

*City of Santa Fe Springs*

# AGENDA

FOR THE REGULAR MEETINGS OF THE  
SANTA FE SPRINGS:

PUBLIC FINANCING AUTHORITY  
WATER UTILITY AUTHORITY  
COMMUNITY DEVELOPMENT COMMISSION  
CITY COUNCIL

COUNCIL CHAMBERS  
11710 TELEGRAPH ROAD  
SANTA FE SPRINGS, CA 90670

AUGUST 27, 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

**PUBLIC FINANCING AUTHORITY**

3. **APPROVAL OF MINUTES**

Public Financing Authority Meeting of July 23, 2009

**Recommendation:** That the Authority approve the Minutes as submitted.

**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.

**WATER UTILITY AUTHORITY**

**APPROVAL OF MINUTES**

5. Water Utility Authority Meeting of July 23, 2009

**Recommendation:** That the Authority approve the Minutes as submitted.

**AWARD OF CONTRACT**

6. Water Reservoir Nos. 1 & 2 Refurbishment

**Recommendation:** That the Authority accept the bids for the Water Reservoir Nos. 1 & 2 refurbishment; award a contract to Cor-Ray Painting Company in the amount of \$896,540.00; and transfer \$600,000.00 from Arsenic Treatment Facilities New Well – Zone 2 to Interior/Exterior Recoating of Reservoir No. 2 to complete the funding for this project.

**NEW BUSINESS**

7. Update on the Status of Water-Related Capital Improvement Plan Projects

**Recommendation:** That the Authority receive and file the report.

**COMMUNITY DEVELOPMENT COMMISSION**

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

**9. 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 Community Development Commission.*

**A. Minutes**

Minutes of the Regular Community Development Commission Meeting of August 13, 2009

**Recommendation:** That the Commission approve the Minutes as submitted.

**NEW BUSINESS**

**10. Resolution No. 238-2009 – Consent and Waiver Relating to Formation of City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)**

**Recommendation:** That the Commission adopt Resolution No. 238-2009 thereby consenting to the formation of a Community Facilities District that will include Community Development Commission-owned property and waiving certain election requirements.

**CITY COUNCIL**

**CLOSED SESSION**

**11. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

**Property:** Property Acquisition for the Valley View Grade Separation Project

**Negotiating Parties:** Staff and Potential Sellers and/or Buyers

**Under Negotiation:** Just Compensation for Acquisition of Property

**12. 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 Regular City Council Meeting of August 13, 2009**

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

- B. Award Bid to JTB Supply Company for Traffic Signal Intersection Battery Backup Systems and Light Emitting Diode (LED) Traffic Signal Indicators

**Recommendation:** That the City Council award a bid to JTB Supply Company and authorize the Director of Purchasing Services to issue a purchase order to process the transaction.

**Treasurer's Report**

- C. Treasurer's Report for the Month of July 2009

**Recommendation:** That the City Council receive and file the report.

**ORDINANCE FOR INTRODUCTION**

13. Ordinance No. 1003 – Amending Subsection Chapter 50 of the City Code Regarding Solid Waste

**Recommendation:** That the City Council waive further reading and introduce Ordinance No. 1003, an ordinance amending Chapter 50 of the City Code regarding solid waste.

**UNFINISHED BUSINESS**

14. Authorization for FY 2009-10 City Budget Review Schedule

**Recommendation:** That the City Council approve the review schedule for the City's FY 2009-10 Budget.

**NEW BUSINESS**

15. Resolution Nos. 9211 and 9212 Regarding the City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)

**Recommendation:** That the City Council adopt Resolution Nos. 9211 and 9212 in order to initiate the process to form a Community Facilities District for the Villages at Heritage Springs.

16. Termination of Extended Day Care Program (Latchkey) Contract with the State Department of Education (SDE) and Options for City's School Age Child Care Program

**Recommendation:** That the City Council approve staff's recommendation as identified in Option 2 to continue to operate a School Age Child Care Program at both the Los Nietos and Lakeview child care sites and establish a full fee-based service program.

17. Request for Use of the Activity Center for Amateur Fighting Matches

**Recommendation:** That the City Council deny the request to use the Activity Center by an outside group to promote amateur fighting matches for profit and promotion.

18. Reconsideration of Entertainment Conditional Use Permit Case No. 7

**Recommendation:** That the City Council approve Entertainment Conditional Use Permit Case No. 7 for a period of five years until August 27, 2014, subject to the conditions of approval.

19. Reconsideration of Alcohol Sales Conditional Use Permit Case No. 21

**Recommendation:** That the City Council approve Alcohol Sales Conditional Use Permit Case No. 21 for a period of five years until August 27, 2014, subject to the conditions of approval.

20. Reconsideration of Alcohol Sales Conditional Use Permit Case No. 33

**Recommendation:** That the City Council approve Alcohol Sales Conditional Use Permit Case No. 33 for a period of five years until August 27, 2014, subject to the conditions of approval.

**PLEASE NOTE:** Item Nos. 21-30 will occur in the 7:00 hour.

21. **INVOCATION**

22. **PLEDGE OF ALLEGIANCE**

**INTRODUCTIONS**

23. Representatives from the Youth Leadership Committee

24. Representatives from the Chamber of Commerce

25. **ANNOUNCEMENTS**

**PRESENTATIONS**

26. To Felix Garcia upon His Retirement

**APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS**

27. Committee Appointments

28. **ORAL COMMUNICATIONS**

*This is the time for public comment on any Public Financing Authority/Water Utility Authority/Community Development Commission/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.*

29. **EXECUTIVE TEAM REPORTS**

**30. ADJOURNMENT**

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

August 19, 2009  
Date

## **MINUTES**

### **JOINT MEETINGS OF THE PUBLIC FINANCING AUTHORITY WATER UTILITY AUTHORITY COMMUNITY DEVELOPMENT COMMISSION CITY COUNCIL**

**CITY OF SANTA FE SPRINGS  
JULY 23, 2009**

**1. CALL TO ORDER**

Chairperson/Mayor Gonzalez, at 6:00 p.m., called the Public Financing Authority, Water Utility 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; Maricela Balderas, Director of Family & Human Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief

### **PUBLIC FINANCING AUTHORITY**

**3. APPROVAL OF MINUTES**

Public Financing Authority Meeting of June 25, 2009

**Recommendation:** That the Authority approve the Minutes as submitted.

Director Velasco 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.

Vice-Chairperson Putnam moved to receive and file the report. Director Velasco seconded the motion, which carried unanimously.

## **ADJOURNMENT**

Chairperson Gonzalez, at 6:04 p.m., adjourned the Public Financing Authority meeting.

## **WATER UTILITY AUTHORITY**

### **APPROVAL OF MINUTES**

5. Water Utility Authority Meeting of June 11, 2009

**Recommendation:** That the Authority approve the Minutes as submitted.

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

### **NEW BUSINESS**

6. Update on the Status of Water-Related Capital Improvement Plan Projects

**Recommendation:** That the Authority receive and file the report.

Director Velasco moved to receive and file the report. Director Rounds seconded the motion, which carried unanimously.

## **ADJOURNMENT**

Chairperson Gonzalez, at 6:07 p.m., adjourned the Water Utility Authority meeting.

## **COMMUNITY DEVELOPMENT COMMISSION**

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

No reports were given.

8. **CONSENT AGENDA**

**A. Minutes**

Minutes of the Regular Community Development Commission Meeting of July 9, 2009

**Recommendation:** That the Commission approve the Minutes as submitted.

**Authorization to Advertise**

- B. Commercial/Industrial Street Rehabilitation Project**

**Recommendation:** That the Commission authorize the City Engineer to advertise for construction bids for the Commercial/Industrial Street Rehabilitation Project.



Vice-Chairperson Putnam moved to approve the Consent Agenda, including Item Nos. 8-A and 8-B. Commissioner Rounds seconded the motion, which carried unanimously.

## **JOINT COMMUNITY DEVELOPMENT COMMISSION/CITY COUNCIL**

### **NEW BUSINESS**

9. Approval of the Affordable Rental Rehabilitation Assistance Program (ARRAP) and a Request for Appropriation of Housing Funds to Both Establish the ARRAP and for Consultant Costs to Amend the City Housing Element by Incorporating ARRAP into the City Housing Element

**Recommendation:** That the City Council approve the establishment of the Affordable Rental Rehabilitation Assistance Program and adopt Resolution No. 9205, which makes findings as to the need for establishing said Program; that the Commission appropriate \$1.5 million of Housing Funds to both establish the Affordable Rental Rehabilitation Assistance Program and pay for consultant costs to amend the City Housing Element and authorize the Executive Director to execute said contract; and the Commission approve and adopt Resolution No. 237-09, which makes findings relative to the use of Housing Funds related to the Affordable Rental Rehabilitation Assistance Program.

Paul Ashworth, Director of Planning and Development gave a short presentation, including the introduction of Bill Raymond, Developer.

Commissioner/Councilmember Velasco moved to approve the recommendation. Commissioner/Councilmember Serrano seconded the motion, which carried unanimously.

## **CITY COUNCIL**

### **10. CONSENT AGENDA**

#### **Minutes**

- A. Minutes of the Regular City Council Meeting of July 9, 2009

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

- B. Minutes of the Adjourned City Council Meeting of July 15, 2009

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

### **New Business**

- C. Resolution No. 9204 Approving and Authorizing the California Integrated Waste Management Board Used Oil Block Grant – 15<sup>th</sup> Cycle Application

**Recommendation:** That the City Council adopt Resolution No. 9204 approving participation through the California Integrated Waste Management Board for the 2009/10 15<sup>th</sup> Cycle Used Oil Recycling Block Grant; and designate the City Manager to execute all necessary applications, contracts, payment requests, agreements, and amendments for the Grant.

- D. Adoption of Resolution Nos. 9206, 9207, and 9208 and the Approval of Contracts with the State Department of Education

**Recommendation:** That the City Council approve Resolution Nos. 9206, 9207, and 9208 authorizing the renewal of Contract Nos. CLTK-9023, CSPP-9179, and CFCC-9009, respectively, with the State Department of Education for Fiscal Year 2009/2010 for the purpose of providing child care and development services for children ages birth through twelve under the City's Family & Human Services Division in the Department of Community Services.

- E. Request to Renew Contract Agreement for Transportation Services with Pupil Transportation Cooperative (PTC)

**Recommendation:** That the City Council give authorization to the City Manager to execute the Agreement between the City and Public Transportation Cooperative for FY 2009-10 and 2010-11.

### **Conference and Meeting Report**

- F. Councilmembers Rounds' and Serrano's Attendance at the Local Government Summit on Governance and Fiscal Reform

**Recommendation:** That the City Council receive and file the report.

Mayor Pro Tem Putnam moved to approve the Consent Agenda, including Item Nos. 10-A, 10B, 10C, 10D, 10E and 10F. Councilmember Velasco seconded the motion, which carried unanimously.

### **PUBLIC HEARING**

11. Confirmation of 2008/2009 Weed Abatement Charges

**Recommendation:** That the City Council confirm the charges listed in the Los Angeles County Agricultural Commissioner's 2008/2009 Weed Abatement Assessment Roll and instruct the County Auditor to enter the amounts of said assessments against the respective parcels of land as they appear on the current Assessment Roll.

Mayor Gonzalez opened the Public Hearing and invited interested parties to address the Council.

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

Councilmember Rounds moved to approve the recommendation. Councilmember Serrano seconded the motion, which carried unanimously.

### **PUBLIC HEARING**

**12. 2009 Edward Byrne Memorial Justice Assistance Grant Program (JAG)**

**Recommendation:** That the City Council approve the expenditure of federal funds (Edward Byrne Memorial Justice Assistance Grant) as outlined in the plan.

Mayor Gonzalez opened the Public Hearing and invited interested parties to come forward to address the Council.

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

Councilmember Rounds moved to approve the recommendation. Councilmember Serrano seconded the motion, which carried unanimously.

### **NEW BUSINESS**

**13. Appropriation of Funds from the City's Art in Public Places Fund and Authorization to Distribute Monies as Recommended by the Heritage Arts Advisory Committee to Fund the City's Art Education Grant Program**

**Recommendation:** That the City Council approve the appropriation of funds from the City's Art in Public Places Fund, Activity 6350-6100, and authorize the distribution of monies as recommended by the Heritage Arts Advisory Committee to fund the City's Art Education Grant Program.

Mayor Pro Tem Putnam moved to approve the recommendation. Councilmember Serrano seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Gonzalez

NOES:

ABSENT:

ABSTAIN:

**14. Application for Alcohol Sales Conditional Use Permit Case No. 46**

**Recommendation:** That the City Council approve Alcohol Sales Conditional Use Permit Case No. 46 for a period of one year until July 23, 2010, subject to the listed conditions of approval.

15. Approval of Memorandum of Understanding between the City of Santa Fe Springs and the Santa Fe Springs Employees' Association

**Recommendation:** That the City Council approve the Memorandum of Understanding (MOU) with the Santa Fe Springs Employees' Association and authorize the City Manager to execute said Agreement.

16. Approval of Memorandum of Understanding between the City of Santa Fe Springs and the Santa Fe Springs Firefighters' Association

**Recommendation:** That the City Council approve the Memorandum of Understanding (MOU) with the Santa Fe Springs Firefighters' Association and authorize the City Manager to execute said Agreement.

Councilmember Serrano moved to approve Item Nos. 14, 15 and 16. Mayor Pro Tem Putnam seconded the motion, which carried unanimously.

17. FY 2009-10 City Budget – Supplemental Recommendation No. 1

**Recommendation:** That the City Council approve the organization and personnel recommendations as set forth herein and, in so doing, amend the adopted FY 2009-10 City Budget and direct the City manager to take all appropriate implementation actions.

Mayor Gonzalez thanked the Employees' Association and the Firefighters' Association for working with the City to help bridge the budget gap.

Following Council discussion, it was decided that Recommendation Nos. 1-8 would be voted on one at a time by roll call vote:

1. Councilmember Rounds moved to approve the recommendation. Councilmember Serrano seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Gonzalez  
NOES: Velasco  
ABSENT:  
ABSTAIN:

2. Councilmember Serrano moved the recommendation. Councilmember Rounds seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Gonzalez  
NOES: Velasco  
ABSENT:  
ABSTAIN:

3. Councilmember Velasco moved the recommendation. Councilmember Serrano seconded the motion, which carried by the following roll call vote:  
  
AYES: Putnam, Rounds, Serrano, Velasco, Gonzalez  
NOES:  
ABSENT:  
ABSTAIN:
4. Councilmember Velasco moved the recommendation. Mayor Pro Tem Putnam seconded the motion, which did not carry. The roll call vote was as follows:  
  
AYES: Velasco, Gonzalez  
NOES: Putnam, Rounds, Serrano  
ABSENT:  
ABSTAIN:
5. Councilmember Velasco moved the recommendation. Mayor Gonzalez seconded the motion, which carried by the following roll call vote:  
  
AYES: Putnam, Velasco, Gonzalez  
NOES: Rounds, Serrano  
ABSENT:  
ABSTAIN:
6. Councilmember Rounds moved the recommendation. Councilmember Serrano seconded the motion, which carried by the following roll call vote:  
  
AYES: Putnam, Rounds, Serrano, Velasco, Gonzalez  
NOES:  
ABSENT:  
ABSTAIN:
7. Councilmember Serrano moved to defer the matter to the next Council meeting. Councilmember Velasco seconded the motion, which carried by the following roll call vote:  
  
AYES: Putnam, Rounds, Serrano, Velasco  
NOES: Gonzalez  
ABSENT:  
ABSTAIN:

Following discussion, City Manager Latham requested a motion to direct him to assign the Community Services Management Assistant position to the City Manager's office until the matter could be resolved at the first meeting in August.

Councilmember Serrano moved the recommendation as stated. Councilmember Rounds seconded the motion, which carried unanimously.

8. Councilmember Velasco moved the recommendation. Councilmember Rounds seconded the motion, which carried unanimously.

### **RECESS**

Mayor Gonzalez, at 6:40 p.m., recessed the Community Development Commission and City Council meetings.

### **RECONVENED**

Mayor Gonzalez, at 7:13 p.m., reconvened the Community Development Commission and City Council meetings and immediately adjourned the Community Development Commission meeting.

### **18. INVOCATION**

Councilmember Rounds gave the Invocation.

### **19. PLEDGE OF ALLEGIANCE**

Members of the Youth Leadership Committee led the Pledge of Allegiance.

### **INTRODUCTIONS**

### **20. Representatives from the Youth Leadership Committee**

Those who were present introduced themselves.

### **21. Representatives from the Chamber of Commerce**

Wendy Meador of Tangram Interiors was present.

### **22. ANNOUNCEMENTS**

Maricela Balderas, Director of Family & Human Services, updated the Community Events Calendar.

City Manager Latham gave an update on the State Budget crisis.

Thaddeus McCormack, Assistant to the City Manager, introduced the coaches and players of the 6U and 8U Santa Fe Springs All Stars. Mayor Gonzalez presented each player with a certificate; pictures with Council were taken.

## **PRESENTATIONS**

23. To the 2009 Teachers of the Year  
District staff gave remarks congratulating Teachers of the Year Jane Berg of Little Lake City School District and Vickie Hemphill of Whittier Union High School District. Mayor Gonzalez presented each teacher with a crystal apple. Pictures with staff, family members and Council were taken.
24. 2009 Beautification Awards Program Recipients  
Jean Madrid gave a short PowerPoint presentation of the recipient homes and businesses. A. J. Hayes, Chairman of the Beautification Committee, presented certificates to each of the recipients. Mayor Gonzalez congratulated each of the recipients; pictures with Council were taken.

## **APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS**

25. Committee Appointments  
Councilmember Serrano confirmed his 2009 committee re-appointments.
- Mayor Pro Tem Putnam appointed Wendy Pasillas to the Youth Leadership Committee.

26. **ORAL COMMUNICATIONS**  
Mayor Gonzalez opened Oral Communications and invited interested parties to come forward to address the Council.

Julio Bermejo, 5619 Angelus Avenue, San Gabriel, addressed the Council regarding Central Basin Municipal Water District.

27. **EXECUTIVE TEAM REPORTS**

No reports were given.

28. **ADJOURNMENT**

Mayor Gonzalez, at 8:18 p.m., adjourned the City Council meeting in the memory of Franklin Quilter, long-time resident.

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Luis M. Gonzalez  
Chairperson/Mayor

ATTEST:

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Barbara Earl, CMC, City Clerk



# *City of Santa Fe Springs*

Santa Fe Springs Public Financing Authority Meeting

August 27, 2009

## **NEW BUSINESS**

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

## **RECOMMENDATION**

That the City Council receive and file the report.

## **BACKGROUND**

The Santa Fe Springs Public Financing Authority is the City entity that is utilized to facilitate the issuance of public purpose debt in Santa Fe Springs. The following is a brief status report on the debt instruments currently outstanding that were issued through this financing authority.

### Consolidated Redevelopment Project 2001 Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 07/31/09	None
Outstanding principal at 07/31/09	\$23,495,000

### Consolidated Redevelopment Project 2002 Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 07/31/09	None
Outstanding principal at 07/31/09	\$26,580,000

### Consolidated Redevelopment Project 2003 Taxable Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 07/31/09	None
Outstanding principal at 07/31/09	\$5,715,000

### Water Revenue Bonds, 2003 Series A

Financing proceeds available for appropriation at 07/31/09	None
Outstanding principal at 07/31/09	\$4,465,000

### Water Revenue Bonds, 2005 Series A

Financing proceeds available for appropriation at 07/31/09	None
Outstanding principal at 07/31/09	\$3,330,000

### Consolidated Redevelopment Project 2006-A Tax Allocation Bonds

Financing proceeds available for appropriation at 07/31/09	\$ 3,018,462
Outstanding principal at 07/31/09	\$27,583,493



Consolidated Redevelopment Project 2006-B Taxable Tax Allocation Bonds

Financing proceeds available for appropriation at 07/31/09 \$13,092,873


Outstanding principal at 07/31/09 \$17,555,000

Consolidated Redevelopment Project 2007-A Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 07/31/09 None

Outstanding principal at 07/31/09 \$42,590,000

The City and Community Development Commission budgets include sufficient appropriations to meet the debt service obligations associated with these issues and it is anticipated that the Fiscal Year 2009-10 revenue sources funding these appropriations will be sufficient as well.



Frederick W. Latham  
City Manager/Executive Director

**PLEASE REFER TO ITEM NO. 3**



# City of Santa Fe Springs

Water Utility Authority Meeting

August 27, 2009

## AWARD OF CONTRACT

### Water Reservoir Nos. 1 & 2 Refurbishment

#### RECOMMENDATION

That the Water Utility Authority take the following actions:

1. Accept the bids for the Water Reservoir Nos. 1 & 2 Refurbishment; and
2. Award a contract to Cor-Ray Painting Company, of Santa Fe Springs, California, in the amount of \$896,540.00.
3. Transfer \$600,000.00 from Arsenic Treatment Facilities New Well – Zone 2 (Activity No. 453-B008) to Interior/Exterior Recoating of Reservoir No. 2 (Activity No. 511-W700) to complete the funding for this project.

#### BACKGROUND

The City Council at their meeting of June 25, 2009, authorized the City Engineer to advertise for construction bids for the subject project. The City Council provided this authorization since the Water Utility Authority was not formed until July 1, 2009.

Bids were opened on August 11, 2009 and a total of nine (9) bids were received. The low bidder for the project was Cor-Ray Painting Company, of Santa Fe Springs, California, in the amount of \$896,540.00. The following represents the bids received and the amount of each bid:

<u>Company Name</u>	<u>Bid Amount</u>
Cor-Ray Painting Company	\$ 896,540.00
AA-1 Services, Inc.	\$ 944,286.00
Advanced Industrial Services, Inc.	\$ 960,000.00
Arena Painting Contractors, Inc.	\$ 968,298.00
Blastco Incorporated	\$ 1,084,048.00
Crosno Construction, Inc.	\$ 1,188,820.00
Piana Construction and Painting Inc.	\$ 1,208,030.00
Olympus Painting & Sandblasting	\$ 1,348,489.24
Paso Robles Tank, Inc.	\$ 1,730,000.00

The bid submitted by Cor-Ray Painting Company is 21.45% below the Engineer's Estimate of \$1,141,430.00. The Department of Public Works has reviewed the bids and has determined the low bid submitted by Cor-Ray Painting Company to be satisfactory.

Report Submitted By:

Don Jensen, Director  
Department of Public Works

Date of Report: August 18, 2009

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Additional funding is necessary in order to complete the refurbishment of both reservoirs. The refurbishment includes the interior coating of Reservoir No. 2 and the exterior painting of both reservoirs (No. 1 & 2). Staff estimates that the remaining funds (\$900,000.00) for the Arsenic Treatment Facilities for the New Well in Zone 2 are adequate to construct the necessary treatment facilities, if required. Initial testing at the new well site in Zone 2 has not shown any indications of arsenic present at the site. The \$600,000.00 transferred from the Arsenic Treatment Facilities for the New Well in Zone 2 shall be taken from the Water Fund portion of the project.

The Six-Year Capital Improvement Program FY 2006/07 through FY 2011/12 budgeted \$530,000.00 for this project. Even though the contract amount listed above is \$896,540.00, the total project cost including bid alternates, engineering, inspection and contingency is estimated at \$1,130,000.00. Due to the fact that the exact condition of the tank will not be known until the construction has started, the full extent of the repairs is not known. Staff has investigated and inspected the tank to full extent feasible and has identified alternate bid items in the construction documents to resolve this issue. Therefore, the additional \$600,000 is necessary to complete funding for this project.

  
Frederick W. Latham  
Executive Director

Attachment(s)  
None.

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

Date of Report: August 18, 2009



# City of Santa Fe Springs

Water Utility Authority Meeting

August 27, 2009

## NEW BUSINESS

### Update on the Status of Water-Related Capital Improvement Plan Projects

#### RECOMMENDATION

That the Water Utility Authority receive and file the report.

#### BACKGROUND

This report is for informational purposes only. The following is a listing of current active water projects along with a current status:

#### 4" Main Replacement—Phase 1

This project involves the replacement of existing 4" water mains with new 8" water mains on portions of Cedardale Drive, Crossdale Avenue, Mondon Avenue, Lakeland Road, Elkhurst Street, Elgrace Street, and Hollyhock Street. Design is being completed and the authorization to advertise this project is scheduled to be on the September 24, 2009 agenda of the Water Utility Authority. Construction of this project is expected to commence in January 2010.

#### FISCAL IMPACT

These projects have all been budgeted and are included in the City's FY 2006-07 through FY 2011-12 Capital Improvement Program.

#### INFRASTRUCTURE IMPACT

The completion of these improvements will improve the integrity of the City's water system and enhance the ability of the City to deliver potable water to its residents.

Frederick W. Latham  
Executive Director

#### Attachment(s):

None.

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

Date of Report: August 18, 2009

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## **MINUTES**

### **JOINT MEETINGS OF THE COMMUNITY DEVELOPMENT COMMISSION CITY COUNCIL**

**CITY OF SANTA FE SPRINGS  
AUGUST 13, 2009**

**1. CALL TO ORDER**

Chairperson/Mayor Gonzalez, at 6:08 p.m., called the Community Development Commission and City Council meetings to order.

**2. ROLL CALL**

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

Excused: Commissioner/Councilmember Velasco

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; Dino Torres sitting in for Fernando Tarin, Director of Police Services; Hilary Keith, Director of Library & Cultural Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief

### **COMMUNITY DEVELOPMENT COMMISSION**

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

Paul Ashworth, Executive Director, gave a status report on the ongoing demolition at the Lakeland development site.

**4. CONSENT AGENDA**

**Minutes**

- A. Minutes of the Community Development Commission Meeting of July 23, 2009

**Recommendation:** That the Commission approve the Minutes as submitted.

Vice-Chairperson Putnam moved to approve the Minutes. Commissioner Rounds seconded the motion, which carried unanimously.

## **NEW BUSINESS**

### **5. Authorization to Advertise - Temporary Neighborhood Center Facilities**

**Recommendation:** That the Community Development Commission authorize the City Engineer to advertise for construction bids for the Temporary Neighborhood Center Facilities.

Commissioner Rounds moved the recommendation for Item No. 5. Vice-Chairperson Putnam seconded the motion, which carried unanimously.

### **6. Authorization to Negotiate a Change Order with Erickson-Hall Construction Company for the Construction of the Library Phase 2 Reading Gardens Project**

**Recommendation:** That the Community Development Commission (CDC) authorize the Director of Public Works to negotiate a Change Order with Erickson-Hall Construction Company ("Erickson-Hall") to construct the Library Phase 2 Reading Gardens Project.

Vice-Chairperson Putnam moved the recommendation for Item No. 6. Commissioner Rounds seconded the motion, which carried unanimously.

Commissioner Rounds modified the recommendation to include that Council review the Change Order when it comes back and that the Order not exceed staff's estimate.

Chairperson Gonzalez so ordered the modification.

## **CITY COUNCIL**

### **10. CONSENT AGENDA**

#### **Minutes**

#### **A. Minutes of the City Council Meeting of July 23, 2009**

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

Councilmember Serrano moved to approve the Minutes. Mayor Pro Tem Putnam seconded the motion, which carried unanimously.

## **PUBLIC HEARING**

### **11. Resolution No. 9209 – Self-Certification of Conformance to Congestion Management Program**

**Recommendation:** That the City Council conduct a public hearing and adopt Resolution No. 9209 certifying that the City is in conformance with the Congestion Management Program.

Mayor Gonzalez opened the Public Hearing and invited interested parties to come forward to address the Council.

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

Mayor Pro Tem Putnam moved the recommendation for Item No. 11. Councilmember Serrano seconded the motion, which carried unanimously.

### **UNFINISHED BUSINESS**

**12. Reconsideration of FY 2009-10 City Budget – Supplemental Recommendation No. 1 (Deferred Action Items)**

**Recommendation:** That the City Council approve the personnel recommendations as set forth herein and, in so doing, amend the adopted FY 2009-10 City Budget and direct the City Manager to take all appropriate implementation actions.

Councilmember Serrano moved the recommendation for Item No. 12. Mayor Pro Tem Putnam seconded the motion.

Mayor Gonzalez questioned the part-time position referenced in No. 3 on the report being benefited, which caused discussion amongst Council.

Following the discussion, City Manager Latham framed a motion to eliminate the full-time Public Safety Officer position, create the part-time position of Public Safety Officer with the salary range as stated, but not provide benefits, and for staff to come back to Council with a policy to be consistent with the action taken.

Mayor Gonzalez moved the motion as stated. Councilmember Serrano seconded the motion.

Further discussion ensued.

Councilmember Rounds moved the recommendation for Item Nos. 1, 2 and 3 with the amendment that staff bring back a policy to Council on benefits for part-time employees.

Mayor Pro Tem Putnam stated that the matter should be acted on as stated in the staff report.

Mayor Gonzalez and Councilmember Serrano withdrew the previous motion.

Councilmember Serrano seconded Councilmember Rounds' motion, including the amendment, which Mayor Gonzalez then ordered without objection.

### **NEW BUSINESS**

**13. Renewal of Contract with Graffiti Tracker, Inc. for Graffiti Analysis Services**

**Recommendation:** That the City Council approve the renewal of contract with Graffiti Tracker, Inc. to provide graffiti analysis services, and, in doing so, authorize the Mayor to execute the agreement document.



14. Approval of Agreements for the Formation of the Community Facility District for the Villages at Heritage Springs

**Recommendation:** That the City Council Authorize the City Engineer to enter into the following agreements for the formation of the Villages at Heritage Springs Community Facilities District: 1) Harris & Associates for Special Tax Consulting Services; 2) Coory Engineering for Engineering Services; 3) Jones Hall for Bond Counsel; 4) Stone and Youngberg for Legal Services.

15. Resolution No. 9210 – Adoption of Amended and Restated Local Goals and Policies For Community Facilities Districts

**Recommendation:** That the City Council adopt Resolution No. 9210 approving Amended and Restated Local Goals and Policies for the formation of Community Facilities Districts.

16. Amendment to the Letter of Agreement with the Los Angeles County Metropolitan Transportation Authority Regarding CMAQ Funds for the Valley View Grade Separation Project

**Recommendation:** That the City Council take the following actions: 1) Approve the Amendment to the Original Letter of Agreement with Los Angeles County Metropolitan Transportation Authority Regarding CMAQ Funds for the Valley View Grade Separation Project; 2) Authorize the Mayor to execute the Amendment.

17. Approval of RFP Document and Authorization to Go Out to Bid for Solid Waste Collection and Disposal Services for the Villages at Heritage Springs Housing Development

**Recommendation:** That the Council: 1) Approve the attached RFP document and 2) authorize staff to solicit bids from qualified contractors.

Councilmember Serrano moved to approve the recommendations for Item Nos. 13, 14, 15, 16 and 17. Mayor Pro Tem Putnam seconded the motion, which carried unanimously.

Councilmember Rounds inquired, with reference to Item No. 13, how much the City recouped from use of the Graffiti Tracker System.

City Manager Latham responded it was in the neighborhood of \$5,000.

**RECESS**

Chairperson/Mayor Gonzalez, at 6:25 p.m., recessed the Community Development Commission and City Council meetings to go into Closed Session.

## **COMMUNITY DEVELOPMENT COMMISSION**

### **CLOSED SESSION**

#### **7. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Case: Community Development Commission vs. Bueno

Number of Cases: 1

## **CITY COUNCIL**

### **CLOSED SESSIONS**

#### **8. CONFERENCE WITH LABOR NEGOTIATOR**

Agency Negotiator: City Manager

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

#### **9. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigations pursuant to subdivision (b) of Section 54956.9:

One potential case

### **RECONVENE**

Mayor Gonzalez, at 7:07 p.m., reconvened the Community Development Commission and City Council meetings.

City Attorney Skolnik reported out regarding Item No. 9 that a motion was made by Councilmember Serrano, seconded by Councilmember Rounds, and carried unanimously to authorize the Ana Alvarez Severance Agreement and Release; authorize the City Manager to sign the Agreement; and authorize the City Manager to make a matching appropriation from the Transitional Funding Reserves Account.

#### **18. INVOCATION**

The Invocation was given by Mayor Pro Tem Putnam.

#### **19. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Youth Leadership Committee members.

### **INTRODUCTIONS**

#### **20. Representatives from the Youth Leadership Committee**

Committee members introduced themselves.

#### **21. Representatives from the Chamber of Commerce**

Marc Essensa, President, was present representing the Chamber.

#### **22. ANNOUNCEMENTS**

Doris Yarwood, Miss Santa Fe Springs representative, introduced the 2009-2010 court consisting of Miss Santa Fe Springs Lupe Pasillas; Princess Bernadette Gomez; and Princess Sara Llanes.

Anita Jimenez, Program Coordinator, introduced Young Ambassadors who recently traveled to Ireland for a conference and members of the Sister City Committee who were present. The students shared photos and gave an overview of their trip. They thanked Council for their continued support.

Hilary Keith, Director of Library & Cultural Services, updated the Community Events Calendar.

### **SUBSEQUENT NEED**

#### **Authorization to Award a Bid for Construction of the Rio Hondo Regional Training Center Utilizing Urban Area Security Initiative (UASI) Grant Funding**

Mr. Latham advised that a Subsequent Need Item was also before the 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.

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

AYES: Putnam, Rounds, Serrano, Mayor Gonzalez

NOES:

ABSENT:

Councilmember Serrano moved the recommendation. Mayor Pro Tem Putnam seconded the motion, which carried unanimously.

### **APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS**

#### **23. Committee Appointments**

Councilmember Serrano appointed Ariana Gonzalez to the Youth Leadership Committee.

#### **24. ORAL COMMUNICATIONS**

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

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

#### **25. EXECUTIVE TEAM REPORTS**

City Manager Latham thanked the three division heads for their work and support and stated that he looked forward to watching them as they took on their new leadership roles.

Mayor Gonzalez invited everyone to come and support him on August 28<sup>th</sup> at 10:00 a.m. at Keystone Lanes in Norwalk as he participates in a Journey for the Blind bowling tournament.

**26. ADJOURNMENT**

Mayor Gonzalez, at 7:30 p.m., adjourned the Community Development Commission and City Council meetings in the memory of Sarah Garcia, mother-in-law of Councilmember Joseph D. Serrano, Sr., and mother of Traffic Commissioner Sarah Garcia.

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Luis M. Gonzalez  
Chairperson/Mayor

ATTEST:

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Barbara Earl, CMC, City Clerk



# City of Santa Fe Springs

Community Development Commission Meeting

August 27, 2009

## NEW BUSINESS

Resolution No. 238-2009 – Consent and Waiver Relating to Formation of City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)

### RECOMMENDATION

That the Community Development Commission adopt Resolution No. 238-2009 thereby Consenting to Formation of a Community Facilities District that will include Community Development Commission owned Property and Waiving Certain Election Requirements.

### BACKGROUND

Comstock Homes LLC, property owner for the Villages at Heritage Springs development, has submitted a Petition to the City Council requesting that a Community Facilities District (CFD) be formed in order to fund the following:

1. The cost of various public improvements that were required by the approved Development Plan for the development. This includes public streets, traffic signals, water and sewer facilities. The cost of these improvements is \$3.035 million.
2. The cost of police, fire and public improvement maintenance services that will be needed to support the development. These services are estimated to cost \$500,000 when the development is fully completed and all units are occupied.

A map entitled "Proposed Boundaries of the City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)" has been submitted to the City Clerk.

Included within the boundary of the proposed CFD is a parcel of land that is currently owned by the Community Development Commission. This parcel is identified as Lot 59 and is also known as the "Ameron" parcel. Although it is the ultimate intention of the CDC to transfer ownership of Lot 59 to the Developer, the transfer is not expected to be completed until after the proposed CFD has been formed.

As owner of Lot 59, staff is recommending that the Community Development Commission (CDC) adopt Resolution No. 238-2009 in order to confirm the following:

1. That the Proposed CFD includes property owned by the CDC.
2. That the CDC is aware of the purpose of the CFD.

Report Submitted By:

Don Jensen, Director  
Department of Public Works

Date of Report: August 18, 2009

10

3. That the CDC consents to the consolidation of the special election and ballot process which is required by State law.
4. That the CDC agrees to waive the requirements as to the specific form of the election ballot in order to expedite formation of the CFD.


FISCAL IMPACT

Establishment of this CFD will have no negative fiscal impact on the CDC. This is a process that creates a mechanism by which the developer/property owner accepts financial responsibility to fund the offsite public improvements and maintenance costs for associated public improvements.

INFRASTRUCTURE IMPACT

Formation of the CFD will not impact existing City infrastructure. Maintenance costs associated with new infrastructure will be covered by the CFD. No additional staff will be needed to maintain new infrastructure.

  
Frederick W. Latham  
City Manager

  
Paul Ashworth  
Executive Director

Attachment(s)

Resolution No. 238-2009  
Consent and Waiver

**RESOLUTION NO. 238-2009**

**RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION  
OF THE CITY OF SANTA FE SPRINGS AUTHORIZING EXECUTION  
AND DELIVERY OF A WAIVER AND CONSENT RELATING TO CITY  
OF SANTA FE SPRINGS COMMUNITY FACILITIES DISTRICT NO.  
2009-1 (VILLAGES AT HERITAGE SPRINGS)**

**WHEREAS**, the Community Development Commission of the City of Santa Fe Springs (the "Commission") owns certain property in the City of Santa Fe Springs (the "City") that it intends to transfer to Villages at Heritage Springs, LLC (the "Developer") for residential development (the "Property");

**WHEREAS**, the City Council of the City has been requested by Villages at Heritage Springs, LLC, a California limited liability company, to (i) undertake proceedings under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") to create a community facilities district to be designated "City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)" (the "CFD"), (ii) to levy special taxes in the CFD to finance certain public facilities and services, and (iii) to authorize the issuance of special tax bonds for the CFD in an amount to be determined during the formation proceedings, with the levy of the special tax and the issuance of bonds to be subject to the favorable vote of two-thirds of the votes cast by the qualified landowner electors at an election in the CFD on those issues;

**WHEREAS**, because the City and the Developer intend the Property to be developed for residential use and subject to the special tax levied in the CFD, the Commission is a qualified landowner elector in the CFD;

**WHEREAS**, Sections 53326 and 53327 of the Act provide that any time limit specified by the Act or requirement pertaining to the conduct of the election, including requirements for impartial analysis and ballot arguments, may be waived with the unanimous consent of the qualified landowner electors of the CFD;

**WHEREAS**, in order to expedite the completion of the proceedings for the CFD, the Developer has agreed to waive, and has asked the Commission to waive, all notices of hearings (other than published notices under the Act); all notices of election; all applicable waiting periods under the Act for elections; and all ballot arguments for the election;

**WHEREAS**, a form of "Consent and Waiver Relating to Creation of Community Facilities District" (the "Consent") has been prepared by Jones Hall, A Professional Law Corporation, the bond counsel to the City, for execution by the CDC, which Consent is on file with the Secretary;

**WHEREAS**, the Commission, with the aid of its staff, has reviewed the Consent, and the Commission wishes at this time to authorize execution and delivery of the Consent and to authorize execution of a ballot in favor of the levy of the special tax and issuance of bonds as being in the public interests of the Commission;

**NOW, THEREFORE, BE IT RESOLVED** by the Community Development Commission of the City of Santa Fe Springs, as follows:

**Section 1. Approval of Consent.** The Commission hereby approves the Consent in substantially the form thereof on file with the Secretary together with any additions thereto or changes therein deemed necessary or advisable by the Executive Director, and execution of the Consent shall be deemed conclusive evidence of the Commission's approval of such additions or changes. The Executive Director of the Commission, or his designee, is hereby authorized and directed to execute the Consent for and in the name and on behalf of the Commission and to deliver the Consent to the City Council.

**Section 2. Authorization to Vote.** The Executive Director of the Commission, or his designee, is hereby authorized and directed to execute a ballot for and in the name and on behalf of the Commission in favor of the special tax to be levied in the CFD and the issuance of bonds by the City on behalf of the CFD, provided that the Property shall not be subject to the special tax during the time that it is owned by the Commission.

**Section 3. Official Action.** The Executive Director and any and all other officers of the Commission are hereby authorized and directed, for and in the name and on behalf of the Commission, to do any and all things and take any and all actions, relating to the matters covered by this Resolution.

**Section 4. Effective Date.** This resolution shall take effect from and after the date of approval and adoption thereof.

PASSED AND ADOPTED this 27th day of August, 2009, by the following vote:

AYES: Members

NOES:

ABSENT:

\_\_\_\_\_  
CHAIRPERSON, Community Development  
Commission of the City of Santa Fe Springs

(S E A L)

Attest:

By: \_\_\_\_\_  
SECRETARY, Community Development  
Commission of the City of Santa Fe Springs



## CONSENT AND WAIVER RELATING TO CREATION OF A COMMUNITY FACILITIES DISTRICT

August 1, 2009

City Council of the  
City of Santa Fe Springs  
Santa Fe Springs, California

Members of the Council:

This Consent and Waiver (the "Consent and Waiver") is submitted pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 and following of the California Government Code) (the "Act").

1. Property; Property Owner. This Consent and Waiver is submitted to the City of Santa Fe Springs (the "City") by the Community Development Commission of the City of Santa Fe Springs (the "Property Owner"), as the owner of the fee simple title of the parcels of land identified below (the "Property") pursuant to the Act. The undersigned warrants to the City with respect to the Property that he/she is authorized to execute this Consent and Waiver and that the submission of this Consent and Waiver and participation in the City's proceedings under the Act will not constitute a violation or event of default under any existing financing arrangement in any way affecting the Property Owner and such Property, including any "due-on-encumbrance" clauses under any existing deeds of trust secured by the Property.
2. Consent to Proceedings. The City Council has been requested by Villages at Heritage Springs, LLC, a California limited liability company, to undertake proceedings under the Act to create a community facilities district to be designated "City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)" (the "CFD"), to levy special taxes in the CFD pursuant to a Rate and Method of Apportionment of Special Tax (the "Rate and Method") to be prepared by the City, and to authorize the issuance of special tax bonds for the CFD in an amount to be determined during the formation proceedings, with the levy of the special tax and the issuance of bonds to be subject to the favorable vote of two-thirds of the votes cast an election in the CFD on those issues. The Property Owner hereby consents to institution of the proposed proceedings.
3. Boundaries of CFD. The Property Owner hereby asks that the territory within the boundaries of the proposed CFD include the Property.
4. Purpose of CFD. The Property Owner acknowledges that the CFD shall be created for the purpose of financing the facilities (the "Facilities") and the public services (the "Services") described in Exhibit A attached hereto and incorporated herein by reference.
5. Elections. The Property Owner hereby consents to (i) the consolidation into a single election of the special election to be held under the Act to authorize the special taxes and the issuance of the bonds and to establish an appropriations limit for the CFD and (2) the conduct by the City and its officials of the special election, using mailed or hand-delivered ballots, and the opening and canvassing of such ballots and the certification of the results of such election at the

same meeting of the City Council as the public hearings on the CFD under the Act or as soon thereafter as possible.

6. Waiver. To expedite the completion of the proceedings for the CFD, all notices of hearings and all notices of election, applicable waiting periods under the Act for the election and all ballot analyses and arguments for the election are hereby waived. The Property Owner also waives any requirement as to the specific form of the ballot to be used for the election, whether under the Act, the California Elections Code or otherwise.

This Consent and Waiver may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

By executing this Consent and Waiver, the persons below agree to all of the above.

The Property is Los Angeles County	The Petitioner (record owner) is:
Assessor Parcel No(s): 8009-002-929	Community Development Commission
	of the City of Santa Fe Springs
and the Property contains a total of	
0.402 acres of land	

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**EXHIBIT A**  
**DESCRIPTION OF FACILITIES AND SERVICES**

**DESCRIPTION OF FACILITIES TO BE FINANCED BY THE CFD**

The Facilities shown below are proposed to be financed in whole or in part by the CFD. The Facilities shall be constructed, whether or not acquired in their completed states, pursuant to the plans and specifications approved by the City of Santa Fe Springs (the "City") and the officials thereof, including the City Engineer.

**City Fees**

- (a) Art in Public Places Fee: The City will use this fee to pay for or reimburse itself for the payment of the costs of acquisition/construction of related public facilities.
- (b) Traffic Impact Fee: The City will use this fee to pay for or reimburse itself for the payment of the costs of acquisition/construction of related public facilities.
- (c) Water Trunkline Connection Fee: The City will use this fee to pay for or reimburse itself for the payment of the costs of acquisition/construction of related public facilities.

**Public Improvements**

- (a) Street improvements to and south of Clark Street, including but not limited to curb/gutter, driveways, base, pavement and striping south of center line
- (b) Traffic Signals at Norwalk Blvd./Heritage Springs Drive, Telegraph Road/Villages Drive and Bloomfield Avenue/Heritage Springs Drive
- (c) Water improvements for backbone along Heritage Springs Drive, Garden Parkway, Juniper, Olive, Magnolia, Cedar and Boxwood.
- (d) Sewer improvements for backbone along Heritage Springs Drive, Garden Parkway, Juniper, Olive, Magnolia, Cedar, Boxwood

The facilities to be financed shall include the costs of the acquisition of right-of-way the costs of design, engineering and planning, the costs of any environmental or traffic studies, (including right-of-way that is intended to be dedicated by the recording of a final map), surveys or other reports, costs related to landscaping and irrigation, soils testing, permits, plan check and inspection fees, insurance, legal and related overhead costs, coordination and supervision and any other costs or appurtenances related to any of the foregoing.

The CFD may also finance any of the following:

1. Bond related expenses, including underwriters discount, reserve fund, capitalized interest, letter of credit fees and expenses, bond and disclosure counsel fees and expenses, bond remarketing costs, and all other incidental expenses.
2. Administrative fees of the City and the bond trustee or fiscal agent related to the CFD and the Bonds.
3. Reimbursement of costs related to the formation of the CFD advanced by the City, the landowner(s) in the CFD, or any party related to any of the foregoing, as well as reimbursement of any costs advanced by the City, the landowner(s) in the CFD or any party related to any of the foregoing, for facilities, fees or other purposes or costs of the CFD.

### DESCRIPTION OF SERVICES

The Services shown below ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982) are proposed to be financed by the CFD, including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities:

- (a) Police protection services.
- (b) Fire protection and suppression services, and ambulance and paramedic services.
- (c) Maintenance and lighting of parks, parkways, streets, roads, and open space.
- (d) Flood and storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems.

**PLEASE REFER TO ITEM NO. 9A**



# *City of Santa Fe Springs*

City Council Meeting

August 27, 2009

## **AWARD OF BID**

Award Bid to JTB Supply Company for Traffic Signal Intersection Battery Backup Systems and Light Emitting Diode (LED) Traffic Signal Indicators

## RECOMMENDATION

That the City Council award a bid to JTB Supply Company and authorize the Director of Purchasing Services to issue a purchase order to process the transaction.

## BACKGROUND

As the Council is aware, the City of La Habra Heights contracts with the City of Santa Fe Springs for traffic signal maintenance. Under this agreement they have requested that we upgrade their three traffic intersections with battery backup capability and LED signal technology. As a result of the expenditure amount, this item requires Council action. The Director of Purchasing Services requests approval to award a bid to JTB Supply Company based on the below received bids.

<u><b>VENDOR</b></u>	<u><b>BID AMOUNT</b></u>
JTB Supply Company	\$22,955.31
Quality Traffic Systems	23,339.25
Peek Traffic Corporation	25,442.00

## Fiscal Impact

The City of Santa Fe Springs will be fully reimbursed for the cost of this project by the City of La Habra Heights.

A handwritten signature in black ink, appearing to read "F. Latham", written in a cursive style.

Frederick W. Latham  
City Manager



## ***City of Santa Fe Springs***

City Council Meeting August 27, 2009

### **NEW BUSINESS/TREASURER'S REPORT**

#### **Treasurer's Reports For the Month of July 2009**

#### **RECOMMENDATION**

Receive and file the Treasurer's Reports for the month of July 2009.

#### **BACKGROUND**

Attached are the City and Community Development Commission (CDC) Treasurer's Reports for the month of July 2009.

At July 31, 2009, 100% of the City's investment portfolio was placed in the State of California's Local Agency Investment Fund (LAIF). The LAIF investment yield fluctuates periodically. For the month of July, it was 1.035%.

The CDC's portfolio is 100% invested in LAIF. The CDC portfolio includes \$37.7 million in funds from the most recent bond issuances: \$24.6 million in tax exempt and \$13.1 million in taxable.

The investments included in the Treasurer's Reports are in full compliance with the City's Investment Policy and are consistent with the ordered priorities of safety, liquidity, and yield.

Frederick W. Latham  
City Manager

#### **Attachment(s)**

City of Santa Fe Springs Treasurer's Report of Investment Transactions

Community Development Commission of the City of Santa Fe Springs  
Treasurer's Report of Investment Transactions

**CITY OF SANTA FE SPRINGS  
TREASURER'S REPORT OF INVESTMENT TRANSACTIONS  
JULY 2009**

OPERATING INVESTMENTS DESCRIPTION	DATE PURCHASED	MATURITY DATE	BEGINNING BALANCE	DEPOSITS/ PURCHASES	WITHDRAWALS/ SALES	ENDING BALANCE	MARKET VALUE*	YIELD RATE	INTEREST RECEIVED
			\$13,553,372.52	\$4,680,567.14	\$6,143,671.21	\$12,090,268.45	\$12,090,268.45	1.035 %	\$53,002.31
			13,553,372.52	4,680,567.14	6,143,671.21	12,090,268.45			53,002.31
<b>LOCAL AGENCY INVESTMENT FUND (100% of Portfolio, w/o advances)</b>									
SUBTOTAL			350,000.00			350,000.00	NA	12.000	
	09/25/08	09/30/09	5,152,000.00			5,152,000.00	NA	12.000	
	09/25/08	09/30/09	3,494,000.00			3,494,000.00	NA	12.000	
	09/25/08	09/30/09	\$22,549,372.52	\$4,680,567.14	\$6,143,671.21	\$21,086,268.45			\$53,002.31
<b>ADVANCES</b>						6,788,373.37			
Washington Boulevard Project (GF)			General Fund			114,674.81			
Consolidated Project (GF)			Slate Gasoline Tax Fund			3,350.81			
Consolidated Project (GF)			Traffic Congestion Relief Fund			282,784.32			
			County Transit Tax Fund-Prop A			55,433.49			
			County Transit Tax Fund-Prop C			1,045,711.89			
			Street Lighting Maintenance District Fund			412,090.56			
			Street Maintenance Assessment District Fund			162,866.98			
			Street Maintenance Fund			271,445.77			
			Art in Public Places Endowment Fund			4,446.30			
			Heritage Art Education/Whittier Pass/through Fund			(4,163.04)			
			Narcotics Forfeitures/Whittier Pass/through Fund			3,176.00			
			Integrated Waste Management Fund			81,677.07			
			Air Quality Improvement Block Grant			572,462.02			
			Community Development Equipment Fund			122,365.05			
			California Law Enforcement Services Fund			231,175.94			
			Supplemental Law Enforcement Services Fund			(480,195.72)			
			Equipment Replacement-General			2,422,592.83			
			Equipment Replacement-Hazmat						
			Equipment Replacement-Non Haz Mat						
			Capital Projects Fund						
			Water Utility Fund						

  
JOSE GOMEZ, TREASURER

The investment transactions are in compliance with the investment policy approved by the City Council.  
There is sufficient liquidity within the portfolio to meet all anticipated expenditures for the next six months.  
The source of the market valuation is Bank of the West, Treasury Operations.  
The weighted average days to maturity is 1 day. The advances have not been included in this calculation.



[illegible]

INVESTMENTS INC.

**MONEY MARKET FUNDS**  
First American Treasury Obligations Fund

Federated Auto Government Cash Reserve Fund

Trust Services.

Bank Corporate Trust Services.

..Investments held by tr

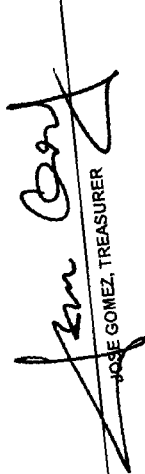
**COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF SANTA FE SPRINGS**  
**TREASURER'S REPORT OF INVESTMENT TRANSACTIONS**  
**JULY 2009**

OPERATING INVESTMENTS	DATE PURCHASED	MATURITY DATE	BEGINNING BALANCE	DEPOSITS/ PURCHASES	WITHDRAWALS/ SALES	ENDING BALANCE	MARKET VALUE	YIELD RATE	INTEREST RECEIVED
<b>DESCRIPTION</b>									
<b>LOCAL AGENCY INVESTMENT FUND (100% of the Total Portfolio)</b>									
Consolidated Redevelopment Capital Projects Fund			\$21,918,785.01	\$120,409.35	\$927,564.83	\$21,111,629.53	\$21,111,629.53	1.035 %	\$76,738.14
Consolidated Redevelopment Capital Projects Bond Funds			43,558,756.83	164,749.77	1,052,000.00	42,671,506.40	42,671,506.40	1.035	164,749.77
			<u>\$65,477,541.84</u>	<u>\$285,159.12</u>	<u>\$1,979,564.83</u>	<u>\$63,783,135.93</u>	<u>\$63,783,135.93</u>		<u>\$241,487.91</u>

CONSOLIDATED PROJECT	17,504,147.79
Debt Service Fund	157,986.15
Capital Projects Fund	2,839,171.17
2001 Bond Proceeds Fund	1,174,334.87
2002 Bond Proceeds Fund	23,823,136.48
2006-A Bond Proceeds Fund	13,945,652.59
2006-B Bond Proceeds Fund	466,113.60
Housing Set Aside Debt Service Fund	2,156,160.62
Housing Set Aside Fund	

WASHINGTON BOULEVARD PROJECT	1,787,592.88
Debt Service Fund	(71,160.22)
Capital Projects Fund	<u>63,783,135.93</u>

The investment transactions are in compliance with the investment policy approved by the City Council.  
There is sufficient liquidity within the portfolio to meet all anticipated expenditures for the next six months.  
The weighted average days to maturity is 1 day.  
The source of the market valuation is Bank of the West, Treasury Operations.

  
JOSE GOMEZ, TREASURER

## JULY 2009

15/10/57

LOCAL AGENCY FUND  
MARKET FUNDS

## MONEY MARKET

First American Treasury Corp.

Trust Services.

The source of the market value is determined in accordance with bond con-

\*\*\*Investments held by trustee in



# *City of Santa Fe Springs*

City Council Meeting

August 27, 2009

## **ORDINANCE FOR INTRODUCTION**

Ordinance 1003 - Amending Subsection Chapter 50 of the City Code Regarding Solid Waste

### RECOMMENDATION

That the City Council waive further reading and introduce Ordinance No. 1003, an ordinance amending Chapter 50 of the City Code.

### BACKGROUND

In recent months, the City has received numerous complaints from franchised waste haulers ("Haulers") regarding illegal hauler activity throughout the City, specifically around the perimeter of the City's boundaries.

Current City Code states that Haulers are required to obtain a permit from the City Council to be allowed to collect and/or transport solid waste within the City. Although implicit, there is no specific language in the Code that requires a business to use a permitted Hauler, leaving no real disincentive for businesses to engage unpermitted haulers who can underbid the permitted Haulers because they do not pay a Franchise Fee to the City.

By addressing both the hauler and the business owner, the City can more effectively ensure compliance with the City Code. The proposed Ordinance provides language that any business in the City that pays a fee for solid waste collection services may only contract with a City permitted waste hauler for such service. Violators will be subject to the penalty provisions of the City Code, which give the City the discretion to treat such incidents as either criminal misdemeanors or infractions. Consistent with existing practices relating to violations of the City Code, it is unlikely that violations of the subject proposed Code revisions would be prosecuted as misdemeanors, but instead would be treated as infractions subject to: \$100 fine for the first violation; \$200 for the second; and, \$500 for any violation thereafter.

In addition, Staff is proposing minor changes to the Code that will bring it up to date as to current City practices, most notably the AB 939-related reporting requirements, as well as references to proper City Staff responsible for implementing and overseeing the City's Solid Waste and recycling programs.

A handwritten signature in black ink, appearing to read "F. Latham", is positioned above the printed name of the City Manager.

Frederick W. Latham  
City Manager

### Attachment(s)

Ordinance No. 1003

(If the title of your report is long, please start here)  
Title of Report

Page 2 of 2

ORDINANCE NO. 1003

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS  
AMENDING CHAPTER 50 OF THE CITY CODE  
REGARDING GARBAGE AND REFUSE

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY ORDAIN AS  
FOLLOWS:

**Chapter 50 of the City Code is hereby amended to read as follows:**

Chapter 50. *SOLID WASTE PROVISIONS*

Section 1

General Provisions

- 50.01 Definitions
- 50.02 Burning
- 50.03 Dumping on public or private property

Collection and Disposal of Solid Waste

- 50.20 Permit required
- 50.21 Permit application; consideration by City Council
- 50.22 Number permitted; fee
- 50.23 Collection and disposal rates
- 50.24 Reports, remittances and penalty for late payment
- 50.25 Duration of permit
- 50.26 Transferability
- 50.27 Revocation of permit

Means of Collection and Disposal of Solid Waste

- 50.40 Collection defined; frequency and routes of collection
- 50.41 Interference with the collection of solid waste

- 50.42 Maintenance of equipment; vehicles to have name of contractor on sides
- 50.43 Receptacles required for residential premises; specifications
- 50.44 Method of keeping contents for collection
- 50.45 Location and time of placing for residential collection
- 50.46 Frequency of collection
- 50.47 Size of branches of trees, hedges, and the like
- 50.48 Heavy objects; removal and arrangements for collection
- 50.49 Disposal of accumulated solid waste by contractors; method of designating the means of disposal of non-residential solid waste
- 50.50 Illegal trash containers
- 50.51 *Mandatory Service*

#### ***Recycling and Disposal of Construction, Demolition and Renovation Debris***

- 50.60 Definitions
- 50.61 Waste Management Plan requirement
- 50.62 Submission of Waste Management Plan
- 50.63 Review of Waste Management Plan
- 50.64 Compliance with Waste Management Plan
- 50.65 Exemption from Waste Management Plan
- 50.66 Appeal
- 50.99 Penalty

#### ***Statutory reference:***

*Garbage and refuse disposal generally, see Cal. Pub. Res. Code §§ 40000 et seq. and Cal. Health and Safety Code §§ 4100 to 4520*

## **GENERAL PROVISIONS**

### **§ 50.01 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**AB 939.** The California Integrated Waste Management Act of 1989, codified in part at Cal. Pub. Res. Code §§ ~~4400~~ 40000 et seq., as it may be amended from time to time and as implemented by the regulations of the California Integrated Waste Management Board, or its successors.

**CITY MANAGER.** The City Manager or another person designated by the City Manager.

**COLLECTION.** The operation of gathering together rubbish and waste material and transporting the same to the point of disposal.

**CONTAINER.** A receptacle constructed of metal, plastic or some other impervious material and having a solid bottom.

**CONTRACTOR.** The person entering into a contract with the city and receiving a permit for the collection and disposal of garbage, rubbish and waste material.

**DIRECTOR.** The Director of Finance and Administrative Services or another person designated by the ~~Director of Finance and Administrative Services~~ City Manager.

**DISPOSAL.** The complete operation of treating and disposing of the accumulations of solid waste and the products or residue arising from such treatment.

**GARBAGE.** Waste, animal and vegetable matter of every kind and character including such waste food, animal and vegetable matter as accumulates in hotels, restaurants, eating houses and private homes in the kitchens and on the tables of such places; and also including such waste, animal and vegetable matter as accumulates in meat markets, grocery stores and fruit and vegetable markets.

**GRAFFITI.** A non-permitted inscription or drawing, including "tagging," written on some public surface, wall, or building.

**GROSS TONNAGE COLLECTED.** All solid waste collected by a contractor from within the city.

**MRF.** A Materials Recovery Facility permitted by the county in which it is located and capable of guaranteeing a reduction in the amount of waste of at least 25% through the recovery of recyclable materials, including papers, glass, plastic, metal, wood products, or fiber board.

**RUBBISH.** Tree and shrubbery trimmings, lawn clippings, grass, weeds, leaves, chips, paper, pasteboard, magazines, books, rags, rubber, carpets, clothing, boots, shoes, hats, straw, packing boxes and cartons, crates, packing material and other kinds of combustible rubbish, trash or waste material, which ordinarily accumulate in the operation of a household or business. This term shall not be deemed to include manure or waste from any poultry yard or stable. **RUBBISH** does not include "recyclable materials" as defined in § 119.01.

**SOLID WASTE.** The material discarded by residents and businesses which includes a combination of garbage, rubbish and other non-hazardous waste material. Solid waste does not include **RECYCLABLE MATERIALS** as defined in § 119.01.



**SPILL KIT.** A kit containing material designed to absorb liquids in an emergency situation.

**WASTE MATERIAL.** Broken crockery, broken glass, ashes, cinders, shells, bottles, tin cans, metals and other similar noncombustible waste materials resulting from the operation of a household or business.

('64 Code, § 11-1) (Ord. 78, passed - - ; Ord. 450, passed 1-10-74; Am. Ord. 887, passed 5-28-98)

## **§ 50.02 BURNING.**

No person shall burn any trash, material or rubbish without having first complied with all rules and regulations of the city, the county, the South Coast Air Quality Management District (AQMD), and the state.

('64 Code, § 11-2) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

### ***Statutory reference:***

*Burning garbage and refuse, see Cal. Health and Safety Code §§ 49600 to 49602, and § 49620*

## **§ 50.03 DUMPING ON PUBLIC OR PRIVATE PROPERTY.**

(A) No person shall dispose of or dump upon any public property, street or alley or upon any property of another, except such property as may be provided and set apart for such use by the city, any solid waste, tin cans, bottles, junk, trash, rubbish, garbage or waste matter of any kind or composition.

('64 Code, § 11-3)

(B) No person shall throw, place, scatter or deposit any rubbish or waste material in or upon any public alley, street or highway in the city except as expressly authorized in this chapter, nor throw, place, scatter or deposit any rubbish or waste material upon or below the surface of any premises in such a manner that the same is or may become a nuisance or endanger the public health.

('64 Code, § 11-4)

(C) No person shall dispose of or dump upon any private property of another, or into any container or receptacle owned or leased by another, within the city, any solid waste, tin cans, bottles, junk, trash, garbage, rubbish, or waste material or other objects of any kind or composition.

('64 Code, § 11-5) (Ord. 531, passed 10-13-77; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

# **COLLECTION AND DISPOSAL OF SOLID WASTE**

## **§ 50.20 PERMIT REQUIRED.**

No person shall remove or convey any solid waste upon, along or across any public street, alley, highway or other public place without first applying for and receiving a permit therefore from the City Council.

('64 Code, § 11-13) (Ord. 78, passed - - ; Ord. 144, passed - - ; Am. Ord. 166, passed 1-26-61; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.21 PERMIT APPLICATION; CONSIDERATION BY CITY COUNCIL.**

(A) Any person desiring to obtain a permit to remove or convey any garbage upon or along any public street, alley, highway or other public place shall pay an application fee and sign and file an application with the City Council, which application shall set forth the name and address of the applicant and such other information as may be required by the City Council.

('64 Code, § 11-14)

(B) When application shall be made to the City Council for a permit, it shall be the duty of the City Council to consider the matter and it shall have a right to grant or reject the permit sought.

('64 Code, § 11-15) (Ord. 78, passed - - )

#### **§ 50.22 NUMBER PERMITTED; FEE.**

(A) Not more than four commercial permits and three residential permits for the collection of solid waste shall be issued and outstanding at any given time. A holder of one type of permit shall not be prohibited from also holding the other type of permit.

(B) Each holder of a commercial permit shall pay a franchise fee of a percentage of their total gross receipts from customers located within the city as set by City Council resolution.

(C) Each holder of a residential permit shall pay a franchise fee of a percentage of their total gross receipts from customers located within the city as set by City Council resolution. The franchise fee is determined annually through a calculation prepared by the Department of Finance and Administrative Services as part of the placement of the annual residential service charge on the County of Los Angeles property tax bill.

('64 Code, § 11-16) (Ord. 78, passed - - ; Ord. 702, passed 10-23-86; Am. Ord. 791, passed 5-9-91; Ord. 838, passed 4-28-94; Am. Ord. 875, passed 6-12-97; Am. Ord. 887, passed 5-28-98; Am. Ord. 997, passed 3-26-09)

#### **§ 50.23 COLLECTION AND DISPOSAL RATES.**

The rates charged by a Contractor to a resident or business for collecting and disposing of solid waste shall be established by City Council resolution.

(Ord. 887, passed 5-28-98)

**§ 50.24 REPORTS, REMITTANCES AND PENALTY FOR LATE PAYMENT.**

(A) Each contractor shall, on or before the last day of the month following the close of each calendar quarter or at the close of any shorter reporting period which may be established by the Director, file a form, as provided by the city, of the contractor's total gross receipts for that period. At the time the report is filed, the full amount of the franchise fee payable shall be remitted to the city. The Director may establish shorter reporting periods for any contractor if it is deemed necessary by the Director in order to insure remittance of the franchise fee. The Director may require additional information from the contractor in order to verify the franchise payment. A final filing and payment are due immediately upon cessation of business by contractor for any reason.

(B) The penalty for late payment of any franchise fee due shall be 50% of the amount payable. The Director may excuse the payment of any such penalty upon good cause being shown for such late payment.

(C) The city shall have the right, upon reasonable advance notice, to inspect, audit and copy all records relating to the permit. In the absence of extraordinary circumstances, five business days notice shall be considered reasonable. Such records should be made available to the city at the contractor's regular place of business, but in no event outside the County of Los Angeles. The city reserves the right to employ a Certified Public Accountant to examine the contractor's records as necessary to obtain data relating to the permit and franchise fee. If the examination discloses a material deviation with respect to the gross receipts reported by the contractor or the examination discloses the contractor is charging or billing below or above the collection and disposal rates approved by the City Council, the cost of the audit shall be borne entirely by the contractor. If the examination discloses franchise fees that are due, these franchise fees are considered delinquent and subject to the 50% late payment penalty outlined in division (B) of this section.

If the examination discloses that the contractor is charging collection and disposal rates below or above the City Council approved rates, the solid waste permit will be subject to revocation.

(D) It shall be the duty of every contractor liable for the collection and payment to the city of any fee imposed by this chapter to keep and preserve for a period of three years all records as may be necessary to determine the amount of such franchise fee.

*(E) Quarterly Tonnage Reports*

*(1) Each contractor shall, on or before the last day of the month following the close of each calendar quarter or at the close of any shorter reporting period which may be established by the City Manager, file Quarterly Tonnage Reports which include the following:*

*(a) Total amount of solid waste removed from the City for each month in the reporting period;*

*(b) The name, address, and telephone number of each solid waste disposal and/or recycling facility used by the contractor during the reporting period;*

*(c) ~~Copies of waste disposal facility weight tickets/invoices which indicate the net amount of all waste disposed, transferred and/or recycled during each month of the reporting period;~~*

~~(d) In the event that a contractor adds and/or deletes a collection service customer(s), the contractor must submit a revised collection service identification list with the quarterly report for the reporting month;~~

(2) Each report shall be signed by an officer of the contractor. If the contractor has more than one collection route, it shall submit a separate report for each collection route. Each report shall be submitted to the City on the last working day of the month following the quarterly reporting period. Reports must be submitted to the City Manager by five p.m.

('64 Code, § 11-16.1) (Ord. 381, passed 5-28-70; Am. Ord. 887, passed 5-28-98)

#### **§ 50.25 DURATION OF PERMIT.**

Permits shall renew annually and continue in full force and effect unless terminated by City Council action. City Council termination action is not subject to cause and the contractor will be given six months notice to cease operations.

('64 Code, § 11-17) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98)

#### **§ 50.26 TRANSFERABILITY.**

No permit granted pursuant to the provisions of this chapter shall be assigned or transferred by the contractor without the consent of the City Council.

('64 Code, § 11-18) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98)

#### **§ 50.27 REVOCATION OF PERMIT.**

In the event that any contractor holding a permit to remove or convey solid waste upon or along any public street, alley, highway or other public place shall violate any of the conditions of such permit or any provisions of this chapter or any other ordinance of the city that may now be in force or may hereafter be enacted, relating to or regulating the collection, removal or disposal of solid waste, or shall remove or convey such solid waste in an unlawful, improper or unsanitary manner, it shall be the duty of the City Council, in addition to any other penalty provided by this chapter, to revoke such permit issued to such contractor. If the permit shall be revoked, no fixture permit shall thereafter be granted to said contractor.

('64 Code, § 11-19) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98)

## **MEANS OF COLLECTION AND DISPOSAL OF SOLID WASTE**

#### **§ 50.40 COLLECTION DEFINED; FREQUENCY AND ROUTES OF COLLECTION.**

The city shall provide for the collection and disposal of solid waste from all premises in the city at least once each calendar week. The City Manager shall have charge and supervision of such collection and removal and shall have prior approval of all routes and days for the collection and removal of solid waste from the various parts of the city so as to conform to the provisions of this chapter. When such

routes or days of collection are established or changed, the City Manager shall give notice thereof in such manner as is deemed best by the City Manager.

('64 Code, § 11-20) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98)

#### **§ 50.41 INTERFERENCE WITH THE COLLECTION OF SOLID WASTE.**

No person, except a contractor holding a valid permit for the collection of solid waste, shall interfere in any manner with any container or receptacle for solid waste or "recyclable materials" as defined in § 119.01, or the contents thereof, remove any such container or receptacle from the location where the same was placed by the owner thereof, or remove or interfere with the contents of such container or receptacle.

(Ord. 887, passed 5-28-98)

#### **§ 50.42 MAINTENANCE OF EQUIPMENT; VEHICLES TO HAVE NAME OF CONTRACTOR ON SIDES.**

(A) Each contractor shall provide an adequate number of vehicles and equipment for the collection, transportation, and disposal services for which it is responsible under this chapter. All equipment shall conform to the highest industry standards, shall be maintained in a clean and efficient condition and shall comply with all measures and procedures promulgated by all agencies with jurisdiction, including the County Department of Health Services.

(B) All vehicles used by a contractor shall be maintained in compliance with all applicable state and local standards, and shall abide by the following:

(1) The name of the contractor or firm name, together with the phone number of the company, shall be printed or painted in legible letters, not less than three inches in height, on both sides of all trucks and conveyances used to collect or transport solid waste within the city.

(2) Each vehicle shall be constructed and used so that no oil, grease, liquid, or solid waste material will blow, fall, or leak out of the vehicle. Any material dropped or spilled in collection or transfer shall immediately be cleaned up by the contractor. A broom, shovel, and spill kit shall be carried at all times on each vehicle for this purpose.

(3) Should the City Manager at any time give notification in writing to a contractor that any vehicle does not comply with the standards set forth herein, the vehicle shall immediately be removed from service in the city and shall not be used again until approved in writing by the City Manager.

(4) The Director of Public Works shall arrange on an annual basis for the state highway patrol to inspect such vehicles as to state of repair and operating condition. Vehicles shall display annual inspection decals as required by the City Manager.

(5) Contractor agrees to maintain its vehicles and equipment, including containers, free of graffiti.

(Ord. 887, passed 5-28-98)

#### **§ 50.43 RECEPTACLES REQUIRED FOR RESIDENTIAL PREMISES; SPECIFICATIONS.**

(A) Every ~~person occupying or having control of any~~ contractor providing residential ~~premises collection service must~~ shall provide ~~suitable~~ containers for automated collection as specified by the City Manager. ~~or receptacles constructed of metal, plastic or some other impervious material for the accumulation and collection of solid waste. Each container or receptacle shall have a capacity of not over 35 gallons and weigh no more than 75 pounds when filled and placed out for collection. Cut-down 50-gallon metal drums may not be used.~~

(B) ~~In the event that a container, approved by the City Manager, is furnished to the premises by the solid waste contractor, the occupant is not required to furnish additional containers.~~

('64 Code, § 11-23) (Ord. 78, passed - - ; Ord. 523, passed 6-23-77; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.44 METHOD OF KEEPING CONTENTS FOR COLLECTION.**

Every person occupying or having charge or control of any premises in the city shall keep all solid waste in such containers and receptacles as are required by this chapter.

('64 Code, § 11-24) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.45 LOCATION AND TIME OF PLACING FOR RESIDENTIAL COLLECTION.**

(A) Receptacles shall be placed along the street curb in front of the premises from which the solid waste is to be removed or along the property line of the alley in the rear or at the side thereof, according to the route prescribed by the City Manager along such street or such alley, before 6:00 a.m. on the days prescribed by the City Manager for the collection of solid waste on such route.

(B) No person shall place, or permit any solid waste receptacle to be, on the curb, parkway, street, alley or any other area near any residence earlier than 6:00 p.m. on the day preceding regular collection, and no person shall leave or permit any solid waste receptacle to remain on the curb, parkway, street, alley or any other area near any residence after 6:00 a.m. on the day following collection.

('64 Code, § 11-25) (Ord. 78, passed - - ; Ord. 377, passed 3-12-70; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.46 FREQUENCY OF COLLECTION.**

Every person occupying or having charge or control of any premises shall cause the containers or receptacles for solid waste to be emptied and all solid waste material removed from the premises and disposed of in a lawful manner. Such removal and disposal shall be accomplished at least once each calendar week, except as provided in § 50.48(A).

('64 Code, § 11-26) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.47 SIZE OF BRANCHES OF TREES, HEDGES, AND THE LIKE.**

Branches of trees, hedges, and the like, shall be cut in lengths of not over four feet and placed in containers or tied in bundles and weigh no more than 75 pounds when placed out for collection.

('64 Code, § 11-27) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.48 HEAVY OBJECTS; REMOVAL AND ARRANGEMENTS FOR COLLECTION.**

(A) Every person occupying or having charge or control of any premises shall, at least once in each calendar month, collect and dispose of all such heavy objects, such as discarded automobile bodies and similar heavy or bulky objects, and all materials not included in the term "solid waste" which may have accumulated on the premises. However, building or construction waste and debris need be removed only upon completion of construction operations.

('64 Code, § 11-29)

(B) Heavy articles such as trees, logs, auto bodies, building materials of any kind, grass from renovating, sod, dirt or similar material will not be picked up on regular collection. Arrangements may be made by every person occupying or having charge or control of any premises with the franchised hauler for collecting this material and an extra charge will be assessed depending on the amount of time required.

('64 Code, § 11-30) (Ord. 78, passed - - ; Am. Ord. 887, passed 5-28-98) Penalty, see § 50.99

#### **§ 50.49 DISPOSAL OF ACCUMULATED SOLID WASTE BY CONTRACTORS; METHOD OF DESIGNATING THE MEANS OF DISPOSAL OF NON-RESIDENTIAL SOLID WASTE.**

Contractors shall dispose of accumulated solid waste by hauling the solid waste to any permitted disposal facility. In order to fulfill the waste reduction requirements imposed by AB 939 the City Council may, at its discretion, pass a resolution mandating that non-residential solid waste be hauled to a MRF. Prior to the imposition of such mandate consideration will be given to collection and disposal rate adjustments. Should the City Council impose such a mandate, the following standards shall apply:

(A) All non-residential waste generated in the City of Santa Fe Springs and hauled by contractor shall be transferred to a MRF facility that is properly permitted by the county in which it is located. Such MRF shall demonstrate and provide documentation of a recovery rate of not less than 25%.

(B) Waste loads hauled by a contractor that contain only source-separated recyclable materials may be taken directly to a permitted recycling facility and need not be taken to a MRF. Documentation for such loads must be provided by the recycling facility and submitted with the quarterly waste hauling reports further described herein. Under these circumstances, contractor shall be considered as a Recycling Dealer, and will be bound by the provisions governing permitted recyclers, including reporting requirements and hauling fees.

(C) On a not less than quarterly basis, at contractor's sole expense, contractor shall furnish waste collection reports to the city, on a form provided by, or acceptable to, the Director of Finance and Administrative Services. These reports shall include the number of tons of solid waste collected during the previous quarter, the name and location of the permitted MRF facility where the solid waste was deposited, the number of tons recycled by the MRF facility, and a detailed list of recyclables collected

by the MRF. These reports shall be furnished no later than 30 days following the last calendar quarter day.

(Ord. 887, passed 5-28-98) Penalty, see § 50.99

## **§ 50.50 ILLEGAL TRASH CONTAINERS.**

(A) *No person other than an authorized contractor may place a container for the collection of solid waste or recyclables within the City. Any container placed in violation of this section is hereby declared to be a nuisance, and is subject to abatement pursuant to applicable provisions of this code.* Should the city become aware of any trash container which does not belong to any one of the city's franchised waste haulers, located on private property in the city, the city may cause removal of such container.

(B) The city shall first provide a notice demanding that such container be removed. The city shall affix, in a plainly visible location, and shall also hand deliver a copy of such notice to the business or residence located at the property. If it is not possible to accomplish such hand delivery at the time of the posting of such notice, the city may instead mail a copy of such notice, first-class postage prepaid, to the owner of such business, as shown on the city's business license records, or to the owner or occupant of such residence, in which case notice shall be deemed completed upon the placing of such mailed notice in the mail.

(C) The notice pursuant to division (B) shall state that:

(1) The container is illegal and the reason therefore;

(2) The container must be removed within ~~five~~*two* working days from the date of the posting of the notice;

(3) If the container is not removed ~~five~~*two* working days from the date of the posting of the notice, the city will cause it to be removed (to a stated location);

(4) If the city has to cause removal of the container, the business owner, or the owner and/or occupant (joint and severally) of the residence will be charged (as described below);

(5) If the city has to cause removal of the container, the owner of the container will be charged (as described below); and

(6) If any container caused to be removed by the city is not retrieved within 30 days after its removal, the city will dispose of such container.

(D) In the event that any container is not removed within ~~five~~*two* working days after the giving of notice in the manner set forth herein, the city may cause the removal of said container, to the location set forth in the notice, at any time thereafter.

(E) In order to recover the costs of disposing of the contents of any such container caused to be removed by the city, including both the costs incurred by the hauler performing such removal and the city's administrative costs, the city shall charge the owner of the business, or the owner and/or the occupant (jointly and severally) of the residence located at the property from which the container has



been removed an amount equal to twice the city's authorized daily service rate charged for the subject size container, plus any disposal charges incurred by the hauler.

(F) The owner of any container caused to be removed by the city may retrieve such container from the city by providing to the city proof of ownership and by paying to the city an impound charge of \$500.

(G) The city may dispose of any container caused to be removed which is not retrieved from the city within 30 days after its removal. The city shall retain any funds collected in disposing of the container in order to recover costs incurred.

#### *§ 50.51 MANDATORY SERVICE.*

*(A) Except as otherwise provided in this chapter, all solid waste collected from residential or commercial/industrial premises for a fee, service charge, or other consideration, shall be collected by a contractor holding a valid permit. No person, firm, corporation, or solid waste enterprise, other than a contractor holding a valid permit, shall negotiate or contract for, undertake to receive, collect or transport solid waste from within the City for a fee, service charge or other consideration, except as specifically provided in this chapter.*

*(B) Except as otherwise provided in this chapter, persons contracting for residential and/or commercial accounts may only utilize the services of a franchised contractor for the collection of solid waste from residential or commercial/industrial. No residential or commercial/industrial business owner shall enter into an agreement for solid waste handling services with any person, firm, or corporation other than a franchised contractor, except as otherwise provided in this chapter.*

*(C) Notwithstanding any other provision of the Santa Fe Springs Municipal Code to the contrary, any person who violates any provision of this chapter, or who fails to comply with any obligation or requirement of this chapter, is guilty of a misdemeanor unless the offense is charged as an infraction by a prosecuting attorney. Each person shall be guilty of a separate offense for each and every day, or part thereof, during which a violation of this chapter, or of any law or regulation referenced on this chapter, is allowed, committed, continued, maintained or permitted by such person, and shall be punishable accordingly.*

(Ord. 892, passed 4-22-99)

## **RECYCLING AND DISPOSAL OF CONSTRUCTION, DEMOLITION AND RENOVATION DEBRIS**

### **§ 50.60 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APPLICANT.** Any individual, firm, contractor, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the city for the applicable permits to undertake any construction, demolition or renovation project within the city.

**BUILDING OFFICIAL.** The chief building official of the city.

**CONSTRUCTION.** The building of any facility or structure, or any portion thereof, including any tenant improvements to an existing facility or structure.

**CONSTRUCTION AND DEMOLITION DEBRIS.** Used or discarded materials removed from premises during construction, renovation, remodeling, repair or demolition operations on any pavement, house, commercial or industrial building, or other structure.

**CONVERSION RATE.** The rate set forth in the standardized conversion rate table approved by the city pursuant to this subchapter for use in estimating the volume or weight of materials identified in a Waste Management Plan.

**COVERED PROJECT.** Any construction, demolition or renovation project within the city in which the total costs are, or are projected to be, greater than or equal to \$50,000.

**DECONSTRUCTION.** To disassemble any facility, structure or building, whether in whole or in part, whether interior or exterior, piece by piece in order to salvage the parts.

**DEMOLITION.** The decimating, razing, ruining, tearing down or wrecking of any facility, structure, pavement or building, whether in whole or in part, whether interior or exterior.

**DIVERSION REQUIREMENT.** The diversion of at least 75% of the total construction and demolition debris generated by a project via reuse or recycling, unless the applicant has been granted an exemption pursuant to § 50.64, in which case the **DIVERSION REQUIREMENT** shall be the maximum feasible diversion rate established by the WMP Compliance Official for the project.

**DIVERT.** To use material for any purpose other than disposal in a landfill or transformation facility.

**NON-COVERED PROJECT.** Any construction, demolition or renovation project within the city in which the total costs are less than \$50,000.

**PROJECT.** Any activity for which the city requires an application for a building, demolition or similar permit.

**RECYCLING.** The process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused or reconstituted products that meet the quality standards necessary for use in the marketplace.

**RENOVATION.** Any change, addition or modification to an existing structure.

**REUSE.** Further or repeated use of construction or demolition debris.

**SALVAGE.** The controlled removal of construction or demolition debris from a permitted building or demolition site for the purpose of recycling, reuse, or storage for later recycling or reuse.

**WASTE MANAGEMENT PLAN.** A completed WMP form, approved by the city in compliance with this subchapter, submitted by the applicant for any covered project.

**WMP COMPLIANCE OFFICIAL.** The ~~Director of Planning and Development~~ *Environmental Programs Coordinator* or designated staff person(s) authorized and responsible for implementing this subchapter.

(Ord. 914, passed 9-14-00)

#### **§ 50.61 WASTE MANAGEMENT PLAN REQUIREMENT.**

(A) *Covered projects.* Prior to beginning any construction or demolition activities, the applicant shall submit a Waste Management Plan to the WMP Compliance Official and shall be subject to all applicable provisions of this subchapter. Failure to comply with any of the terms of this section shall subject the project applicant to the full range of enforcement mechanisms set forth in § 50.64.

(B) *Non-covered projects.* Applicants for non-covered projects shall be encouraged to divert at least 75% of all project-related construction and demolition debris, but shall not be required to submit a Waste Management Plan to the WMP Compliance Official.

(C) *City-sponsored projects.* All city-sponsored construction, demolition and renovation projects, whose total costs are equal to or greater than \$50,000, shall be considered covered projects for the purposes of this section.

(D) *Compliance as a condition of approval.* Compliance with the provisions of this subchapter shall be listed as a condition of approval on any building or demolition permit issued for a covered project.

(Ord. 914, passed 9-14-00) Penalty, see § 50.99.

#### **§ 50.62 SUBMISSION OF WASTE MANAGEMENT PLAN.**

(A) *WMP forms.* Applicants for building or demolition permits involving any covered project shall complete and submit a Waste Management Plan ("WMP"), on a city-approved WMP form, as part of the application packet for the building or demolition permit. The completed WMP shall indicate all of the following:

- (1) The estimated volume or weight of project construction and demolition debris to be generated, sorted by type of material;
- (2) The maximum volume or weight of such materials that can feasibly be diverted via reuse or recycling;
- (3) The vendor or facility that the applicant proposes to use to collect and receive the material;
- (4) The estimated volume or weight of construction and demolition materials that will be landfilled; and

(5) Any special or specific activities that the applicant will use to comply with the provisions of this section.

(B) *Calculating volume and weight of debris.* In estimating the volume or weight of materials identified in the WMP, the applicant shall use the standardized conversion rates approved by the city for this purpose.

(C) *Deconstruction.* In preparing the WMP, applicants for building or demolition permits involving the removal of all or part of an existing structure shall consider deconstruction to the maximum extent feasible, and shall make the materials generated thereby available for salvage rather than landfill.

(Ord. 914, passed 9-14-00) Penalty, see § 50.99.

### **§ 50.63 REVIEW OF WASTE MANAGEMENT PLAN.**

(A) *Approval.* Notwithstanding any other provision of this code, no building or demolition permit shall be issued for any covered project unless and until the WMP Compliance Official has approved its WMP. Approval shall not be required, however, where the Building Official determines that an emergency demolition is required to protect public health or safety.

(1) The WMP Compliance Official shall only approve a WMP, if he or she first determines that all of the following conditions have been met:

(a) The WMP provides all of the information set forth in § 50.62; and

(b) The WMP indicates that at least 75% of all construction and demolition debris generated by the project will be diverted.

(2) If the WMP Compliance Official determines that these conditions have been met, he or she shall mark the WMP "Approved," return a copy of the WMP to the applicant, and notify the Building Official that the WMP has been approved.

(B) *Non-approval.* If he or she determines that the WMP is incomplete or fails to indicate that at least 75% of all construction and demolition debris generated by the project will be reused or recycled, the WMP Compliance Official shall either:

(1) Return the WMP to the applicant marked "Denied," including a statement of reasons, and so notify the Building Official, who shall then immediately stop processing the building or demolition permit application; or

(2) Return the WMP to the applicant marked "Further Information Required."

(Ord. 914, passed 9-14-00) Penalty, see § 50.99.

### **§ 50.64 COMPLIANCE WITH WASTE MANAGEMENT PLAN.**

(A) *Documentation.* Prior to the completion of any covered project, the applicant shall submit to the WMP Compliance Official documentation that the diversion requirement has been met. The

diversion requirement shall be that the applicant has diverted at least 75% of the total construction and demolition debris generated by the project via reuse or recycling. However, if the applicant has been granted an exemption pursuant to § 50.65, the diversion requirement shall be the maximum feasible diversion rate established by the WMP Compliance Official for the project. This documentation shall include all of the following:

(1) Receipts from the vendor and facility that collected and received each type of material, showing its actual weight or volume;

(2) A copy of the previously approved WMP for the project adding the actual volume or weight of each type of material diverted and landfilled;

(3) Any additional information the applicant believes is relevant to determining his efforts to comply in good faith with the approved WMP for the project.

(B) *Weighing of wastes.* Applicants shall make reasonable efforts to ensure that, whether diverted or landfilled, all construction and demolition debris is measured and recorded, using the most accurate method of measurement available. To the extent practical, all construction and demolition debris shall be weighed. In those instances in which, due to small size or other considerations, weighing construction and demolition debris is not practical, a volumetric measurement shall be used. To convert volumetric measurements to weight, the applicant shall use the standardized conversion rates approved by the city for this purpose.

(C) *Determination of compliance and release of building permit.* The WMP Compliance Official shall review the information submitted under division (A) of this section and determine which of the following standards best describes the extent the applicant has complied with the diversion requirement:

(1) *Full compliance.* If the WMP Compliance Official determines that the applicant has fully complied with the diversion requirement, he or she shall cause the building permit to be released to the applicant.

(2) *Good faith effort to comply.* If the WMP Compliance Official determines that the diversion requirement has not been achieved, he or she shall determine, on a case-by-case basis, whether the applicant has made a good faith effort to comply with the diversion requirement. In making this determination, the WMP Compliance Official shall consider: the availability of markets for the construction and demolition debris landfilled, the size of the project, and the documented efforts of the applicant to divert construction and demolition debris. If the WMP Compliance Official determines that the applicant has made a good faith effort to comply with the diversion requirement, he or she shall release the building permit to the applicant.

(3) *Noncompliance.* If the WMP Compliance Official determines that the applicant has not made a good faith effort to comply with the diversion requirement, or if the applicant fails to submit the documentation required by division (A) of this section within the required time period, then the WMP Compliance Official shall so notify the applicant and the Building Official. The Building Official shall not release the building permit until the applicant has complied with this section.

(Ord. 914, passed 9-14-00) Penalty, see § 50.99.

## **§ 50.65 EXEMPTION FROM WASTE MANAGEMENT PLAN.**

(A) *Application.* If an applicant for a covered project experiences unique circumstances that he believes make it infeasible to comply with the diversion requirement, he or she may apply for an exemption at the time the WMP is submitted as required under § 50.61. On the WMP, the applicant shall indicate the maximum rate of diversion believed feasible for each type of material, and the specific circumstances that make compliance with the diversion requirement infeasible.

(B) *Meeting with WMP Compliance Official.* The WMP Compliance Official shall review the information supplied by the applicant and may meet with him or her to discuss possible ways of meeting the diversion requirement. Based on the information supplied by the applicant, the WMP Compliance Official shall determine whether it is possible for the applicant to meet the diversion requirement.

(C) *Granting of exemption.* If the WMP Compliance Official determines that unique circumstances make it infeasible for the applicant to meet the diversion requirement, he or she shall: determine the maximum feasible diversion rate for each type of material; indicate this rate on the applicant's WMP; return a copy of the WMP to the applicant marked "Approved for Exemption;" and notify the Building Official that the WMP has been approved.

(D) *Denial of exemption.* If the WMP Compliance Official determines that the applicant can meet the diversion requirement, he or she shall so inform the applicant in writing. The applicant shall resubmit a WMP form in full compliance with § 50.62. If the applicant fails to resubmit the WMP, or if the resubmitted WMP does not comply with § 50.62, the WMP Compliance Official shall deny the WMP.

(Ord. 914, passed 9-14-00) Penalty, see § 50.99.

## **§ 50.66 APPEAL.**

(A) For any decision made by the WMP Compliance Official, the applicant shall have the right to appeal to the City Manager.

(B) The decision of the City Manager shall be final.

(Ord. 914, passed 9-14-00)

## **§ 50.99 PENALTY.**

Violation of this chapter shall be subject to § 10.97.

(Ord. 887, passed 5-28-98)

Section 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or of Chapter 50, or any part thereof. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance irrespective of the fact that any one or more

sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 3. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted in at least three (3) public places in the City, such posting to be completed not later than fifteen (15) days after passage hereof.

PASSED and ADOPTED this 27<sup>th</sup> day of August, 2009 by the following roll call vote:

AYES:

NOES:

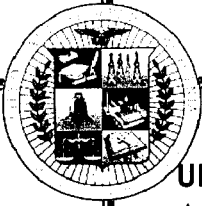
ABSENT:

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MAYOR

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CITY CLERK



## **UNFINISHED BUSINESS**

### Authorization for FY 2009-10 City Budget Review Schedule

#### **RECOMMENDATION:**

That the City Council approve the review schedule for the City's FY 2009-10 Budget as set forth herein.

#### **BACKGROUND**

In adopting the FY 2009-10 City Budget, it was understood that multiple factors could change the content of the document and the delicate balance it reflected between anticipated revenues and approved expenditures. Among these factors were:

1. Adoption of the State Budget and any take-a-way revenues from cities.
2. Supplemental personnel actions as follow-up to pending considerations related to the Budget.
3. Significant changes in the economy, positive or negative, particularly as such relates to sales tax revenue estimates.

As of this writing, we now have much better information with regard to each of these issues.

#### **State Budget**

The State has adopted a Budget which has significant impacts on Santa Fe Springs:

The City's Child Care Program's State Grant has been reduced by \$275,000 as the result of the State eliminating all Latchkey Child Care programs and funding. Staff's recommendations as to how to respond to this issue are addressed elsewhere within this agenda.

The State has taken \$771,000 in Prop 1A Property/Sales Tax as a "loan" under the provisions of the Proposition 1A. The "loan" "must" be paid back to the cities within three years, with interest. No further Prop 1A loans can be taken by the State until this "loan" is paid back. Obviously, the State's ability to pay off this "loan" in the foreseeable future is problematic. The City Manager and Director of Finance and Administrative Services are reviewing options to



minimize the immediate impact of this "loan" on the City's current General Fund operations. When this assessment is complete, recommendations will be made to the City Council.

The State intends to take \$11 to \$13 million over the next two years from the City's Community Development Commission's resources. The City has joined close to 200 Redevelopment Agencies in suing the State over the legality of this take. At the trial court level, the agencies prevailed, but the decision has been appealed by the State. The City Manager and Directors of Finance and Administrative Services and Planning and Community Development are evaluating ways to fund this take, should, ultimately, the Commission be forced to surrender these funds to the State. The analysis will identify ways to do so without impacting current levels of funding for Commission administration and capital projects. Projects currently underway, such as the Library and Neighborhood Center Modernization efforts, are not impacted by this State action. However, future projects not currently funded and underway could be severely impacted. Recommendations to the Commission and City Council regarding funding of this State action will await final decisions as to whether such becomes a legal obligation.

Although the State has not taken City Gas Tax funds at this point, staff is proceeding under the assumption that such may still be at risk this year, and we are proceeding conservatively as to expenditures in the Budget activity area.

#### **Supplemental Personnel Actions**

The Council authorizations in this regard have now been completed, at least for the time being, either through adoption of the Budget or through "Supplemental Recommendations No. 1." The affect of these actions have been to balance the Budget for FY 2009-10.

#### **Revenue Estimate Revisions**

As the Council has been advised, based on 1<sup>st</sup> Quarter sales tax data, it is now estimated that this revenue source will be down by an additional \$900,000 during this Fiscal Year. As of this writing, other revenue sources appear to be within the range of approved estimates. The City Manager and Director of Finance and Administrative Services will watch these numbers very closely and await 2<sup>nd</sup> Quarter data before reacting to modify existing Budget appropriations. However, the Executive Team has been asked to be conservative in the months to come in approving General Fund expenditures.

In adopting the FY 2009-10 City Budget, the Council concurred with staff's recommendation that an ongoing review schedule be implemented so that these changing factors could be monitored and responded to by the City

Council in a timely manner. Staff is recommending that the Council tentatively approve the following schedule for such reviews. This would be a "Tentative" schedule in that the timing of data and other factors may require adjustment to the schedule dates.

**Proposed Schedule for Budget Review**

November 12 Commission and Council Meeting :

It is anticipated that at this meeting the status of revenues and expenditures would be presented. If warranted, budget modifications would be recommended. Prior to the meeting, these matters would be reviewed with the Council Budget Sub-Committee of the Mayor and Councilmember Serrano.

Also, prior to this meeting, it is anticipated that additional 2nd Quarter revenue data will be available on which to refine estimates for this Fiscal Year. Staff should also know the impacts on expenditures of such Council-authorized strategies as employee voluntary work furloughs and early retirement incentives. Additionally, more should be known as to need to fund the State take-a-way of Community Development (Redevelopment) funds.

February 11 Commission and Council Meeting:

It is hoped that by the time of this Budget review, the economy, revenues, and State actions will have stabilized and be better known. Good expenditure data and perhaps 3rd Quarter sales tax information will also be available at this time. If this is the case, and with an understanding of anticipated and known institutional expenditure increases for Fiscal Year 2010-11, staff can make recommendations to Council as to Budget modification strategies for both Fiscal Years 2009-10 and 2010-11. The intent of this recommendation would be to soften the challenges of what Spring 2010 might bring in preparing for employee labor negotiations and a new FY 2010-11 City Budget. In any event, this mid-year Budget review will allow the Council to at least respond to the Budget needs for FY 2009-10.

Staff is optimistic that with the very proactive and responsible actions taken by the City Council to balance the FY 2009-10 Budget and through the close monitoring, as noted herein, the City is well positioned to respond to the challenges of the future without having adverse impact on the quality of life and safety of the Santa Fe Springs community.

  
Frederick W. Latham  
City Manager



# City of Santa Fe Springs

City Council Meeting

August 27, 2009

## NEW BUSINESS

Resolution Nos. 9211 and 9212 Regarding the City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)

### RECOMMENDATION

That the City Council adopt Resolution Nos. 9211 and 9212 in order to initiate the process to form a Community Facilities District for the Villages at Heritage Springs.

### BACKGROUND

Pursuant to State law, Comstock Homes LLC, property owner for the Villages at Heritage Springs development, has submitted a Petition requesting that a Community Facilities District (CFD) be formed in order to fund the following:

1. The cost of various public improvements that were required by the approved Development Plan for the development. This includes public streets, traffic signals, water and sewer facilities. The cost of these improvements is \$3.035 million.
2. The cost of police, fire and public improvement maintenance services that will be needed to support the development. These services are estimated to cost \$500,000 when the development is fully completed and all units are occupied.

A map entitled "Proposed Boundaries of the City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)" has been prepared and submitted to the City Clerk. The CFD will be formed under the provisions of the Mello-Roos Community Facilities Act of 1982, as amended, in accordance with Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code. At this time staff is recommending that the City Council adopt Resolution Nos. 9211 and 9212. The purpose of each Resolution is as follows:

#### Resolution No. 9211

This Resolution declares the City Council's intention to establish a CFD. Attached to this Resolution are the following:

1. Exhibit A – This exhibit describes the facilities and services that are to be covered by the CFD.
2. Exhibit B – This exhibit is the Rate and Method of Apportionment and describes the methodology by which special taxes will be levied.

#### Resolution No. 9212

This Resolution declares the City Council's intention to incur bonded indebtedness in conjunction with formation of the CFD. Important things to note with respect to this Resolution are as follows:

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

Date of Report: August 18, 2009

1. A maximum of \$4.5 million in bonds will be issued to generate revenue to cover the cost of the facilities and services described above.
2. The cost of debt service on bonds issued by the City in conjunction with the CFD will be recovered through the assessment of special taxes on residents of the Villages at Heritage Springs development.
3. All City administrative and processing costs will be reimbursed by either the Developer or the CFD and there is no cost to the City.
4. Bonds will not be issued until 75% of the units have been sold. This will ensure that sufficient tax revenue can be collected from residential property owners to cover debt service costs.

The City Council is required to hold a public hearing before the CFD can be formed. As indicated in each resolution, the required Public Hearing will take place at 6:00 p.m. on Thursday, October 8, 2009.

#### FISCAL IMPACT

Establishment of this CFD will have no negative fiscal impact on the City. This is a process that creates a mechanism by which the developer/property owner accepts financial responsibility to fund the offsite public improvements and maintenance costs for associated public improvements.

#### INFRASTRUCTURE IMPACT

Formation of the CFD will not impact existing City infrastructure. Maintenance costs associated with new infrastructure will be covered by the CFD. No additional staff will be needed to maintain new infrastructure.



Frederick W. Latham  
City Manager

#### Attachment(s)

Resolution No. 9211  
Resolution No. 9212

**RESOLUTION NO. 9211**

**RESOLUTION OF INTENTION TO ESTABLISH  
COMMUNITY FACILITIES DISTRICT**

**CITY OF SANTA FE SPRINGS  
Community Facilities District No. 2009-1  
(Villages at Heritage Springs)**

**RESOLVED**, by the City Council (the "Council") of the City of Santa Fe Springs (the "City"), State of California that:

**WHEREAS**, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code, this Council is authorized to establish a community facilities district and to act as the legislative body for a community facilities district;

**WHEREAS**, this Council, having received a petition from the owners of not less than 10% of the area of land proposed to be included in the proposed community facilities district, now desires to proceed with the establishment of a community facilities district in order to finance costs of public infrastructure and certain public services necessary or incident to development within the proposed boundaries of the proposed community facilities district; and

**WHEREAS**, pursuant to Section 53339.2 of the Act, this Council further desires to undertake proceedings to provide for future annexation of territory to the proposed community facilities district.

**NOW, THEREFORE, IT IS ORDERED** as follows:

**1. Authority.** This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act, and hereby determines that public convenience and necessity require that a future annexation area be established pursuant to the Act.

**2. Petition and Waiver.** The City Council acknowledges receipt of a petition by Villages at Heritage Springs, LLC is hereby acknowledged. In addition, the City Council acknowledges receipt of a waiver by the Community Development Commission of the City of Santa Fe Springs as to certain procedural matters. Villages at Heritage Springs, LLC and the Community Development Commission of the City of Santa Fe Springs own all of the property in the proposed boundaries of the CFD.

**3. Name of CFD; Future Annexation Area.** The name proposed for the community facilities district is City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs) (the "CFD").

The name proposed for the territory proposed to be annexed into the CFD in the future is "City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs) (Future Annexation Area)" (the "Future Annexation Area").

**4. Boundaries Described.** The proposed boundaries of the CFD and the Future Annexation Area are as shown on the map of it on file with the City Clerk, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, the map of the boundaries of the CFD and the Future Annexation Area in the office of the Recorder of Los Angeles within 15 days of the date of adoption of this Resolution.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.

**5. Facilities and Services.** The type of public facilities proposed to be financed by the CFD and the Future Annexation Area and pursuant to the Act shall consist of those listed as facilities on Exhibit A hereto and hereby incorporated herein (the "Facilities"). The Council hereby determines that the Facilities are necessary to meet increased demands placed upon local agencies as the result of development occurring within the CFD and the Future Annexation Area. The Council hereby finds and determines that the public interest will not be served by allowing the property owners in the CFD to enter into a contract in accordance with Section 53329.5(a) of the Act. Notwithstanding the foregoing, the Council, on behalf of CFD, may enter into one or more contracts directly with any of the property owners with respect to the construction and/or acquisition of the any portion of the Facilities.

The City Manager is hereby authorized and directed to enter into joint community facilities agreements with any entity that will own or operate any of the Facilities, as may be necessary to comply with the provisions of Section 53316.2(a) and (b) of the Act. The Council hereby declares that such joint agreements will be beneficial to owners of property in the area of the CFD.

The type of services proposed to be financed by the CFD and pursuant to the Act shall consist of those listed in Exhibit A hereto and hereby incorporated herein (the "Services"). The Council hereby determines that the Services are necessary to meet increased demands for such services placed upon local agencies as the result of development occurring within the area of the CFD and the Future Annexation Area. The Services are in addition to those provided in the territory of the CFD and the Future Annexation Area as of the date hereof and will not supplant services already available within the territory of the CFD and the Future Annexation Area as of the date hereof. The City intends to provide the Services on an equal basis in the original territory of the CFD and, when it has been annexed to the CFD, the Future Annexation Area.

**6. Special Tax.** Except to the extent that funds are otherwise available, the City will levy a special tax (the "Special Tax") to pay directly for the Facilities, to pay the principal and interest on bonds of the City issued to finance the Facilities and to pay for the Services. The Special Tax will be secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes, or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein (the "Rate and Method").

This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD.

As required by Section 53339.3(d) of the Act, the Council hereby determines that the Special Tax proposed to pay for the Facilities to be supplied within the Future Annexation Area will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD, except that (i) a higher Special Tax may be levied within the Future Annexation Area to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in the original area of the CFD, less any depreciation allocable to the financed Facilities and (ii) a higher Special Tax may be levied in the Future Annexation Area to pay for new or additional Facilities, with or without bond financing. As required by Section 53339.3(d) of the Act, the Council hereby further determines that the Special Tax proposed to pay for Services to be supplied within the Future Annexation Area shall be equal to any Special Tax levied to pay for the same Services in the existing CFD, except that a higher or lower tax may be levied within the Future Annexation Area to the extent that the actual cost of providing the Services in the Future Annexation Area is higher or lower than the cost of providing those Services in the existing CFD. In so finding, the Council does not intend to limit its ability to levy a Special Tax within the Future Annexation Area to provide new or additional services beyond those supplied within the existing CFD.

**7. Exempt Property.** Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the City, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Facilities, the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required debt service payments and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

**8. Election.** The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the proposed CFD, with each owner having one vote for each acre or portion of an acre such owner owns in the CFD.

A special tax shall be levied in the Future Annexation Area only with the Unanimous Approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings.

**9. Special Tax Bonds.** It is the intention of this Council, acting as the legislative body for the CFD, to cause bonds of the City to be issued for the CFD pursuant to the Act to finance in whole or in part the construction and/or acquisition of the Facilities. The bonds shall be in the aggregate principal amount of not to exceed \$4,500,000, shall be issued in such series and bear interest payable semi-annually or in such other manner as this Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds, and shall mature not to exceed 40 years from the date of the issuance thereof.

**10. CFD Report.** The City's Director of Public Works/City Engineer, as the officer having charge and control of the Facilities and the Services in and for the CFD, or the designee of such officer, is hereby directed to study said proposed Facilities and to make, or cause to be made, and file with the City Clerk a report in writing, (the "CFD Report") presenting the following:

(a) A description of the Facilities and the Services by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Facilities including the cost of acquisition of lands, rights-of-way and easements, any physical facilities required in conjunction therewith and incidental expenses in connection therewith, including the costs of the proposed bond financing and all other related costs as provided in Section 53345.3 of the Act.

(c) An estimate of the fair and reasonable cost of the Services and incidental expenses in connection therewith, and all other related costs.

The CFD Report shall be made a part of the record of the public hearing specified below.

**11. Public Hearing.** Thursday, October 8, 2009 at 6:00 p.m. or as soon as possible thereafter, in the Council Chambers, 1710 Telegraph Road, Santa Fe Springs, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and the Future Annexation Area and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD, the Future Annexation Area and the levy of the Special Tax.

**12. Notice of Hearing.** The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD and the Future Annexation Area. The publication shall be completed at least seven days before the date of the public hearing specified above. Such mailing shall be completed not less than 15 days before the date of the public hearing. Each of the notices shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

**13. Deposit Agreement.** Section 53314.9 of the Act provides that, either before or after formation of the CFD, the City may accept advances of funds and may provide, by resolution, for the use of those funds, including but not limited to pay any cost incurred by the local agency in creating the CFD, and may agree to reimburse the advances under all of the following conditions: (A) the proposal to repay the advances is included both in the resolution of intention and the resolution of formation to establish the CFD; and (B) any proposed special tax is approved by the qualified electors of the CFD and, if the qualified electors of the CFD do not approve the proposed special tax, the City shall return any funds which have not been committed for any authorized purpose by the time of the election.

There is on file with the City Clerk a form of Deposit and Reimbursement Agreement (the "Deposit Agreement") between the City and Villages at Heritage Springs, LLC (the "Property Owner"). The City hereby proposes to repay the Property Owner solely from the proceeds of bonds issued by the City for the CFD for funds advanced by the Property Owner and used to pay City costs in forming the CFD, approves the Deposit Agreement in



substantially the form on file with the City Clerk, and authorizes the Mayor, City Manager, Director of Finance and Administrative Services, Director of Public Works/City Engineer and City Attorney (each, an "Authorized Representative") to execute such Deposit Agreement in substantially the form on file with the City Clerk (with such additions and changes approved by the Authorized Representative).

**14. Acquisition Agreement.** There is on file with the City Clerk a form of Acquisition Agreement (the "Acquisition Agreement") between the City and Villages at Heritage Springs, LLC (the "Property Owner"). The City hereby approves the Acquisition Agreement in substantially the form on file with the City Clerk, and authorizes an Authorized Representative to execute such Acquisition Agreement in substantially the form on file with the City Clerk (with such additions and changes approved by the Authorized Representative).

**15. Tender.** The City Council reserves to itself the right and authority set forth in Section 53344.1 of the Act, subject to any limitations set forth in any bond resolution or trust indenture related to the issuance of bonds.

**16. Approval of Underwriter.** The firm of Stone & Youngberg LLC is hereby designated as underwriter to the City for any bonds to be issued for the CFD. Any and all compensation of such firm shall be contingent upon the issuance of bonds of the City for the CFD, and shall be payable from the proceeds of such bonds or by means of a discount upon the purchase of the bonds.

**17. Approval of Special Tax Consultant.** The firm of Harris & Associates is hereby designated as Special Tax Consultant to the City for the CFD. The Director of Public Works of the City is hereby authorized and directed to execute an agreement with said firm for its services in connection with the CFD; provided that all compensation to such firm shall be payable solely from money advanced pursuant to the Deposit Agreement or the proceeds of bonds issued by the City for the CFD.

**18. Approval of Bond Counsel and Disclosure Counsel.** The firm of Jones Hall, A Professional Law Corporation is hereby designated as Bond Counsel and Disclosure Counsel to the City for the CFD. The Director of Public Works of the City is hereby authorized and directed to execute an agreement with said firm for its services in connection with the CFD, in the form on file with the City Clerk; provided that all compensation to such firm shall be payable solely from money advanced pursuant to the Deposit Agreement or the proceeds of bonds issued by the City for the CFD.

**19. Approval of Trustee or Fiscal Agent; Appraiser; Absorption Consultant.** The Treasurer or Assistant Treasurer is hereby authorized and directed to select a trustee or fiscal agent for any bonds issued for the CFD and, if required by the underwriter, an appraiser and/or an absorption consultant, in each case, on such terms as are acceptable to the Treasurer or Assistant Treasurer; provided that all compensation to any firms so selected shall be payable solely from money advanced pursuant to the Deposit Agreement or the proceeds of bonds issued by the City for the CFD.

**20. Further Action.** The Mayor, City Manager, Treasurer, Assistant Treasurer, Director of Public Works, the City Clerk and all other officers and agents of the City are hereby authorized and directed to take all actions necessary or advisable to give effect to the transactions contemplated by this Resolution.

**21. No Obligation.** This Resolution shall in no way obligate the City Council of the City to form the CFD. The formation of the CFD shall be subject to the approval of this Council by resolution following the holding of the public hearing referred to above.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Santa Fe Springs, State of California, on this 27<sup>th</sup> day of August, 2009 by the following vote to wit:

AYES:

NOES:

ABSENT:

By: \_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

## **EXHIBIT A**

### **CITY OF SANTA FE SPRINGS Community Facilities District No. 2009-1 Santa Fe Springs(Villages at Heritage Springs)**

#### **DESCRIPTION OF FACILITIES TO BE FINANCED BY THE CFD**

The Facilities shown below are proposed to be financed in whole or in part by the CFD. The Facilities shall be constructed, whether or not acquired in their completed states, pursuant to the plans and specifications approved by the City of Santa Fe Springs (the "City") and the officials thereof, including the City Engineer.

#### **City Fees**

- (a) Art in Public Places Fee: The City will use this fee to pay for or reimburse itself for the payment of the costs of acquisition/construction of related public facilities.
- (b) Traffic Impact Fee: The City will use this fee to pay for or reimburse itself for the payment of the costs of acquisition/construction of related public facilities.
- (c) Water Trunkline Connection Fee: The City will use this fee to pay for or reimburse itself for the payment of the costs of acquisition/construction of related public facilities.

#### **Public Improvements**

- (a) Street improvements to and south of Clark Street, including but not limited to curb/gutter, driveways, base, pavement and striping south of center line
- (b) Traffic Signals at Norwalk Blvd./Heritage Springs Drive, Telegraph Road/Villages Drive and Bloomfield Avenue/Heritage Springs Drive
- (c) Water improvements for backbone along Heritage Springs Drive, Garden Parkway, Juniper, Olive, Magnolia, Cedar and Boxwood.
- (d) Sewer improvements for backbone along Heritage Springs Drive, Garden Parkway, Juniper, Olive, Magnolia, Cedar, Boxwood.

The facilities to be financed shall include the costs of the acquisition of right-of-way the costs of design, engineering and planning, the costs of any environmental or traffic studies, (including right-of-way that is intended to be dedicated by the recording of a final map), surveys or other reports, costs related to landscaping and irrigation, soils testing, permits, plan check and inspection fees, insurance, legal and related overhead costs, coordination and supervision and any other costs or appurtenances related to any of the foregoing.

reimbursement of any costs advanced by the City, the landowner(s) in the CFD or any party related to any of the foregoing, for facilities, fees or other purposes or costs of the CFD.

### DESCRIPTION OF SERVICES

The Services shown below ("services" shall have the meaning given that term in the Mello-Roos Community Facilities Act of 1982) are proposed to be financed by the CFD, including all related administrative costs, expenses and related reserves for replacement of vehicles, equipment and facilities:

- (a) Police protection services.
- (b) Fire protection and suppression services, and ambulance and paramedic services.
- (c) Maintenance and lighting of parks, parkways, streets, roads, and open space.
- (d) Flood and storm protection services, including, but not limited to, the operation and maintenance of storm drainage systems.

## EXHIBIT "B"

### RATE AND METHOD OF APPORTIONMENT FOR CITY OF SANTA FE SPRINGS COMMUNITY FACILITIES DISTRICT NO. 2009-1 (Villages at Heritage Springs)

A Special Tax as hereinafter defined shall be levied on all Assessor's Parcels in City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs) ("CFD No. 2009-1") and collected each fiscal year commencing in Fiscal Year 2009-10, in an amount determined by the City Council through the application of the appropriate Special Tax for "Developed Property" and "Undeveloped Property" as described below. All of the real property in CFD No. 2009-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

#### A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

**"Acre or Acreage"** means the land area (excluding public rights-of-way) of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final map, parcel map, condominium plan, or other recorded parcel map (excluding public rights-of-way). If the land area is presented in square footage, then the Acreage equals the parcel square footage divided by 43,560 sq. ft.

**"Act"** means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

**"Administrative Expenses"** means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2009-1: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City, CFD No. 2009-1 or any designee thereof of complying with arbitrage rebate requirements; the costs to the City, CFD No. 2009-1 or any designee thereof of complying with disclosure requirements of the City, CFD No. 2009-1 or obligated persons associated with applicable federal and state securities laws and the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City, CFD No. 2009-1 or any designee thereof related to any appeal of the Special Tax; the costs associated with the release of funds from an escrow, including appraisal costs; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated by the CFD Administrator or advanced by the City or CFD No. 2009-1 for any other administrative purposes of CFD No. 2009-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

**"Assessor's Parcel"** means a parcel shown in an Assessor's Parcel Map with an assigned Assessor's parcel number.

**"Assessor's Parcel Map"** means an official map of the Assessor of the County of Los Angeles designating parcels by Assessor's Parcel number.

**"Assigned Facilities Special Tax"** means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C (1) below.

**"Assigned Services Special Tax"** means the Services Special Tax for each Developed Property, as determined in accordance with Section I below.

**"Attached Residential Property"** means all Assessor's Parcels of Developed Property comprised of residential units with at least one common wall.

**"Bonds"** means any binding obligation including bonds or other debt (as defined in Section 53317(d) of the Act), whether in one or more series, issued by CFD No. 2009-1 under the Act.

**"CFD Administrator"** means the person or firm that the City chooses to make responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

**"CFD No. 2009-1"** means City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs).

**"City"** means the City of Santa Fe Springs.

**"City Council"** means the City Council of the City of Santa Fe Springs, acting as the legislative body of CFD No. 2009-1.

**"County"** means the County of Los Angeles.

**"CPI"** means the Consumer Price Index for All Urban Consumers, for the Los Angeles, Riverside and Orange County areas, published by the U.S. Department of Labor, Bureau of Labor Statistics, or, if such index is no longer published, a reasonably equivalent index selected by the CFD Administrator.

**"Detached Residential Property"** means all Assessor's Parcels of Developed Property comprised of residential units that are not Attached Residential Units.

**"Developed Property"** means for each Fiscal Year, (i) for purposes of the levy of the Facilities Special Tax, all Taxable Property for which a building permit was issued prior to March 1 of the prior Fiscal Year, or (ii) for purposes of the levy of the Services Special Tax, all Taxable Property for which a certificate of occupancy was issued prior to March 1 of the prior Fiscal Year."

**"Developed Residential Property"** means all Assessor's Parcels of Attached Residential Property or Detached Residential Property.

**"Exempt Property"** means all Assessor's Parcels not subject to special tax as described under Section K.

**"Facilities Special Tax"** means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Developed Property and Undeveloped Property to fund the Facilities Special Tax Requirement.

**"Facilities Special Tax Requirement"** means that amount required in any Fiscal Year for CFD No. 2009-1 to pay the sum of: (i) debt service on all Outstanding Bonds; (ii) periodic costs related to the Bonds, including but not limited to, credit enhancement and rebate payments on the Bonds; (iii) the amount required to pay a proportionate share of Administrative Expenses; (iv) any amounts required to establish or replenish any reserve funds for all Outstanding Bonds issued by CFD No. 2009-1; (v) any amounts required for construction of facilities eligible under the Act; (vi) any amounts anticipated for delinquencies; and (vii) any amounts required for other permitted services. In arriving at the Special Tax Requirement, the CFD Administrator shall take into account the reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in the previous Fiscal Year and may, at the City's option, give a credit for interest earnings and funds available to reduce the annual Special Tax levy.

**"Final Map"** means (i) a final tract map or parcel map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq.*) that creates individual lots for which building permits may be issued, or (ii) for condominiums, a final map approved by the City and a condominium plan recorded pursuant to California Civil Code Section 1352 creating such individual lots.

**"Fiscal Year"** means the period starting July 1 and ending on the following June 30.

**"Indenture"** means the indenture, fiscal agent agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended and/or supplemented from time to time, and any instrument replacing or supplementing the same.

**"Land Use Class"** means any of the classes listed in Tables 1, 2 and 3.

**"Lot"** means a subdivision of land as designated on the Final Map for Tract No. 63136.

**"Maximum Facilities Special Tax"** means the maximum Special Tax, determined in accordance with Section C below that can be levied in any Fiscal Year on any Assessor's Parcel.

**"Maximum Services Special Tax"** means the maximum Special Tax, determined in accordance with Section I below that can be levied in any Fiscal Year on any Assessor's Parcel.

**"Non-Residential Property"** means all Assessor's Parcels of Developed Property for which a building permit(s) and/or a certificate of occupancy was issued for a non-residential use.

**"Outstanding Bonds"** means all Bonds that are deemed to be outstanding under the Indenture.

**"Parcel"** means Assessor's Parcel.

**"Property Owner Association Property"** means any Assessor's Parcel within the boundaries of CFD No. 2009-1 that is owned in fee or by easement, or dedicated to, a property owner association, including any master or sub-association.

**"Proportionately"** means for Developed Property, in any Fiscal Year, that the ratio of the actual Special Tax levy to the Assigned Special Tax or the Maximum Special Tax is equal for all Assessor's Parcels of Developed Property. For Undeveloped Property in any Fiscal Year, "Proportionately" means that the ratio of the actual Facilities Special Tax levy per Acre to the

Maximum Facilities Special Tax per Acre is equal for all Assessor's Parcels of Undeveloped Property.

**"Public Property"** means any Assessor's Parcel within the boundaries of CFD No. 2009-1 that is transferred to a public agency or public utility on or after the date of formation of CFD No. 2009-1 and is used for rights-of-way, or any other purpose and is owned by, dedicated or irrevocably offered for dedication to the federal government, the State of California, the County, the City, a public utility or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use. Privately-owned property that is otherwise constrained by public or utility easements making impractical its utilization for other than the purposes set forth in the easement shall be considered Public Property.

**"Services Expenses"** means the expenses of the City, whether incurred by the City or designee of the City, or both, in the furnishing of services (as defined in Section 53317 of the Act) and materials for police protection services; fire protection and suppression services, and ambulance and paramedic services; maintenance and lighting of parks, parkways, streets, roads and open space; and flood and storm protection services.

**"Services Special Tax"** means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Developed Property to fund the Services Special Tax Requirement.

**"Services Special Tax Requirement"** means that amount required in any Fiscal Year for CFD No. 2009-1 equal to (i) the budgeted costs directly related to the Services Expenses, (ii) pay a proportionate share of Administrative Expenses, and (iii) anticipated Services Special Tax delinquencies based on the delinquency rate for the Services Special Tax levy in CFD No. 2009-1 for the previous Fiscal Year, less (iv) the operating fund balance for the Services Special Tax, as determined by the CFD Administrator. The maximum amount for the Services Special Tax Requirement is set at \$500,000 for Fiscal Year 2009-10; the maximum amount for subsequent Fiscal Years shall increase by the annual percentage change in CPI for the preceding year ending in March.

**"State"** means the State of California.

**"Taxable Property"** means all of the Assessor's Parcels within the boundaries of CFD No. 2009-1 which are not Exempt Property.

**"Taxable Property Owner Association Property"** means all Assessor's Parcels of Property Owner Association Property that are not Exempt Property.

**"Trustee"** means the trustee, fiscal agent, or paying agent under the Indenture.

**"Undeveloped Property"** means, for each Fiscal Year, all Taxable Property not classified as Developed Property.

**"Zone A"** means a geographic area as depicted in Exhibit A, attached hereto.

**"Zone B"** means a geographic area as depicted in Exhibit A, attached hereto.

## **B. CLASSIFICATION OF PROPERTIES**

Each Fiscal Year, all Assessor's Parcels shall be assigned to either Zone A or Zone B. All Assessor's Parcels within Zones A and B shall be classified as Taxable Property or Exempt Property. All Taxable Property shall be classified as Developed or Undeveloped Property and



shall be subject to Special Taxes in accordance with the rate and method of apportionment determined pursuant to Sections C, E, and I.

Once classified as Developed Property, a parcel may not be subsequently re-classified as Undeveloped Property or changed to Exempt Property without the Facilities Special Tax being paid off in full in accordance with Section G.

**C. FACILITIES SPECIAL TAX RATE**

**1. Developed Residential Property**

**a. Assigned Facilities Special Tax**

The Assigned Facilities Special Tax for each Land Use Class for Fiscal Year 2009-10 is shown below in Table 1.

**TABLE 1**

**Assigned Facilities Special Tax for Developed Property  
For Fiscal Year 2009-10  
Community Facilities District No. 2009-1**

Land Use Class	Assigned Facilities Special Tax
Zone A - Attached Residential	\$543 per Dwelling Unit
Zone A - Detached Residential	\$1,238 per Dwelling Unit
Zone B - Attached Residential	\$543 per Dwelling Unit
Zone B - Detached Residential	\$1,238 per Dwelling Unit

**b. Maximum Facilities Special Tax**

The Maximum Facilities Special Taxes for Assessor's Parcels of Developed Property for Fiscal Year 2009-10 are shown below in Table 2.

**TABLE 2**

**Maximum Facilities Special Tax for Developed Property  
For Fiscal Year 2009-10  
Community Facilities District No. 2009-1**

Land Use Class	Maximum Facilities Special Tax
Zone A - Attached Residential	\$598 per Dwelling Unit
Zone A - Detached Residential	\$1,362 per Dwelling Unit
Zone B - Attached Residential	\$598 per Dwelling Unit
Zone B - Detached Residential	\$1,362 per Dwelling Unit

**2. Non-Residential Property**

Non-Residential Property will be taxed at the same rate as Undeveloped Property.

**3. Undeveloped Property**

**a. Maximum Facilities Special Tax**

The Maximum Facilities Special Taxes for Undeveloped Property for Fiscal Year 2009-10 are shown below in Table 3.

**TABLE 3**

**Maximum Facilities Special Tax for Undeveloped Property  
For Fiscal Year 2009-10  
Community Facilities District No. 2009-1**

Land Use Class	Maximum Facilities Special Tax for Undeveloped Property
Zone A	\$18,435 per Acre
Zone B	\$35,105 per Acre

In the event a Lot subdivides, the Maximum Facilities Special Tax for Undeveloped Property shall be apportioned to the new Parcels based in proportion to the Acreage of the new Parcels. If two or more Lots combine, the Maximum Facilities Special Tax for the new Parcel shall be the combined Maximum Facilities Special Tax for each Lot.

**D. BUYDOWN OF OUTSTANDING BONDS**

All of the requirements of this Section D, which describes the need for a Buydown of Outstanding Bonds ("Buydown") that may result from a change in development as determined pursuant to this Section D, shall only apply after the issuance of the first series of CFD No. 2009-1 Bonds. Prior to the issuance of the first series of CFD No. 2009-1 Bonds, the terms of the Buydown shall not apply.

The following additional definitions apply to this Section D:

**"Buydown Requirement"** means the total amount needed to be collected to calculate and prepay CFD No. 2009-1 Bonds necessary to be prepaid in order to authorize (i) the issuance of residential building permits, or (ii) the approval of a Final Map for non-residential development listed in a request for a Letter of Compliance, as calculated under this Section D.

**"Certificate of Satisfaction of Buydown"** means a certificate from the CFD Administrator stating that the property described in such certificate has met the Buydown Requirement for such property as calculated under this Section D.

**"Debt Service Coverage"** means the debt service coverage percentage identified in the additional bonds test or parity bonds test section of the Indenture.

**"Future Annexation Area"** means an area that has been designated for future annexation into CFD 2009-1 on the Proposed Boundary Map.

**"Letter of Compliance"** means a letter from the CFD Administrator authorizing (i) the issuance of residential building permits, or (ii) the approval of a Final Map for non-residential

development based on the prior submittal of a request for a Letter of Compliance by a property owner.

**"Update Property"** means an Assessor's Parcel of Undeveloped Property for which a building permit has been issued. For purposes of all calculations in this Section D, Update Property shall be considered to be taxed as if it were already Developed Property during the current Fiscal Year.

#### **1. Request for Letter of Compliance**

After the issuance of the first series of CFD No. 2009-1 Bonds, a property owner shall, as a precondition to the issuance of a building permit for construction of any residential development for a specific Assessor's Parcel or lot, submit a Letter of Compliance for the construction of the development on such Assessor's Parcel or Lot. If a Letter of Compliance has not yet been issued, the property owner must first request a Letter of Compliance from the CFD Administrator. The request from the property owner shall contain a list of all building permits for which the property owner is requesting a Letter of Compliance. The property owner shall also submit the Assessor's Parcels or tract and lot numbers on which the construction is to take place, and the type of dwelling unit (attached or detached) for each residential dwelling unit associated with each prospective building permit.

#### **2. Issuance of Letter of Compliance**

Upon the receipt of a request for a Letter of Compliance, the CFD Administrator shall assign each building permit identified in such request to Land Use Classes as listed in Table 4 below based on the type of use identified for each such building permit. When using Table 4, if CFD No. 2009-1 Bonds are secured solely by Assessor's Parcels in the portion of CFD No. 2009-1 that does not include the Future Annexation Area, the column entitled "Expected Units Without Future Annexation Area" shall be utilized for purposes of this analysis. If CFD No. 2009-1 Bonds are secured by all of CFD No. 2009-1, including the Future Annexation Area, the column entitled "Expected Units Including Future Annexation Area" shall be utilized for this analysis. If the CFD Administrator determines (i) that the number of building permits requested for each Land Use Class, plus those building permits previously issued for each Land Use Class, will not cause the total number of residential dwelling units within any such Land Use Class to exceed the number of residential dwelling units for such Land Use Class identified in Table 4 below, and (ii) that the total number of residential dwelling units anticipated to be constructed pursuant to the current development plan for CFD No. 2009-1 shall not be less than 384, then a Letter of Compliance shall be submitted to the City and/or property owner by the CFD Administrator authorizing the issuance of the requested building permits for the subject property. This Letter of Compliance shall be submitted to the City and/or property owner by the CFD Administrator within ten days of the submittal of the request for a Letter of Compliance by the property owner. However, should (i) the building permits requested, plus those previously issued, cause the total number of residential dwelling units within any such Land Use Class to exceed the number of residential dwelling units for such Land Use Class identified in Table 4 below, or (ii) the CFD Administrator determines that changes in the development plan may cause a decrease in the number of residential dwelling units within CFD No. 2009-1 to below 384 residential dwelling units, then a Letter of Compliance will not be issued and the CFD Administrator will be directed to determine if a Buydown shall be required. The number of residential dwelling units by Land Use Class, as listed in Table 4 below, shall be updated by the CFD Administrator prior to the issuance of the first series of CFD No. 2009-1 Bonds to reflect the current development plan for CFD No. 2009-1.

**TABLE 4**  
**Expected Residential Dwelling Units per Land Use Class**  
**Community Facilities District No. 2009-1**

Land Use Class	Expected Units <u>without</u> Future Annexation	Expected Units <u>with</u> Future Annexation
Zone A - Attached Residential	198 Dwelling Units	198 Dwelling Units
Zone A - Detached Residential	186 Dwelling Units	221 Dwelling Units
Zone B - Attached Residential	128 Dwelling Units	128 Dwelling Units
Zone B - Detached Residential	0 Dwelling Units	0 Dwelling Units

### 3. Calculation of Buydown

If a Buydown calculation is required as determined by the CFD Administrator pursuant to paragraph 2 above, the CFD Administrator shall review the current development plan for CFD No. 2009-1 in consultation with the current property owners for all remaining Undeveloped Property in CFD No. 2009-1, and shall prepare an updated version of Table 4 identifying the revised number of residential dwelling units anticipated within each Land Use Class as applicable. The CFD Administrator shall not be responsible for any delays in preparing the updated Table 4 that result from a refusal on the part of one or more current property owners of Undeveloped Property to provide information on their future development.

The CFD Administrator shall then review the updated Table 4 and determine the Buydown Requirement, if any, to be applied to the property identified in the request for Letter of Compliance to assure CFD No. 2009-1's ability to levy Special Taxes equal to at least the Debt Service Coverage times the debt service necessary to support the Outstanding Bonds. The calculations shall be undertaken by the CFD Administrator, based on the data in the updated Table 4, as follows:

- Step 1. Compute the sum of the Special Taxes authorized to be levied on all Developed Property and Update Property within CFD No. 2009-1, plus the sum of the Special Taxes authorized to be levied on all future development as identified in the current development plan assuming buildout, as determined by the CFD Administrator in consultation with the property owner(s).
- Step 2. Determine the amount of Special Taxes equal to the Debt Service Coverage times the debt service necessary to support the Outstanding Bonds.
- Step 3. If the total sum computed pursuant to Step 1 is greater than or equal to the amount computed pursuant to Step 2, then no Buydown will be required and a Letter of Compliance shall be issued by the CFD Administrator for all of the building permits and/or Final Maps currently being requested. If the total sum computed pursuant to Step 1 is less than the amount computed pursuant to Step 2, then continue to step 4.
- Step 4. Determine the Special Tax shortfall by subtracting the total sum computed pursuant to Step 1 from the amount computed pursuant to Step 2. Divide this difference by the amount computed pursuant to Step 2.

- Step 5. Multiply the quotient computed pursuant to Step 4 by the Outstanding Bonds and round up to the nearest increment of 5,000 to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").
- Step 6. Multiply the Bond Redemption Amount computed pursuant to Step 5 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
- Step 7. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the redemption date for the Outstanding Bonds ("Defeasance Amount").
- Step 8. The administrative fees and expenses of CFD No. 2009-1 are as calculated by the CFD Administrator and include the costs of computation of the Buydown Requirement, the costs to invest the Buydown Requirement proceeds and the costs of redeeming CFD No. 2009-1 Bonds (the "Administrative Fees and Expenses").
- Step 9. The Buydown Requirement is equal to the sum of the amounts computed pursuant to Steps 5, 6, 7 and 8 (the "Buydown Requirement").
- Step 10. The reserve fund credit (the "Reserve Fund Credit") shall equal the lesser of: (a) the expected reduction in the reserve requirement (as specified in the Indenture), if any, associated with the redemption of Outstanding Bonds as a result of the Buydown, or (b) the amount derived by subtracting the new reserve requirement (as defined in the Indenture) in effect after the redemption of Outstanding Bonds as a result of the Buydown from the balance in the reserve fund on the Buydown date, but in no event shall such amount be less than zero. No Reserve Fund Credit shall be granted if the amount then on deposit in the reserve fund for the Outstanding Bonds is below 100% of the reserve requirement (as defined in the Indenture).

The Buydown Requirement computed under Step 9 shall be billed directly to the property owner of each Assessor's Parcel identified in the request for Letter of Compliance and shall be due within 30 days of the billing date. If the Buydown Requirement is not paid within 45 days of the billing date, a Letter of Compliance will not be issued to the City and/or property owner by the CFD Administrator and the authorization of the requested building permits (for residential development) or Final Map (for non-residential development) for the subject property will not be approved until such Buydown Requirement is paid. Upon receipt of the Buydown Requirement, the CFD Administrator shall issue a Letter of Compliance and a Certificate of Satisfaction of Buydown for the subject property. The Reserve Fund Credit calculated pursuant to Step 10 above shall be credited to the property owner of each Assessor's Parcel identified in the request for Letter of Compliance once the CFD Administrator has confirmed receipt of all Special Taxes due for such property owner(s) in the Fiscal Year the Buydown Requirement was made

#### **4. Costs and Expenses Related to Implementation of Buydown**

The costs of the CFD Administrator or other consultants required to review the application for building permits (for residential development) or a Final Map (for non-residential development) and issue Letters of Compliance, as identified in Sections D1 and D2, above, shall be paid out of the administrative expenses account as established in the

Indenture. The property owner of each Assessor's Parcel identified in the request for Letter of Compliance shall pay all costs of the CFD Administrator or other consultants required to calculate the Buydown Requirement, issue Letters of Compliance and any other actions required under Section D3. Such payments shall be due 30 days after receipt of invoice by such property owner. A deposit may be required by the CFD Administrator prior to undertaking work related to the Buydown pursuant to Section D3.

**E. METHOD OF APPORTIONMENT OF THE FACILITIES SPECIAL TAX**

Commencing with Fiscal Year 2009-10 and for each following Fiscal Year, the City Council shall levy the Facilities Special Tax on Assessor's Parcels within Zones A and B until the amount of Facilities Special Tax levied equals the Facilities Special Tax Requirement. The Facilities Special Tax shall be levied each Fiscal Year as follows. The steps indicated in Section E.1 shall be applied in each Fiscal Year prior to and including the Fiscal Year in which a second series Bonds is sold. The steps indicated in Section E.2 shall be applied in the first Fiscal Year after the issuance of such second series of Bonds and each Fiscal Year thereafter. A series of Bonds that is issued solely to refund a prior series of Bonds shall not be considered a second series of Bonds for the purposes of this section.

**1. Prior to the issuance of a second series of Bonds:**

First: The Facilities Special Tax shall be levied proportionately on each Assessor's Parcel of Developed Residential Property at up to 100% of the applicable Assigned Facilities Special Tax;

Second: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first step has been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Non-Residential Property at up to 100% of the applicable Maximum Facilities Special Tax for Non-Residential Property;

Third: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the previous steps have been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property in Zone A at up to 100% of the applicable Maximum Facilities Special Tax for Zone A Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the previous steps have been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Residential Property at up to 100% of the applicable Maximum Facilities Special Tax;

Fifth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the previous steps have been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property in Zone B at up to 100% of the applicable Maximum Facilities Special Tax for Zone B Undeveloped Property.

**2. After the Issuance of a second series of Bonds:**

First: The Facilities Special Tax shall be levied proportionately on each Assessor's Parcel of Developed Residential Property at up to 100% of the applicable Assigned Facilities Special Tax;

Second: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the first step has been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Non-Residential Property at up to 100% of the applicable Maximum Facilities Special Tax for Non-Residential Property;

Third: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the previous steps have been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property at up to 100% of the applicable Maximum Facilities Special Tax for Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Facilities Special Tax Requirement after the previous steps have been completed, the Facilities Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Residential Property at up to 100% of the applicable Maximum Facilities Special Tax;

Notwithstanding the above, under no circumstances will the Facilities Special Tax levied against any Assessor's Parcel of Developed Residential Property for which an occupancy permit for private residential use has been issued be increased by more than ten percent as a consequence of delinquency or default by the owner of any other Assessor's Parcel.

**F. MANNER OF COLLECTION OF SPECIAL TAX**

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2009-1 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

**G. PREPAYMENT OF SPECIAL TAX**

The following definitions apply to this Section G:

**"CFD Public Facilities Costs"** means \$3.035 million, or such lower number as shall be determined either by

- (a) the CFD Administrator as sufficient to finance the CFD Public Facilities, or
- (b) the City Council concurrently with a covenant that it will not issue any more Bonds to be secured by Special Taxes levied under the Rate and Method of Apportionment.

**"Construction Fund"** means an account specifically identified in the Indenture, which is used to disburse funds to pay the cost and acquisition of public improvements funded with the bond proceeds or Special Taxes.

**"Construction Inflation Index"** means the annual percentage change in the Engineering News-Record Building Cost Index for the City of Los Angeles, measured as of the calendar year which ends in the previous Fiscal Year. In the event this index ceases to be published, the Construction Inflation Index shall be another index as determined by the CFD Administrator that is reasonably comparable to the Engineering News-Record Building Cost Index for the City of Los Angeles.

**"Future Facilities Costs"** means the CFD Public Facilities Costs minus

- (a) the portion of the CFD Public Facilities Costs previously funded

- (i) from the proceeds of all previously issued Bonds,
  - (ii) from interest earnings on the Construction Fund actually earned prior to the date of prepayment, and
  - (iii) directly from Special Tax revenues; and
- (b) the amount of the proceeds of all previously issued Bonds then on deposit in the Construction Fund.

**"Outstanding Bonds"** means all previously issued Bonds that have been issued prior to the date of the prepayment which will remain outstanding after the first interest and/or principal payment date following the current Fiscal Year, excluding Bonds to be redeemed at a later date with the proceeds of prior prepayments of Special Taxes or other available moneys and are no longer considered outstanding under the applicable Indenture.

**"Previously Issued Bonds"** means all Bonds that have been issued by CFD No. 2009-1 prior to the date of prepayment.

### **Prepayment of a Facilities Special Tax in Part or in Full**

The Special Tax obligation applicable to an Assessor's Parcel may be prepaid at any time and the obligation of such Assessor's Parcel to pay any Special Tax may be fully or partially satisfied as described herein. The CFD Administrator may charge a reasonable fee for calculation of the Prepayment Amount as defined below.

#### **1. Prepayment in Full**

The Maximum Facilities Special Tax obligation applicable to such Assessor's Parcel may be fully prepaid and the obligation of the Assessor's Parcel to pay the Facilities Special Tax permanently satisfied as described herein; provided that a prepayment may be made only if there are no delinquent Facilities Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Maximum Annual Facilities Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount in writing of such Assessor's Parcel. The CFD Administrator may charge a reasonable fee for providing this figure.

The Prepayment Amount (defined below) shall be calculated as follows (capitalized terms as defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Amount
plus	Prepayment Fees and Expenses
less	Reserve Fund Credit
<u>less</u>	<u>Capitalized Interest Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount (defined below) shall be calculated as follows:

1. Confirm that no Facilities Special Tax delinquencies apply to such Assessor's Parcel.



2. Compute the Maximum Special Tax for the Assessor's Parcel to be prepaid.
3. Divide the Maximum Facilities Special Tax computed pursuant to paragraph 2 by the sum of the total expected Maximum Facilities Special Tax revenues that may be levied within CFD No. 2009-1 in that Fiscal Year excluding any Assessors Parcels for which the Maximum Facilities Special Tax obligation has been previously prepaid.
4. Multiply the quotient computed pursuant to paragraph 3 by the principal amount of Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").
5. Multiply the Bond Redemption Amount computed pursuant to paragraph 4 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
6. If all the Bonds authorized to be issued have not been issued, compute the Future Facilities Costs.
7. Multiply the quotient computed pursuant to paragraph 3 by the amount determined pursuant to paragraph 6 to compute the amount of Future Facilities Costs to be allocated to such Assessor's Parcel (the "Future Facilities Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
9. Determine the Facilities Special Taxes levied on the Assessor's Parcel in the current Fiscal Year which has not yet been paid.
10. Compute the amount the CFD Administrator reasonably expects to derive from the reinvestment of the Prepayment Amount less the Future Facilities Amount and the Prepayment Fees and Expenses (defined below) from the date of prepayment until the redemption date for the Outstanding Bonds to be redeemed with the prepayment.
11. Add the amounts computed pursuant to paragraphs 8 and 9 and subtract the amount computed pursuant to paragraph 10 (the "Defeasance Amount").
12. The administrative fees and expenses of CFD No. 2009-1 are as calculated by the CFD Administrator and include the costs of computation of the prepayment, the costs to invest the prepayment proceeds, the costs of redeeming CFD No. 2009-1 Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (the "Prepayment Fees and Expenses").
13. The reserve fund credit (the "Reserve Fund Credit") shall equal the lesser of:
  - a) the expected reduction in the reserve requirement (as defined in the Indenture), if any, associated with the redemption of Outstanding Bonds as a result of the prepayment; or
  - b) the amount derived by subtracting the new reserve requirement (as defined in the Indenture) in effect after the redemption of Outstanding Bonds as a result of the prepayment from the balance in the reserve fund on the prepayment date, but in no event shall such amount be less than zero.

No Reserve Fund Credit shall be granted if the amount then on deposit in the reserve fund for the Outstanding Bonds is below 100% of the reserve fund requirement (as defined in the Indenture).

14. If any capitalized interest for the Outstanding Bonds will not have been expended at the time of the first interest and/or principal payment following the current Fiscal Year, a capitalized interest credit shall be calculated by multiplying the quotient computed pursuant to paragraph 3 by the expected balance in the capitalized interest fund after such first interest and/or principal payment (the "Capitalized Interest Credit").
15. The Maximum Annual Facilities Special Tax prepayment is equal to the sum of the amounts computed pursuant to paragraphs 4, 5, 7, 11 and 12, less the amounts computed pursuant to paragraphs 13 and 14 (the "Prepayment Amount").
16. From the Prepayment Amount, the amounts computed pursuant to paragraphs 4, 5, 11, 13, and 14 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to paragraph 7 shall be deposited in the Construction Fund. The amount computed pursuant to paragraph 12 shall be retained by CFD No. 2009-1.

If the Prepayment Amount is insufficient to redeem Bonds in \$5,000 increments, the increment above \$5,000 or integral multiple thereof will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of bonds or to make debt service payments.

As a result of the payment of the current Fiscal Year's Facilities Special Tax levy as determined under paragraph 9 above, the CFD Administrator shall remove the current Fiscal Year's Facilities Special Tax levy for such Assessor's Parcel from the County tax rolls. With respect to any Assessor's Parcel that is prepaid, the City Council shall cause a suitable notice to be recorded in compliance with the Act, to indicate the prepayment of Special Taxes and the release of the Facilities Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay the Facilities Special Tax shall cease.

Notwithstanding the foregoing, no Facilities Special Tax prepayment shall be allowed unless the amount of Facilities Special Taxes, net of Administrative Expenses, that may be levied on Taxable Property after the proposed prepayment is at least 1.10 times the maximum annual debt service on all Outstanding Bonds.

Tenders of Bonds in prepayment of Facilities Special Taxes may be accepted upon the terms and conditions established by the City Council pursuant to the Act. However, the use of Bond tenders shall only be allowed on a case-by-case basis as specifically approved by the City Council.

## **2. Prepayment in Part**

The Maximum Facilities Special Tax obligation of an Assessor's Parcel may be partially prepaid. The amount of the prepayment shall be calculated as in Section F.1; except that a partial prepayment shall be calculated according to the following formula:

$$PP = (P_E \times F) + A$$

These terms have the following meaning:

- PP = the partial prepayment  
 $P_E$  = the Prepayment Amount calculated according to Section G.1, minus Prepayment Fees and Expenses pursuant to paragraph 12.  
F = the percent by which the owner of the Assessor's Parcel(s) is partially prepaying the Maximum Annual Facilities Special Tax.  
A = the Administration Fees and Expenses pursuant to paragraph 12 from Section G.1

The owner of an Assessor's Parcel who desires to partially prepay the Maximum Annual Facilities Special Tax obligation shall notify the CFD Administrator of:

- (i) such owner's intent to partially prepay the Maximum Annual Facilities Special Tax obligation,
- (ii) the percentage by which the Maximum Annual Facilities Special Tax obligation shall be prepaid, and
- (iii) the company or agency that will be acting as the escrow agent, if applicable.

The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Maximum Annual Facilities Special Tax obligation for an Assessor's Parcel within 30 days of the request and may charge a reasonable fee for providing this service.

With respect to any Assessor's Parcel that is partially prepaid, the City shall

- (i) distribute the funds remitted to it according to Paragraph 16 of Section G.1, and
- (ii) indicate in the records of CFD No. 2009-1 that there has been a partial prepayment of the Maximum Facilities Special Tax obligation and that a portion of the Maximum Facilities Special Tax obligation equal to the outstanding percentage ( $1.00 - F$ ) of the remaining Maximum Facilities Special Tax obligation shall continue to be authorized to be levied on such Assessor's Parcel pursuant to Section E.

#### **H. TERM OF FACILITIES SPECIAL TAX**

The Facilities Special Tax shall be levied on Developed Property for a period not to exceed 40 years from the Fiscal Year in which such Assessor's Parcel first becomes Developed Property. The Facilities Special Tax shall be levied on Undeveloped Property until such time that all debt service necessary to retire the Bonds is paid in full.

#### **I. SERVICES SPECIAL TAX RATE**

Commencing with Fiscal Year 2009-2010 and for each subsequent Fiscal Year, the Council shall levy the Services Special Tax on all Assessor's Parcels of Developed Residential Property up to the applicable Maximum Services Special Tax to fund the Services Special Tax Requirement.

The Maximum Services Special Tax for Fiscal Year 2009-10 shall be \$1,302 per dwelling unit.

On each July 1, commencing July 1, 2010, the Maximum Services Special Tax shall be the maximum amount in effect in the prior Fiscal Year increased by the annual percentage change in CPI for the preceding year ending in March .

**J. TERM OF SERVICES SPECIAL TAX**

The Services Special Tax shall be levied in perpetuity to fund the Services Special Tax Requirement unless no longer required as determined at the sole discretion of the Council.

If the levy of the Services Special Tax is repealed by initiative or any other action participated in by the owners of the Assessor's Parcels or Lots in CFD 2009-1, the City shall have no obligation to provide the services for which the Services Special Tax was levied.

**K. EXEMPTIONS**

The CFD Administrator shall classify as Exempt Property:

- (i) Assessor's Parcels of Public Property,
- (ii) Assessor's Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement, and
- (iii) Assessor's Parcels of Property Owner Association Property.

Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which Assessor's Parcels become Public Property. However, should an Assessor's Parcel no longer be classified as Public Property, its tax exempt status will be revoked.

## **RESOLUTION NO. 9212**

### **RESOLUTION OF INTENTION TO INCUR BONDED INDEBTEDNESS**

#### **CITY OF SANTA FE SPRINGS Community Facilities District No. 2009-1 (Villages at Heritage Springs)**

**RESOLVED**, by the City Council (the "Council") of the City of Santa Fe Springs (the "City"), State of California, that:

**WHEREAS**, this Council has this date adopted its "Resolution of Intention to Establish Community Facilities District", stating its intention to form the "City of Santa Fe Springs Community Facilities District No. 2009-1 (Villages at Heritage Springs)" (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5 of the California Government Code (the "Act"), for the purpose of financing certain public improvements (the "Facilities") as further provided in that Resolution; and

**WHEREAS**, this Council estimates the amount required for the financing of the costs of the Facilities to be the sum of not to exceed \$4,500,000 and

**WHEREAS**, in order to finance the costs of the Facilities it is necessary to incur bonded indebtedness in the amount of not to exceed \$4,500,000 on behalf of the CFD; and

**WHEREAS**, it is in the public interest and for the public benefit that the City declares its official intent to reimburse the expenditures referenced herein.

**NOW, THEREFORE, IT IS ORDERED** as follows:

**1. Bonded Debt.** It is necessary to incur bonded indebtedness within the boundaries of the proposed CFD in the amount of up to \$4,500,000 to finance the costs of the Facilities.

**2. Purposes of Bonded Debt.** The bonded indebtedness is proposed to be incurred for the purpose of financing the costs of the Facilities, including acquisition and improvement costs and all costs incidental to or connected with the accomplishment of said purposes and of the financing thereof, as permitted by Section 53345.3 of the Act.

**3. Terms of Bonds.** This Council, acting as legislative body for the CFD intends to authorize the issuance and sale of bonds in one or more series in the maximum aggregate principal amount of not to exceed \$4,500,000 bearing interest payable semi-annually or in such other manner as this Council shall determine, at a rate not to exceed the maximum rate of interest as may be authorized by applicable law at the time of sale of such bonds, and maturing not to exceed 40 years from the date of the issuance of the bonds.

**4. Public Hearing.** Thursday, October 8, 2009, at 6:00 p.m. or as soon as possible thereafter, in the Council Chambers, 1710 Telegraph Road, Santa Fe Springs, California, be, and the same are hereby appointed and fixed as the time and place when and where this

Council, as legislative body for the CFD, will conduct a public hearing on the proposed debt issue and consider and finally determine whether the public interest, convenience and necessity require the issuance of bonds of the of the City on behalf of the CFD.

**5. Notices of Hearing.** The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper of general circulation circulated within the CFD. The publication of the notice shall be completed at least 7 days before the date specified above for the public hearing. The City Clerk may also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appear on the most recent tax records of Solano County or as otherwise known to the City Clerk to be correct. Such mailing shall be completed not less than 15 days before the date of the hearing. Each of the notices shall be substantially in the form specified in Section 53346 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

**6. No Obligation.** This Resolution shall in no way obligate the City Council of the City to form the CFD or to issue bonds for the CFD. Issuance of the bonds shall be subject to the approval of this City Council by resolution following the holding of the public hearing referred to above.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Santa Fe Springs, State of California, on this 27<sup>th</sup> day of August, 2009 by the following vote to wit:

AYES:

NOES:

ABSENT:

By: \_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK



## **NEW BUSINESS**

Termination of Extended Day Care Program (Latchkey) Contract with the State Department of Education (SDE) And Options For City's School Age Child Care Program

### **RECOMMENDATION**

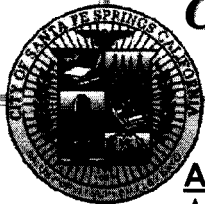
That the City Council approve staff's recommendation as identified in Option 2 of this report to continue to operate a School Age Child Care Program at both the Los Nietos and Lakeview child care sites and establish a full fee based service program.

### **BACKGROUND**

The City's School Age Child Care Program is one out of four programs administered by the Child Development Section of the Family & Human Services Division. It provides child care and development services to children in kindergarten through 6<sup>th</sup> grade out of the Los Nietos and Lakeview Child Care sites. This program operates before and after school and all day during the summer, spring and winter break as well as on certain school closure days. A portion of this program is funded by a contract with the State Department of Education (SDE) which has enabled the City to offer reduced fees or no fees to qualifying families.

As you are aware, the recently enacted 2009-10 State Budget revision (Budget Bill AB 1X4) eliminated the School Age Community Child Care Services (Latchkey) program, effective August 31, 2009. Trailer Bill language, AB 2X4, was also enacted that removed the statutory authority for the program.

For Santa Fe Springs this State budget action essentially eliminated the SDE contract in the amount of \$274,631 that was being used to provide extended day child care services at the Los Nietos and Lakeview Child Care sites. The state contract amount (\$274,631) was specifically targeted to assist approximately 90 low income working families who needed care for their children before and after school and full day during school vacation periods. These school age child care programs are serving the children who attend Rancho Santa Gertrudes, Los Nietos Middle School, Jersey Elementary, Lakeview Elementary and Lake Center Middle School. At this time, there are no other State licensed, subsidized child care programs for school-age children that exist in the City.



# City of Santa Fe Springs

City Council Meeting

August 27, 2009

## ANALYSIS

As a result of the termination and elimination in State funding for the Extended Day Care (Latchkey) program, staff have proposed two viable options for the Council's consideration. They are the following:

### Option 1

To eliminate the School Age Community Child Care Services (Latchkey) program as it currently exists at the Los Nietos and Lakeview Child Care sites. This will eliminate child care services for approximately 142 school-age children. Without the State subsidy, the City's general fund subsidy for this program is \$27,400. As part of this option, staff would notify the parents that this program was being terminated effective September 30, 2009 and child care services will no longer be available. This option would also impact child care staffing and result in reduction of staff work hours.

### Option 2

To continue to operate a School Age Child Care program at both the Los Nietos and Lakeview child care sites and establish a new full fee based service program. Under this option, the City's current general fund subsidy would remain the same (\$27,400). This option will allow staff to continue to offer quality, State licensed supervision to school age children before and after school and on non-school days.

It is anticipated that we may experience a reduction in enrollment due to the fact that some of these families may not be able to afford the new child care fees. Those low income families who are unable to pay the new full fee will be referred to outside agencies for funding assistance if available and/or referred to lower cost programs in the surrounding communities. Staffing and program costs will be modified to reflect the enrollment.

As part of this option, staff will provide the Council at the September 24, 2009 Council meeting with an update and status report on the number of children enrolled to date, potential revenue generated from the new fee structure and also make recommendations regarding program staffing levels and operational costs associated with the program.

The proposed new **weekly** fee structure will be as follows:

Before & After School care:	\$88.00 SFS resident/\$90.00 business-resident
After School Only:	\$57.00 SFS resident/\$60.00 business resident
Before School Only:	\$36.00 SFS resident/\$40.00 business resident

Vacation Weeks/Summer:	\$105.00 SFS resident/\$107.00 business resident
Non school days:	\$25.00/daily SFS resident/\$27.00 business resident





# ***City of Santa Fe Springs***

City Council Meeting

August 27, 2009

In approving Option 2, Council would adopt the aforementioned fee structure and the City of Santa Fe Springs Comprehensive Fee Schedule for FY 2009/2010 for this program will be revised.

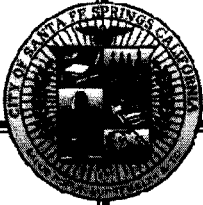
## FISCAL IMPACT

A handwritten signature in cursive script, reading "Fred Latham".

Frederick W. Latham  
City Manager

## Attachment(s)

None



## NEW BUSINESS

### Request for Use of the Activity Center for Amateur Fighting Matches

#### **RECOMMENDATIONS**

That the City Council deny the request to use the Activity Center by an outside group to promote Amateur Fighting Matches for profit and promotion.

#### **BACKGROUND**

The City was approached by Mark Kelhi to request the use of the Activity Center for amateur fighting matches. Mr. Kelhi stated in his letter that his goal is to create opportunities for aspiring amateur fighters, to create employment opportunities for all levels of the production crew, and create revenue for the City. The potential revenue sources will be generated through corporate sponsors, and admission fees to the events.

The City of Santa Fe Springs is ideal because it is conveniently located, and already has an established recreational boxing program. Mr. Kelhi's is asking the City to provide in-kind services including the use of the facility at no cost, the boxing ring, and additional portable bleachers to accommodate seating for 1,000 plus in attendance. All staff time involved in the production of the event, and supervision needs, including Safety Personnel, would be absorbed by the City.

Although Mr. Kelhi has good intentions, staff is recommending that the City Council deny the use of the Activity Center for the following reasons:

1. Due to the current scheduling of activities in the Activity Center, there is minimal time that the public can access the gym for free play basketball. Allowing this type of function would further eliminate the available time for drop-in basketball, weight room use, and racquetball reservations.
2. The promoters of the event are anticipating 1,000 spectators. The facility does not have adequate parking to accommodate this number, and this would heavily impact the surrounding neighborhood.
3. The City has an established Boxing program for the youth in our community.
4. Due to the economic challenges facing the City this would not be the best time to obligate funds / and or in-kind services for this type of activity.

The City Council may wish to call upon the Director of Parks and Recreation Services for additional information.

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

Fredrick W. Latham  
City Manager



## **NEW BUSINESS**

### **Reconsideration of Entertainment Conditional Use Permit Case No. 7**

Request for approval to allow the continued entertainment use involving karaoke, live bands and patron dancing at the Acapulco Mexican Restaurant and Cantina located at 13473 Telegraph Road in the C-4-PD, Community Commercial-Planned Development Overlay, Zone within the Consolidated Redevelopment Project Area. (Acapulco Restaurant, Inc.)

### **RECOMMENDATIONS**

That the City Council approve Entertainment Conditional Use Permit Case No. 7 for a period of five years until August 27, 2014, subject to the listed conditions of approval as contained in this staff report.

### **BACKGROUND**

City Ordinance Nos. 793 and 801 require businesses conducting entertainment to apply for and be granted a valid Entertainment Conditional Use Permit (ECUP). In accordance with the entertainment regulations, Acapulco Restaurant applied for and was granted ECUP Case No. 7 by the Planning Commission and the City Council at their respective meetings of June 23, and June 26, 2003. An additional time extension was granted by the Planning Commission and the City Council at their respective meetings of February 27 and March 9, 2006 for a period of three years, until February 27, 2009. The Applicant is requesting an extension of Entertainment Conditional Use Permit Case No. 7 to continue to providing entertainment to its customers.

Concurrent with this request, the Applicant is requesting an extension of Alcohol Sales Conditional Use Permit No. 21 to allow the continued sale of alcoholic beverages for on-site customer consumption.

### **STREETS AND HIGHWAYS**

The shopping center is located at the northeast corner of Carmenita Road and Telegraph Road, with additional street frontage on Gunn Avenue to the east and Lanett Avenue to the northwest. The subject restaurant is located on the northwest corner of Carmenita Road and Gunn Avenue. Telegraph Road and Carmenita Road are listed as a "Major Arterial" with the Circulation Element of the City's General Plan. Gunn Avenue and Lanett Avenue are local streets.

**ZONING ORDINANCE REQUIREMENTS**

Section 155.152 of the Zoning Regulations lists businesses conducting entertainment as a conditional use activity. In addition, Section 155.723 of the Zoning Regulations states that a "conditional use permit is required for all businesses conducting amusement, entertainment activities . . . as defined in Section 155.003 and subject to compliance of Section 155.723."

Section 155.723(A) states that conditional use permits for all businesses conducting amusement, entertainment or burlesque activities, as defined in § 155.003, dance halls or pavilions, or nightclubs, shall require approval by the City Council, after consideration by the Planning Commission. In the event of approval by the Planning Commission, the application will go before the City Council in compliance with the timing and procedural requirements of the appeal process which applies if invoked by the applicant. The decision of the City Council shall be final.

(C) Any person seeking a conditional use permit pursuant to division (A) of this section shall, as part of his application, provide the following information:

- (1) The name and address of the applicant.
- (2) The name and address of the owner of the premises where such business is to be conducted.
- (3) If the proposed permittee is a corporation, the names and addresses of the principal corporate officers and the date and state of incorporation.
- (4) A description of the type or nature of the business or commercial enterprise to be conducted at or upon the premises.
- (5) A statement of what foods and alcoholic beverages will be sold or distributed on the premises.
- (6) The days and hours during which such business is to be conducted.
- (7) A statement as to whether the conduct or performance of amusement or entertainment is to be restricted to a stage, platform or other fixed location upon the premises, together with an accompanying sketch of the premises clearly designating the entertainment or amusement area.
- (8) A statement of the type of entertainment or amusement proposed to be conducted, and the number of performers or entertainers to be engaged in such activity.

- (9) A statement as to whether any such entertainers or performers are to be employed by the applicant in any other capacity in or upon the premises, with full details and identifications.
- (10) A description of the clothing or costuming to be worn, particularly specifying in detail the costuming of any nude, seminude or revealingly dressed performers.
- (11) A statement as to whether minors will be permitted upon the premises during such entertainment.
- (12) Such other data as the City Manager may reasonably require in the interest of public health, safety or welfare.
- (13) A statement certifying, on penalty of perjury, the correctness of the information given on the application and agreeing on behalf of the proposed permittee that there shall be full compliance of the permittee with all state and city laws in the conduct of the activities for which a permit may be granted.

The Applicant has provided the listed information and has satisfied the requirements as provided in Section 155.7723 of the Zoning Regulations.

### **ZONING AND LAND USE**

The subject property is zoned C-4-PD, Community Commercial-Planned Development and is developed with a variety of retail/commercial uses, including a bank, theater, restaurants and medical, professional, business and administrative offices. The subject property borders a single-family residential neighborhood to the north and east. The neighborhood is characterized by one-story single-family residential dwellings located on approximately 5,000 sq ft lots. The interfacing residential lots to the north back onto the subject property. Both neighborhoods are located in the Los Angeles County unincorporated area and are zoned R-1.

The property to the south, across Telegraph Road, is zoned M-1, Heavy Manufacturing. A small area at the southeast corner of Carmenita Road and Telegraph Road is located in the City of Santa Fe Springs; the larger area is located in the Los Angeles County unincorporated area. The property at the southwest corner of Carmenita Road and Telegraph Road is zoned C-4, Community Commercial and is developed with the Gateway Shopping Center. The property at the northwest corner of Carmenita Road and Telegraph Road is also zoned C-4, Community Commercial and is developed with commercial/retail uses including a gas station and a small commercial center. The property directly to the north of the gas station and small retail center is zoned R-3, Multiple-Family Residential and is developed with apartment complexes.

**CALLS FOR SERVICE**

Staff checked the crime data information and found that within the last year there were twelve (12) calls for service. Six (6) of these calls originated from disturbing subjects and/or reports of pending or actual physical altercations. The remaining calls for service include a petty theft report and false alarm calls.

Management has abided by the conditions and called for police response when necessary. Staff does not feel that renewal of this permit will pose a negative impact on the surrounding area. To ensure the safety of the public and to prevent any criminal activity, staff is requiring the applicant to install a digital security camera system on the property that has to be reviewed and approved by the Department of Police Services prior to installation.

**STAFF COMMENTS**

Acapulco Restaurant is a family oriented restaurant that provides entertainment to their customers. The entertainment includes karaoke singing, live bands, and patron dancing. As part of the reconsideration for a time extension, staff has reviewed the entertainment use activities for compliance with the applicable regulatory ordinances, codes and the initial conditions of approval.

With the exception of the calls for service listed within this report, Staff has not received any complaints generated by the restaurant. It is Staff's opinion that the entertainment uses conducted within the restaurant have been conducted in a safe and conscientious manner. Moreover, Staff has reviewed this use activity with respect to the proposed shopping center remodel and the future retail uses within the center and finds that the uses will continue to be compatible with each other.

Based on its findings, Staff is recommending approval of Entertainment Conditional Use Permit Case No. 7, for an additional five (5) years, until August 27, 2014, subject to the conditions of approval contained within this report.

**CONDITIONS OF APPROVAL**

1. That the applicant shall comply with all of the conditions of approval as required by concurrent Alcohol Sales Conditional Use Permit Case No. 21.
2. That if any changes have occurred within the interior of the premise, a floor plan of the establishment shall be submitted to the Fire Marshal to establish the maximum number of occupants according to each specific floor plan. A maximum occupancy placard shall be posted in a conspicuous location on the premises. The occupancy limitation shall not be violated, and the applicant

understands that violation of the approved occupancy loads is grounds for immediate closure of the restaurant.

3. That the applicant shall continue to maintain video surveillance cameras overlooking the perimeter of the parking lot, bar area, and outdoor patio within twelve (12) months of the approval of this permit. The Director of Police Services shall approve the location of the video surveillance cameras prior to installation. Video surveillance cameras shall be of high quality capable of video taping during the day and night. Video surveillance cameras shall be maintained in working order at all times and replaced as needed by the owner. The on-duty manager shall be proficient in the use of the cameras and related recording equipment.
4. That the applicant and his acting managers shall allow the Director of Police Services, Whittier Police Officers and any of their representatives to view the security surveillance video tapes immediately upon their request.
5. That the management shall provide the Director of Police Services with a monthly calendar of all scheduled entertainment thirty (30) days prior to the event. The City retains the right to require an increase in security and public safety personnel for any event.
6. That mosh pits and/or mosh dancing is prohibited, and management shall remove patrons from the premise who initiate or participate in a mosh activity or other similar activity.
7. That platforms or stages shall not be used for dancing and/or other similar forms of entertainment.
8. That there be a corporate officer or manager, twenty-five years of age or older, on the licensed premises during the entertainment period who will be responsible for all entertainment activities. The general manager and any newly/subsequently-hired manager(s) of the licensed premises shall obtain an ABC Manager's Permit. The Director of Police Services shall be provided with a copy of said Manager's Permit, including the name, residential address and related work experience of the intended manager prior to the manager assuming managerial responsibilities.
9. That the security personnel, as well as the owner, corporate officers and managers, shall report immediately to the Whittier Police Department all incidents in which a person could be charged with a misdemeanor or felony offense.
10. That the applicant shall receive prior written approval from the Director of Planning and Development for the installation of banners, balloons or any



other temporary advertisement.

11. That the applicant and the performer shall receive prior written approval from the Fire Marshal for any pyrotechnics involved in the entertainment or as part of any displays.
12. That the security personnel, as well as the owner, corporate officers and managers shall cooperate with City officials, law enforcement personnel and code enforcement officers and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
13. That no change or alteration to the approved entertainment formats or content shall occur without prior written approval from the Director of Police Services.
14. That all entertainment activities shall be conducted inside the premise and that no entertainment activity shall be audible beyond the area under control of the licensee.
15. That during the hours which entertainment activities are conducted, the licensee shall provide an adequate professional security guard on site to discourage undue noise and damage to vehicles and shall also be in the position to notify law enforcement of any unlawful activities which may occur. The security staffing shall be identified in a separate document that must be approved by the Director of Police Services. The plan will include at a minimum: security in the parking lots; within the interior of the facility; and a written procedure for dealing with unruly patrons.
16. That a copy of these conditions shall be posted and maintained, with a copy of the City Business License and Fire Department Permits, in a place conspicuous to all employees of the location.
17. That failure to comply with the foregoing conditions shall be cause for suspension and/or revocation of this Permit.
18. That in the event the owner(s) intend to sell, lease or sublease the subject business operation to another owner/applicant or licensee, the Director of Police shall be notified in writing of said intention not less than (60) days prior to the signing of the agreement to sell, lease or sublease.
19. That this Permit shall be valid for a period of five (5) years, until August 27, 2014, at which time the applicant may request in writing an extension of privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.

20. That all other applicable requirements of the City Zoning Ordinance, Uniform Building Code and the determinations of the City and State Fire Marshall and all other applicable regulations shall be strictly complied with.
21. That Entertainment Conditional Use Permit Case No. 7 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose.
22. That this Permit shall not be effective for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating that he is aware of and accepts all the conditions of this Permit.
23. It is hereby declared to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse.

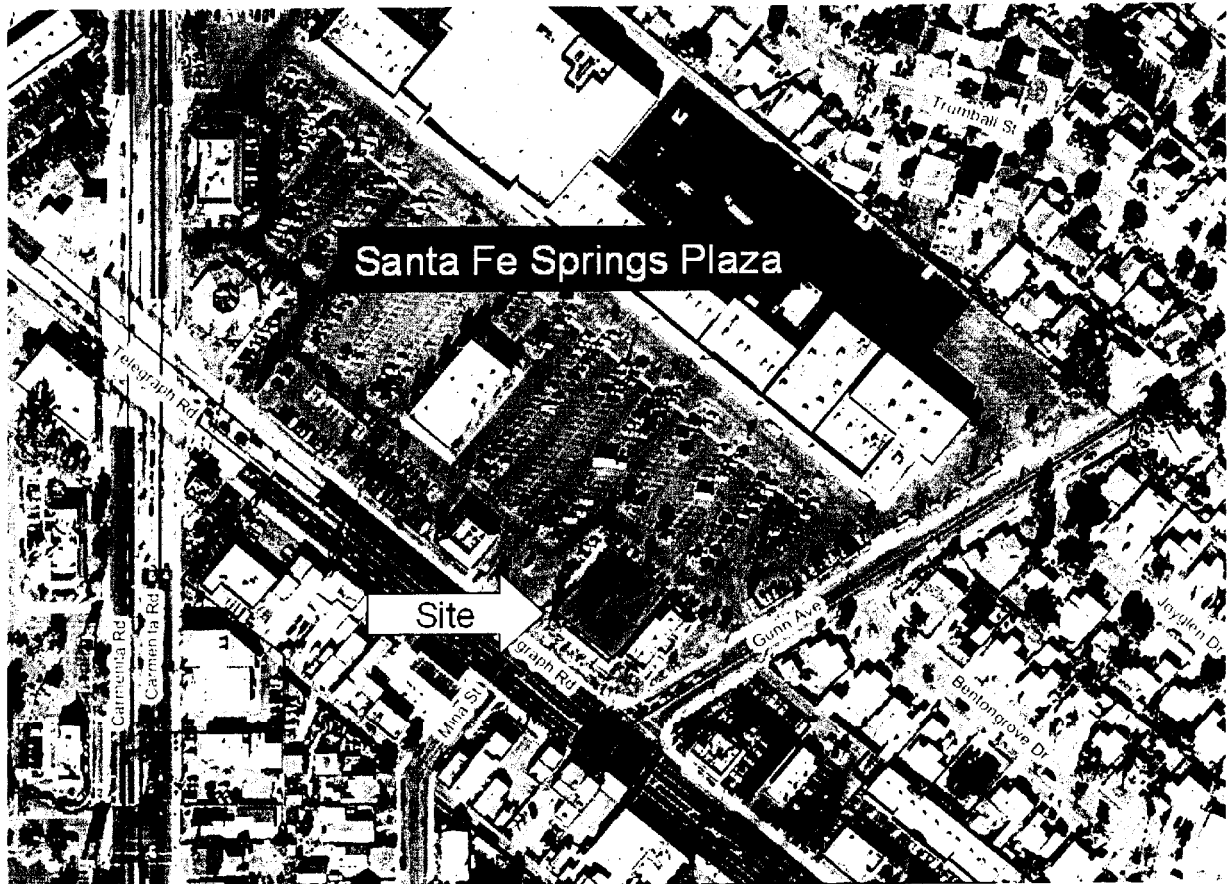


Frederick W. Latham  
City Manager

Attachment(s)

1. Location Map

### Location Map



# SANTA FE SPRINGS

Reconsideration of Entertainment  
Conditional Use Permit Case No. 7

Acapulco Mexican Restaurant and Cantina



## **NEW BUSINESS**

### **Reconsideration of Alcohol Sales Conditional Use Permit Case No. 21**

Request for approval to continue to conduct an alcohol beverage sales use involving the serving of alcoholic beverages for on-site customer consumption at the Acapulco Mexican Restaurant and Cantina located at 13473 Telegraph Road, within the C-4-PD, Community Commercial-Planned Development Overlay, Zone within the Consolidated Redevelopment Project Area. (Acapulco Restaurant, Inc.)

### **RECOMMENDATIONS**

That the City Council approve Alcohol Sales Conditional Use Permit Case No. 21 for a period of five years until August 27, 2014, subject to the listed conditions of approval as contained in this staff report.

### **BACKGROUND**

Acapulco Restaurant is a Mexican restaurant within the Santa Fe Springs Plaza located at the northwest corner of Telegraph Road and Gunn Avenue. At their respective meetings of February 27 and March 9, 2006, the Planning Commission and City Council approved the renewal of Alcohol Sales Conditional Use Permit Case No. 21 to allow the continued sale of alcoholic beverages for on-site customer consumption for a period of three (3) years.

Since that time has now lapsed, the applicant is requesting an extension of time to continue the sale of beer, wine and spirits for on-site customer consumption in connection with the family restaurant.

Concurrent with this request, and in accordance with Ordinance 801, Section 155.723, the Applicant is requesting to renew Entertainment Conditional Use Permit Case No. 7 to allow live entertainment and karaoke at the subject site.

### **STREETS AND HIGHWAYS**

The shopping center is located at the northeast corner of Carmenita Road and Telegraph Road, with additional street frontage on Gunn Avenue to the east and Lanett Avenue to the northwest. The subject restaurant is located on the northwest corner of Carmenita Road and Gunn Avenue. Telegraph Road and Carmenita Road are listed as "Major Arterial" with the Circulation Element" of the City's General Plan. Gunn Avenue and Lanett Avenue are local streets.

**ZONING ORDINANCE REQUIREMENTS**

Section 155.628 regarding the sale or service of alcoholic beverages states the following:

"A Conditional Use Permit shall be required for the establishment, continuation or enlargement of any retail, commercial, wholesale, warehousing or manufacturing business engaged in the sale, storage or manufacture of any type of alcoholic beverage meant for on or off-site consumption. In establishing the requirements for such uses, the City Planning Commission and City Council shall consider, among other criteria, the following:

**a. Conformance with parking regulations.**

*The shopping center is going through a remodel which will ultimately have additional stores and restaurants on the premises. The shopping center as a whole conforms to the current parking regulations.*

**b. Control of vehicle traffic and circulation.**

*Vehicle traffic and circulation is provided throughout the shopping center with street access on Carmenita Road, Telegraph Road and Gunn Avenue.*

**c. Hours and days of operation.**

*The restaurant operates Monday through Thursday from 11:30 am to 9:30 pm, Friday and Saturday from 11:30am to 1:30am, and Sunday from 10:00am to 9:30pm.*

**d. Security and/or law enforcement plans.**

*The applicant is required to submit and maintain a current Security Plan to the Department of Police Services outlining the location of security cameras at the establishment.*

**e. Proximity to sensitive and/or incompatible land uses such as schools, religious facilities, recreational or other public facilities attended or utilized by minors.**

*The subject restaurant is approximately a half mile to Lake Marie Elementary School; approximately a half mile to Richard Graves Middle School located to the west; and approximately a half mile to McKibben Elementary School to the east. Across the street is the Gateway Plaza Shopping Center.*

**f. Proximity to other alcoholic beverage uses to prevent the incompatible and undesirable concentration of such uses in an area.**

*While there are many establishments within the general area which sell alcoholic beverages for on-site and off-site consumption, Staff does not believe this establishment will present an activity that will add to an incompatible and*

*undesirable concentration of similar uses.*

**g. Control of noise, including noise mitigation measures.**

*The subject restaurant does not generate any audible noises out of character with other businesses in the area.*

**h. Control of littering, including litter mitigation measures.**

*As a condition of approval, the Applicant is required to keep the property free of litter and debris.*

**i. Property maintenance.**

*Staff found that the property is in compliance with the City's Property Maintenance Ordinance.*

**j. Control of public nuisance activities, including, but not limited to, disturbance of the peace, illegal controlled substances activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, curfew violations, sale of alcoholic beverages to a minor, lewd conduct or excessive police incident responses resulting from the use."**

*As a condition of approval, the Applicant is required to submit a Security Plan which details how he/she will prevent and/or abate any of the listed public nuisances. As a standard with alcohol sales use permits, Staff will monitor the use to make sure compliance with the conditions of approval and all other State and local regulations are complied with.*

## **ZONING AND LAND USES**

The subject property is zoned C-4-PD, Community Commercial-Planned Development and is developed with a variety of retail/commercial uses, including a bank, theater, restaurants and medical, professional, business and administrative offices. The subject property borders a single-family residential neighborhood to the north and east. The neighborhood is characterized by one-story single-family residential dwellings located on approximately 5,000 sq ft lots. The interfacing residential lots to the north back onto the subject property. Both neighborhoods are located in the Los Angeles County unincorporated area and are zoned R-1.

The property to the south, across Telegraph Road, is zoned M-1, Heavy Manufacturing. A small area at the southeast corner of Carmenita Road and Telegraph Road is located in the City of Santa Fe Springs; the larger area is located in the Los Angeles County unincorporated area. The property at the southwest corner of Carmenita Road and Telegraph Road is zoned C-4, Community Commercial and is developed with the Gateway Shopping Center. The property at the

northwest corner of Carmenita Road and Telegraph Road is also zoned C-4, Community Commercial and is developed with commercial/retail uses including a gas station and a small commercial center. The property directly to the north of the gas station and small retail center is zoned R-3, Multiple-Family Residential and is developed with apartment complexes.

### **CALLS FOR SERVICE**

Staff checked the crime data information and found that within the last year there were twelve (12) calls for service. Six (6) of these calls originated from disturbing subjects and/or reports of pending or actual fights. The remaining calls for service include a petty theft report and false alarm calls.

As is stated in the conditions of approval, management has abided by the conditions and called for police response when necessary. Staff does not feel that renewal of this permit will pose a negative impact on the surrounding area. To ensure the safety of the public and to prevent any criminal activity, staff is requiring the applicant to install a security camera system on the property that has to be approved by the Department of Police Services prior to installation.

### **STAFF COMMENTS**

Staff from the Department of Police Services, Planning, and Fire conducted an inspection of the subject alcohol sales use to ensure that the conditions of approval are being complied with. The inspection revealed that the applicant is currently abiding by the conditions of approval, along with the regulations of the Department of Alcoholic Beverage Control. Staff believes that the continued on-site sales of alcoholic beverages will not pose a significant risk or nuisance to patrons or the public in general if conscientiously conducted in strict accordance with the Conditions of Approval.

Based on these findings, Staff is recommending approval of Reconsideration of Alcohol Sales Conditional Use Permit Case No. 21 for an additional five (5) years, until August 10, 2014, subject to the conditions of approval contained within this report.

### **CONDITIONS OF APPROVAL**

1. That the applicant shall comply with the conditions of approval as required by the companion Entertainment Conditional Use Permit Case No. 7.

2. That the sale of alcoholic beverages shall not be permitted between the hours of 1:30 a.m. and 10:00 a.m., or as required by the Alcohol Beverage Code.
3. That the Type 47 Alcoholic Beverage Commission License allowing on-site sale of beer and wine and liquor in connection with a public eating place shall be restricted to the sale for consumption of alcoholic beverages on the subject site only; the use shall not sell alcoholic beverages for transport and /or consumption off the subject premises.
4. That the Type 47 Alcoholic Beverage Control license allowing the sale of alcoholic beverages only in conjunction with a bonafide public eating place shall not be exchanged for a public premises type license, nor operated as public a premises; thus, alcoholic beverage sales shall not comprise more than 50% of gross sales as indicated by the California Department of Alcoholic Beverage Control.
5. That the parking lot serving the subject use shall not be used for any type of gathering involving individuals, private parties or patrons before, after and during hours of operation where food and/or alcoholic beverages are involved. This includes but is not limited to tailgating parties for any sporting, cultural or holiday event without the written consent of the Director of Police Services.
6. That outdoor cooking or outdoor preparation of food is prohibited at all times.
7. That it shall be the responsibility of the owner and/or his employees to assure that all alcoholic beverages purchased on the subject site shall be consumed within the business establishment.
8. That there will be a corporate officer or manager, twenty-five years of age or older, on the licensed premises during all public business hours, who will be responsible for activities and business operations. The general manager and any newly/subsequently hired manager(s) of the licensed premise shall obtain an ABC Manager's Permit. The City of Santa Fe Springs' Director of Police Services shall be provided a copy of said Manager's Permit including the name, age, residential address and related work experience of the intended Manager prior to the Manager assuming the manager's responsibilities.
9. That the owner and/or his employees shall not sell, furnish or give any alcohol to any habitual drunkard or to any obviously intoxicated person as set forth in Section 25602 (a) of the State Business and Professions Code.
10. That the owner and/or applicant shall not permit any person under 21 years of age to sell alcoholic beverages.



11. That the owner and/or his employees shall not allow any person who is intoxicated or under the influence of any drug to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the Business and Professions Code.
12. That the owner and/or his employees shall not have upon the subject premises any alcoholic beverage(s) other than the alcoholic beverage(s) which the licensee is authorized to sell under the licensee's license as set forth in Section 25607 (a) of the State Business and Professions Code.
13. That the owner and/or his employees shall not sell, furnish or give any alcoholic beverage to any person under 21 years of age as set forth in Section 25658 (a) of the State Business and Professions Code.
14. That solicitation of drinks is prohibited; that is, an employee of the licensed premises shall not solicit alcoholic drinks from customers. Refer to Section 303 of the California Penal Code and Section 25657 of the Business and Professions Code.
15. That the maximum number of occupants shall be established by the City Fire Marshall according to a floor plan of the restaurant use. A maximum occupancy placard shall be posted in a conspicuous place on the premises. This occupancy limitation shall not be violated.
16. That there shall be no pool tables or coin-operated games maintained upon the premises at any time.
17. That vending machines, water machines, pay telephones, newspaper racks and other similar equipment shall not be placed outdoors where visible from the street or adjacent properties. The location of said items shall be subject to the review and approval of the Director of Planning and Development.
18. That the applicant shall submit to the Director of Police Services the names, addresses and California Drivers License Number, or California Identification Number, of all applicants that will rent the hall for parties or special events thirty (30) days prior to the event.
19. That parking areas of the subject site shall be used exclusively for vehicle parking in conjunction with the permitted restaurant use and shall not be reduced or encroached upon by tents, merchandise displays, beverage stands, barbecue and/or other cooking devices, and shall not be used for congregation or as secondary outdoor dining areas or waiting areas.

20. That merchandise vendors shall obtain a business licenses prior to any sales. A business license application can be obtained through the City's Business License Clerk's office. Please contact Cecilia Pasos at (562) 868-0511. Approval of the business license is subject to review and approval of the Fire Department, Planning Department and the Police Services Center.
21. That the Applicant shall be responsible for maintaining control of litter on the subject property and the adjacent properties as a result of the business.
22. That the consumption of alcoholic beverages is only permitted inside the restaurant and is prohibited outside in the parking lot. It shall be the responsibility of the owner and/or his employees to monitor the area and immediately notify the Whittier Police Department of any violators.
23. That the Applicant shall not allow any person to loiter on the subject premises, and shall report all such instances to the City's Police Services Center.
24. That the Owner/Applicant shall furnish to the Director of Police Services thirty (30) days prior to the date of any reservation date by a private party a detailed report containing the nature of the party, including names, addresses, phone numbers, a copy of the person(s) driver's license who are making the reservation and duration and times of use. Upon receiving this information and reviewing it, the Director of Police Services may require the Owner/Applicant to modify the level of security in order to ensure public safety.
25. That all buildings, structures, walls, fences and similar appurtenances shall be maintained in good appearance and condition at all times.
26. That streamers, banners, pennants, whirling devices or similar objects that wave, float, fly, rotate or move in the breeze shall be prohibited unless approved by the Director of Planning and Development.
27. That the owner/operator must receive approval by the Director of Planning and Development for any installation of pay telephones on the premises, and such telephones shall not be capable of receiving calls.
28. That the owner/operator must receive approval by the Director of Public Works for any installation of newspaper racks on the exterior of the premises.
29. That the occupancy for each room shall be conspicuously posted over the doorway to that room, and this limitation shall not be violated.
30. That emergency lighting shall be tested monthly and replaced as necessary.

31. That security personnel shall not perform any law enforcement functions; instead, security personnel shall report immediately to the Whittier Police Department all incidents in which a person could be charged with a misdemeanor or a felony offense.
32. That security personnel, as well as the owner, corporate officers and managers shall cooperate fully with all city officials, law enforcement personnel and code enforcement officers and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
33. That the applicant shall submit an updated security plan within thirty (30) days of the effective date of this approval, the security plan shall address the following for the purposes of minimizing risks to the public health, welfare and safety:
  - a. A description of the storage and accessibility of alcoholic beverages on display as well as surplus alcoholic beverages in storage;
  - b. A description of crime prevention barriers in place at the subject premises, including, but not limited to: placement of signage, landscaping, ingress and egress controls, security systems and site plan layouts;
  - c. A description of how the permittee plans to educate employees on their responsibilities; actions required of them with respect to enforcement of laws dealing with the sale of alcohol to minors; and the conditions of approval set forth herein;
  - d. A business policy requiring employees to notify the Police Services Center of any potential violations of law or this Conditional Use Permit occurring on the subject premises and the procedures for such notifications.

The City's Director of Police Services may, at his discretion, require amendments to the Security Plan to assure the protection of the public's health, welfare and safety.

34. That the owner/management shall allow the Director of Police Services, Whittier Police Officers and any of their representatives to view the security surveillance video tapes immediately upon their request.
35. The licensee shall provide an adequate professional security guard on site to discourage undue noise making; damage to vehicles and also to be in a position to notify law enforcement of any unlawful activities which may occur. The security staffing shall be identified in a separate document that must be approved by the Director of Police Services. The plan will include at a minimum: security in the parking lot, within the interior of the facility and the procedure for dealing with unruly patrons.

36. That all other applicable requirements of the City Zoning Ordinance, Uniform Building Code, Uniform Fire Code, the determinations of the City and State Fire Marshall, the security plan and all other applicable regulations shall be strictly complied with.
37. That failure to comply with the foregoing conditions shall be cause for suspension and/or revocation of this Permit.
38. That Alcohol Sales Conditional Use Permit Case No. 21 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose.
39. That this permit shall not be effective for any purpose until the applicant has filed an affidavit with the City of Santa Fe Springs stating that he/she is aware of and accepts all the conditions of this Permit.
40. It is hereby declared to be the intent that if any provision of this permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be subject to the revocation process and the privileges granted hereunder shall lapse.
41. That the applicant, Acapulco Restaurant, and its owners, representatives, agree 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 Reconsideration of Alcohol Sales Conditional Use Permit Case No. 21, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof.
42. That the applicant shall install video surveillance cameras overlooking the perimeter of the parking lot, bar area, and outdoor patio within twelve (12) months of the approval of this permit. The Director of Police Services shall approve location of the video surveillance cameras prior to installation. Video surveillance cameras shall be high quality capable of video taping during the day and night. Video surveillance cameras shall be maintained at all times and replaced as needed by the owner. The on-duty manager and owner/operator shall be proficient in the use of such video surveillance equipment.
43. That the applicant shall install a numerical address on the building that is visible from the street within sixty days of the approval of this permit. Please

contact Bil Murphy, Santa Fe Springs Fire Marshall, at (562) 944-9713 for more information.

44. That this Permit will be valid for a period of five (5) years until August 27, 2014 at which time the applicant may request an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.



Frederick W. Latham  
City Manager

Attachments:

1. Location Map

Location Map



# SANTA FE SPRINGS

Reconsideration of Alcohol Sales  
Conditional Use Permit Case No. 21

Acapulco Mexican Restaurant and Cantina



## **NEW BUSINESS**

### Reconsideration of Alcohol Sales Conditional Use Permit Case No. 33

Request for approval to allow the continued operation and maintenance of an alcoholic beverage sales use for off-site consumption by Target located at 10621 Carmenita Road and within the Gateway Plaza shopping center. (Target Corporation)

## **RECOMMENDATION**

That the City Council approve Alcohol Sales Conditional Use Permit Case No. 33 for a period of five years until August 27, 2014, subject to the listed conditions of approval as contained in this staff report.

## **BACKGROUND**

Target, the applicant and owner, has operated and maintained a store at 10621 Carmenita Road for approximately 31 years. In 2004, Target made a corporate decision to stock and sell alcoholic beverages (wine only) to its customers for off-site consumption.

In compliance with Section 155.628 of the City Zoning Code, Target requested and was granted Alcohol Sales Conditional Use Permit (ASCUP) Case No. 33 to allow the sale of alcoholic beverages for off-site consumption. The applicant was granted an extension for ASCUP No. 33 by the Planning Commission and the City Council at their respective meetings of July 10 and 13, 2006, for a period of three years. Since the last extension period has expired, the Applicant is requesting an extension of time to allow the continued alcohol sales use.

## **CALLS FOR SERVICE**

Within the past twelve (12) months, there have been 104 calls for service at the store. The majority of the calls were petty theft calls. It should be noted that Target Corporation manages its own security and loss prevention division that handles the surveillance and apprehension of shoplifting suspects. The call for service history is associated with the entire Target property including the parking lot area surrounding the store. After viewing the crime data information, the high volume of calls is not a result of the alcoholic beverage sales.

**ZONING ORDINANCE REQUIREMENTS**

Section 155.628 (B), regarding the sale or service of alcoholic beverages, states the following:

"A Conditional Use Permit shall be required for the establishment, continuation or enlargement of any retail, commercial, wholesale, warehousing or manufacturing business engaged in the sale, storage or manufacture of any type of alcoholic beverage meant for on or off-site consumption. In establishing the requirements for such uses, the City Planning Commission and City Council shall consider, among other criteria, the following:

**a. Conformance with parking regulations.**

*Target is part of the Gateway Plaza shopping center which provided more than adequate parking for all of its tenants. Parking is available in front of the subject store and on the south side of the store.*

**b. Control of vehicle traffic and circulation.**

*Target is part of the Gateway Plaza Shopping center which provides on-site traffic circulation and street access to Carmenita Road, Telegraph Road and Laurel Avenue.*

**c. Hours and days of operation.**

*The store hours are 8:00 a.m. to 10:00 p.m., Monday-Saturday and 8:00am to 9:00pm on Sundays.*

**d. Security and/or law enforcement plans.**

*The applicant is required to submit and maintain a current Security Plan to the Department of Police Services.*

**e. Proximity to sensitive and/or incompatible land uses, such as schools, religious facilities, recreational or other public facilities attended or utilized by minors.**

*Target has approximately three public schools within 1,700' to 2,300' of it. Staff is not concerned about its proximity to these schools considering that alcohol beverage sales are very low, and beer is not available for sale.*

**f. Proximity to other alcoholic beverage uses to prevent the incompatible and undesirable concentration of such uses in an area.**

*There are two additional alcoholic beverage uses with in the immediate area of Target Corporation. Arco Gas Station (ASCUP#29) is located approximately 250 feet southeast of the property, and Wal-Mart Inc (ASCUP#19) is located within the same shopping center, approximately 950 feet northwest of the store. Staff does not believe that there is an*



*undesirable concentration of alcohol sales uses in the immediate area.*

- g. Control of noise, including noise mitigation measures.**  
*The subject store does not generate any audible noises out of character with other businesses in the area.*
- h. Control of littering, including litter mitigation measures.**  
*As a condition of approval, the Applicant is required to keep the property free of litter and debris.*
- i. Property maintenance.**  
*Staff found that the property is in compliance with the Property Maintenance Ordinance.*
- j. Control of public nuisance activities, including, but not limited to, disturbance of the peace, illegal controlled substances activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, curfew violations, sale of alcoholic beverages to a minor, lewd conduct or excessive police incident responses resulting from the use."**  
*As a condition of approval, the Applicant is required to submit a Security Plan which details how the business will prevent and/or abate any of the listed public nuisances.*

#### **SURROUNDNG ZONING AND LAND USE**

Target store is within the Gateway Plaza shopping center. The center and the property to the north is zoned C-4, Community Commercial. The properties to the west are within the M-2, Heavy Manufacturing, Zone, and developed with warehouse and industrial type buildings with incidental office uses. The properties to the east and south are in the Los Angeles unincorporated area and developed with single family units and a neighborhood community government office.

#### **STAFF CONSIDERATIONS**

As part of the alcohol sales conditional use permit process, staff conducted a review of the applicant's operation and the site to ensure compliance with the conditions of approval as set forth in the initial approval of this Permit. Staff also investigated the use in light of its proximity to other risk considerations such as schools, religious facilities, recreation or other public facilities attended or utilized by minors. After conducting the said investigation, Staff found that the establishment is being maintained and operated in full compliance with the City's Zoning Regulations and does not see any reasons to believe there will be any incompatible and undesirable

concentration of alcoholic beverage uses in the area.

Based on its findings, staff is recommending approval for a period of five (5) years until August 27, 2014.

### **CONDITIONS OF APPROVAL**

1. That all graffiti directly on the property located at 10621 Carmenita Road shall be removed within 24 hours of the graffiti being reported. This includes surrounding walls and light poles that are part of the property.
2. That the sale of alcoholic beverages shall be permitted only during business hours or as indicated by the Alcoholic Beverage Control.
3. That the Type 20 Alcoholic Beverage Control license allowing offsite sale of general sales of beer, wine and liquor shall be restricted to the sale for consumption of alcoholic beverages off the subject site only.
4. That it shall be the responsibility of the ownership and/or its employees to assure that no alcoholic beverages purchased on the subject site shall be consumed on the subject site or any adjacent property within the applicant's control.
5. That the applicant and/or his employees shall be responsible for maintaining control of litter on the subject property.
6. That the applicant and/or his employees shall not allow any person who is obviously intoxicated or under the influence of any drug to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the State Business and Professions Code.
7. That the applicant and/or his employees shall not sell, furnish or give any alcohol to any habitual drunkard or to any obviously-intoxicated person, as set forth in Section 25602 (a) of the State Business and Professions Code.
8. That the applicant shall not have upon the subject premises any alcoholic beverage(s) other than the alcoholic beverage(s) which the licensee is authorized to sell under the licensee's license as set forth in Section 25607 (a) of the State Business and Professions Code.
9. That the applicant and/or his employees shall not sell, furnish or give any alcoholic beverage to any person under 21 years of age as set forth in Section 25658 (a) of the State Business and Professions Code.

10. That the applicant and/or his employees shall not permit any person under 18 years of age to sell alcoholic beverages.
11. That there will be a corporate officer or manager on the licensed premises during all public business hours that will be responsible for alcohol sales activities.
12. That the applicant and/or his employees shall not allow any person to loiter on the subject premises, shall report all such instances to the City's Police Services Center and shall post signs, approved by the Department of Police Services, prohibiting loitering.
13. That the applicant must receive approval from the Department of Police Services for any installation of pay telephones outside of the premise, and such phones shall not be capable of receiving incoming calls.
14. That this permit is contingent upon the approval by the Department of Police Services of an updated security plan which shall address the following for the purposes of minimizing risks to the public's health, welfare and safety:
  - (A) A description of the storage and accessibility of alcoholic beverages on display as well as surplus alcoholic beverages in storage;
  - (B) A description of crime prevention barriers in place at the subject premises, including, but not limited to, placement of signage, landscaping, ingress and egress controls, security systems and site plan layouts;
  - (C) A description of how the permittee plans to educate employees on their responsibilities and the actions required of them with respect to enforcement of laws dealing with the sale of alcohol to minors and the conditions of approval set forth herein;
  - (D) A business policy requiring employees to notify the Police Services Center of any potential violations of law or this Conditional Use Permit occurring on the subject premises and the procedures for such notifications.
15. The City's Director of Police Services may, at his discretion, require amendments to the Security Plan to assure the protection of the public's health, welfare and safety.
16. That the owner, corporate officers and managers shall cooperate fully with all city officials, law enforcement personnel and code enforcement officers and shall not obstruct or impede their entrance into the licensed premises while in

the course of their official duties.

17. That vending machines, water machines, soda machines and other similar equipment shall not be placed outdoors visible from the street, parking lot or adjacent properties.
18. That a copy of these conditions be maintained with a copy of the City Business License and Fire Department Permits in a place conspicuous to all employees of the location.
19. That in the event the owner(s) intend to sell, lease or sublease the subject business operation or transfer the subject Permit to another owner/applicant or licensee, the Director of Police Services shall be notified in writing of said intention not less than (60) days prior to signing of the agreement to sell lease or sublease.
20. **That this Permit will be valid for a period of five (5) years, until August 27, 2014**, at which time the applicant may request an extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.
21. That all other applicable requirements of the City Zoning Ordinance, Uniform Building Code, Uniform Fire Code, the determinations of the City and State Fire Marshall, the security plan as submitted under Condition No. 16 and all other applicable regulations shall be strictly complied with.
22. That failure to comply with the foregoing conditions shall be cause for suspension and/or revocation of this Permit.
23. That Alcohol Sales Conditional Use Permit Case No. 33 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose.
24. That this Permit shall not be effective for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating that he is aware of and accepts all the conditions of this Permit.
25. It is hereby declared to be the intent that if any provision of this permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse.
26. That the property owner(s) and/or corporate officers, agree 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 Alcohol Sales Conditional Use Permit Case No. 33, when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding, and shall cooperate fully in the defense thereof.

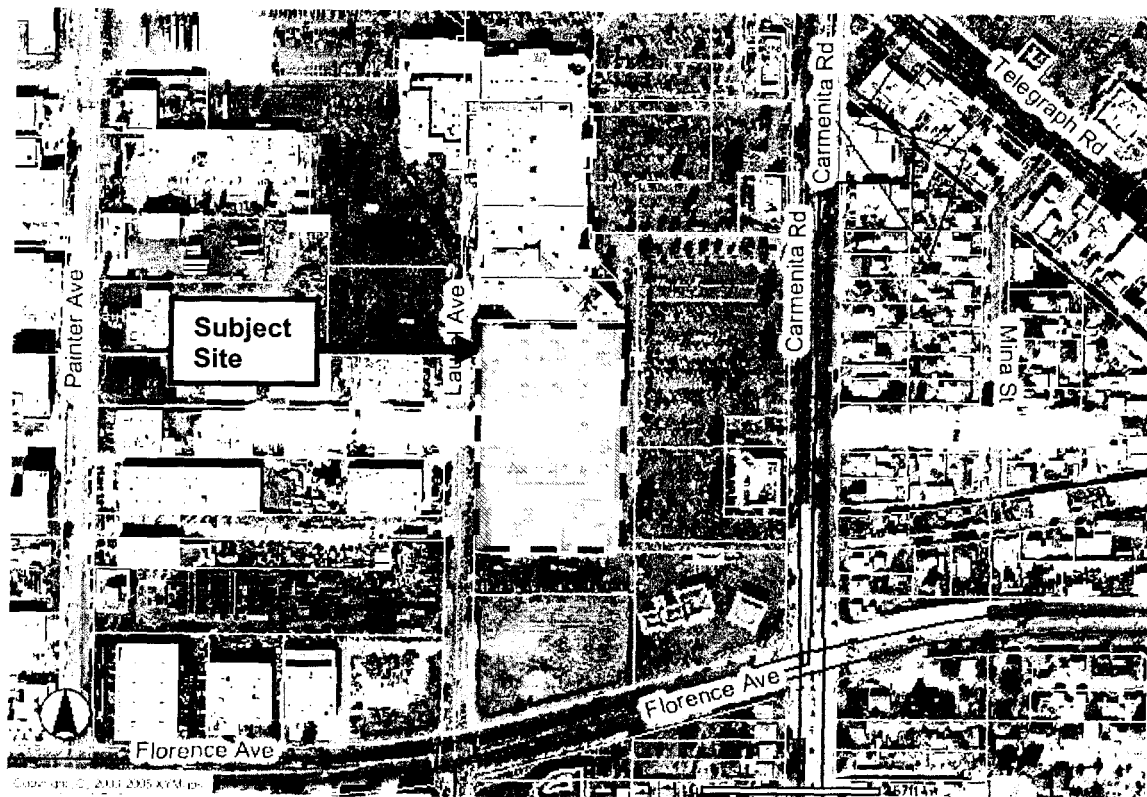


Frederick W. Latham  
City Manager

Attachment(s)

1. Vicinity Map

### Location Map



Alcohol Sales Conditional Use Permit Case No. 33  
Located at  
10621 Carmenita Road



# *City of Santa Fe Springs*

City Council Meeting

August 27, 2009

## **PRESENTATION**

To Felix Garcia upon His Retirement

## BACKGROUND

Felix Garcia retired on June 26, 2009 after almost 30 years of employment with the City. Felix worked in the Department of Public Works, in the Maintenance Division. Felix and his family have been invited to tonight's Council meeting to be recognized for his years of service to this community. The Mayor may wish to call upon Don Jensen, Director of Public Works, to assist with this presentation.

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

Frederick W. Latham  
City Manager



# City of Santa Fe Springs

City Council Meeting

August 27, 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	3	Serrano
Community Program	3	Gonzalez
Community Program	2	Serrano
Community Program	1	Velasco
Historical	1	Gonzalez
Historical	4	Putnam
Historical	2	Serrano
Parks & Recreation	1	Gonzalez
Senior Citizens Advisory	1	Gonzalez
Senior Citizens Advisory	2	Putnam
Senior Citizens Advisory	2	Rounds
Sister City	1	Gonzalez
Sister City	1	Serrano
Sister City	2	Velasco
Youth Leadership	1	Gonzalez
Youth Leadership	1	Rounds
Youth Leadership	3	Velasco

Three applications for appointment have been received from students who would like to be appointed to the Youth Leadership Committee.

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

Frederick W. Latham  
City Manager

### Attachments:

Active Committee Lists

Youth Leadership Committee Applications

Submitted By: Barbara Earl, CMC, City Clerk

August 18, 2009



## **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**

Hector Renteria

### **Planning Commission**

Art Escobedo  
Lynda Short  
Hector Renteria

### **Senior Citizens Advisory**

### **Sister City**

Frank Carbajal, Sr.  
Michele Carbajal  
Hector Renteria

### **Traffic Commission**

Art Escobedo  
Jose Zamora  
Hector Renteria

### **Youth Leadership**

Omar Rodriguez  
Martin Guerrero  
Jose Rocha

APR 2004

**CITY OF SANTA FE SPRINGS  
YOUTH LEADERSHIP COMMITTEE  
APPLICATION**

(Please type or use black ink)

Name: Rodriguez Omar Edgardo  
Last First Middle

School: Santa Fe High School Present Grade: 10

Address: 11730 Florence Ave apt #12 Age: 15

E-mail Address: r.omar13@yahoo.com

Home Phone No.: (562) ~~863-4784~~ 863-4784 Cell Phone No.: (562) 508-1261

Emergency Contact Name: Omar Rodriguez Phone No.: (310) 489-2772

Employer Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employer Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Hours available for volunteer work: \_\_\_\_\_

Organizations/Clubs you are currently a member of:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Extra Curricular Activities/Sports:

<u>Cross Country</u>	_____
<u>Track and Field</u>	_____
_____	_____
_____	_____
_____	_____

Are you or have you in the past participated as a City Volunteer? (Check One)

☐ YES

☒ NO

If "YES" list below:

_____	_____
_____	_____

Why do you want to be involved?

To increase my volunteer experience and to help Santa Fe Springs be a better community. Also to help Santa Fe Springs be represented as an involved community.

Talents/Skills of Leadership:

I'm Trustworthy, Obedient, Very Helpful with others, and I can come up with good ideas

What ideas do you have for the Committee?

I would like teens to have more activities to be involved in, for the reason that we need more teens involved in our community.

References/Recommendations: (No family members and must know candidate for a minimum of one year)

<u>Name</u>	<u>Address</u>	<u>Telephone</u>	<u>Occupation</u>

Include a letter of recommendation from an adult who is not a family member and has known you at least 1 year. This person should be able to address your leadership potential and ability to manage the demands of both school and the Committee.

**SIGNATURES:**

I have read and understand the time commitment required for the Youth Leadership Committee. I am able to make such a commitment.

Omar Rodriguez  
Student Signature

8/5/2009  
Date

**Parent/Legal Guardian Permission**

I give my permission for Omar Rodriguez to seek appointment for the  
(Student Name)

position of representative of the Youth Leadership Committee.

Patricia Rodriguez  
Parent/Legal Guardian Name (Print)

[Signature]  
Parent/Legal Guardian Signature

8/5/09  
Date

**CITY OF SANTA FE SPRINGS  
YOUTH LEADERSHIP COMMITTEE  
APPLICATION**

(Please type or use black ink)

Name: Guerrero Martin JR  
Last First Middle

School: Santa Fe High School Present Grade: 9<sup>th</sup>

Address: 10915 Pioneer Blvd Apt #3 Santa Fe Springs CA Age: 14

E-mail Address: \_\_\_\_\_

Home Phone No.: (562) 929-3059 Cell Phone No.: \_\_\_\_\_

Emergency Contact Name: Carlos Cardona Phone No.: (562) 239-5416

Employer Name: \_\_\_\_\_ Position: \_\_\_\_\_

Employer Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Hours available for volunteer work: \_\_\_\_\_

Organizations/Clubs you are currently a member of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Extra Curricular Activities/Sports:

Football  
Basketball  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Are you or have you in the past participated as a City Volunteer? (Check One)

☐ YES

☒ NO

If "YES" list below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Why do you want to be involved?

I think it would be a good opportunity. I think it would help be more involved with the city. Also my sister is a part of the committee and she has told me that it is a good opportunity for me and that I help others and gain experience in organization and leadership.

Talents/Skills of Leadership:

I have been a Captain for both of my basketball and football team at St. Pius X. I take responsibility very serious, I am creative, honest, and trustworthy.

What ideas do you have for the Committee?

Probably to more involved with the school and younger children.

References/Recommendations: (No family members and must know candidate for a minimum of one year)

<u>Name</u>	<u>Address</u>	<u>Telephone</u>	<u>Occupation</u>
Louis Gonzalez		(562) 863 8995	
Patt Lozano		(562) 412 0354	
Mr. Carmona			

Include a letter of recommendation from an adult who is not a family member and has known you at least 1 year. This person should be able to address your leadership potential and ability to manage the demands of both school and the Committee.

**SIGNATURES:**

I have read and understand the time commitment required for the Youth Leadership Committee. I am able to make such a commitment.

Martin Guerrero  
**Student Signature**

\_\_\_\_\_  
**Date**

**Parent/Legal Guardian Permission**

I give my permission for Martin Guerrero to seek appointment for the  
(Student Name)

position of representative of the Youth Leadership Committee.

Elizabeth  
**Parent/Legal Guardian Name (Print)**

Elizabeth  
**Parent/Legal Guardian Signature**

\_\_\_\_\_  
**Date**

*(Please type or use black ink)*

***If "YES" list below:***



Why do you want to be involved?

I want to be involved because I like helping out others as much as I can. And by joining the committee I can help out the city of Santa Fe Springs.

Talents/Skills of Leadership:

I work really well with others and don't mind at all being criticized. If needed, I can be a leader to the others in the committee to get our task done efficiently.

What ideas do you have for the Committee?

I want to improve the city of Santa Fe Springs. Try to make it more better than what it is already. And to do that I can join this committee to help and accomplish that.

References/Recommendations: (No family members and must know candidate for a minimum of one year)

<u>Name</u>	<u>Address</u>	<u>Telephone</u>	<u>Occupation</u>
Leonard Romero		(562) 743-4534	Coach
Cathy Guerrero		(562) 577-2445	
Patricia Romero		(562) 577-9322	

Include a letter of recommendation from an adult who is not a family member and has known you at least 1 year. This person should be able to address your leadership potential and ability to manage the demands of both school and the Committee.

**SIGNATURES:**

I have read and understand the time commitment required for the Youth Leadership Committee. I am able to make such a commitment.

Jose Rocha  
Student Signature

August 2, 2009  
Date

**Parent/Legal Guardian Permission**

I give my permission for Jose Rocha to seek appointment for the  
(Student Name)  
position of representative of the Youth Leadership Committee.

Daniel Rocha  
Parent/Legal Guardian Name (Print)

Daniel Rocha  
Parent/Legal Guardian Signature

August 2, 2009  
Date

## **BEAUTIFICATION COMMITTEE**

Membership: 25

( ) indicates term expiration date

### **Appointed by:**

### **Name**

Gonzalez

Juanita Montes (10)  
Irene Pasillas (10)  
May Sharp (11)  
\_\_\_\_\_ (10)  
Marlene Vernava (11)

Putnam

Lupe Lopez (11)  
Guadalupe Placensia (11)  
Juliet Ray (10)  
Ruth Gray (11)  
\_\_\_\_\_ (10)

Rounds

Annette Ledesma\* (11)  
\_\_\_\_\_ (11)  
\_\_\_\_\_ (10)  
\_\_\_\_\_ (10)  
Paula Minnehan \* (11)

Serrano

\_\_\_\_\_ (10)  
Vada Conrad (11)  
Martha Ohanesian (10)  
\_\_\_\_\_ (11)  
\_\_\_\_\_ (10)

Velasco

Rosalie Miller (11)  
Sylvia Takata (10)  
Eleanor Connelly (10)  
Margaret Bustos\* (10)  
A. J. Hayes (11)

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

\_\_\_\_\_ (11)

\_\_\_\_\_ (11)

A.J. Hayes (10)

\_\_\_\_\_ (11)

Annette Ledesma\* (10)

Putnam

Mary Jo Haller (11)

Rosalie Miller (10)

Lynda Short (11)

Jose Zamora (11)

Luigi Trujillo\* (10)

Rounds

Mark Scoggins\* (10)

Denise Vega (11)

Marlene Vernava (10)

Sylvia Takata (10)

Annette Rodriguez (11)

Serrano

\_\_\_\_\_ (11)

Mary Anderson (11)

Dolores H. Romero \* (11)

\_\_\_\_\_ (11)

Ruth Gray (10)

Velasco

Eleanor Connelly(10)

\_\_\_\_\_ (11)

Hilda Zamora (10)

Lisa Sanchez (11)

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 (11)  
Josephine Santa-Anna (10)

Putnam

Laurie Rios\* (11)  
Arcelia Miranda (10)  
Margaret Bustos\* (11)

Rounds

Annette Rodriguez (10)  
Janie Aguirre (11)  
Michele Carbajal (11)

Serrano

Lydia Gonzales (10)  
Francis Carbajal (11)  
Modesta Viero (11)

Velasco

Alicia Mora (11)  
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 9:30 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 (11)  
Janie Aguirre (11)  
Sally Gaitan\* (11)  
\_\_\_\_\_ (10)

Putnam

\_\_\_\_\_ (10)  
\_\_\_\_\_ (10)  
\_\_\_\_\_ (11)  
\_\_\_\_\_ (11)

Rounds

Art Escobedo (10)  
Mark Scoggins (11)  
Janice Smith (11)  
Paula Minnehan \* (10)

Serrano

Gloria Duran (10)  
\_\_\_\_\_ (10)  
Larry Oblea (11)  
\_\_\_\_\_ (10)

Velasco

Merrie Hathaway (11)  
Marv Clegg (10)  
Susan Johnston (11)  
Alma Martinez (10)

The Historical Committee meets quarterly (the first Tuesday of the month in the months of April, July October and January) at 5:30 p.m. at the Train Depot (during the library renovation, at the Carriage Barn).

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

## **PARKS & RECREATION ADVISORY COMMITTEE**

Membership: 25

( ) indicates term expiration date

### **Appointed by:**

### **Name**

Gonzalez

Ruben Madrid (11)  
Jennie Carlos (10)  
Frank Leader (10)  
Michael Madrigal (11)  
\_\_\_\_\_ (10)

Putnam

Frank Regalado (11)  
Carlene Zamora (11)  
Jimmy Mendoza (10)  
Hilda Zamora (11)  
Michele Carbajal (10)

Rounds

Kenneth Arnold (10)  
Richard Legarreta, Sr. (10)  
Don Mette (11)  
Luigi Trujillo\* (10)  
Mark Scoggins\* (11)

Serrano

Lynda Short (10)  
Juanita Trujillo (11)  
Joe Avila (10)  
Sally Gaitan\* (11)  
Bernie Landin (10)

Velasco

Art Escobedo (11)  
Annette Ledesma\* (10)  
Lillian Puentes (10)  
Jose Zamora (11)  
Arcelia Miranda (11)

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

\_\_\_\_\_ (11)  
Gloria Duran\* (10)  
Toni Vallejo (11)  
Josephine Santa-Anna (10)  
Janie Aguirre (11)

Putnam

\_\_\_\_\_ (10)  
Pete Vallejo (11)  
Jennie Valli (10)  
\_\_\_\_\_ (10)  
Martha Ohanesian (10)

Rounds

\_\_\_\_\_ (10)  
Josephine G. Ramirez (10)  
Gloria Vasquez (11)  
\_\_\_\_\_ (11)  
Lorena Huitron (11)

Serrano

Gusta Vicuna (10)  
Amelia Acosta (11)  
Louis Serrano (10)  
Mary Bravo (10)  
Jessie Serrano (11)

Velasco

Modesta Viero (11)  
Gilbert Aguirre (11)  
Julia Butler (10)  
Margaret Bustos\* (11)  
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

<b><u>Appointed By:</u></b>	<b><u>Name</u></b>		<b><u>Expiration</u></b>
<b>González</b>	Luigi	Trujillo*	(10)
	Hank	Hanh Ly	(11)
	Jimmy	Mendoza	(11)
	Kimberly	Mette	(10)
	<hr/>		(10)
<b>Putnam</b>	Mary K.	Reed	(11)
	Peggy Jo	Radoumis	(11)
	Jeannette	Wolfe	(11)
	Martha	Villanueva	(10)
	Gloria	Duran	(10)
<b>Rounds</b>	Manny	Zevallos	(10)
	Ted	Radoumis	(11)
	Jose	Avila	(11)
	Susan	Johnston	(10)
	Francis	Carbajal	(10)
<b>Serrano</b>	Laurie	Rios*	(11)
	Doris	Yarwood	(11)
	Charlotte	Zevallos	(10)
	Juanita	Trujillo	(11)
	<hr/>		(10)
<b>Velasco</b>	<hr/>		(11)
	Dolores	Romero*	(11)
	Alicia	Mora*	(10)
	<hr/>		(10)
	Marcella	Obregon	(11)

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

\_\_\_\_\_  
Victor Becerra (2011)  
Jessica Aguilar (2011)  
Jeanneth Guerrero (2011)

Putnam

Ashley Ortiz (2010)  
Wendy Pasillas (2013)  
Lupe Pasillas (2010)  
Krystal Aguilar (2010)

Rounds

Carina Gonzalez (2011)

\_\_\_\_\_  
Stephanie Gilbert (2011)  
Karina Saucedo (2012)

Serrano

Kimberly Romero (2011)  
Alyssa Trujillo (2011)  
Alyssa Berg (2011)  
Ariana Gonzalez (2013)

Velasco

\_\_\_\_\_  
Madalin Marquez (2011)

\_\_\_\_\_  
\_\_\_\_\_

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