of the public hearing, which the city complied with.

Commission Madrigal asked if a continuance of this case would cause any hardship for the applicant.

The applicant, Mr. Patsouras, answered that he has a lot of money tied up in this property and any delays would incur further expenses. He further mentioned that he had notified the surrounding tenants a year ago of his intentions to purchase the railroad property and develop his property. He did not receive any contact from Phibro-Tech at that time; however, Mr. Patsouras advised the Planning Commissioners that he and Phibro-Tech have had two subsequent meetings to resolve this issue, including offering six months free on the subject lease.

Commissioner Puentes made a motion to remove condition of approval #9 and approve Case No. 70811. Commissioner Rios seconded the motion, which passed unanimously.

NEW BUSINESS

7. Application for Alcohol Sales Conditional Use Permit Case No. 48

Request for Alcohol Sales Conditional Use Permit Case No. 48 to allow the operation and maintenance of an alcoholic beverage use involving the establishment, storage and wholesale distribution of alcoholic beverages at 9830 Norwalk Boulevard Suites 178-184, located in the M-2, Heavy Manufacturing Zone, within the Consolidated Redevelopment Project Area. (BevLink, LLC/ Michael S. Harvey)

The subject case was presented by Mr. Phillip DeRousse.

Vice Chairperson Oblea made a motion to approve Case No. 48 as presented. Commissioner Madrigal seconded the motion, which passed unanimously.

8. Reconsideration of Conditional Use Permit Case No. 666

Request to allow the continued operation and maintenance of a 1,560 sq ft church facility within a multi-tenant business part located at 9815 Carmenita Road, Unit I, in the M-1 PD, Light Manufacturing-Planned Development Overlay, Zone and within the Consolidated Redevelopment Project Area. (Storehouse Christian Fellowship)

The subject case was presented by Mr. Luis Collazo.

Mr. John Salgado, Director, was present in the audience.

Commissioner Madrigal asked if there had been any complaints from any other tenants.

Mr. Collazo stated that he had spoken to the surrounding business and had not received any complaints. Some of the businesses were not aware of the

church use, while others like the surrounding restaurant appreciate the added business.

Commissioner Madrigal made a motion to approve Case No. 666 as presented. Commissioner Rios seconded the motion, which passed unanimously.

9. COMMUNICATIONS

Commissioners: No comments.

Staff:

Mr. Skolnik clarified the Indemnification Clause and the use of the term "applicant". A Conditional Use Permit is a land use entitlement; therefore, both the property owner and business owner will be liable.

Mr. Skolnik also reviewed the Planning Commission Ordinances and clarified absence-reporting procedures. Copies of Ordinance 15 dated June 1957 and Ordinance 635 dated August 1983 were distributed to Planning Commissioners.

Staff recommends that the practice of appointing officers at the first meeting in January each year be continued. All Planning Commissioners agreed.

Mr. Andy Lazzaretto provided the Commission with an update on the amendments to the two redevelopment areas. He also explained why they recently received a printed copy of the draft Environmental Impact Reports for both the Washington Boulevard and Consolidated Redevelopment Projects.

Mr. Morrell discussed the current wireless telecommunications policy and wireless antenna sites map and chart, which were distributed to the Planning Commissioners.

10. ADJOURNMENT

Chairperson Moore adjourned the Planning Commission meeting at 5:15 p.m.

Chairperson Richard Moore

ATTEST:

Susan R. Beasley, Executive Secretary



NEW BUSINESS

PUBLIC HEARING

Tentative Parcel Map. No. 70811

Request for approval of Tentative Parcel Map No. 70811, a request to subdivide four parcels (APN: 8168-001-008, 8168-001-801, 8168-001-810, 8168-001-811), of approximately 13.473 acres into three parcels: Parcel 1 of 5.194 acres, Parcel 2 of 3.625 acres and Parcel 3 of 4.654 acres. The four parcels, three of which are railroad right-of-way, are generally located on Burke Street (11630 Burke Street) and also on Norwalk Boulevard, in the M-2 -BP, Heavy Manufacturing- Buffer Parking, Zone and also in the M-2, Heavy Manufacturing Zone within the Consolidated Redevelopment Project Area. (Samir Khoury for Kekropia)

RECOMMENDATIONS

Staff recommends that the Planning Commission take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Tentative Parcel Map No. 70811 and thereafter close the Public Hearing.
2. Find and determine that Tentative Parcel Map No. 70811 is an exempt activity (Subdivision of certain properties in urban areas into four or fewer parcels) pursuant to Section 15315-Class 15 of the California Environmental Quality Act (CEQA) and is therefore, listed as a categorically exempt project.
3. Find that Tentative Parcel Map No. 70811, together with the provisions for its design and improvement, is consistent with the City's General Plan.
4. Find that Tentative Parcel Map No. 70811, together with the provisions for its design and improvement, meets the standards as set forth in Sections 66474 and 66474.6 of the Subdivision Map Act for the granting of approval of a Tentative Parcel Map.
5. That the Planning Commission approve Tentative Parcel Map No. 70811, subject to the conditions of approval as recommended by the Subdivision Map Committee and as contained within this staff report.

BACKGROUND

The proposed subdivision consists of four parcels of approximately 13.473 acres generally located at the southeast corner of Norwalk Boulevard and Burke Street. The largest parcel (APN: 8168-001-008) of 8.35 acres is developed with two buildings; one is a concrete tilt-up building of 82,298 sq ft and the other is a single-story brick building of 3,379 sq ft. The concrete tilt-up building has an address of 11700 Burke Street and the single-story building has an address of 11630 Burke Street. The Burke properties are located in the M-2-BP, Heavy Manufacturing-Buffer Parking, Zone. The first 60 feet along Burke Street is zoned BP and the remaining portions are zoned M-2. The property is also located within the Consolidated Redevelopment Project Area, but outside of the Methane Zone.

The remaining three parcels (APN: 8168-001-801 of 34,555 sq ft; APN: 8168-001-810 of 56,433 sq ft; and APN: 8168-001-811 of 143,237 sq ft) consist of adjacent railroad right-of-way. Two of the railroad parcels have frontage on public streets. APN: 8168-001-801 has frontage on Burke Street and APN: 8168-001-811 has frontage on Norwalk Boulevard and Dice Road. APN: 8168-001-810 is landlocked.

The applicant, Kekropia Inc, is requesting approval to subdivide (combine) four parcels (APN: 8168-001-008, 8168-001-801, 8168-001-810, 8168-001-811), of approximately 13.473 acres into three parcels: Parcel 1 of 5.194 acres, Parcel 2 of 3.625 acres and Parcel 3 of 4.654 acres. To create parcels 1 and 2, approximately 15 feet of the northerly portion of the adjacent railroad right-of-way is needed.

The subdivision map is being filed to facilitate the further division and development of the property and for financing, leasing and sales purposes. Specifically, a 106,189 sq ft concrete tilt-up building is proposed on Parcel 1. The existing 82,298 sq ft building will be located on Parcel 2.

TENTATIVE PARCEL MAP - REQUIRED FINDINGS FOR APPROVAL:**1. Consistency with the General Plan**

Pursuant to Section 154.07 of the Municipal Code, a tentative map shall not be approved unless the Planning Commission finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan as required by §66473.5 of the Subdivision Map Act.

TENTATIVE PARCEL MAP - REQUIRED FINDINGS FOR DENIAL:

The Planning Commission shall deny approval of a tentative map if it makes any of the following findings as set forth in Sections 66474 and 66474.6 of the Subdivision Map Act.

1. That the proposed map is not consistent with applicable general and specific plans.
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be equivalent to ones previously acquired by the public.
8. That the governing body of any local agency shall determine whether the discharge of waste from the proposed subdivision into an existing community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code. In the event that the governing body finds that the proposed waste discharge would result in or add to violation of requirements of such Board, it may disapprove the tentative map or maps of the subdivision.

TENTATIVE TRACT MAP – FINDINGS IN SUPPORT OF APPROVAL

Each and all of the findings and determinations are based on both oral and written evidence contained in the record relating to the Project. All summaries of information contained herein or in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

The proposed Tentative Parcel Map, subject to the conditions of approval as contained with the staff report, is in accordance with California Government Code, Section 66474 in that:

1. The proposed map and design or improvement of the proposed subdivision is consistent with applicable General and Specific Plans.

The project site is not located within a Specific Plan area of the City. The proposed subdivision is consistent with the City's General Plan in that the proposed subdivision will not change the site's General Plan Land Use designation of "Industrial" nor will the zoning designation, M-2-BP, Heavy Manufacturing-Buffer Parking and M-2, Heavy Manufacturing, change. There will still be consistency between the General Plan land use designation and zoning designation.

The subdivision as designed provides the required number of parking spaces for each building, and the minimum lot area of 7,500 sq ft. as required by the City's Zoning Regulations. The proposed subdivision is also consistent with the Zoning Regulations in that all the created parcels will continue to have frontage on a public street.

In summary, the proposed subdivision and provisions for its design and improvements, subject to the conditions of approval as contained in the staff report, are compatible with the goals and objectives of the General Plan of the City of Santa Fe Springs, and therefore, is in compliance with Government Code Section 66473.5, entitled "Subdivision Must be Consistent with General Plan or Specific Plan".

2. The site is physically suitable for the type of development and proposed density of development.

The largest parcel is already developed with two buildings: a concrete tilt-up building of 82,298 sq ft and a single-story brick building of 3,379 sq ft. The concrete-tilt-up building is occupied while the brick building is boarded-up. A 106,189 sq ft concrete tilt-up building is proposed on Parcel 1 of the proposed subdivision while the existing 82,298 sq ft building will be located on newly created

Parcel 2. All utilities and public streets are existing. Additionally, the purpose of the M-2, Heavy Manufacturing Zone is to promote industrial development.

3. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or is likely to cause serious public health concerns.

As mentioned in response to Item 2 above, the subject property is already developed and all utilities and public streets are existing. The site has also been previously graded and developed with buildings, parking lots, access roadway, driveways, walkways and landscape areas, and does not contain any riparian habitats, wetland habitats, open areas, and is not utilized for movement of any known native wildlife species of migratory fish or wildlife species; consequently, the design of the subdivision is unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Nevertheless, the property does have some environmental issues; consequently, before the property can be developed with the aforementioned 106,189 sq ft concrete tilt-up building, an environmental assessment shall be conducted to determine whether there is substantial evidence that any aspect of the proposed development, either individually or cumulatively, may cause a significant effect on the environment.

Although the Site is located in the Whittier Quadrangle, a search of the California Department of Fish and Game (CDFG) Diversity Database was conducted to determine if any plant or wildlife species of concern have been identified in the Whittier Quadrangle vicinity. All species considered threatened or sensitive in the subject quadrangle inhabit vernal pools, tidal marshes, coastal scrubs, coastal dunes, grasslands, woodlands, or riparian communities. None of the above communities exists on the subject site.

4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Information from Progressive Title Company, Inc. identified six easements on the Site (see Table III, labeled Existing Easements). No changes or modifications to these existing easements are proposed. Nevertheless, pursuant to Section 66436 et seq of the Subdivision Map Act, all parties having any record title interest in the subdivided real property were notified of the proposed subdivision. To date, Staff has received an e-mail from Ronnie Burtner of the Los Angeles County Sanitation District. The e-mail stated that upon review of the tentative map, it was determined that the proposed subdivision "will not unreasonably interfere with the Districts' easement or our ability to access our facilities."

Table III
Existing Easements

Easement No.	Type of Easement
③	An Easement for Water Pipe Lines Recorded in Book 18171 Page 122, Official Records.
④	Street Dedication and Public Utilities Easement Granted To The City of Santa Fe Springs Recorded May 6, 1974 as Instrument No. 2580, Official Records.
⑤	Street Dedication and Public Utilities Easement Granted To The City of Santa Fe Springs Recorded May 6, 1974 as Instrument No. 2581, Official Records.
⑨	An Easement Recorded August 26, 1985 as Instrument No. 85-984074, Official Records.
⑪	An Easement For Electrical Utilities Recorded December 1, 1983 As Instrument No. 83-1416088, Official Records
⑫	An Easement For Electrical Utilities Recorded August 26, 1985 As Instrument No. 85-984074, Official Records

Note: The letter within the circle corresponds to the circled letter on Tentative Parcel Map No. 70811.

5. The discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of the requirements prescribed by the Regional Water Quality Control Board.

Although no development is proposed at this time, there is an existing 6" sewer line on Burke Street that is available to serve any future development. Since the proposed project does not include new construction, sewer capacity is not anticipated to increase; consequently, the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of the requirements prescribed by the Regional Water Quality Control Board.

6. That the proposed subdivision shall be in accordance with Government Code Section 66473.1, entitled "Design of Subdivision to provide for Future Passive or Natural Heating and Cooling Opportunities."

Opportunities to provide for Future Passive or Natural Heating and Cooling Opportunities since no improvements are proposed at this time. Any future improvement, to the extent feasible, shall be required to incorporate energy-saving devices or materials, including, but not limited to, insulation, double-pane windows, and high-efficiency central heating and cooling systems.

STAFF REMARKS

Based on the reasons enumerated above, Staff believes that Tentative Parcel Map No. 70811 meets the standards as set forth in Sections 66474 and 66474 et seq of the Subdivision Map Act for the granting of approval of a Tentative Parcel Map, and is therefore recommending approval of Tentative Parcel Map No. 70811.

STREETS AND HIGHWAYS

The subject parcels have frontage on Burke Street and Norwalk Boulevard. Burke Street is a local arterial and Norwalk Boulevard is designated as a "Major Arterial" within the Circulation Element of the City's General Plan.

ZONING AND LAND USE

The subject properties are zoned M-2-BP, Heavy Manufacturing-Buffer Parking and M-2, Heavy Manufacturing and are developed with railroad right-of-way and industrial uses. The properties to the south and east are zoned have a zoning designation of M-2, Heavy Manufacturing, with a General Plan land use designation of "Industrial." All these properties are developed with a variety of industrial uses, including manufacturing, warehouse distribution and industrial office uses. The properties to the northeast are zoned R-1, Single-family Residential and R-3-PD, Single Family-Residential-Planned Development. The R-1 properties are developed with single-family dwellings, while the R-3-PD property is developed with a church use. The properties immediately to the north and east are in the County of Los Angeles and developed with single-family dwellings (north) and industrial uses (East).

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Section 66451.3 of the State Subdivision Map Act, Section 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing for the proposed Tentative Parcel Map was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 300 feet of the exterior boundaries of the subject property on March 12, 2009. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and Town Center on March 12, 2009, and published in a newspaper of general circulation (Whittier Daily News) on March 13, 2009, as required by the State Zoning and Development Laws and by the City's Zoning Regulations.

On March 19, 2009, Staff was approached by Mr. David Thaete, EHS Manager of Phibro-Tech Inc, which is located east of the proposed subdivision. According to Mr. Thaete, he received the notification on March 13, 2009, and has some concerns about the proposed subdivision because Phibro-Tech currently has an agreement with the railroad company for a waste water discharge line that is on the railroad's property. If the proposed subdivision is approved, the wastewater line will no longer be on the railroad's property.

Mr. Thaete informed Staff that he will be at the Planning Commission meeting of March 23, 2009. A copy of the map and the contact information for Mr. David Thaete was forwarded to the engineer for the proposed subdivision.

ENVIRONMENTAL DOCUMENTS

The proposed subdivision meets the criteria of "minor land division" pursuant to the California Environmental Quality Act (CEQA); therefore, the proposed tentative map is listed as a categorically exempt project, pursuant to Section 15315-Class 15 of CEQA. Staff will file a Notice of Exemption with the County Clerk of the Los Angeles County Registrar-Recorder office within five (5) days of approval by the Planning Commission of the proposed tentative map.

AUTHORITY OF PLANNING COMMISSION:

The Planning Commission, after receiving and hearing the results of investigations and reports on the design and improvement of any proposed division of real property for which a tentative map is filed, shall have the authority to impose requirements and conditions upon such division of land and to approve, conditionally approve or disapprove such map and division of land.

CONDITIONS OF APPROVAL

ENGINEERING / PUBLIC WORKS DEPARTMENT:

(Contact: Noe Negrete 562-868-0511 x7611)

1. Final parcel map checking of \$4,574 plus \$275 per parcel shall be paid to the City. Developer shall comply with Los Angeles County's Digital Subdivision Ordinance (DSO) and submit final maps to the City and County in digital format.
2. The applicant shall provide, at no cost to the City, one mylar print of the recorded parcel map from the County of Los Angeles Department of Public

Works, P.O. Box 1460, Alhambra, CA 91802-1460, Attention: Bill Slenniken (626) 458-5131.

3. A reciprocal access easement Agreement covering each parcel of the subject map shall be prepared, executed and recorded in the Office of the Los Angeles County Recorder. Such Agreement and any CC&R's shall be subject to the approval of the City Attorney.

PLANNING AND DEVELOPMENT DEPARTMENT:
(Contact: Wayne M. Morrell 562.868-0511 x7362)

4. That Tentative Parcel Map No. 70811 shall expire 24 months after Planning Commission approval, on March 23, 2011, except as provided under the provisions of California Government Code Section 66452.6. During this time period, the final map shall be presented to City Council for approval. The subdivision proposed by Tentative Parcel Map No. 70811 shall not be effective until such time that a final map is recorded.
5. That a minimum of 123 parking spaces shall remain available for Parcel 2. Prior to the recordation of the final map, the parking lot area shall be striped to show a minimum of 123 parking spaces.
6. That prior to the recordation of the final map, a trash enclosure shall be constructed on Parcel 2. The calculation to determine the required storage area is: 1% of the first 20,000 sq ft of floor area + ½% of floor area exceeding 20,000 sq ft, but not less than 4 ½ feet in width nor than 6 feet in height. Plans and permits are required.
7. That prior to the recordation of the final map, the existing perimeter fencing shall be removed and new fencing with privacy slats shall be constructed along the new southerly property line.
8. That Tentative Parcel Map Case No. 70811 shall not be effective for any purpose until the owner/developer has filed with the City of Santa Fe Springs an affidavit stating he/she is aware of and accepts all of the required conditions of approval.
9. That the issue regarding the wastewater discharge line shall be resolved between the applicant and the owner of Phibro-Tech prior to the recordation of the final map.

10. That if due to construction schedule, conditions 5, 6, and 7, as written above, cannot be fulfilled prior to the recordation of the final map, the applicant shall file with the City a bond and agreement or a similar deposit to guarantee compliance with conditions 5, 6 and 7 within a prescribed period of time as set forth by the City. Such filing shall be made prior to the recordation of the final map.
11. That as condition for approval for Tentative Parcel Map No. 70811, the applicant, Kekropin Inc. agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning the subdivision when action is brought within the time period provided for in Government Code, Section 66499.37. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify Subdivider of such claim, action or proceeding and shall cooperate fully in the defense thereof.
12. That it is hereby declared to be the intent that if any provision of this Approval is violated or held to be invalid, or if any law, statute or ordinance is violated, this Approval shall be void and the privileges granted hereunder shall lapse.



Paul R. Ashworth
Director of Planning and Development

Attachments:

1. Location Map - Aerial Photograph
2. Tentative Parcel Map Application

CITY OF SANTA FE SPRINGS
AERIAL PHOTOGRAPH
TENTATIVE PARCEL MAP NO. 70811



Proposal: Subdivide four (4) parcels (APN: 8168-001-008, 8168-001-801, 8168-001-810, 8168-001-811), of approximately 13.473 into three (3) parcels: Parcel 1 of 5.194 acres, Parcel 2 of 3.625 acres and Parcel 3 of 4.654 acres.



70811

City of Santa Fe Springs
Application for
TENTATIVE TRACT / PARCEL MAP

AREA: What is the total area of the land to be divided? 13.473 ACRES
Number of lots proposed? 3 PARCELS

USE: Proposed use of lots: INDUSTRIAL WAREHOUSE

GRADING: Is any grading of lots contemplated? NO (If yes, show details on the tentative map)

WATER: What provisions are being made to provide an adequate water system? NONE
EXISTING WATER MAIN AT BURKE STREET.

SEWERS: What provisions are being made to provide an adequate sewer system? NONE
EXISTING SEWER MAIN AT BURKE STREET.

GAS and Are the appropriate utility companies being contacted to insure service to the
subject property? _____

ELECTRICITY: IN PROGRESS

STREETS: Will each resulting parcel or lot front on a dedicated and improved street? YES
Have you discussed street improvements requirements with the Department of
Public Works? PROPOSED 5' DEDICATION AT U.P.R.R. AND BURKE STREET
(STREET ALREADY EXISTS.)

DEED State nature of deed restrictions, existing and proposed: _____
RESTRICTIONS: NONE KNOWN

THE APPLICATION IS BEING FILED BY:

- ☒ Record Owner of the Property
☐ Authorized Agent of the Owner (Written authorized must be attached to
application)

STATUS OF AUTHORIZED AGENT (engineer, attorney, purchaser, developer, lessee, etc.): _____

I HERBY CERTIFT THAT the facts, statements and information furnished above are true and
correct to the best of my knowledge and belief.

SIGNED: cc Petroucas
(If signed by other than the Record Owner, written
authorization must be attached to this application).



City of Santa Fe Springs

City Council Meeting

April 9, 2009

PROCLAMATION

Proclaiming April 22, 2009 as "Earth Day in Santa Fe Springs"

BACKGROUND

Earth Day was first launched as an environmental awareness day in the United States on April 22, 1970, and is now celebrated as the birth of the environmental movement. Conceptualized by Gaylord Nelson and organized by Denis Hayes, Earth Day events featured the largest grassroots mobilization in U.S. history. Out of these events emerged what has come to be known as the environmental movement and the first environmental legislation – the Clean Air Act and Clean Water Acts. Due in large part to the efforts of hundreds of local organizers, Earth Day is now the most celebrated environmental event worldwide.

In recognition of April 22, 2009 as Earth Day in Santa Fe Springs, a proclamation will be presented by the Council. The following activities have been scheduled to heighten community awareness of Earth Day:

- Earth Day street banners depicting a globe surrounded by children have been hung on major city streets.
- An Earth Day Education Booth will provide resource conservation information to residents at the Easter Egg Hunt on April 11. Representatives from So Cal Edison, So Cal Gas, the Central Basin Water District, and the Los Angeles County Vector Control will give demonstrations and hand out information to residents.
- The City has provided Earth Day education materials for children at each of the City's elementary schools.
- Enviro-Wise, the City's environmental newsletter is dedicated to Earth Day and conservation activities.
- A Free Low-Water-Use Gardening Workshop is being offered to residents on April 30 at City Hall.

The Mayor may wish to call upon the Environmental Programs Coordinator to assist with the presentation.

A handwritten signature in black ink, appearing to read "Fred Latham".

Frederick W. Latham
City Manager

Attachment: Earth Day Proclamation

***WHEREAS**, Earth Day began as a grassroots movement by concerned citizens to positively change the Earth's "Environmental Climate;" and*

***WHEREAS**, April 22nd, is nationally celebrated as an environmental awareness day, observed throughout the nation and the world; and*

***WHEREAS**, Earth Day and every day, is a time to act to protect our planet; and*

***WHEREAS**, educating our residents on the importance of resource conservation will improve the health of our community and our planet; and*

***WHEREAS**, the City of Santa Fe Springs is committed to establishing an environmentally-conscious community, through recycling programs, education, and other efforts;*

***NOW, THEREFORE** I, Luis M. González, Mayor of the City of Santa Fe Springs, on behalf of the entire City Council, do hereby proclaim April 22nd, 2009, as*

EARTH DAY

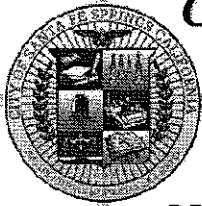
in the City of Santa Fe Springs and urge all its residents to support efforts to recycle and protect our environment.

Dated this 9th day of April 2009.

Mayor

Attest:

City Clerk



City of Santa Fe Springs

City Council Meeting

April 9, 2009

PRESENTATION

Proclaiming April 2009 as "Municipal Community Services Month"

BACKGROUND

Community services creates community through parks, people, libraries, recreational and leisure activities, social services, and special events. These services and programs contribute to a vibrant community and a more informed and engaged citizenry.

In recognition of the positive contributions, benefits, and values that community services has upon residents, the League of California Cities (League) encourages all cities to celebrate the month of April as "Municipal Community Services Month" throughout the state of California. The League acknowledges the tremendous impact municipal community services has on all segments of the population and the improved quality of life as a result. Throughout the month of April, residents are encouraged to visit and utilize the City's parks, libraries, community facilities, as well as locations of recreational and educational activity to take part in activities and programs that improve and strengthen their physical, emotional, and mental well-being.

Additionally, Municipal Community Services Month incorporates community services events that were previously recognized individually in the month of April such as Week of the Young and National Library Week and celebrates them under the umbrella of community services, mirroring the Santa Fe Springs Department of Community Services structure. This is fitting as child care and development and library services are critical components to municipal community services and contribute to the development and education of the City's residents and community users; in addition the month-long celebration integrates the values of public recreation.

The chairpersons of the Parks & Recreation, Family & Human Services, and Senior Services Advisory Committees, Friends of the Library, and the Community Program Community have been invited to tonight's Council meeting to accept the proclamation on behalf of the community.


Frederick W. Latham
City Manager

Attachment

Proclamation for Municipal Community Services Month

2009 Municipal Community Services Month Proclamation

WHEREAS, Municipal Community Services Month is an annual observance designed to focus attention on the variety of community services provided by California cities that are essential to the development and maintenance of a healthy, well-balanced community; and

WHEREAS, these services facilitate, and are instrumental in our community's intellectual, emotional, social and physical development; and

WHEREAS, Municipal Community Services create community through people, parks, recreation and leisure programs, libraries, child development and daycare, and social services; and

WHEREAS, many serious community issues with far-reaching individual and societal impacts continue to confront California cities, and the diverse array of Community Services programs are designed to proactively address these issues to strengthen and mend the fabric of society; and

WHEREAS, the quality and effectiveness of these services, as well as the planning, design, implementation, and administration, are dependent upon the responsiveness, diversity of experience and talent of Municipal Community Service professionals; and

WHEREAS, weeklong events such as National Library Week and Week of the Young Child, which are vital components to Community Services, will now be recognized during this month-long celebration; and

WHEREAS, the Santa Fe Springs City Council is acutely aware of the importance of Community Services and the vital role it plays in building strong communities; which have an improved quality of life as a direct result of these services.

NOW, THEREFORE, I, Louie González, Mayor of the City of Santa Fe Springs, on behalf of the City Council, do hereby proclaim April 2009 as

MUNICIPAL COMMUNITY SERVICES MONTH

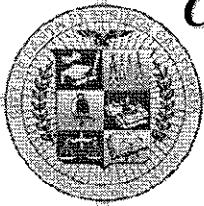
in the City of Santa Fe Springs, and recognize and commend the contributions that Community Services staff makes every day, and encourage the community to take full advantage of the many services made available through the City's Department of Community Services.

Dated this 9th day of April 2009.

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

April 9, 2009

PRESENTATION

Proclaiming April 22, 2009 as "Denim Day"

RECOMMENDATION

The Mayor may wish to call upon the City's Police Services staff in attendance, to accept the proclamation.

BACKGROUND

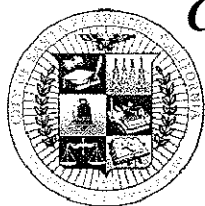
Peace Over Violence invites municipalities in Los Angeles County to join Denim Day in LA, a sexual assault prevention education campaign. The 22nd of April, will commemorate the Eleventh Annual Denim Day in L.A.

Wearing jeans became a symbol of protest against harmful myths surrounding rape, after an Italian Supreme Court decision in 1998 overturned a rape conviction because the victim wore jeans, stating the victim must have "helped" her attacker remove her jeans, from which they inferred her consent.

Peace Over Violence invites Santa Fe Springs to participate in this effort to promote awareness and communicate the message that there is "no excuse and never an invitation to rape." City Employees are invited to show their support for this cause by wearing jeans on Wednesday, April 22nd.

A handwritten signature in black ink, appearing to read 'Fred Latham', is positioned above the printed name.

Frederick W. Latham
City Manager



City of Santa Fe Springs

City Council Meeting

April 9, 2009

APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS

Committee Appointments

Attached is a roster for each active committee, and listed below are current vacancies. Also included for your review is the list of prospective members.

<u>Committee</u>	<u>Vacancy</u>	<u>Councilmember</u>
Beautification	1	Putnam
Beautification	3	Rounds
Beautification	2	Serrano
Beautification	1	Velasco
Community Program	2	Gonzalez
Community Program	1	Serrano
Historical	4	Putnam
Historical	2	Serrano
Parks & Recreation	1	Gonzalez
Senior Citizens Advisory	1	Gonzalez
Senior Citizens Advisory	2	Putnam
Senior Citizens Advisory	1	Rounds
Sister City	1	Gonzalez
Sister City	1	Serrano
Sister City	2	Velasco
Youth Leadership	2	Gonzalez
Youth Leadership	1	Velasco



City of Santa Fe Springs

City Council Meeting

April 9, 2009

At the February 12 Council meeting, Councilmember Velasco appointed Victor Ramos to the Youth Leadership Committee. Due to recent clarifications to Committee policy that members must be residents of Santa Fe Springs, Victor will be removed as he provided an incorrect address; he is actually a resident of Whittier.

Please direct any questions regarding this report to the City Clerk.

A handwritten signature in black ink, appearing to read "Fred Latham", is written above the printed name.

Frederick W. Latham
City Manager

Attachments:

Prospective Member List
Active Committee Lists

PROSPECTIVE MEMBERS FOR VARIOUS COMMITTEES/COMMISSIONS

Beautification

Community Program

Family & Human Services

A.J. Hayes
Jimmy Mendoza
Jessica Belmonte
Jose Avila
Gilbert Aguirre

Heritage Arts

Mary Jo Haller
Mary Clegg
Jessica Belmonte

Historical

Personnel Advisory Board

Parks & Recreation

Mark Scoggins

Planning Commission

Art Escobedo
Lynda Short

Senior Citizens Advisory

Sister City

Frank Carbajal, Sr.
Michele Carbajal

Traffic Commission

Art Escobedo
Jose Zamora

Youth Leadership

Overall interest in the City

BEAUTIFICATION COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name

Gonzalez

Juanita Montes (10)
Irene Pasillas (10)
May Sharp (09)
Jesse Serrano (10)
Marlene Vernava (09)

Putnam

Lupe Lopez (09)
Guadalupe Placencia (09)
Juliet Ray (10)
Ruth Gray (09)
_____ (10)

Rounds

Annette Ledesma (09)
_____ (09)
_____ (10)
_____ (10)
Paula Minnehan * (09)

Serrano

Wanda Leong (10)
Vada Conrad (09)
Martha Ohanesian (10)
_____ (09)
_____ (10)

Velasco

Rosalie Miller (09)
Sylvia Takata (10)
Eleanor Connelly (10)
_____ (10)
A. J. Hayes (09)

The Beautification Committee meets the fourth Wednesday of each month, except in the months of July, August and December, at 9:30 a.m. at Town Center Hall.

*Asterisk indicates person serves on three committees

COMMUNITY PROGRAM COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name

Gonzalez

_____(09)
Josefina Canchola (09)
A.J. Hayes (10)
_____(09)
Annette Ledesma (10)

Putnam

Mary Jo Haller (09)
Rosalie Miller (10)
Lynda Short (09)
Jose Zamora (09)
Luigi Trujillo (10)

Rounds

Mark Scoggins (10)
Denise Vega (09)
Marlene Vernava (10)
Sylvia Takata (10)
Annette Rodriguez (09)

Serrano

Sally Gaitan * (09)
Mary Anderson (09)
Dolores H. Romero * (09)
_____(09)
Ruth Gray (10)

Velasco

Eleanor Connelly(10)
Wanda Leong (09)
Hilda Zamora (10)
Lisa Sanchez (09)
Naomi Torres (10)

The Community Program Committee meets the third Wednesday of every other month beginning in January at 7:00 p.m. in City Hall. The committee is dark during the months of June, July and August.

*Asterisk indicates person serves on three committees

FAMILY & HUMAN SERVICES ADVISORY COMMITTEE

Membership: 15 residents appointed by Council
5 social service agency representatives appointed by
the Committee

() indicates term expiration date

Appointed by:

Name:

González

Mercedes Diaz (10)
Toni Vallejo (09)
Josephine Santa-Anna (10)

Putnam

Laurie Rios* (09)
Arcelia Miranda (10)
Margaret Bustos (09)

Rounds

Annette Rodriguez (10)
Janie Aguirre (09)
Michele Carbajal (09)

Serrano

Lydia Gonzales (10)
Francis Carbajal* (09)
Modesta Viero (09)

Velasco

Alicia Mora (09)
Dolores Romero (10)
Gloria Duran (10)

Organizational
Representatives:

Nancy Stowe
Evelyn Castro-Guillen
Irene Redondo Churchward/
SPIRRIT Family Services

The Family & Human Services Advisory Committee meets the third Wednesday of every month at 5:30 p.m. at the Neighborhood Center.

***Asterisk indicates person serves on three committees**

HERITAGE ARTS ADVISORY COMMITTEE

Membership: 9 voting and 6 non-voting members

Appointed by:

Gonzalez

Putnam

Rounds

Serrano

Velasco

Name:

Laurie Rios *

May Sharp

Amat Barcelon

Paula Minnehan *

Amparo Oblea

Beautification Committee

Historical Committee

Planning Commission

Chamber of Commerce

Sylvia Takata

Larry Oblea

Richard Moore

Tom Summerfield

Betty Putnam, Councilmember

Frederick W. Latham, City Manager

Ana Alvarez, Director of Community Services

Paul Ashworth, Director of Planning and Development

The Heritage Arts Advisory Committee meets the last Tuesday of the month, except in December, at 9:00 a.m. at the Train Depot.

***Asterisk indicates person serves on three committees**

HISTORICAL COMMITTEE

Membership: 20

() indicates term expiration date

Appointed by:

Name:

Gonzalez

Gilbert Aguirre (09)
Janie Aguirre (09)
Sally Gaitan * (09)
Jessica Belmonte (10)

Putnam

_____ (10)
_____ (10)
_____ (09)
_____ (09)

Rounds

Art Escobedo (10)
Mark Scoggins (09)
Janice Smith (09)
Paula Minnehan * (10)

Serrano

Gloria Duran (10)
_____ (10)
Larry Oblea (09)
_____ (10)

Velasco

Merrie Hathaway (09)
Marv Clegg (10)
Susan Johnston (09)
Alma Martinez (10)

The Historical Committee meets quarterly (the first Wednesday of the month in the months of April, July and October; the second Wednesday in January) at 5:30 p.m. at the Train Depot.

***Asterisk indicates person serves on three committees**

PARKS & RECREATION ADVISORY COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name

Gonzalez

Ruben Madrid (09)
Jennie Carlos (10)
Frank Leader (10)
Michael Madrigal (09)
_____ (10)

Putnam

Frank Regalado (09)
Carlene Zamora (09)
Jimmy Mendoza (10)
Hilda Zamora (09)
Michele Carbajal (10)

Rounds

Kenneth Arnold (10)
Richard Legarreta, Sr. (10)
Don Mette (09)
Luigi Trujillo (10)
Francis Carbajal* (09)

Serrano

Lynda Short (10)
Juanita Trujillo (09)
Joe Avila (10)
Sally Gaitan* (09)
Bernie Landin (10)

Velasco

Art Escobedo (09)
Annette Ledesma (10)
Lillian Puentes (10)
Jose Zamora (09)
Arcelia Miranda (10)

The Parks and Recreation Committee meets the first Wednesday of the month, except for July, August and December. The subcommittee meets at 6:00 p.m. and the regular committee at 7:00 p.m. in Council Chambers.

*Asterisk indicates person serves on three committees

PERSONNEL ADVISORY BOARD

Membership: 5 (2 appointed by Council, 1 by Board, 1 by Firemen's Association, 1 by Employees' Association)

Appointed by:

Name:

Personnel Advisory Board

Jim Contreras

Council

Angel Munoz

Council

Ron Biggs

Firemen's Association

Wayne Tomlinson

Employees' Association

Donn Ramirez

The Personnel Advisory Board meets quarterly on an as-needed basis.

PLANNING COMMISSION

Membership: 5 residents appointed by Council

Appointed by:

Name:

Gonzalez

Laurie Rios

Putnam

Larry Oblea

Rounds

Richard Moore

Serrano

Michael Madrigal

Velasco

Lillian Puentes

The Planning Commission meets the second and fourth Mondays of every month at 4:30 p.m. in Council Chambers.

SENIOR CITIZENS ADVISORY COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name:

González

_____ (10)
Gloria Duran* (10)
Toni Vallejo (09)
Josephine Santa-Anna (10)
Janie Aguirre (09)

Putnam

_____ (10)
Pete Vallejo (09)
Jennie Valli (10)
_____ (10)
Martha Ohanesian (10)

Rounds

_____ (10)
Josephine G. Ramirez (10)
Gloria Vasquez (09)
Connie Stimmell (09)
Lorena Huitron (09)

Serrano

Gusta Vicuna (10)
Amelia Acosta (09)
Louis Serrano (10)
Mary Bravo (10)
Jessie Serrano (09)

Velasco

Modesta Viero (09)
Gilbert Aguirre (09)
Julia Butler (10)
Margaret Bustos (09)
James Hogan (10)

The Senior Citizens Advisory Committee meets the second Wednesday of every month at 10:00 a.m. at the Neighborhood Center.

***Asterisk indicates person serves on three committees**

SISTER CITY COMMITTEE

Membership: 25 appointed by Council

() indicates year term expires year

<u>Appointed By:</u>	<u>Name</u>		<u>Expiration</u>
González	Luigi	Trujillo	(10)
	Hank	Hanh Ly	(09)
	Jimmy	Mendoza	(09)
	Kimberly	Mette	(10)
	<hr/>		(10)
Putnam	Mary K.	Reed	(09)
	Peggy Jo	Radoumis	(09)
	Jeannette	Wolfe	(09)
	Martha	Villanueva	(10)
	Gloria	Duran	(10)
Rounds	Manny	Zevallos	(10)
	Ted	Radoumis	(09)
	Jose	Avila	(09)
	Susan	Johnston	(10)
	Francis	Carbajal	(10)
Serrano	Laurie	Rios*	(09)
	Doris	Yarwood	(09)
	Charlotte	Zevallos	(10)
	Juanita	Trujillo	(09)
	<hr/>		(10)
Velasco	<hr/>		(09)
	Dolores	Romero*	(09)
	Alicia	Mora*	(10)
	<hr/>		(10)
	Marcella	Obregon	(09)

The Sister City Committee meets the first Monday of every month at 6:30 p.m. in Town Center Hall, Meeting Room #1. When the meeting falls on a Monday holiday, the meeting is held on the second Monday of the month. No meeting is held in the month of December.

***Asterisk indicates person serves on three committees**

TRAFFIC COMMISSION

Membership: 5 residents appointed by Council

Appointed by:

Name:

Gonzalez

Arcelia Valenzuela

Putnam

Manny Zevallos

Rounds

Ted Radoumis

Serrano

Sally Gaitan

Velasco

Sarah Garcia

The Traffic Commission meets the third Thursday of every month at 7:00 p.m. in Council Chambers.

YOUTH LEADERSHIP COMMITTEE

Membership: 20 **residents** of Santa Fe Springs between the ages of 13 and 18

Appointed by:

Name:

Gonzalez

Brianna Tavera
Victor Becerra (2012)
Jessica Aguilar (2011)
Jeanneth Guerrero

Putnam

Ashley Ortiz
Robert Wolfe
Lupe Pasillas
Krystal Aguilar

Rounds

Carina Gonzalez
Amanda Fry
Stephanie Gilbert
Karina Saucedo

Serrano

Kimberly Romero
Alyssa Trujillo
Alyssa Berg
Dominique Velasco

Velasco

Erica Janes

Heidy Romero
Aaron Turner

The Youth Leadership Committee meets the first Monday of every month at 6:00 p.m. in Council Chambers.