



AGENDA

ADJOURNED MEETINGS OF THE
SANTA FE SPRINGS
PUBLIC FINANCING AUTHORITY
WATER UTILITY AUTHORITY
HOUSING SUCCESSOR
SUCCESSOR AGENCY
AND CITY COUNCIL

December 20, 2012 – 6:00 P.M.

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

William K. Rounds, Mayor
Richard J. Moore, Mayor Pro Tem
Luis M. González, Councilmember
Laurie M. Rios, Councilmember
Juanita A. Trujillo, 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. City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. 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 meeting or other services offered by this City, please contact the City Clerk's Office. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the 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, and supplemental attachments, are available for inspection at the office of the City Clerk, City Hall, 11710 E. Telegraph Road during regular business hours 7:30 a.m. – 5:30 p.m., Monday – Thursday and every other Friday. Telephone (562) 868-0511.

1. **CALL TO ORDER**

2. **ROLL CALL**

Luis M. González, Director/Councilmember
Juanita A. Trujillo, Director/Councilmember
Laurie M. Rios, Director/Councilmember
Richard J. Moore, Vice Chair/Mayor Pro Tem
William K. Rounds, Chair/Mayor

PUBLIC FINANCING AUTHORITY

3. **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 Public Financing Authority.

Approval of Minutes

- A. Minutes of the November 20, 2012 Regular Public Financing Authority Meeting

Recommendation: That the Public Financing Authority approve the minutes as submitted.

Monthly Report

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

Recommendation: That the Public Financing Authority receive and file the report.

WATER UTILITY AUTHORITY

4. **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 Water Utility Authority.

Approval of Minutes

- A. Minutes of the November 20, 2012 Regular Water Utility Authority Meeting

Recommendation: That the Water Utility Authority approve the minutes as submitted.

Monthly Report

- B. Status Update of Water-Related Capital Improvement Projects

Recommendation: That the Water Utility Authority receive and file the report.

NEW BUSINESS

5. Water Well No. 12 (13939 Borate Street) Drilling and Construction – Final Progress Payment

Recommendation: That the Water Utility Authority approve the Final Progress Payment (less 5% Retention) to Best Drilling and Pump, Inc. of Colton, CA in the amount of \$136,857.00 for the subject project.

HOUSING SUCCESSOR

There are no items on the Housing Successor agenda for this meeting.

SUCCESSOR AGENCY

There are no items on the Successor Agency agenda for this meeting.

CITY COUNCIL

6. **CITY MANAGER REPORT**

7. **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.

Approval Minutes

- A. Minutes of the November 20, 2012 Regular City Council Meetings

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

- B. Annual Special Tax Levy Report for Community Facilities District No. 2009-1 (Villages at Heritage Springs) for Fiscal Year 2011-12

Recommendation: That the City Council receive and file the Special Tax Levy Annual Report for Community Facilities District (CFD) 2009-1 for Fiscal Year 2011-12.

ORDINANCE FOR PASSAGE

8. Ordinance No. 1037 - Amending Section 93.24 (Q) of the City Code Relating to Fireworks

Recommendation: That the City Council Council waive further reading and adopt Ordinance No. 1037, an ordinance amending Section 93.24 (Q) of the City Code relating to fireworks.

NEW BUSINESS

9. FY 2011-12 Preliminary Financial Year-End Review and FY 2013-14 Budget Preparation
- Recommendation:** That the City Council receive and file the report.
10. Resolutions No. 9398 and 9399 - City Council Electing to Receive Its Share of the Tax Increment Pass-Through for Amendment No. 4 to the Amended Consolidated Project Area and Amendment No. 2 to the Washington Boulevard Project Area
- Recommendation:** That the City Council: 1). Approve and adopt Resolution No. 9398 electing to receive its share of the tax increment pass-through for Amendment No. 4 to the Amended Consolidated Project Area; and 2). Approve and adopt Resolution No. 9399 electing to receive its share of the tax increment pass-through for Amendment No. 2 to the Washington Boulevard Project Area.
11. Award of Contract to Provide Services for the Preparation of the 2013-2021 Housing Element Update
- Recommendation:** That the City Council: 1). Award a contract to Karen Warner Associates in the amount of \$49,682.00 to prepare the 2013-2021 Housing Element Update; and 2). Authorize the Director of Planning to execute the agreement with Karen Warner Associates to prepare the 2013-2021 Housing Element Update.
12. Rosecrans Avenue/Marquardt Avenue Grade Crossing – Award of Contract
- Recommendation:** That the City Council: 1). Accept the bids; and 2). Award a contract to Hardy & Harper, Inc. of Santa Ana, California, in the amount of \$606,000.00.
13. Norwalk/Santa Fe Springs Transportation Center Parking Lot Improvement Project Phase 2 - Approval to Defer Construction
- Recommendation:** That the City Council: 1). Defer construction of Norwalk/Santa Fe Springs Transportation Center Parking Improvement Project Phase 2; and 2. Authorize the City Manager take the necessary action(s) to communicate with the granting agencies in accordance with funding guidelines.
14. Carmenita Road/Painter Avenue Landscape Improvement Project – Approval of Cooperative Agreement with Los Angeles County
- Recommendation:** That the City Council: 1). Appropriate \$104,000.00 from the Capital Improvement Plan Reserve Fund to the Carmenita Road/Painter Avenue Landscape Improvement Project; 2). Approve the Cooperative Agreement with the County of Los Angeles for the Carmenita Road/Painter Avenue Landscape Improvement Project; and, 3). Authorize the Mayor to execute said agreement.

15. Imperial Highway Street Improvements (Shoemaker Avenue to Duffield Avenue) -Approval of Amendment to Agreement 77647 with the County of Los Angeles

Recommendation: That the City Council: 1). Appropriate \$125,500 from the Capital Improvement Plan Reserve Fund to the Imperial Highway Street Improvement project; 2). Approve the Amendment to Agreement 77647 with the County of Los Angeles; and 3). Authorize the Mayor to execute the Amendment to the Agreement.

16. Florence Avenue/Interstate 5 Freeway Widening Project - Approval of Utility Agreement No. 7UA-12199 with the State Department of Transportation

Recommendation: That the City Council: 1). Approve Utility Agreement No. 7UA-12199 between the State Department of Transportation and City of Santa Fe Springs for the Florence Avenue/Interstate 5 Freeway Widening Project; and 2). Authorize the Director of Public Works to execute the Utility Agreement.

17. Community Facilities District No. 2002-1 (Bloomfield-Lakeland) – Annual Special Tax Levy Report for Fiscal Year 2011-12

Recommendation: That the City Council receive and file the Special Tax Levy Annual Report for Community Facilities District 2002-1 for Fiscal Year 2011-12.

18. Community Facilities District No. 2004-1 (Bloomfield-Florence) – Annual Special Tax Levy Report for Fiscal Year 2011-12

Recommendation: That the City Council: receive and file the Special Tax Levy Annual Report for Community Facilities District 2004-1 for Fiscal Year 2011-12.

19. Gus Velasco Neighborhood Center Renovation and Modernization Project – Approval of Contract Change Order No. 14 and Final Progress Payment

Recommendation: That the City Council: 1). Approve Contract Change Order No. 14 in the amount of \$71,388; 2). Authorize the Director of Public Works to execute Contract Change Order No. 14; and, 3). Approve the Final Progress Payment (less 5% Retention) to First National Insurance Company of America in the amount of \$421,870.46.

20. Award Bid to Downtown Ford Sales for the Purchase of Two (2) 2013 Ford Escape Vehicles

Recommendation: That the City Council award a bid to Downtown Ford Sales for the purchase of two (2) Ford Escape vehicles.

21. Authorize the Disposal of Two Surplus Vehicles by Way of Public Auction

Recommendation: That the City Council authorize the disposal of two (2) surplus vehicles and authorize the City Manager or his designee to proceed with the disposal of the vehicles at public auction.

22. Request for Approval of a Recyclable Materials Dealer Permit for Fortune Metal Inc. of Rhode Island (Marry Harris, Applicant)

Recommendation: That the City Council approve the issuance of Recyclable Materials Dealer Permit No.27 to Fortune Metal Inc. of Rhode Island for an annual renewal period set to expire on June 30, 2013, subject to the conditions of approval as contained within this report.

23. Approval of Out-of-State Travel for Gymnastic Coaches

Recommendation: That the City Council approve out-of-state travel for Gymnastic Coaches Shari Sanchez, Feliciano Castillo, and Christine Gonzalez to attend the Las Vegas Gymnastic Competition called Lady Luck at the South Point Hotel, January 18-20, 2013.

24. Approval of Out-of-State Travel for Boxing Coach Danny Zamora

Recommendation: That the City Council approve out-of-state travel for Boxing Coach Danny Zamora to attend the 2013 Junior World Team Open Fact Sheet, January 6-11, 2013, in Reno, Nevada.

Please note: *Item Nos. 25–33 will commence in the 7:00 p.m. hour.*

25. **INVOCATION**

26. **PLEDGE OF ALLEGIANCE**

INTRODUCTIONS

27. Representatives from the Youth Leadership Committee

28. Representatives from the Chamber of Commerce

29. **ANNOUNCEMENTS**

APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSION

30. Committee Appointments

City of Santa Fe Springs

Adjourned Meetings

December 20, 2012

31. ORAL COMMUNICATIONS

This is the time when comments may be made by interested persons on matters not on the agenda having to do with City business.

32. EXECUTIVE TEAM REPORTS

33. 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.

Anita Jimenez, CMC

Deputy City Clerk

December 17, 2012

Date

**MINUTES OF THE REGULAR
MEETINGS OF THE SANTA FE SPRINGS
PUBLIC FINANCING AUTHORITY, WATER UTILITY AUTHORITY,
HOUSING SUCCESSOR, SUCCESSOR AGENCY, AND CITY COUNCIL**

**NOVEMBER 20, 2012
6:00 p.m.**

1. CALL TO ORDER

Mayor Rounds called the meetings to order at 6:08 p.m.

2. ROLL CALL

Present: Councilmembers González, Rios, Trujillo, Mayor Rounds

Excused: Mayor Pro Tem Moore

Also present: Thaddeus McCormack, City Manager; Steven Skolnik, City Attorney; Wayne Morrell, Director of Planning; Noe Negrete, Director of Public Works; Dino Torres, Director of Police Services; Maricela Balderas, Director of Family & Human Services; Jose Gomez, Assistant City Manager/Director of Finance; Mike Crook, Fire Chief; Anita Jimenez, Deputy City Clerk

The Deputy City Clerk announced that members of the Public Financing Authority and Water Utility Authority received \$150 for their attendance at meetings.

The Mayor called on the City Attorney to provide members of the audience with the Public Participation guidelines. The City Attorney stated that Under the Brown Act, audience members can address the City Council on any item prior to the Council taking action. He requested that any interested speaker submit a comment card to the Clerk so that the Mayor would know to call on the speaker prior to the Council taking action. Comments are limited to three minutes and should be directed to the Council as a whole. The Council will determine how to respond on the comments.

PUBLIC FINANCING AUTHORITY

3. CONSENT AGENDA

Approval of Minutes

- A. Minutes of the October 25, 2012 Regular Public Financing Authority Meeting

Recommendation: That the Authority approve the minutes as submitted.

Monthly Reports

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

Recommendation: That the Authority receive and file the report.

Director Rios moved the approval of Items 3A and B; Director Trujillo seconded the motion which passed unanimously.

WATER UTILITY AUTHORITY

4. CONSENT AGENDA

Approval of Minutes

- A. Minutes of the October 25, 2012 Regular Water Utility Authority Meeting
Recommendation: That the Authority approve the minutes as submitted.

Monthly Report

- B. Update on the Status of the Water-Related Capital Improvement Projects
Recommendation: That the Authority receive and file the report.

Director González moved the approval of Items 4A and B; Chair Rounds seconded the motion which passed unanimously.

HOUSING SUCCESSOR

There were no items on the Housing Successor agenda for this meeting.

SUCCESSOR AGENCY

There were no items on the Successor Agency agenda for this meeting.

CITY COUNCIL

5. CITY MANAGER REPORT

The City Manager thanked all the staff that collaborated to put on the Re-dedication of the Gus Velasco Neighborhood Center and added that it was a beautiful event.

6. CONSENT AGENDA

Approval of Minutes

- A. Minutes of the October 25, 2012 Regular City Council Meeting
Recommendation: That the City Council approve the minutes as submitted.

Councilmember Trujillo moved the approval of Item 6A; Councilmember Rios seconded the motion which passed unanimously.

7. ORDINANCE FOR PASSAGE

Ordinance No. 1036 - An Ordinance of the City of Santa Fe Springs relating to the standards for the installation of billboards on certain properties in the city, located within an area adjacent to Interstate 5 (I-5), between Valley View Avenue to the east and Bloomfield Avenue to the west, (approximately ±13,000 lineal feet), and zoned M-2-FOZ, Heavy Manufacturing-Freeway Overlay, Zone

Recommendation: That the City Council take the following actions: 1). Find that the proposed amendments to the text of the City's Zoning Regulation relating to the standards for the installation of billboards on certain properties in the city, located within an area adjacent to Interstate 5 (I-5), between Valley View Avenue to the east and Bloomfield Avenue to the west (approximately ±13,000 lineal feet), are in compliance with the City's General Plan; and 2). Pass the second reading of Ordinance No. 1036, an ordinance relating to the standards for the installation of billboards on certain properties in the city, located within an area adjacent to Interstate 5 (I-5), between Valley View Avenue to the East and Bloomfield Avenue to the west (approximately ±13,000 lineal feet).

The City Attorney read the Ordinance by title and stated that a Public Hearing was previously held, so the motion should be to waive further reading adopt the Ordinance. Councilmember González moved the approval of Item 7; Councilmember Rios seconded the motion which passed by the following roll call vote:

Ayes: González, Rios, Trujillo, Rounds
Noes: None
Absent: Moore

CLOSED SESSION

8. Public Employment (Section 54957)
Title: Director of Community Services

Mayor Rounds recessed the meetings for the Closed Session at 6:12 p.m.

Mayor Rounds reconvened the meetings at 7:07 p.m.

Councilmembers present: González, Rios, Rounds, and Trujillo.

There was no report from the Closed Session.

UNFINISHED BUSINESS

9. Modification of Authorized Full-Time Position and Amendment of Salary Schedule

Recommendation: That the City Council restore the position of Director of Community Services as an authorized position and amend the Salary Schedule as indicated in the body of this report.

Councilmember Rios moved the approval of Item 9; Councilmember Trujillo seconded the motion which passed by the following roll call vote:

Ayes: Rios, Trujillo, Rounds
Noes: González
Absent: Moore

NEW BUSINESS

10. Request for Approval of a Recyclable Materials Dealer Permit for Patriot Services Inc. (John Keuroghlian, Applicant)

Recommendation: That the City Council approve the issuance of Recyclable Materials Dealer Permit No.26 to Patriot Services Inc. for an annual renewal period set to expire on June 30, 2013, subject to the conditions of approval as contained within this report.

Councilmember Gonzalez moved to table Items 10 and 11; Councilmember Rios seconded the motion which passed unanimously.

11. Request for Approval of a Recyclable Materials Dealer Permit for Fortune Resources Inc. (Marry Harris, Applicant)

Recommendation: That the City Council approve the issuance of Recyclable Materials Dealer Permit No.27 to Fortune Resources Inc. for an annual renewal period set to expire on June 30, 2013, subject to the conditions of approval as contained within this report.

See Item 10.

12. Gus Velasco Neighborhood Center Renovation and Modernization Project – Authorization to Negotiate Contract Change Order No. 13

Recommendation: That the City Council: 1). Approve Contract Change Order No. 13 in the amount of \$173,458.00; and 2). Authorize the Director of Public Works to execute Contract Change Order No. 13.

Councilmember González moved the approval of Items 12 and 13; Councilmember Trujillo seconded the motion which passed unanimously.

13. Valley View Avenue Grade Separation – Approval of Contract Change Order No. 3

Recommendation: That the City Council: 1). Approve Contract Change Order No. 3 in the amount of \$131,224.00; 2). Authorize the Director of Public Works to execute Contract Change Order No. 3; and 3). Approve revised levels of authorization on contract change orders for the Valley View Avenue Grade Separation project.

See Item 12.

14. **INVOCATION**

Councilmember Rios gave the Invocation.

15. **PLEDGE OF ALLEGIANCE**

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

INTRODUCTIONS

16. Representative from the Youth Leadership Committee
Members of the Youth Leadership Committee introduced themselves.

17. Representatives from the Chamber of Commerce
Mayor Rounds introduced Mike Foley and Kathie Fink.

18. ANNOUNCEMENTS

The Mayor called upon Maricela Balderas for the community announcements.

APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSION

19. Committee Appointments
Councilmember González appointed Lucy Gomez to the Sister City Committee.

20. ORAL COMMUNICATIONS

Mayor Rounds opened Oral Communications at 7:10 p.m. There being no one wishing to speak, Mayor Rounds closed Oral Communications at 7:11 p.m.

21. EXECUTIVE TEAM REPORTS

Noe Negrete wished everyone a Happy Thanksgiving. Councilmember Rios thanked the Chamber and City staff for making the Citizen of the Year awards so special. She commended everyone who worked on the Neighborhood Center Project. She also congratulated Mayor Rounds on the birth of twin grandchildren, Ava Jen and Paisley Lynn. Councilmember González commended staff for the Neighborhood Center event. He complimented staff, Noe Negrete and Al Fuentes in particular, for the aesthetics of the building. He stated that he is excited for the programs and senior services that will soon be provided at this facility. He stated that former Councilmember Velasco would have loved it. Councilmember Trujillo commented on how proud of the center the seniors are. It truly belongs to them. Councilmember González requested that a card of appreciation be sent to the seniors for the cake they made for the event. Mayor Rounds echoed the sentiments of the Council and added that even Mother Nature cooperated with great weather. The Mayor reported that his daughter gave birth to twins last Wednesday, Ava Jen and Paisley Lynn weighed in at a little over 4 pounds each. Mom and girls are doing well. He added that only four months earlier another grandson, Evan William, had been added to their family bringing the total number of grandchildren to six.

22. ADJOURNMENT

Mayor Rounds adjourned the meetings at 7:17 p.m.

ATTEST:

Anita Jimenez, CMC
Deputy City Clerk

William K. Rounds, Mayor

Date



City of Santa Fe Springs

Public Financing Authority Meeting

December 20, 2012

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 Public Financing Authority 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 11/30/12	None
Outstanding principal at 11/30/12	\$18,240,000

Consolidated Redevelopment Project 2002 Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 11/30/12	None
Outstanding principal at 11/30/12	\$10,785,000

Consolidated Redevelopment Project 2003 Taxable Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 11/30/12	None
Outstanding principal at 11/30/12	\$3,690,000

Water Revenue Bonds, 2003 Series A

Financing proceeds available for appropriation at 11/30/12	None
Outstanding principal at 11/30/12	\$4,270,000

Water Revenue Bonds, 2005 Series A

Financing proceeds available for appropriation at 11/30/12	None
Outstanding principal at 11/30/12	\$2,780,000

Consolidated Redevelopment Project 2006-A Tax Allocation Bonds

Financing proceeds available for appropriation at 11/30/12	1,538,121*
Outstanding principal at 11/30/12	\$32,512,769

Consolidated Redevelopment Project 2006-B Taxable Tax Allocation Bonds

Financing proceeds available for appropriation at 11/30/12

None

Outstanding principal at 11/30/12

\$12,045,000

Consolidated Redevelopment Project 2007-A Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 11/30/12

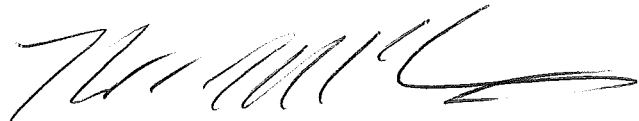
None

Outstanding principal at 11/30/12

\$40,700,000

The City budget includes sufficient appropriations and adequate revenues are expected to be collected to meet the debt service obligations associated with the Water Revenue Bonds.

The former Community Development Commission was dissolved by State law effective 2/1/12 and is administered by the City acting as Successor Agency under the oversight of the appointed Oversight Board. The Successor Agency will no longer receive tax increment. It is anticipated that sufficient allocations from the Redevelopment Property Tax Trust Fund will be made to Successor Agency to meet the debt service obligations.



Thaddeus McCormack
City Manager/Executive Director

* \$1,538,121 of 2006-A tax exempt bond funds had been used for property acquisitions in relation to the Valley View Grade Separation Project. These funds were reimbursed from Federal, State and County sources in May 2011. However, due to the Supreme Court decision upholding AB1X 26 it is recommended that the Commission does not spend any additional bond proceeds until clarification is reached about the impact of AB1X 26 on the use of unspent bond proceeds.

Additionally, appropriated but unspent proceeds on hand are currently not being spent pending further clarification about the future of unspent bond proceeds.

SEE ITEM 3A



City of Santa Fe Springs

Water Utility Authority Meeting

December 20, 2012

NEW BUSINESS

Status Update of Water-Related Capital Improvement 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 and current status of active water projects.

Interstate 5 Water Main Relocation for the Carmenita Road Segment

Staff continues to coordinate with Caltrans and the City's construction contractor, Vido Artukovich & Son. The water main line construction is complete and has passed the pressure and bacteriological requirements. Customer water services are currently being transferred from the old water main to the new water main. Staff continues to coordinate with local business owners affected by the Interstate 5 widening project.

New Water Well Located Within Zone II (Well No. 12)

The results of all pump tests conducted during the initial stages of well development are currently being utilized to design the mechanical portion of the well. The well is currently in the final design phase.

FISCAL IMPACT

The projects are fully funded through the Water Fund.

INFRASTRUCTURE IMPACT

A fully functioning water production well will provide a source of potable water within Zone II and the water well will enhance the reliability of the City's water system.

Thaddeus McCormack
Executive Director

Attachment(s):

None.

Report Submitted By: Noe Negrete, Director
Department of Public Works

Date of Report: December 12, 2012

4B



City of Santa Fe Springs

Water Utility Authority

December 20, 2012

NEW BUSINESS

Water Well No. 12 (13939 Borate Street) - Drilling and Construction - Final Progress Payment


RECOMMENDATION

That the Water Utility Authority approve the Final Progress Payment (less 5% Retention) to Best Drilling and Pump, Inc. of Colton, CA in the amount of \$136,857.00 for the subject project.

BACKGROUND

At the Water Utility Authority meeting of April 26, 2012, the Water Utility Authority awarded a contract to Best Drilling and Pump, Inc. of Colton, CA in the amount of \$912,985.00 to drill and construct Water Well No. 12 to an approximate depth of 1,500 feet.

The attached payment detail represents the Final Progress Payment (less 5% retention) due per terms of the contract for the work, which has been completed and found to be satisfactory. The final construction cost is \$895,430.00, which reflects a \$17,555.00 savings on the project.


Thaddeus McCormack
Executive Director

Attachment(s):

Progress Payment Detail

Payment Detail
Water Well No. 12 (13939 Borate Street) Drilling and Construction

Contractor: Best Drilling and Pump, Inc.
1640 W. Pellisier Road
Colton, CA 92324

Item No.	Description	Contract			Completed This Period		Completed To Date	
		Quantity	Units	Unit Price	Total	Quantity	Amount	Quantity
1.	Mobilize, de-mobilize, provide site clean-up and restoration	1	L.S.	\$ 79,000.00	\$ 79,000.00	16%	\$ 12,245.00	100%
2.	Test and dispose of drill cuttings from pilot and conductor boreholes, as required	1	L.S.	\$ 27,000.00	\$ 27,000.00	25%	\$ 6,750.00	100%
3.	Install temporary discharge line, road crossings, and driveway ramps to designated discharge location	1,260	FT.	\$ 27.00	\$ 34,020.00	60	\$ 1,620.00	5%
4.	Provide NPDES compliance including waste water treatment and water quality sampling	1	L.S.	\$ 5,500.00	\$ 5,500.00	50%	\$ 2,750.00	100%
5.	Drill 48" diameter conductor borehole, furnish and install 36" OD by 3/8" wall mild steel conductor casing and cement into place	50.5	FT.	\$ 650.00	\$ 32,825.00			51%
6.	Drill maximum 17-1/2" diameter pilot borehole (50 - 1,390')	1,340	FT.	\$ 72.00	\$ 96,480.00			1500
7.	Provide geophysical borehole logs, as specified	1	L.S.	\$ 5,500.00	\$ 5,500.00			1
8.	Install isolated aquifer zone test tools, gravel envelope, and seals	5	EA.	\$ 10,500.00	\$ 52,500.00			4
9.	Airlift and pump isolated aquifer zones (est. 18 hours per zone, five zones)	90	HR.	\$ 250.00	\$ 22,500.00			32
10.	Zone test water quality analyses (one sample per zone, five zones)	5	EA.	\$ -	\$ -		\$	
11.	Ream 17-1/2" pilot bore hole to 32" in diameter (50 - 470')	420	FT.	\$ 65.00	\$ 27,300.00			193%
12.	Ream 17-1/2" pilot bore hole to 28" in diameter (470 - 1,390')	920	FT.	\$ 40.00	\$ 36,800.00			66%
13.	Provide caliper survey of reamed borehole	1	L.S.	\$ 2,000.00	\$ 2,000.00			100%
14.	Furnish and install 18" ID x 5/16" wall HSLA steel blank casing (+1 - 550')	551	FT.	\$ 165.00	\$ 90,915.00			171%
15.	Furnish and install 18" ID x 5/16" wall HSLA steel full-flou louvered screen (550 - 1,350')	800	FT.	\$ 235.00	\$ 188,000.00			61%
16.	Furnish and install 18" ID x 5/16" wall HSLA steel blank casing with end plate (1,350 - 1,370')	20	FT.	\$ 200.00	\$ 4,000.00			100%
17.	Furnish and install 2" schedule 40 mild steel sounding tube, as specified (+1 -	549	FT.	\$ 9.00	\$ 4,941.00			171%
					\$			\$ 8,451.00

Item No.	Description	Contract			Completed This Period		Completed To Date	
		Quantity	Units	Unit Price	Quantity	Amount	Quantity	Amount
18.	Furnish and install two (2) 3"schedule 40 mild steel gravel feed pipes, as specified (+1 - 460')	922	FT.	\$ 12.00		\$ 11,064.00	185%	\$ 20,424.00
19.	Furnish and install filter pack material and fine sand layer, as specified (450 - 1,390')	940	FT.	\$ 45.00		\$ 42,300.00	67%	\$ 28,350.00
20.	Furnish and install annular cement seal, as specified (0 - 450')	450	FT.	\$ 65.00		\$ 29,250.00	187%	\$ 54,600.00
21.	Develop and clean well by airlifting and swabbing from between packers	192	HR.	\$ 275.00	135	\$ 37,125.00	70%	\$ 37,125.00
22.	Furnish, install and remove development/test pump	1	L.S.	\$ 19,500.00	1	\$ 19,500.00	100%	\$ 19,500.00
23.	Provide development by pumping and surging with deep well turbine pump	60	HR.	\$ 300.00	108	\$ 32,400.00	180%	\$ 32,400.00
24.	Provide pumping tests for yield and drawdown as specified	38	HR.	\$ 330.00	34	\$ 11,220.00	89%	\$ 11,220.00
25.	Provide spinner survey, as specified	1	L.S.	\$ 3,500.00	1	\$ 3,500.00	100%	\$ 3,500.00
26.	Title 22 Water Quality Analyses	1	L.S.	\$ 3,500.00	1	\$ 3,500.00	100%	\$ 3,500.00
27.	Complete wellhead as designed and cleanup well site, including plumbness and alignment survey and disinfection	1	L.S.	\$ 9,500.00	1	\$ 9,500.00	100%	\$ 9,500.00
28.	Provide Dual-Cam video survey on DVD format	1	L.S.	\$ 1,750.00	1	\$ 1,750.00	100%	\$ 1,750.00
						\$ 912,985.00		
						\$ 912,985.00		

Contract Change Order

1.	Contract Change No. 1	1	L.S.	\$ 2,200.00	1	\$ 2,200.00	100%	\$ 2,200.00
				Total	\$ 2,200.00	\$ 144,060.00		

Total Completed Items to Date: \$ 895,430.00

CONTRACT PAYMENTS

Total Items Completed to Date	\$ 895,430.00
Less Retention Withheld (5%)	\$ 44,771.50
Less Progress Payment No. 1	\$ 12,442.50
Less Progress Payment No. 2	\$ 239,003.50
Less Progress Payment No. 3	\$ 462,355.50
Final Progress Payment	\$ 136,857.00

FINANCE PLEASE PAY

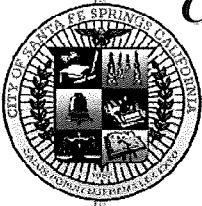
AMOUNT: \$136,857.00

W.O. #: 453-397-B007-4800

RECOMMENDED BY:

APPROVED BY:

SEE ITEM 3A



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Annual Special Tax Levy Report for Community Facilities District No. 2009-1 (Villages at Heritage Springs) for Fiscal Year 2011-12

RECOMMENDATION

That the City Council receive and file the Special Tax Levy Annual Report for Community Facilities District (CFD) 2009-1 for Fiscal Year 2011-12.

BACKGROUND

In August 2012, the City Council took action to dissolve Community Facilities District (CFD) No. 2009-1 (Villages at Heritage Springs). Despite this action, State law requires that the City provide an annual report (see attached) detailing the activity for the year.

The Mello-Roos Community Facilities Act of 1982 requires that an annual special tax levy report be prepared for each Community Facilities District (CFD). This report must detail the special taxes that are levied within a CFD and any construction activity at the time the report is prepared. The methodology and amounts to be levied were established at the time the CFD was formed.

As a result of the dissolution of CFD 2009-1, there will be no further reports in future years.

Thaddeus McCormack
City Manager

Attachment:

Special Tax Levy Annual Report for CFD 2009-1 for Fiscal Year 2011-12



Harris & AssociatesSM

SHAPING THE FUTURE ONE PROJECT AT A TIMESM

Special Tax Levy Annual Report

for

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

Fiscal Year 2011-12

Submitted to:
**City of Santa Fe Springs
Los Angeles County, California**

November 27, 2012

**CITY OF SANTA FE SPRINGS
COMMUNITY FACILITIES DISTRICT NO. 2009-1
(Villages at Heritage Springs)
Fiscal Year 2011-12**

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I. Facilities and Services Financed by the District.....	1
II. Development Status.....	3
III. CFD Financial Status.....	4

APPENDIX

Exhibit A	Boundary Map
Exhibit B	Rate and Method of Apportionment of Special Taxes
Exhibit C	Special Tax Roll

INTRODUCTION

The City Council of the City of Santa Fe Springs established Community Facilities District No. 2009-1 (Villages at Heritage Springs) ("CFD 2009-1" or the "CFD") for the purpose of constructing, servicing and operating certain public improvements.

A map showing the boundaries of CFD No. 2009-1 is included in the Appendix of this report as Exhibit A. In compliance with the proceedings governing the formation of CFD No. 2009-1, the special tax has been levied on each assessable parcel within the District according to the provisions of the Rate and Method of Apportionment of Special Taxes as shown in the Appendix of this report in Exhibit B.

I. FACILITIES AND SERVICES FINANCED BY THE DISTRICT

Facilities

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.

At this time, the CFD has not issued bonds to fund the facilities.

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.

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 public improvements have been completed at this time.

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.

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.

II. DEVELOPMENT STATUS

For the purpose of levying the Facilities Special Tax, a parcel is considered developed if a building permit was issued prior to March 1 of the year preceding the proposed tax levy, which is March 1, 2011.

Table 1 shows the development status of parcels within the CFD as it relates to the Facilities Special Tax.

Table 1 –Development Status for the Facilities Special Tax

Land Use Class	Parcel Status		FY 11-12 Total Assessed Value
Attached Residential	43 Parcels	43 Dwelling Units	\$14,828,962
Detached Residential	59 Parcels	59 Dwelling Units	\$23,751,002
Non-Residential - Zone A	0 Parcels	0 Acres	\$0
Non-Residential - Zone B	0 Parcels	0 Acres	\$0
Undeveloped - Zone A	262 Parcels	22.83 Acres	\$34,891,312
Undeveloped - Zone B	5 Parcels	4.40 Acres	\$5,029,481
	369 Parcels		\$78,500,757

For the purpose of levying the Services Special Tax, a parcel is considered developed if a Certificate of Occupancy was issued prior to March 1 of the year preceding the proposed tax levy, which is March 1, 2011. Non-residential and undeveloped properties are not taxed for services.

Table 2 shows the development status of parcels within the CFD as it relates to the Services Special Tax.

Table 2 –Development Status for the Services Special Tax

Land Use Class	Parcel Status	
Residential	44 Parcels	44 Dwelling Units

III. CFD FINANCIAL STATUS

The Rate and Method of Apportionment of the Special Tax (the "RMA") establishes the apportionment of Special Taxes for both facilities and services. A copy is included in the Appendix of this report as Exhibit B.

Each Fiscal Year, each developed parcel of land within the CFD shall be subject to special taxes in accordance with the RMA.

This was the second year of levy for the special tax.

The estimated administrative expenses for the CFD are shown in Table 3.

Table 3 – Estimated Administrative Expenses (FY 11-12)

CFD Administrator	\$10,000
County Fees	\$1,000
	<u>\$11,000</u>

Facilities Special Tax

The Facilities Special Tax amount attributed to each parcel is apportioned by dwelling unit for developed residential property, and parcel acreage for developed non-residential property and undeveloped property.

At this time, the CFD has not issued bonds to fund the facilities; therefore, there was no need to levy taxes on undeveloped property.

Table 4 shows the allowable tax rates for the Facilities Special Tax, and Table 5 the amount of Facilities Special Tax levied.

Table 4 – FY 11-12 Facilities Special Tax Rates

Land Use Class	Assigned Facilities Special Tax Rate	Maximum Facilities Special Tax Rate	Levied Facilities Special Tax Rate
Attached Residential	\$543 / Dwelling Unit	\$598 / Dwelling Unit	\$543 / Dwelling Unit
Detached Residential	\$1,238 / Dwelling Unit	\$1,362 / Dwelling Unit	\$1,238 / Dwelling Unit
Non-Residential - Zone A		\$18,435 / Acre	\$18,435 / Acre
Non-Residential - Zone B		\$35,105 / Acre	\$35,105 / Acre
Undeveloped - Zone A		\$18,435 / Acre	\$0 / Acre
Undeveloped - Zone B		\$35,105 / Acre	\$0 / Acre

Table 5 – FY 11-12 Facilities Special Taxes Levied

Land Use Class	Parcel Status	Levied Facilities Special Tax Rate	FY 11-12 Total Levied Facilities Special Tax
Attached Residential	43 Dwelling Units	\$543 / Dwelling Unit	\$23,349.00
Detached Residential	59 Dwelling Units	\$1,238 / Dwelling Unit	\$73,042.00
Non-Residential - Zone A	0 Acres	\$18,435 / Acre	\$0
Non-Residential - Zone B	0 Acres	\$35,105 / Acre	\$0
Undeveloped - Zone A	22.83 Acres	\$0 / Acre	\$0
Undeveloped - Zone B	4.40 Acres	\$0 / Acre	\$0

\$96,391.00

Approximately 70% of the parcels levied were for the Facilities Special Tax; therefore, 70% of the administrative expenses are apportioned to the Facilities Special Tax Requirement. Table 6 shows the estimated construction fund balance at the end of fiscal year 2011-12.

Table 6 – FY 11-12 Estimated Construction Fund Balance

Facilities Special Taxes Levied	\$96,391
Less Administrative Expenses	(\$7,700)
Balance to Construction Fund	\$88,691

Services Special Tax

The Services Special Tax amount attributed to each parcel is apportioned by dwelling unit for developed residential property. The maximum services special tax rate escalates each year based on the annual percentage increased in CPI for the preceding year ending in March.

Table 7 shows the allowable tax rate for the Services Special Tax, and Table 8 the amount of Services Special Tax levied.

Table 7 – FY 11-12 Services Special Tax Rates

FY	Mar-Mar CPI	Maximum Services Special Tax Rate	Levied Services Special Tax Rate
09-10		\$1,302.00 / Dwelling Unit	
10-11	1.90%	\$1,326.74 / Dwelling Unit	\$1,326.74 / Dwelling Unit
11-12	3.00%	\$1,366.54 / Dwelling Unit	\$1,366.54 / Dwelling Unit

Table 8 – FY 11-12 Facilities Special Taxes Levied

Land Use Class	Parcel Status	Levied Services Special Tax Rate	FY 11-12 Total Levied Services Special Tax
Residential	44 Dwelling Units	\$1,366.54 / Dwelling Unit	\$60,127.76

Approximately 30% of the parcels levied were for the Services Special Tax; therefore, 30% of the administrative expenses are apportioned to the Services Special Tax Requirement. Table 9 shows the estimated services fund balance at the end of fiscal year 2011-12.

Table 9 – FY 11-12 Estimated Services Fund Balance

Facilities Special Taxes Levied	\$60,128
Less Administrative Expences	(\$3,300)
Balance to Services Fund	\$56,828

Delinquencies

As of October 2012, there were 2 delinquent parcels totaling \$3,147.54 for FY2011-12. This represents 2% of the total levy.

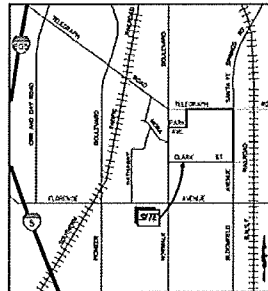
Special Tax Roll

The Special Tax Roll lists the special taxes levied on each parcel within the boundaries of CFD No. 2009-1 for Fiscal Year 2011-12. A copy of the Special Tax Roll is included in the Appendix of this report as Exhibit C.

EXHIBIT A
Boundary Map

**PROPOSED BOUNDARIES OF
CITY OF SANTA FE SPRINGS
COMMUNITY FACILITIES DISTRICT NO. 2009-1
(VILLAGES AT HERITAGE SPRINGS)
CITY OF SANTA FE SPRINGS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**

COORY ENGINEERING
SAMIR M. KHOURY RCE 30567
JULY 2009



VICINITY MAP
N.T.S.

PARCELS INCLUDED IN CFD

Book	Page	Tax Parcel	Book	Page	Tax Parcel	Book	Page	Tax Parcel	Book	Page	Tax Parcel	Book	Page	Tax Parcel
8009	001	060	8009	001	125	8009	001	190	8009	002	058	8009	004	069
8009	001	081	8009	001	126	8009	001	161	8009	002	059	8009	004	090
8009	001	082	8009	001	127	8009	001	162	8009	002	071	8009	004	091
8009	001	083	8009	001	128	8009	001	163	8009	002	072	8009	004	092
8009	001	084	8009	001	129	8009	001	164	8009	002	075	8009	004	093
8009	001	085	8009	001	130	8009	001	165	8009	002	079	8009	004	094
8009	001	086	8009	001	131	8009	001	166	8009	002	076	8009	004	095
8009	001	087	8009	001	132	8009	001	167	8009	002	077	8009	004	096
8009	001	088	8009	001	133	8009	001	168	8009	002	078	8009	004	097
8009	001	089	8009	001	134	8009	001	169	8009	002	079	8009	004	098
8009	001	090	8009	001	135	8009	001	170	8009	002	080	8009	004	099
8009	001	091	8009	001	136	8009	001	171	8009	002	081	8009	004	100
8009	001	102	8009	001	137	8009	001	172	8009	002	082	8009	004	101
8009	001	103	8009	001	138	8009	001	173	8009	002	083	8009	004	102
8009	001	104	8009	001	139	8009	001	174	8009	002	084	8009	004	103
8009	001	105	8009	001	140	8009	001	176	8009	002	085	8009	004	104
8009	001	106	8009	001	141	8009	001	178	8009	002	086	8009	004	105
8009	001	107	8009	001	142	8009	001	177	8009	002	087	8009	004	106
8009	001	108	8009	001	143	8009	001	178	8009	004	070	8009	004	107
8009	001	109	8009	001	144	8009	001	179	8009	004	071	8009	004	108
8009	001	110	8009	001	145	8009	001	180	8009	004	072	8009	004	109
8009	001	111	8009	001	146	8009	001	181	8009	004	073	8009	004	110
8009	001	112	8009	001	147	8009	001	182	8009	004	074	8009	004	111
8009	001	113	8009	001	148	8009	001	183	8009	004	075	8009	004	112
8009	001	114	8009	001	149	8009	001	184	8009	004	076	8009	004	113
8009	001	115	8009	001	150	8009	001	185	8009	004	077	8009	004	114
8009	001	116	8009	001	151	8009	001	186	8009	004	080	8009	004	115
8009	001	117	8009	001	152	8009	001	187	8009	004	081	8009	004	120
8009	001	118	8009	001	153	8009	001	188	8009	004	082	8009	004	121
8009	001	119	8009	001	154	8009	001	189	8009	004	083	8009	004	122
8009	001	120	8009	001	155	8009	001	190	8009	004	084	8009	004	123
8009	001	121	8009	001	156	8009	001	191	8009	004	085	8009	004	124
8009	001	122	8009	001	157	8009	001	192	8009	004	086	8009	004	125
8009	001	123	8009	001	158	8009	001	193	8009	004	087	8009	004	126
8009	001	124	8009	001	159	8009	001	194	8009	004	088	8009	004	130

FUTURE ANNEXATION PARCELS

Book	Page	Tax Parcel
8009	001	093
8009	001	095
8009	001	096
8009	001	097
8009	001	098
8009	001	099
8009	001	101
8009	002	074
8009	004	078
8009	004	079
8009	004	116
8009	004	117
8009	004	118
8009	004	119
8009	004	127
8009	004	128
8009	004	129

NOT INCLUDED IN CFD

Book	Page	Tax Parcel
8000	002	073

CITY CLERK'S STATEMENT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF CITY OF SANTA FE SPRINGS COMMUNITY FACILITIES DISTRICT NO. 2009-1 (VILLAGES AT HERITAGE SPRINGS), CITY OF SANTA FE SPRINGS, LOS ANGELES COUNTY, CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS AT A MEETING THEREOF HELD ON THE _____ DAY OF _____, 2009 BY ITS RESOLUTION NUMBER _____.

BARBARA EARL, CITY CLERK
CITY OF SANTA FE SPRINGS

CITY CLERK'S STATEMENT

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF
SANTA FE SPRINGS, LOS ANGELES COUNTY, CALIFORNIA ON
THIS ____ DAY OF _____, 2009.

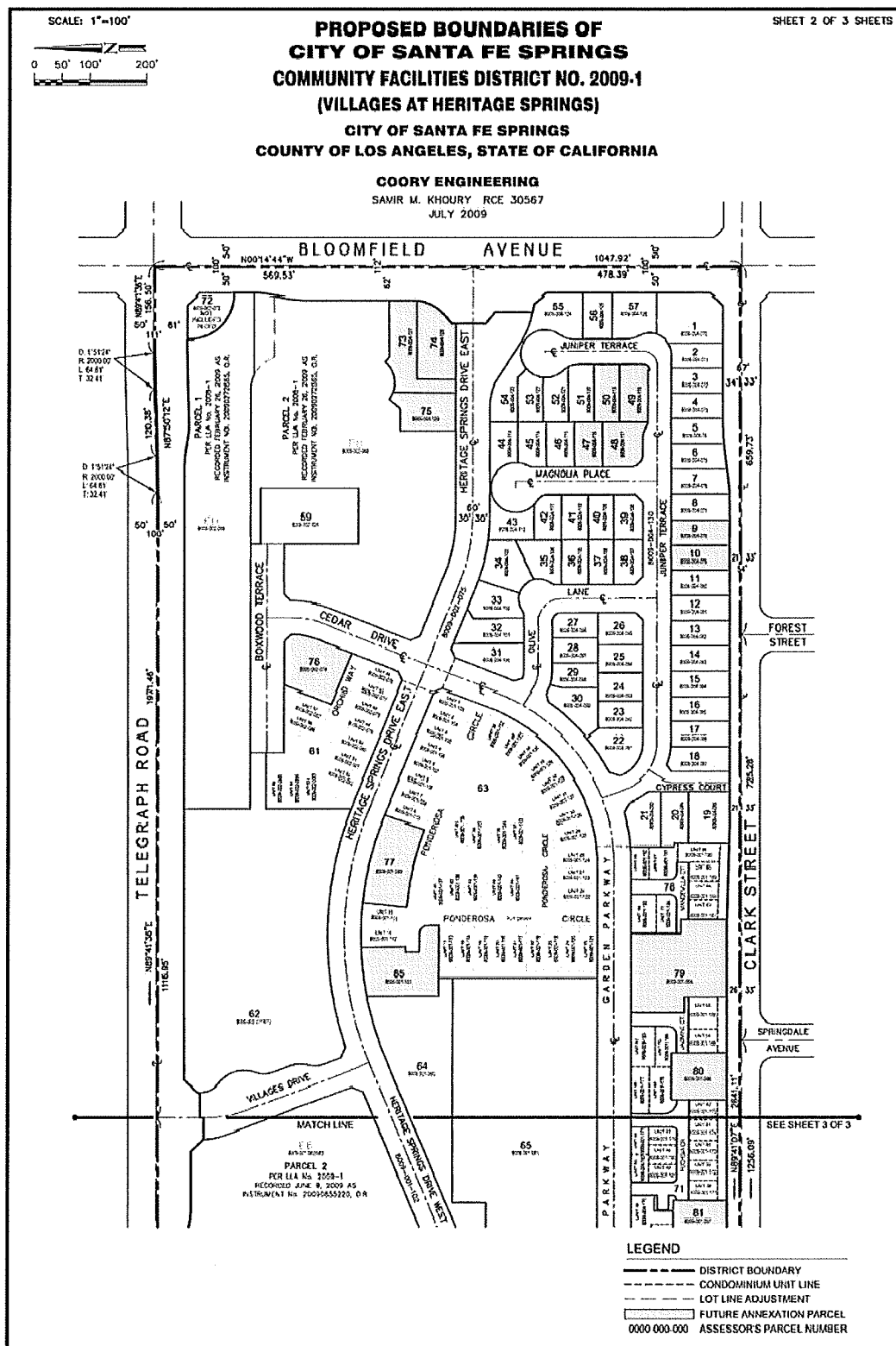
BARBARA EARL, CITY CLERK
CITY OF SANTA FE SPRINGS

COUNTY RECORDER'S STATEMENT

FILED THIS ____ DAY OF _____, 2009, AT
THE HOUR OF ____ O'CLOCK ____ M IN BOOK _____
MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS
AT PAGE _____ IN THE OFFICE OF THE COUNTY
RECORDER OF THE COUNTY OF LOS ANGELES, STATE
OF CALIFORNIA.

FEE: \$ 100.00 INSTRUMENT # 100.00

COUNTY RECORDER
COUNTY OF LOS ANGELES, CALIFORNIA



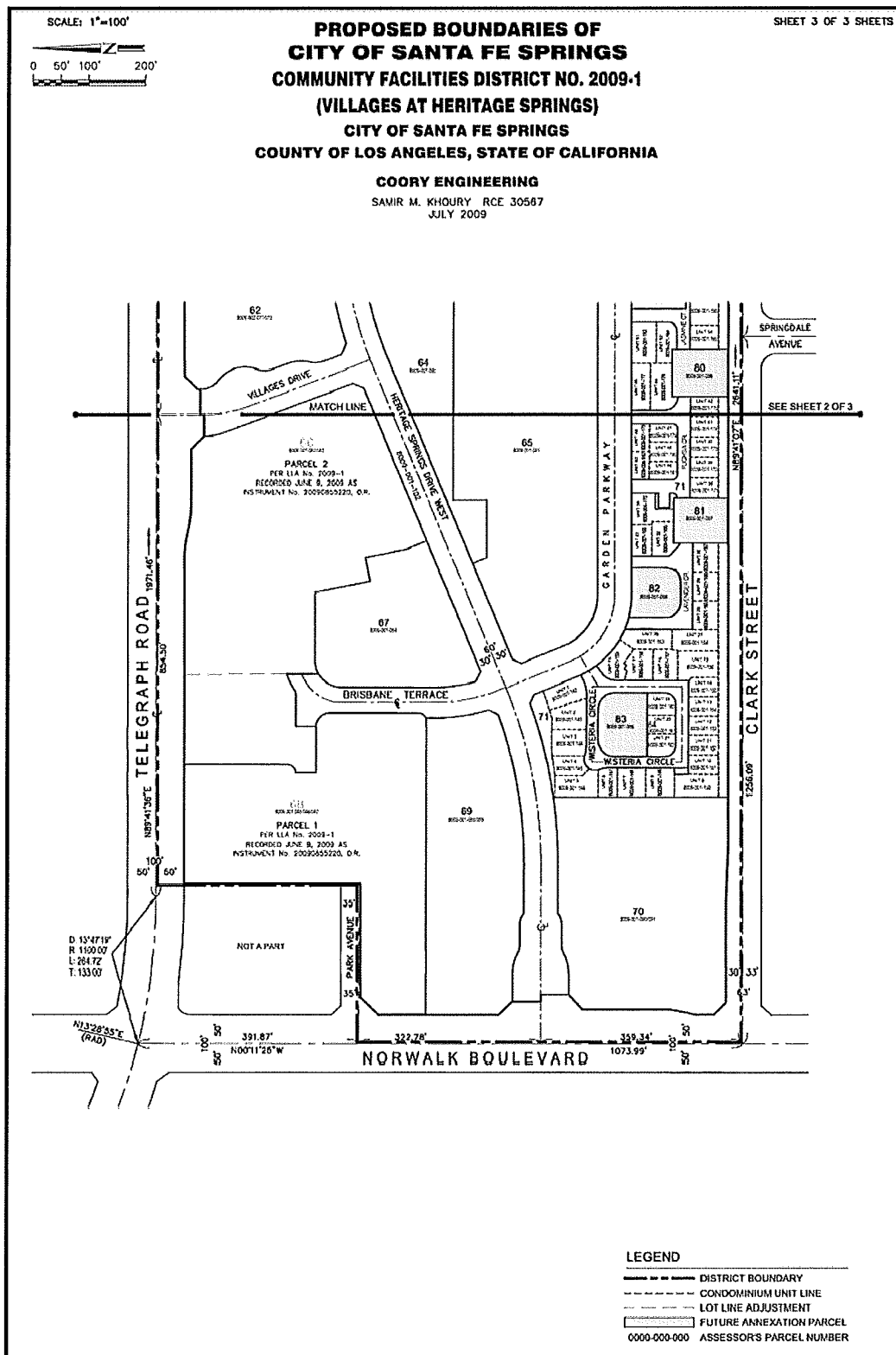


EXHIBIT B

Rate and Method of Apportionment of the Special Tax

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 \$3,778,800, 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 and Property Owner Association Property. However, should an Assessor's Parcel no longer be classified as Public Property or Property Owner Association Property, its tax exempt status will be revoked.

EXHIBIT C
Special Tax Roll

Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-001-080	A			UND	UND	\$0.00	\$0.00
8009-001-085	B			UND	UND	\$0.00	\$0.00
8009-001-088	B			UND	UND	\$0.00	\$0.00
8009-001-089	B			UND	UND	\$0.00	\$0.00
8009-001-103	A	05/20/09	06/09/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-104	A	05/20/09	02/11/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-105	A	05/20/09	02/11/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-106	A	05/20/09	02/11/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-107	A	05/20/09	02/11/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-108	A			UND	UND	\$0.00	\$0.00
8009-001-109	A			UND	UND	\$0.00	\$0.00
8009-001-110	A			UND	UND	\$0.00	\$0.00
8009-001-111	A			UND	UND	\$0.00	\$0.00
8009-001-112	A			UND	UND	\$0.00	\$0.00
8009-001-113	A			UND	UND	\$0.00	\$0.00
8009-001-114	A			UND	UND	\$0.00	\$0.00
8009-001-115	A			UND	UND	\$0.00	\$0.00
8009-001-116	A			UND	UND	\$0.00	\$0.00
8009-001-117	A			UND	UND	\$0.00	\$0.00
8009-001-118	A			UND	UND	\$0.00	\$0.00
8009-001-119	A	05/20/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-120	A	07/01/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-121	A	05/20/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-122	A	06/03/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-123	A	06/03/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-124	A	06/03/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-125	A	06/03/10	03/28/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-126	A	06/03/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-127	A	06/03/10	03/02/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-128	A	06/03/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-129	A	06/03/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-130	A	05/20/09	06/24/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-131	A	05/20/09	05/25/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-132	A	05/20/09	03/03/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-133	A			UND	UND	\$0.00	\$0.00
8009-001-134	A			UND	UND	\$0.00	\$0.00
8009-001-135	A			UND	UND	\$0.00	\$0.00
8009-001-136	A			UND	UND	\$0.00	\$0.00
8009-001-137	A			UND	UND	\$0.00	\$0.00
8009-001-138	A			UND	UND	\$0.00	\$0.00
8009-001-139	A			UND	UND	\$0.00	\$0.00
8009-001-140	A			UND	UND	\$0.00	\$0.00
8009-001-141	A			UND	UND	\$0.00	\$0.00
8009-001-142	A	05/13/09	12/16/09	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-143	A	05/13/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-144	A	05/13/09	06/15/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-145	A	05/13/09	02/11/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped



Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-001-146	A	05/13/09	01/12/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-147	A	05/13/09	09/27/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-148	A	05/13/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-149	A	05/13/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-150	A	05/13/09	02/11/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-001-151	A	05/13/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-152	A	06/23/10	05/02/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-153	A	06/23/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-154	A	06/23/10	05/02/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-155	A	06/23/10	05/02/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-156	A	06/23/10	05/02/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-157	A	06/24/10	05/02/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-158	A	06/24/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-159	A	06/24/10	03/28/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-160	A	06/24/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-161	A	06/24/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-162	A	06/24/10	04/26/11	RES-DET	UND	\$1,238.00	\$0.00
8009-001-163	A			UND	UND	\$0.00	\$0.00
8009-001-164	A			UND	UND	\$0.00	\$0.00
8009-001-165	A			UND	UND	\$0.00	\$0.00
8009-001-166	A			UND	UND	\$0.00	\$0.00
8009-001-167	A			UND	UND	\$0.00	\$0.00
8009-001-168	A			UND	UND	\$0.00	\$0.00
8009-001-169	A			UND	UND	\$0.00	\$0.00
8009-001-170	A			UND	UND	\$0.00	\$0.00
8009-001-171	A			UND	UND	\$0.00	\$0.00
8009-001-172	A			UND	UND	\$0.00	\$0.00
8009-001-173	A			UND	UND	\$0.00	\$0.00
8009-001-174	A			UND	UND	\$0.00	\$0.00
8009-001-175	A			UND	UND	\$0.00	\$0.00
8009-001-176	A			UND	UND	\$0.00	\$0.00
8009-001-177	A	05/13/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-178	A	07/01/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-179	A			UND	UND	\$0.00	\$0.00
8009-001-180	A			UND	UND	\$0.00	\$0.00
8009-001-181	A			UND	UND	\$0.00	\$0.00
8009-001-182	A			UND	UND	\$0.00	\$0.00
8009-001-183	A	05/18/09		RES-DET	UND	\$1,238.00	\$0.00
8009-001-184	A			UND	UND	\$0.00	\$0.00
8009-001-185	A			UND	UND	\$0.00	\$0.00
8009-001-186	A			UND	UND	\$0.00	\$0.00
8009-001-187	A			UND	UND	\$0.00	\$0.00
8009-001-188	A			UND	UND	\$0.00	\$0.00
8009-001-189	A			UND	UND	\$0.00	\$0.00
8009-001-190	A			UND	UND	\$0.00	\$0.00
8009-001-191	A			UND	UND	\$0.00	\$0.00
8009-001-192	A			UND	UND	\$0.00	\$0.00

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped



Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-001-193	A			UND	UND	\$0.00	\$0.00
8009-001-194	A			UND	UND	\$0.00	\$0.00
8009-001-197	B			UND	UND	\$0.00	\$0.00
8009-001-199	B			UND	UND	\$0.00	\$0.00
8009-002-076	A			UND	UND	\$0.00	\$0.00
8009-002-077	A			UND	UND	\$0.00	\$0.00
8009-002-078	A			UND	UND	\$0.00	\$0.00
8009-002-079	A			UND	UND	\$0.00	\$0.00
8009-002-080	A			UND	UND	\$0.00	\$0.00
8009-002-081	A			UND	UND	\$0.00	\$0.00
8009-002-082	A			UND	UND	\$0.00	\$0.00
8009-002-083	A			UND	UND	\$0.00	\$0.00
8009-002-084	A			UND	UND	\$0.00	\$0.00
8009-002-085	A			UND	UND	\$0.00	\$0.00
8009-002-086	A			UND	UND	\$0.00	\$0.00
8009-002-087	A			UND	UND	\$0.00	\$0.00
8009-002-088	A			UND	UND	\$0.00	\$0.00
8009-002-089	A			UND	UND	\$0.00	\$0.00
8009-002-090	A			UND	UND	\$0.00	\$0.00
8009-002-091	A			UND	UND	\$0.00	\$0.00
8009-002-092	A			UND	UND	\$0.00	\$0.00
8009-002-093	A			UND	UND	\$0.00	\$0.00
8009-002-094	A			UND	UND	\$0.00	\$0.00
8009-002-095	A			UND	UND	\$0.00	\$0.00
8009-002-096	A			UND	UND	\$0.00	\$0.00
8009-002-097	A			UND	UND	\$0.00	\$0.00
8009-002-098	A			UND	UND	\$0.00	\$0.00
8009-002-099	A			UND	UND	\$0.00	\$0.00
8009-002-100	A			UND	UND	\$0.00	\$0.00
8009-002-101	A			UND	UND	\$0.00	\$0.00
8009-002-102	A			UND	UND	\$0.00	\$0.00
8009-002-103	A			UND	UND	\$0.00	\$0.00
8009-002-104	A			UND	UND	\$0.00	\$0.00
8009-002-105	A			UND	UND	\$0.00	\$0.00
8009-002-106	A			UND	UND	\$0.00	\$0.00
8009-002-107	A			UND	UND	\$0.00	\$0.00
8009-002-108	A			UND	UND	\$0.00	\$0.00
8009-002-109	A			UND	UND	\$0.00	\$0.00
8009-002-110	A			UND	UND	\$0.00	\$0.00
8009-002-111	A			UND	UND	\$0.00	\$0.00
8009-002-112	A			UND	UND	\$0.00	\$0.00
8009-002-113	A			UND	UND	\$0.00	\$0.00
8009-002-114	A			UND	UND	\$0.00	\$0.00
8009-002-115	A			UND	UND	\$0.00	\$0.00
8009-002-116	A			UND	UND	\$0.00	\$0.00
8009-002-117	A			UND	UND	\$0.00	\$0.00
8009-002-118	A			UND	UND	\$0.00	\$0.00

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped



Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12 Facilities Tax	FY 2011-12 Services Tax
8009-002-119	A			UND	UND	\$0.00	\$0.00
8009-002-121	A	08/05/09	05/25/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-122	A	08/05/09	04/19/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-123	A	08/05/09	04/21/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-124	A	08/05/09	04/05/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-125	A	08/05/09		RES-ATT	UND	\$543.00	\$0.00
8009-002-126	A	08/05/09		RES-ATT	UND	\$543.00	\$0.00
8009-002-127	A	06/17/10		RES-ATT	UND	\$543.00	\$0.00
8009-002-128	A	06/17/10		RES-ATT	UND	\$543.00	\$0.00
8009-002-129	A	06/17/10	06/24/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-130	A	06/17/10	06/17/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-131	A	06/17/10		RES-ATT	UND	\$543.00	\$0.00
8009-002-132	A	06/17/10	06/24/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-133	A			UND	UND	\$0.00	\$0.00
8009-002-134	A			UND	UND	\$0.00	\$0.00
8009-002-135	A			UND	UND	\$0.00	\$0.00
8009-002-136	A			UND	UND	\$0.00	\$0.00
8009-002-137	A			UND	UND	\$0.00	\$0.00
8009-002-138	A			UND	UND	\$0.00	\$0.00
8009-002-139	A			UND	UND	\$0.00	\$0.00
8009-002-140	A			UND	UND	\$0.00	\$0.00
8009-002-141	A			UND	UND	\$0.00	\$0.00
8009-002-142	A			UND	UND	\$0.00	\$0.00
8009-002-143	A			UND	UND	\$0.00	\$0.00
8009-002-144	A			UND	UND	\$0.00	\$0.00
8009-002-145	A	08/05/09	04/01/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-146	A	08/05/09	04/01/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-147	A	08/05/09	04/01/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-148	A	08/05/09	04/01/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-002-149	A	08/05/09	04/01/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-058	A			UND	UND	\$0.00	\$0.00
8009-003-059	A			UND	UND	\$0.00	\$0.00
8009-003-060	A			UND	UND	\$0.00	\$0.00
8009-003-061	A			UND	UND	\$0.00	\$0.00
8009-003-062	A			UND	UND	\$0.00	\$0.00
8009-003-063	A			UND	UND	\$0.00	\$0.00
8009-003-064	A	09/10/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-065	A	09/10/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-066	A	09/10/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-067	A	09/10/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-068	A	09/10/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-069	A			UND	UND	\$0.00	\$0.00
8009-003-070	A			UND	UND	\$0.00	\$0.00
8009-003-071	A			UND	UND	\$0.00	\$0.00
8009-003-072	A			UND	UND	\$0.00	\$0.00
8009-003-073	A			UND	UND	\$0.00	\$0.00
8009-003-074	A			UND	UND	\$0.00	\$0.00

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped



Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-003-075	A			UND	UND	\$0.00	\$0.00
8009-003-076	A			UND	UND	\$0.00	\$0.00
8009-003-077	A			UND	UND	\$0.00	\$0.00
8009-003-078	A			UND	UND	\$0.00	\$0.00
8009-003-079	A			UND	UND	\$0.00	\$0.00
8009-003-080	A			UND	UND	\$0.00	\$0.00
8009-003-081	A			UND	UND	\$0.00	\$0.00
8009-003-082	A			UND	UND	\$0.00	\$0.00
8009-003-083	A			UND	UND	\$0.00	\$0.00
8009-003-084	A			UND	UND	\$0.00	\$0.00
8009-003-085	A			UND	UND	\$0.00	\$0.00
8009-003-086	A			UND	UND	\$0.00	\$0.00
8009-003-087	A			UND	UND	\$0.00	\$0.00
8009-003-088	A			UND	UND	\$0.00	\$0.00
8009-003-089	A			UND	UND	\$0.00	\$0.00
8009-003-090	A			UND	UND	\$0.00	\$0.00
8009-003-091	A			UND	UND	\$0.00	\$0.00
8009-003-092	A			UND	UND	\$0.00	\$0.00
8009-003-093	A			UND	UND	\$0.00	\$0.00
8009-003-094	A			UND	UND	\$0.00	\$0.00
8009-003-095	A			UND	UND	\$0.00	\$0.00
8009-003-096	A			UND	UND	\$0.00	\$0.00
8009-003-097	A			UND	UND	\$0.00	\$0.00
8009-003-098	A			UND	UND	\$0.00	\$0.00
8009-003-099	A			UND	UND	\$0.00	\$0.00
8009-003-100	A			UND	UND	\$0.00	\$0.00
8009-003-101	A			UND	UND	\$0.00	\$0.00
8009-003-102	A			UND	UND	\$0.00	\$0.00
8009-003-103	A	04/09/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-104	A	04/09/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-105	A	04/09/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-106	A	04/09/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-107	A			UND	UND	\$0.00	\$0.00
8009-003-108	A			UND	UND	\$0.00	\$0.00
8009-003-109	A			UND	UND	\$0.00	\$0.00
8009-003-110	A			UND	UND	\$0.00	\$0.00
8009-003-111	A			UND	UND	\$0.00	\$0.00
8009-003-112	A			UND	UND	\$0.00	\$0.00
8009-003-113	A			UND	UND	\$0.00	\$0.00
8009-003-114	A			UND	UND	\$0.00	\$0.00
8009-003-115	A	08/06/09	05/04/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-116	A	08/06/09	05/03/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-117	A	08/06/09	04/26/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-118	A	08/06/09	05/07/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-119	A	08/06/09	06/18/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-120	A	08/06/09		RES-ATT	UND	\$543.00	\$0.00
8009-003-121	A	08/06/09		RES-ATT	UND	\$543.00	\$0.00

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped



Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-003-122	A	08/06/09	04/26/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-123	A			UND	UND	\$0.00	\$0.00
8009-003-124	A			UND	UND	\$0.00	\$0.00
8009-003-125	A			UND	UND	\$0.00	\$0.00
8009-003-126	A			UND	UND	\$0.00	\$0.00
8009-003-127	A	06/21/10		RES-ATT	UND	\$543.00	\$0.00
8009-003-128	A	06/21/10	06/21/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-129	A	06/21/10		RES-ATT	UND	\$543.00	\$0.00
8009-003-130	A	06/21/10	07/09/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-131	A	06/17/10	06/24/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-132	A	06/17/10		RES-ATT	UND	\$543.00	\$0.00
8009-003-133	A	06/17/10		RES-ATT	UND	\$543.00	\$0.00
8009-003-134	A	06/17/10		RES-ATT	UND	\$543.00	\$0.00
8009-003-135	A	06/17/10	06/17/10	RES-ATT	RES-ATT	\$543.00	\$1,366.54
8009-003-136	A			UND	UND	\$0.00	\$0.00
8009-003-137	A			UND	UND	\$0.00	\$0.00
8009-003-138	A			UND	UND	\$0.00	\$0.00
8009-003-139	A			UND	UND	\$0.00	\$0.00
8009-003-140	A			UND	UND	\$0.00	\$0.00
8009-003-141	A			UND	UND	\$0.00	\$0.00
8009-003-142	A			UND	UND	\$0.00	\$0.00
8009-003-143	A			UND	UND	\$0.00	\$0.00
8009-003-144	A			UND	UND	\$0.00	\$0.00
8009-003-145	A			UND	UND	\$0.00	\$0.00
8009-003-146	A			UND	UND	\$0.00	\$0.00
8009-003-147	A			UND	UND	\$0.00	\$0.00
8009-003-148	A			UND	UND	\$0.00	\$0.00
8009-003-149	A			UND	UND	\$0.00	\$0.00
8009-003-150	A			UND	UND	\$0.00	\$0.00
8009-003-151	A			UND	UND	\$0.00	\$0.00
8009-003-152	A			UND	UND	\$0.00	\$0.00
8009-003-153	A			UND	UND	\$0.00	\$0.00
8009-003-154	A			UND	UND	\$0.00	\$0.00
8009-003-155	A			UND	UND	\$0.00	\$0.00
8009-003-168	A			UND	UND	\$0.00	\$0.00
8009-003-169	A			UND	UND	\$0.00	\$0.00
8009-003-170	A			UND	UND	\$0.00	\$0.00
8009-003-171	A			UND	UND	\$0.00	\$0.00
8009-003-172	A			UND	UND	\$0.00	\$0.00
8009-003-173	A			UND	UND	\$0.00	\$0.00
8009-003-174	A			UND	UND	\$0.00	\$0.00
8009-003-175	A			UND	UND	\$0.00	\$0.00
8009-003-176	A			UND	UND	\$0.00	\$0.00
8009-003-177	A			UND	UND	\$0.00	\$0.00
8009-003-178	A			UND	UND	\$0.00	\$0.00
8009-003-179	A			UND	UND	\$0.00	\$0.00
8009-003-180	A			UND	UND	\$0.00	\$0.00

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped

Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-003-181	A			UND	UND	\$0.00	\$0.00
8009-003-182	A			UND	UND	\$0.00	\$0.00
8009-003-183	A			UND	UND	\$0.00	\$0.00
8009-003-184	A			UND	UND	\$0.00	\$0.00
8009-003-185	A			UND	UND	\$0.00	\$0.00
8009-003-186	A			UND	UND	\$0.00	\$0.00
8009-003-187	A			UND	UND	\$0.00	\$0.00
8009-003-188	A			UND	UND	\$0.00	\$0.00
8009-003-189	A			UND	UND	\$0.00	\$0.00
8009-003-202	A			UND	UND	\$0.00	\$0.00
8009-003-203	A			UND	UND	\$0.00	\$0.00
8009-003-204	A			UND	UND	\$0.00	\$0.00
8009-003-205	A			UND	UND	\$0.00	\$0.00
8009-003-206	A			UND	UND	\$0.00	\$0.00
8009-003-207	A			UND	UND	\$0.00	\$0.00
8009-003-208	A			UND	UND	\$0.00	\$0.00
8009-003-209	A			UND	UND	\$0.00	\$0.00
8009-003-210	A			UND	UND	\$0.00	\$0.00
8009-003-211	A			UND	UND	\$0.00	\$0.00
8009-003-212	A			UND	UND	\$0.00	\$0.00
8009-003-213	A			UND	UND	\$0.00	\$0.00
8009-003-214	A			UND	UND	\$0.00	\$0.00
8009-003-215	A			UND	UND	\$0.00	\$0.00
8009-003-216	A			UND	UND	\$0.00	\$0.00
8009-003-217	A			UND	UND	\$0.00	\$0.00
8009-003-218	A			UND	UND	\$0.00	\$0.00
8009-004-070	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-071	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-072	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-073	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-074	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-075	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-076	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-077	A	09/07/10		RES-DET	UND	\$1,238.00	\$0.00
8009-004-080	A			UND	UND	\$0.00	\$0.00
8009-004-081	A			UND	UND	\$0.00	\$0.00
8009-004-082	A			UND	UND	\$0.00	\$0.00
8009-004-083	A			UND	UND	\$0.00	\$0.00
8009-004-084	A			UND	UND	\$0.00	\$0.00
8009-004-085	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-086	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-087	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-088	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-089	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-090	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-091	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-092	A	05/04/11		UND	UND	\$0.00	\$0.00

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped



Special Tax Roll

APN	Zone	Bldg Pmt Issued	Cert of Occ issued	Facility Tax Use	Services Tax Use	FY 2011-12	FY 2011-12
						Facilities Tax	Services Tax
8009-004-093	A			UND	UND	\$0.00	\$0.00
8009-004-094	A			UND	UND	\$0.00	\$0.00
8009-004-095	A			UND	UND	\$0.00	\$0.00
8009-004-096	A			UND	UND	\$0.00	\$0.00
8009-004-097	A			UND	UND	\$0.00	\$0.00
8009-004-098	A			UND	UND	\$0.00	\$0.00
8009-004-099	A			UND	UND	\$0.00	\$0.00
8009-004-100	A			UND	UND	\$0.00	\$0.00
8009-004-101	A			UND	UND	\$0.00	\$0.00
8009-004-102	A			UND	UND	\$0.00	\$0.00
8009-004-103	A			UND	UND	\$0.00	\$0.00
8009-004-104	A			UND	UND	\$0.00	\$0.00
8009-004-105	A			UND	UND	\$0.00	\$0.00
8009-004-106	A			UND	UND	\$0.00	\$0.00
8009-004-107	A			UND	UND	\$0.00	\$0.00
8009-004-108	A	06/10/10	11/04/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-109	A	06/10/10	01/10/11	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-110	A	06/10/10	11/04/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-111	A	06/10/10	11/04/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-112	A	06/10/10	11/04/10	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-113	A	06/10/10	01/10/11	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-114	A	06/10/10	01/10/11	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-115	A	06/10/10	01/10/11	RES-DET	RES-DET	\$1,238.00	\$1,366.54
8009-004-120	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-121	A			UND	UND	\$0.00	\$0.00
8009-004-122	A			UND	UND	\$0.00	\$0.00
8009-004-123	A			UND	UND	\$0.00	\$0.00
8009-004-124	A			UND	UND	\$0.00	\$0.00
8009-004-125	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-004-126	A	05/04/11		UND	UND	\$0.00	\$0.00
8009-005-058	A			UND	UND	\$0.00	\$0.00
8009-005-059	A			UND	UND	\$0.00	\$0.00
8009-005-060	A			UND	UND	\$0.00	\$0.00
8009-005-061	A			UND	UND	\$0.00	\$0.00
8009-005-062	A			UND	UND	\$0.00	\$0.00
8009-005-063	A			UND	UND	\$0.00	\$0.00
8009-005-064	A			UND	UND	\$0.00	\$0.00
8009-005-065	A			UND	UND	\$0.00	\$0.00
8009-005-066	A			UND	UND	\$0.00	\$0.00
8009-005-067	A			UND	UND	\$0.00	\$0.00
						\$96,391.00	\$60,127.76

RES-ATT = Attached Residential RES-DET = Detached Residential UND = Undeveloped





City of Santa Fe Springs

City Council Meeting

December 20, 2012

ORDINANCE FOR PASSAGE

Ordinance No. 1037 – Amending Section 93.24 (Q) of the City Code Relating to Fireworks

RECOMMENDATION

That the City Council waive further reading and adopt Ordinance No. 1037, an ordinance amending Section 93.24 (Q) of the City Code relating to fireworks.

BACKGROUND

Ordinance No. 1037, an ordinance that amends the City Code as it relates to the sale of safe and sane fireworks.

The following change to the code section noted below is recommended:

City Code Section 93.24 (Q) currently lists all unsold fireworks and litter at any fireworks stand shall be removed from the City by 12:30 a.m. on July 5 of given year of sales. The proposed revisions, noted in bold, recommend that the time be changed to 5:00 p.m.

Thaddeus McCormack
City Manager

Attachment:

Ordinance No. 1037

ORDINANCE NO. 1037

**AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS AMENDING
THE CITY CODE RELATING TO FIREWORKS**

THE CITY CODE IS HEREBY AMENDED AS FOLLOWS:

Section 93.24 (Q) of the City Code is hereby superseded by the following:

93.24 Operation of Stand – Regulations.

Any permitted fireworks stand shall be operated in accordance with the following terms, conditions, rules, and regulations:

(Q)All unsold fireworks and accompanying litter at any fireworks stand shall be removed from the stand and from the City by **5:00 P.M.** on the 5th day of July of each calendar year.

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 93, 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) places in the City, such posting to be completed not later than fifteen (15) days after passage thereof.

PASSED, APPROVED and ADOPTED THIS 20th day of December, 2012, by the following called vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

DEPUTY CITY CLERK



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

FY 2011-12 Preliminary Financial Year-End Review and FY 2013-14 Budget Preparation

RECOMMENDATION

That the City Council receive and file this report.

BACKGROUND

As part of the City's fiscal year-end procedures, Staff produces an "unaudited" recap of the City's actual General Fund revenues and operating expenditures compared to the final estimated budget for the year. While the figures are not the final audited results, the recap is instrumental in helping Staff assess prior year expenditures and incorporate their experience into future budget estimates.

Staff expects to provide audited figures as part of the Comprehensive Annual Financial Report (CAFR) to the City Council in the month of February. The dissolution of redevelopment and the resulting financial audits & reports have delayed the City's ability to conduct the regular annual audit review as normally provided.

Final "Actual vs. Budget" Information

Although the fiscal year comes to a close on June 30, all corresponding revenue and expenditure information is typically not fully available until September. There is an inherent delay in receiving various revenues and invoices for payment for the recently-concluded fiscal year, some of which come from the State or County.

Please find attached a revenue and expenditure summary illustrating a comparison between budgeted and actual amounts. The information is quite positive with year-end revenues and expenditures comparing very favorably with the budget. Revenues are slightly higher than anticipated and expenditures are lower than budgeted. Please note that only operating expenditures are shown and not capital or non-recurring outlays. Those amounts will be presented later along with the CAFR. Given the unpredictable results of the post-redevelopment wind down, Staff will be recommending setting aside contingency amounts in the event that the State determines that the City must remit additional funds back to the State.

Following is a brief narrative describing some of the key components:

Revenues

Again, General Fund revenues were stronger than anticipated. At \$40.3 million, they exceeded the budget estimate by about \$1.5 million (3.9%). Sales Tax



City of Santa Fe Springs

City Council Meeting

December 20, 2012

revenues generated approximately \$22.9 million or 7.6% more than budgeted, while the Utility User's Tax (UUT) revenues produced \$4.3 million or about \$43,000 more than anticipated in the budget. The year also included a higher than usual amount of one-time revenue (\$3.3 million) resulting from a lawsuit settlement, State Board of Equalization sales tax ruling, and a prior year refund.

Operating Expenditures

Overall, operating department expenditures were \$32.8 million or about \$1.9 million (5.4%) less than budgeted. There are two primary reasons for this: personnel vacancy savings and applied revenue actual amounts largely exceeded estimates. There were four areas where net expenditures (gross expenditures minus departmental applied revenues) exceeded the budgeted amount. General Government experienced an overage of \$22,339 resulting from higher than anticipated attorney fees in addressing medical marijuana dispensaries. Public Works Engineering (PWE) and Family Human Services (FHS) experienced modest variances in development fee revenue receipts and participant fees, respectively. Lastly, Overhead Recovery was lower than expected as base expenditures in multiple funds which are used to calculate this amount were lower than expected as well.

Budget Monitoring and FY 2013-14 Budget Preparation

The expenditure review process is closely interconnected with the budget preparation and oversight process. It is a year-round task that departments have come to understand and appreciate. In January, the Council will be receiving a Budget summary for the first half of FY2012-13.

Staff is currently setting its sights on the preparation of the FY 2013-14 Budget. One of the first steps is developing implementation plans and benchmarks based on the core strategies previously identified by the City Council. Staff will be working closely with the Council budget subcommittees in integrating and aligning organizational priorities with resource allocation.

FY 2013-14 Budget Calendar

Last year the City Council approved a Budget Milestone Calendar that incorporated more Council input, sooner along in the process, than had been the case in year's past. This year, I am recommending adding an additional public meeting on the budget earlier in the process. This would be achieved by holding a "Town Hall" style meeting in February. The meeting would be outside of a Council meeting and would, hopefully, provide greater opportunity for public input on the process.

With the inclusion of the February meeting, the Budget Milestone Calendar is as follows:



City of Santa Fe Springs

City Council Meeting

December 20, 2012

BUDGET CALENDAR

January

City Council Goal/Priority Setting Session
Distribution of Budget Guidelines

February

Mid-Year Budget Review
Depts. Work on Revenue Projections/Service Needs
Town Hall Meeting on Budget

March

City Manager Solicits Input from Advisory Committees
City Council Sets/Reconfirms Budget Priorities

April

Depts. Refine Rev/Expenditure Projections
Council Sub-Committees Meet

May

Community Meeting on Budget Issues
Depts. Meet with City Manager
Preliminary Budget Presented to Council

June

Council Sub-Committees Reconvene
Council Budget Study Session
Adoption of Budgets

Thaddeus McCormack
City Manager

Attachment:

FY 2011-12 Budget to Actual Summary

Preliminary FY 2011-12 Budget to Actual Summary (General Fund)

Revenues

Type	Final Budget	Actual	Variance Favorable / (Unfavorable)	
			\$	%
Sales Tax	21,259,000	22,868,333	1,609,333	7.6%
Utility Users Tax	4,300,000	4,342,780	42,780	1.0%
Franchise Tax	2,498,000	2,499,668	1,668	0.1%
Property Tax	1,772,000	1,788,131	16,131	0.9%
Motor Vehicle In Lieu Tax	1,510,000	1,519,877	9,877	0.7%
Other Taxes	1,435,000	1,324,495	(110,505)	-7.7%
Other Revenue *	6,037,000	5,969,335	(67,665)	-1.1%
Total Revenues	38,811,000	40,312,619	1,501,619	3.9%

Expenditures (Operating Departments)

Department/Activity	Final Budget	Actual	Variance Favorable / (Unfavorable)	
			\$	%
General Government	\$ 1,853,300	\$ 1,875,639	\$ (22,339)	-1.2%
Finance and Admin Svcs.	2,505,000	2,409,586	95,414	3.8%
Police	8,936,000	8,692,306	243,694	2.7%
Fire-Rescue	15,621,700	14,577,993	1,043,707	6.7%
Planning and Development	(426,300)	(738,596)	312,296	73.3%
Public Works				
Engineering	233,700	285,700	(52,000)	-22.3%
Maintenance	5,263,200	4,882,326	380,874	7.2%
Subtotal	5,496,900	5,168,026	328,874	6.0%
Community Services				
Parks and Recreation	1,767,100	1,638,954	128,146	7.3%
Library & Cultural Services	1,618,200	1,551,130	67,070	4.1%
Family & Human Services	993,500	1,043,409	(49,909)	-5.0%
Subtotal	4,378,800	4,233,493	145,307	3.3%
Overhead Recovery **	(3,710,300)	(3,436,008)	(274,292)	-7.4%
Total Operating Exp.	\$ 34,655,100	\$ 32,782,439	\$ 1,872,661	5.4%

* Includes approx. \$3.3 Million in one-time revenues from Ameron Lawsuit, Fillmore Sales Tax Revenue, and WPD surplus funds

** In the budget document, overhead recovery is included within the Finance & Admin. Services Dept.



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Resolutions No. 9398 and 9399 - City Council Electing to Receive Its Share of the Tax Increment Pass-Through for Amendment No. 4 to the Amended Consolidated Project Area and Amendment No. 2 to the Washington Boulevard Project Area

RECOMMENDATION

That the City Council take the following actions:

1. Approve and adopt Resolution No. 9398 electing to receive its share of the tax increment pass-through for Amendment No. 4 to the Amended Consolidated Project Area; and
2. Approve and adopt Resolution No. 9399 electing to receive its share of the tax increment pass-through for Amendment No. 2 to the Washington Boulevard Project Area.

BACKGROUND

The City is eligible to receive a portion of "pass-through" revenues derived from recent-year amendments to two redevelopment projects within the City. As a result, the Los Angeles County Auditor-Controller Department advised Staff that formal action is required by the City Council to ensure that the City receives its share of the first 25% tax increment pass-through for Amendment No. 4 to the Amended Consolidated Project Area and Amendment No. 2 to the Washington Boulevard Project Area. Adoption of attached Resolutions No. 9398 and No. 9399 are intended to meet this requirement.

FISCAL IMPACT

There is no current year revenue impact and potentially only minimal revenue in the near future. The City has been informed by its tax revenue consultant, MuniServices, that the project areas have not increased in value and therefore do not currently produce tax increment.

A handwritten signature in black ink, appearing to read "Thaddeus McCormack".

Thaddeus McCormack
City Manager

Attachments:

Resolution No. 9398

Resolution No. 9399

Report Submitted By:

Jose Gomez

Finance and Administrative Services

Date of Report: December 14, 2012

RESOLUTION NO. 9398

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA, MAKING AN ELECTION TO RECEIVE PAYMENTS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33607.5 (b) FOR AMENDMENT NO. 4 TO THE AMENDED CONSOLIDATED REDEVELOPMENT PROJECT AREA

WHEREAS, the City Council of the City of Santa Fe Springs ("Agency") has prepared an amendment to the redevelopment plan (the "Redevelopment Plan") for the Amended Consolidated Redevelopment Project Area Amendment No. 4 to eliminate the time limit on incurring indebtedness; and

WHEREAS, Section 33333.6 (e)(2) of the Health and Safety Code provides that if an Agency amends the redevelopment plan to eliminate the time limit on incurring indebtedness, then the Los Angeles County Auditor-Controller shall make the payment to affected taxing entities required by Section 33607.7; and

WHEREAS, Section 33607.7 of the Health and Safety Code provides that if the Agency amends the redevelopment plan to eliminate the time limit on incurring indebtedness, and no pass through agreement exists, the amounts required pursuant to subdivisions (b), (c) (d) and (e) of Section 33607.5 must be paid to each affected taxing entity, including the Agency, if the Agency elects to receive such tax increments; and

WHEREAS, the City of Santa Fe Springs is an affected taxing entity under Section 33607.5;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS RESOLVES AS FOLLOWS:

Section 1. Pursuant to Health and Safety Code Sections 33333.6 (e)(2) and 33607.5, the City Council hereby elects to receive its share of the twenty-five percent (25%) tax increment pass-through payment authorized by Health and Safety Code Section 33607.5(b) commencing with the first fiscal year the Los Angeles County Auditor-Controller is required to make such payments to the affected taxing entities and continuing each year thereafter.

Section 2. That the Mayor shall sign and the Deputy City Clerk shall certify to the passage and adoption of this Resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED, AND ADOPTED this 20TH day of December, 2012.

Mayor
City of Santa Fe Springs

ATTEST:

Deputy City Clerk, City of Santa Fe Springs

APPROVED AS TO FORM:

City Attorney, City of Santa Fe Springs

I, Anita Jimenez, Deputy City Clerk of the City of Santa Fe Springs, County of Los Angeles, State of California hereby certify that the foregoing Resolution No. 9398 was regularly adopted by the City Council of the City of Santa Fe Springs at a regular meeting of said council held on the 20th day of December, 2012 by the following vote:

YES:

NOES:

ABSTAINED:

ABSENT:

Deputy City Clerk of the City of Santa Fe Springs

RESOLUTION NO. 9399

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA MAKING AN ELECTION TO RECEIVE PAYMENTS PURSUANT TO HEALTH AND SAFETY CODE SECTION 33607.5 (b) FOR AMENDMENT NO. 2 TO THE WASHINGTON BOULEVARD REDEVELOPMENT PROJECT AREA

WHEREAS, the City Council of the City of Santa Fe Springs ("Agency") has prepared an amendment to the redevelopment plan (the "Redevelopment Plan") for Amendment No. 2 to the Washington Boulevard Redevelopment Project Area to eliminate the time limit on incurring indebtedness; and

WHEREAS, Section 33333.6 (e)(2) of the Health and Safety Code provides that if an Agency amends the redevelopment plan to eliminate the time limit on incurring indebtedness, then the Los Angeles County Auditor-Controller shall make the payment to affected taxing entities required by Section 33607.7; and

WHEREAS, Section 33607.7 of the Health and Safety Code provides that if the Agency amends the redevelopment plan to eliminate the time limit on incurring indebtedness, and no pass through agreement exists, the amounts required pursuant to subdivisions (b), (c) (d) and (e) of Section 33607.5 must be paid to each affected taxing entity, including the Agency, if the Agency elects to receive such tax increments; and

WHEREAS, the City of Santa Fe Springs is an affected taxing entity under Section 33607.5;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS RESOLVES AS FOLLOWS:

Section 1. Pursuant to Health and Safety Code Sections 33333.6 (e)(2) and 33607.5, the City Council hereby elects to receive its share of the twenty-five percent (25%) tax increment pass-through payment authorized by Health and Safety Code Section 33607.5(b) commencing with the first fiscal year the Los Angeles County Auditor-Controller is required to make such payments to the affected taxing entities and continuing each year thereafter.

Section 2. That the Mayor shall sign and the Deputy City Clerk shall certify to the passage and adoption of this Resolution and thereupon the same shall take effect and be in force.

PASSED, APPROVED, AND ADOPTED this 20TH day of December, 2012.

Mayor
City of Santa Fe Springs

ATTEST:

Deputy City Clerk, City of Santa Fe Springs

APPROVED AS TO FORM:

City Attorney, City of Santa Fe Springs

I, Anita Jimenez, Deputy City Clerk of the City of Santa Fe Springs, County of Los Angeles, State of California hereby certify that the foregoing Resolution No. 9399 was regularly adopted by the City Council of the City of Santa Fe Springs at a regular meeting of said council held on the 20th day of December, 2012 by the following vote:

YES:

NOES:

ABSTAINED:

ABSENT:

Deputy City Clerk of the City of Santa Fe Springs



NEW BUSINESS

Award of Contract to Provide Services for the Preparation of the 2013-2021 Housing Element Update

RECOMMENDATIONS:

That the City Council take the following actions:

1. Award a contract to Karen Warner Associates in the amount of \$49,682.00 to prepare the 2013-2021 Housing Element Update.
2. Authorize the Director of Planning to execute the agreement with Karen Warner Associates to prepare the 2013-2021 Housing Element Update.

BACKGROUND

The City of Santa Fe Springs is preparing to update its current 2008-2014 Housing Element for the 2013-2021 period, as mandated by State Law. If the Housing Element is not approved by the City Council by October 2013, the Housing Element will only be valid for four (4) years instead of eight (8) years. Therefore, it is in the City's interest to endeavor to approve the Housing Element by October 2013, to both avoid unnecessarily incurring costs to update the Element in 4 years, as well as to gain the planning-stability of knowing the expectations and goals that the California Department of Housing and Community Development (HCD) sets forth for the City won't change for a longer period of time; eight years as opposed to four. In addition to the timing implications mentioned above, there are three primary consequences for not obtaining HCD approval:

- In any action taken to challenge the validity of a Housing Element, there is a rebuttable presumption of validity of the element if HCD has found that the element or amendment substantially complies with the requirement of Housing Law;
- Various grants and loans offered through the State of California are only available to those communities which either have an HCD-certified Housing Element or do not otherwise have impediments to the production of affordable housing; and,
- Unified regional housing needs from previous Housing Element cycle resulting from the failure to provide adequate sites must be addressed in the first year of the next planning period in addition to all new housing needs that are assigned to that particular jurisdiction.


Staff solicited Request for Proposals (RFP) to update the City Housing Element from three (3) firms: Karen Warner Associates (KW), Veronica Tam and Associates, and The Planning Center. All three (3) firms provided proposals.

A three-member evaluation team subsequently interviewed all three firms. The interview committee consisted of Wayne M. Morrell, Director of Housing; Teresa Cavallo, Program Planning Assistant; and Jessica Serrano, Senior Planner for the City of Norwalk. The firms were evaluated on project-specific criteria, such as the firm's understanding of the work to be done, experience with similar kinds of work, and familiarity with regional and local issues. The highest point values were given to the firms' approach, experience with similar projects, and familiarity with regional and local issues. After evaluating the proposals and the interviews, the evaluation committee recommended Karen Warner Associates (KW) as the most qualified firm for the project. KW is a member of the American Planning Association (APA) legislative review team, has an extremely good working relationship with staff at HCD, was creative in her approach, and was aware that the City had not re-zoned several properties to meet prior Regional Housing Needs Assessment (RHNA), nor amended its Code to include emergency shelters. She also offered options to address these issues.

Attached is a summary of the evaluation committee's ranking of the firms. As shown, KW was the highest rank firm. The proposals submitted to the City for all three firms and the evaluation and interview score sheets are on file in the Department of Planning.

FISCAL IMPACT

Preparation of the Housing Element update is a State-mandated activity and the amount of \$50,000 for the Housing Element update was appropriated in the 2012-20123 Fiscal Year budget.



Thaddeus McCormack
City Manager

Attachments:

1. Short Form Professional Services Agreement (Contract)
2. Proposal from Karen Warner Associates for updating the Santa Fe Springs Housing Element for the 2013-2021 Period
3. Summary of Evaluation-Ranking of Firms

**CITY OF SANTA FE SPRINGS
SHORT FORM PROFESSIONAL SERVICES AGREEMENT**

THIS AGREEMENT, made and entered into this _____ day of _____, 2012 by and between the CITY OF SANTA FE SPRINGS (CITY), and Karen Warner Associates, Inc., (CONTRACTOR) is entered into in consideration of the mutual covenants and promises contained herein. The Parties do mutually agree as follows:

1. CONTRACTOR will provide services (SERVICES) as outlined in "Exhibit A" and shall organize, supervise, prepare and complete said SERVICES as set forth therein.
2. The term of this Agreement shall commence on _____ and end on December 31, 2013, unless the SERVICES are sooner completed or terminated as provided herein.
3. Subject to any limitations set forth in this Agreement, CITY agrees to pay CONTRACTOR the amounts specified in "Exhibit A" and made part of this Agreement. The total compensation, including reimbursement for actual expenses, shall not exceed fifty thousand dollars (\$50,000), unless previously approved in writing by the CITY. Such compensation shall become payable on a periodic time schedule as approved and agreed to by CITY and the CONTRACTOR.
4. CONTRACTOR hereby acknowledges that obtaining a CITY business license may be required to perform the SERVICES specified in this Agreement.
5. The parties hereto acknowledge and agree that the relationship between CITY and CONTRACTOR is one of principal and independent contractor and no other. CONTRACTOR is solely responsible for all labor and expenses associated with the performance of the SERVICES. Nothing contained in the Agreement shall create or be construed as creating a partnership, joint venture, employment relationship, or any other relationship except as set forth between the parties. This includes, but is not limited to the application of the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provision of the Internal Revenue Code, the State Revenue and Taxation Code relating to income tax withholding at the source of income, the Workers' Compensation Insurance Code, 401(k) and other benefit payments and third party liability claims. CONTRACTOR specifically acknowledges that CITY is not required to, nor shall, provide Worker's Compensation Benefits Insurance for CONTRACTOR. Notwithstanding the above, CONTRACTOR hereby specifically waives any claims and/or demands for such benefits.
6. CONTRACTOR shall defend, indemnify, hold free and harmless the CITY and its appointed and elected officials, officers, employees and agents from and against any and all damages to property or injuries to or death of any person or persons, including attorney fees and shall defend, indemnify, save and hold harmless CITY and its appointed and elected officials, officers, employees and agents from any and all claims, demands, suits, actions or proceedings of any kind or nature, including but not by way of limitation, all civil claims, worker's' compensation claims, and all other claims resulting from or arising out of the acts, errors or omission of CONTRACTOR, whether intentional or negligent, in the performance of this Agreement.
7. CONTRACTOR will not be required to follow or establish a regular or daily work schedule. Any advice given to the CONTRACTOR regarding the accomplishment of SERVICES shall be considered a suggestion only, not an instruction. The CITY retains the right to inspect, stop, or alter the work of the CONTRACTOR to assure its conformity with this Agreement.
8. CONTRACTOR shall comply with CITY's Harassment Policy. CITY prohibits any and all harassment in any form.

9. CONTRACTOR shall obtain the following forms of insurance and provide City with copies therewith:

- a. Commercial General Liability Insurance with minimum limits of one million dollars (\$1,000,000) per occurrence and,
- b. Automobile Insurance covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$500,000 combined single limit per accident. Such automobile insurance shall include all vehicles used, whether or not owned by CONTRACTOR.
- c. CONTRACTOR shall comply with Workers' Compensation insurance laws of California.

CONTRACTOR shall maintain the required insurances throughout the term of the contract, and shall have insurance agent send Certificate of Insurance to CITY, with CITY named as additional insured. A 30 day notice of cancellation is required.

10. This Agreement may be terminated by either party for any reason at any time by providing written notice of such termination to the other party.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by and through their respective authorized officers, as of the date first above written.

CONTRACTOR signature Date

Name (Print): Karen A. Warner, AICP

Title: President

Company Name: Karen Warner Associates, Inc.

Corporation X Sole Proprietor Partnership LLC

SSN or Tax ID#: 26-2942056

Address: 882 N. Holliston Avenue

City, State, Zip: Pasadena, CA 91104

Telephone: 626-791-5596

City Manager Date

Department Head signature Date

City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670
(562) 868-0511

EXHIBIT A
SANTA FE SPRINGS 2013-2021 HOUSING ELEMENT UPDATE
KWA PROJECT SCOPE, SCHEDULE and BUDGET

SCOPE OF WORK

One of the objectives in updating Santa Fe Springs Housing Element is to evaluate current housing needs and market conditions, constraints and resources, and to assess the effectiveness of the City's current housing programs in addressing these housing issues. The following section describes the Element's major components, and how these components build upon one another to establish a comprehensive housing strategy for the City.

TASK 1. INTRODUCTION

The introductory chapter to the Element sets the stage by describing the purpose of the Housing Element in lay terms and establishes the community's housing context. The Introduction also includes a summary of key housing issues; establishes the Housing Element's relationship with the balance of the General Plan; and describes the public participation process.

TASK 2. EVALUATION OF ACCOMPLISHMENTS UNDER ADOPTED ELEMENT

In order to develop appropriate programs to address the community's housing needs, KWA will work with City staff to determine the achievements under adopted housing programs in the 2008-2014 Santa Fe Springs Housing Element, and evaluate the effectiveness of these programs in delivering housing services. This evaluation will include a description of the City's track record in producing new affordable housing during the prior planning period, and a comparison of both market rate and assisted housing production with the City's identified regional housing growth needs (RHNA).

The following are among several key program actions to be reviewed:

- ✓ Villa Verde Affordable Rental Rehabilitation Program
- ✓ Preservation of other at-risk projects
- ✓ HARP program activities
- ✓ Status of identified sites for rezoning
- ✓ Zoning ordinance revisions to address SB 2
- ✓ Establishment of reasonable accommodation procedures

The Review of Accomplishments will specifically document the City's compliance with SB 2, AB 1233, and SB 438 through implementation of actions identified in the Element.

TASK 3. HOUSING NEEDS ASSESSMENT/RHNA

This section of the Housing Element provides a comprehensive analysis of the City's existing and projected housing needs, and serves as a guide for focusing Housing Element policies and programs in response to these needs. The Needs Assessment encompasses an analysis of the following:

- ✓ Population and household characteristics
- ✓ Housing stock characteristics
- ✓ Assisted housing at-risk of conversion to market rate
- ✓ Regional Housing Needs Assessment (RHNA)

Population and Household Characteristics. Data sources including the 2010 Census, the 2005-2009 American Community Survey, School District, and available local studies will be compiled and evaluated to derive the following demographic and household information:

- ✓ Current population and population growth trends for City and comparable communities.
- ✓ Population characteristics including age distribution and race/ethnicity, and demographic shifts over past 2 decades.
- ✓ Current and projected employment in Santa Fe Springs.
- ✓ Household characteristics including household type, tenure and size, overcrowding/severe overcrowding by tenure and geographic concentration, and housing overpayment/severe overpayment for owners and renters.
- ✓ Household income for City in comparison to the region and other comparable communities, income differences within the City, identification of persons living in poverty.
- ✓ Special needs populations - including seniors, large families, disabled, single-parent households, homeless. Pursuant SB 812, the needs of persons with developmental disabilities will also be analyzed. Analysis of the income and tenure characteristics of these groups, and availability of specialized housing in Santa Fe Springs to meet their needs.

Housing Stock Characteristics. Information on the City's housing stock and current market characteristics will be obtained from a variety of published sources, including the 2010 Census, American Community Survey, internet rent surveys, DataQuick and Redevelopment market studies. The following information will be provided:

- ✓ Housing growth trends for Santa Fe Springs and similar communities.
- ✓ Housing unit mix and tenure, and geographic concentrations of rentals, including single-family rentals.
- ✓ Vacancy rates.
- ✓ Home ownership market analysis including comparison with surrounding communities, and detailed analysis of Citywide sales over past year (price, type of unit, location, age, time on market).
- ✓ Rental housing market analysis including analysis of City rents by unit type.
- ✓ Affordability analysis of City's owner and rental housing to very low, low and moderate income households

- ✓ Housing conditions analysis to assess the magnitude of units requiring rehabilitation or replacement in Santa Fe Springs.

Assisted Housing “At-Risk” of Conversion to Market Rate. Housing Element statutes require documentation and analysis of assisted low income rental projects at-risk of conversion to market rate over the ensuing ten year period (2013-2022). The 2008-2014 Housing Element evaluated three subsidized rental projects considered at-risk due to the uncertainty of continued Section 8 contracts (Pioneer Gardens, Silvercrest Residences, Villa Verde). Subsequent to adoption of the Housing Element, the CDC provided funds for the rehabilitation and long-term preservation of Villa Verde family apartments. The status of the two other at-risk projects will need to be confirmed and options for preservation evaluated, including:: a) assessment of level of risk; b) estimate of the costs of preserving units through transfer to non-profit ownership, provision of rental assistance, and purchase of affordability covenants; and c) estimate of the costs of replacing units. Within the Housing Program section of the Element, programs for preserving the at-risk units will be identified, along with specific quantified objectives for the City’s preservation goals.

Regional Housing Needs Assessment (RHNA). SCAG has adopted the following RHNA figures for Santa Fe Springs:

**City of Santa Fe Springs
RHNA 1/1/2014 – 9/30/2021**

Income Category	Households
Very Low	82
Low	50
Moderate	53
Above Moderate	139
Total	324

TASK 4. SITE AVAILABILITY

This section of the Element provides an inventory of vacant and underutilized parcels within Santa Fe Springs available for residential and mixed-use development during the 2013-2021 planning period.

Pursuant to AB 2348, the residential sites inventory must now contain a greater level of specificity to demonstrate development viability, including information on the following:

- ✓ Parcel-specific listing and map of sites
- ✓ Site size, General Plan and zoning designation
- ✓ Environmental and infrastructure constraints
- ✓ For non-vacant sites, existing use and site characteristics contributing to recycling potential (value and age of improvement, etc); development trends; regulatory incentives

Given the relatively limited areas in Santa Fe Springs suitable for housing, KWA will work closely with staff in identifying potential residential sites, beginning with an evaluation of the continued appropriateness of sites identified in the adopted Housing Element. Both short and long range development opportunities will be identified. To the extent necessary to

accommodate the City's RHNA, the initial sites inventory may encompass sites requiring rezoning for discussion with the City's decision-makers.

Santa Fe Springs was able to fulfill a portion of its lower income RHNA in its existing Housing Element through preservation and rehabilitation of 34 at-risk units in the Villa Verde family apartments as permitted under AB 438 (Residential Sites Alternatives). AB 1867 now expands options for receiving alternative sites credits to conversion of existing ownership units to affordable rentals. KWA will evaluate opportunities to utilize the various committed assistance options available under Housing Element statutes to fulfill a portion of Santa Fe Springs's RHNA requirements.

KWA will coordinate with City GIS staff to prepare residential site maps for inclusion in the element, as well as for use in the public meetings.

TASK 5. POTENTIAL HOUSING CONSTRAINTS

The constraints section of the Element encompasses both governmental and non-governmental constraints upon the maintenance, improvement or development of housing. Non-governmental constraints include: market mechanisms (land and construction costs, availability of financing); infrastructure, and environmental constraints. Potential governmental constraints are evaluated in detail, and include an analysis of the following: General Plan land use designations; residential and mixed use development standards; zoning provisions for a variety of housing types; planning and zoning regulations for persons with disabilities; on- and off-site improvements; building codes and related code enforcement; fees and exactions; and processing and permit procedures. Various affordable housing incentives offered by the City, such as flexible development standards, density bonuses, fast track processing, reduced fees, etc. will also be evaluated.

TASK 6. HOUSING RESOURCES

This section of the Element presents the primary local, County, State, federal, and private funding resources available to support Santa Fe Springs's housing program, including information on program parameters. The status of the Santa Fe Springs Redevelopment Agency will be discussed, and remaining redevelopment set-aside funds projected to be available through the planning period. Administrative resources – public and non-profit agencies involved in local housing activities – are described. Within the context of energy conservation resources, green building and policies for environmental sustainability in Santa Fe Springs will be presented.

TASK 7. HOUSING PLAN

The Housing Plan section of the Element sets forth the City's goals, policies and objectives with respect to housing, and establishes a comprehensive program strategy with specific program actions.

Policies and programs will initially be based on the City's current practices, and augmented and refined in response to the community's identified housing needs, constraints and resources; and in response to public and decision-maker input. KWA will develop detailed programmatic descriptions for any new programs being proposed, including identification of interim steps necessary to initiate the program, potential funding sources, and timeframe for program implementation.

The Housing Plan will include a program summary chart, which specifies the following for each program: program objective, funding source, responsible agency and implementation time frame. This chart can then be used to track program implementation, and can serve as the basis for the City's annual report to the State Department of Housing and Community Development (HCD).

TASK 8. DRAFT HOUSING ELEMENT/HCD REVIEW

All the prior tasks will be integrated into a comprehensive draft Housing Element for staff review. Upon receipt of staff comments on the initial draft document, KWA will prepare a revised draft Element for presentation before the City's decision-makers. Any necessary revisions will be made based on decision-maker input, and a public review draft Element will be prepared for submittal to the State to initiate their 60-day review period. The Element will be formatted with text, tables and graphics suitable for posting on the City's website.

KWA will serve as the City's liaison with State HCD during review of the draft Element. Once the HCD reviewer has been assigned for Santa Fe Springs, KWA will schedule a conference call along with City staff to discuss any concerns the State may have with the Element. Upon receipt of HCD's official written comments on the draft, KWA will coordinate with staff in developing any necessary changes and will advise staff as to whether a second round of HCD review is recommended. KWA's fixed fee project budget includes up to two rounds of review with HCD, with additional review after the 2nd letter on the draft Element to be charged on a time and materials basis.

To the extent there continue to be outstanding policy issues raised by the State, KWA will prepare a memo identifying options and recommendations to achieve HCD compliance for presentation to the City's decision-makers at the public hearings.

TASK 9. FINAL ADOPTED HOUSING ELEMENT/SUBMITTAL TO HCD

Following adoption by the City Council, KWA will prepare the final Santa Fe Springs Housing Element to reflect revisions directed by the City Council. Public input received on the Draft Housing Element will also be summarized.

KWA will draft a letter for submittal of the adopted Element to HCD, identifying any changes made in the Element since the State's prior review.

TASK 10. PUBLIC PARTICIPATION

Based on discussions with staff, we anticipate public involvement in the update to the Housing Element to take the form of study sessions and public hearings before the Planning Commission and City Council.

Public study sessions before the Planning Commission and City Council provide the City's decision-makers an opportunity to provide policy-direction early in the process prior to finalization of the draft Housing Element. KWA will present the City's decision-makers with a summary of the Element's housing needs, policies and programs, prepared both as a handout and as a PowerPoint presentation. Study sessions are noticed to the public, and housing stakeholders directly notified to solicit input regarding the City's options and potential resources available to address key needs.

As part of the **public hearings** before Planning Commission and City Council on the Element, KWA will assist staff in presentation of the Element, and as necessary, discuss any outstanding policy issues and work with the City's decision-makers towards resolution. Should the City have certain policies they are unwilling to change to achieve HCD approval, KWA can assist the City in preparing written findings to be included in the resolution of adoption.

TASK 11. CEQA COMPLIANCE

The City has several options for environmental clearance on the Housing Element, with a Negative Declaration most commonly prepared for CEQA clearance. However, should significant land use changes be proposed in Santa Fe Springs, a mitigated Negative Declaration or EIR would be necessary.

For purposes of budgeting, we have included the cost for preparation of a Negative Declaration, with a new scope of services and cost estimate to be prepared if, upon completion of the Draft Housing Element, a determination is made to prepare an MND or EIR.

The scope for preparation of the Negative Declaration is as follows. KWA will begin by reviewing baseline environmental documents to gain an understanding of local environmental issues. We will then prepare a draft Initial Study/Negative Declaration including a thorough explanation of findings for all impact categories. We will prepare the Notice of Availability and Notice of Determination, and will develop a distribution list with input by City staff. While the project budget assumes the City will maintain responsibility for posting, distribution, and publication requirements, KWA can provide these services as appropriate.

4. PROJECT DELIVERABLES

The following products are included within our scope of services. All final products and PowerPoint presentations will be provided to the City on computer disk/CD.

Community Outreach Program

- ✓ Planning Commission/City Council Study Session Materials (15 copies)
- ✓ Planning Commission/City Council Public Hearing Materials (15 copies)

Housing Element

- ✓ Screencheck Draft Housing Element (3 copies)
- ✓ PC/CC Draft Housing Element (15 copies)
- ✓ HCD Review Draft Housing Element (5 copies, plus one reproducible).
- ✓ Memo identifying changes to Draft Element in response to HCD (*as necessary*)
- ✓ Final approved Housing Element (5 copies, plus one reproducible)

CEQA Documentation

- ✓ Screencheck Initial Study/Negative Declaration (3 copies)
- ✓ Public Review Draft Initial Study/Negative Declaration (5 copies, plus one reproducible).

PROJECT SCHEDULE

The following presents a preliminary project schedule for the Santa Fe Springs Housing Element, subject to refinement based on discussions with staff. KWA has an excellent reputation for keeping projects on track, and offers the full commitment of staff throughout the project to ensure a successful program.

- | | |
|--|------------------|
| 1. Project Kick-off | January 2013 |
| 2. Study Sessions before Planning Commission and City Council | March |
| 3. Screen Draft Housing Element | April |
| 4. Public Review Draft Element
HCD 60 day review of Draft Element | May
June-July |
| 5. CEQA
Determine Scope
Negative Declaration/30 day circulation | May
June-July |
| 6. Public Hearing Draft Element
Planning Commission/City Council Public Hearings
Submittal of Adopted Element to HCD | August - October |

PROJECT BUDGET

The budget on the following page is KWA's estimate of the time and costs required to complete the Scope of Services outlined in our proposal for the Santa Fe Springs 2013-2021 Housing Element Update. Costs are identified by individual staff members by indicating the number of hours for each phase of the work program multiplied by hourly billing rates.

KWA will be responsible for all data compilation and will limit reliance on staff to provision of available documents and input on progress under the adopted Housing Element. We will, however, expect to coordinate with staff during key aspects of the Housing Element program, such as during preparation of the sites inventory, development of Housing Element strategies, preparation for the stakeholders workshop, public study sessions and hearings, and in review of draft documents.

The costs for CEQA compliance are based upon preparation of a Negative Declaration. Should a Mitigated Negative Declaration or an EIR be required, or a Finding of Conformity with a Prior Environmental document, a separate scope of work and cost estimate would be prepared. KWA will maintain responsibility for preparing the Notice of Availability and Notice of Determination, with staff responsible for all posting, distribution and publication requirements.

The number of public meetings proposed includes two study sessions and two public hearings. The project budget identifies a cost per meeting, allowing the number of meetings and costs to be adjusted as necessary.

SANTA FE SPRINGS 2013-2021 HOUSING ELEMENT

PROJECT BUDGET 2013-2021 CITY OF SANTA FE SPRINGS HOUSING ELEMENT

Task	Staff Person	Warner	Mendez	Graphics	Processing	Word	TOTAL
	Hourly Rate	\$125 # hours	\$75 # hours	\$40 # hours	\$35 # hours		
1	Element Introduction	4					\$500
2	Review of Existing Housing Element	8	16				\$2,200
3	Housing Needs Assessment/RHNA	32	70	16	8		\$10,170
4	Site Availability	24	8	4			\$3,760
5	Potential Housing Constraints	16	12				\$2,900
6	Housing Resources	8	12				\$1,900
7	Housing Plan	32	40				\$7,000
8	Draft Housing Element/HCD Review	60	24	4	20		\$10,160
9	Final Housing Element/Submital to HCD	8	4	4	8		\$1,740
10	Public Participation						
	Council/Commission Study Sessions (2)	12	4	2			\$1,880
	Council/Commission Public Hearings(2)	12	4	1			\$1,840
11	CEQA Compliance	8	40	2	8		\$4,360
	Subtotal	224	234	33	44		\$48,410
	Direct Costs						
	Reproduction (30 Elements @ \$20 ea, 9 Neg Decs @ \$8 ea)						\$672
	Mileage/Postage/Miscellaneous						\$350
	DataQuik Purchase						\$250
	TOTAL						\$49,682

**CONSULTANT SERVICES
2012-2021 HOUSING ELEMENT UPDATE
SUMMARY SCORE SHEET**

PROPOSAL EVALUATIONS

NAME OF FIRM	OVERALL SCORE BY COMMITTEE				TOTAL DIVIDED BY 3 Max =100 (Round Up)
	A	B	C	TOTAL SCORE	
Karen Warner Associates	95	93	96	285	95
Veronica Tam and Associates	93	93	95	281	94
Planning Center	89	88	93	270	90

The evaluation criteria used for rating the proposals is as follows:

- * Understanding the Work to be Done.
- * Experience with Similar Kinds of Work.
- * Familiarity with City Issues
- * Ability to offer creative solutions.



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Rosecrans Avenue/Marquardt Avenue Grade Crossing – Award of Contract

RECOMMENDATION

That the City Council take the following actions:

1. Accept the bids; and
2. Award a contract to Hardy & Harper, Inc. of Santa Ana, California, in the amount of \$606,000.00

BACKGROUND

The City Council, at their meeting of October 25, 2012, authorized the City Engineer to advertise for construction bids. The Rosecrans Avenue/Marquardt Avenue intersection is ranked as the number two priority grade crossing in the State of California eligible for funding to construct a grade separation. This is due to the geometrics of the grade crossing, the past collision history, volume and speed of vehicular traffic on both Rosecrans Avenue and Marquardt Avenue and the frequency and speed of Burlington Northern Santa Fe Railway freight, Amtrak and Metrolink trains that traverse this grade crossing.

As there is no available funding at this time for construction of a grade separation at this location, Caltrans Division of Rail has secured \$2,361,000 of Section 130 Grade Crossing Improvement Program funding for modifications to the Rosecrans Avenue/Marquardt Avenue grade crossing. The purpose of the Section 130 Grade Crossing Program is to reduce the number and severity of highway collisions by eliminating hazards to vehicles and pedestrians at existing railroad crossings. The improvements projected for this location include installation of raised medians as well as installation and relocation of railroad/traffic signal equipment. There is no City match required for these funds in conjunction with this project.

Bids were opened on December 4, 2012 and a total of six (6) bids were received. Upon receiving bids, staff reviewed the proposals submitted to the City and has determined that all bid proposals are in compliance with the project specifications. The low bidder for the project was Hardy & Harper, Inc. of Santa Ana, California, in the amount of \$606,000.00. The following represents the bids received and the amount of each bid:

<u>Company Name</u>	<u>Bid Amount</u>
1. Hardy & Harper, Inc.	\$606,000.00
2. R.J. Noble Company	\$608,807.73
3. All American Asphalt	\$631,631.00

Report Submitted By: Noe Negrete, Director
Department of Public Works

Date of Report: December 12, 2012


	<u>Company Name</u>	<u>Bid Amount</u>
4.	Griffith Company	\$671,769.88
5.	Excel Paving Company	\$699,935.86
6.	Sully-Miller Contracting Company	\$790,407.04

The bid submitted by Hardy & Harper, Inc. is approximately 20% above the Engineer's Estimate of \$483,100.00.

The Department of Public Works has reviewed the bids and has determined the low bid submitted Hardy & Harper, Inc. to be satisfactory and responsive.

FISCAL IMPACT

There is no fiscal impact, as the project is fully funded by the Section 130 Grade Crossing Program and there is no requirement for a City match.



Thaddeus McCormack
City Manager

Attachment(s):

None

Report Submitted By: Noe Negrete, Director
Department of Public Works



Date of Report: December 12, 2012



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Norwalk/Santa Fe Springs Transportation Center Parking Lot Improvement Project Phase 2 - Approval to Defer Construction

RECOMMENDATION

That the City Council take the following actions:

1. Defer construction of Norwalk/Santa Fe Springs Transportation Center Parking Improvement Project Phase 2; and
2. Authorize the City Manager take the necessary action(s) to communicate with the granting agencies in accordance with funding guidelines.

BACKGROUND

The City Council authorized site acquisition and construction of approximately 250 parking spaces on the former Neville Chemical Company site adjacent to the Santa Fe Springs side of the Metrolink station platform (Parcel A). The City received a Federal Transportation Authority grant of \$1.2 million and a Metropolitan Transportation Authority grant of \$2 million for the project. This phase of the project is completed and parking is currently available to Metrolink patrons on the upper level parcel of the site.

The City recently received a FTA grant of \$975,000 and a Metro grant of \$2 million to construct an additional 200 parking spaces on the lower level parcel (Parcel B). Due to anticipation of increased operations and maintenance (O&M) costs of the additional parking spaces, staff is recommending that construction of Phase 2 be deferred and the project funding be returned to FTA and Metro. Work has not begun on Parcel B at this time.

FISCAL IMPACT

Currently the City's annual share for the Norwalk/Santa Fe Springs Transportation Center O&M costs is approximately \$100,000. Staff anticipates this cost to remain approximately the same if no additional parking capacity is constructed at this time.

Thaddeus McCormack
City Manager

Attachment(s):

None.

Report Submitted By: Noe Negrete, Director
Department of Public Works

Date of Report: December 13, 2012



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Carmenita Road/Painter Avenue Landscape Improvement Project – Approval of Cooperative Agreement with Los Angeles County

RECOMMENDATION

That the City Council take the following actions:

1. Appropriate \$104,000.00 from the Capital Improvement Plan Reserve Fund to the Carmenita Road/Painter Avenue Landscape Improvement Project;
2. Approve the Cooperative Agreement with the County of Los Angeles for the Carmenita Road/Painter Avenue Landscape Improvement Project; and
3. Authorize the Mayor to execute said agreement.

BACKGROUND

The County of Los Angeles (County) has prepared plans for landscaping and irrigation improvements to Carmenita Road and Painter Avenue from Lanning Drive to Lannet Avenue, which includes a portion of roadway within Santa Fe Springs' boundary. The project also includes raised median improvements and restoration of pavement striping and markings. Staff has reviewed the plans and concurs that the work is in compliance with the City's General Plan.

The County has prepared a Cooperative Agreement which provides for the County to perform preliminary engineering and administer the construction of the project with the City and County to finance their respective shares of the project cost. The City's portion of right-of-way is shown on the attached location map.

FISCAL IMPACT

Staff recommends appropriating \$104,000.00 to the Carmenita Road/Painter Avenue Landscape Improvement Project to cover the City's share of the project from the CIP Reserve Fund.

The estimated total project cost is \$1,691,000.00, with the City's share being \$208,000.00. The City will finance its share of the project by contributing fifty percent (50%) of its share \$104,000.00 from the CIP Reserve Fund. The remaining City share of \$104,000.00 will be funded by the County from the Highway-Through-Cities Fund.

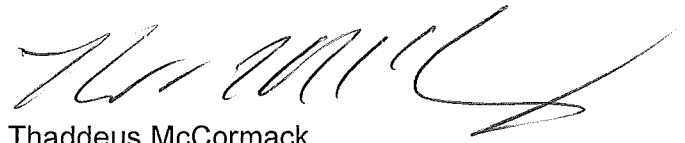
Report Submitted By: Noe Negrete, Director
Department of Public Works

A handwritten signature in dark ink, appearing to be "N. Negrete", is written over the printed name of the Director.

Date of Report: December 13, 2012

INFRASTRUCTURE IMPACT

This project will improve the service life and overall aesthetics of Carmenita Road/Painter Avenue within the given project limits.



Thaddeus McCormack
City Manager

Attachment(s):

Cooperative Agreement
Location Map

AGREEMENT

THIS AGREEMENT, made and entered into by and between the CITY OF SANTA FE SPRINGS, a municipal corporation in the County of Los Angeles (hereinafter referred to as CITY), and the COUNTY OF LOS ANGELES, a political subdivision of the State of California (hereinafter referred to as COUNTY):

WITNESSETH

WHEREAS, Carmenita Road and Painter Avenue are on the Highway Element of CITY'S General Plan and on COUNTY'S Highway Plan; and

WHEREAS, CITY and COUNTY propose to install landscaping and irrigation system and raised median improvements in the parkway and to restore pavement striping and markings on Carmenita Road/Painter Avenue from Lanning Drive to Lannett Avenue (which work is hereinafter referred to as PROJECT); and

WHEREAS, PROJECT is within the geographical boundaries of CITY and COUNTY; and

WHEREAS, COST OF PROJECT is currently estimated to be One Million Six Hundred Ninety-one Thousand and 00/100 Dollars (\$1,691,000.00) with COUNTY'S jurisdictional share being One Million Five Hundred Eighty-seven Thousand and 00/100 Dollars (\$1,587,000.00) and CITY'S jurisdictional share being Two Hundred Eight Thousand and 00/100 Dollars (\$208,000.00); and

WHEREAS, COUNTY is willing to finance its jurisdictional share of COST OF PROJECT for those portions of PROJECT within COUNTY JURISDICTION (as defined herein); and

WHEREAS, PROJECT is of general interest to CITY and COUNTY and thereby qualifies for the extension of COUNTY aid to CITY in the form of Highways-Through-Cities funds; and

WHEREAS, COUNTY is willing to contribute Highway-Through-Cities funds to finance 50 percent of CITY'S jurisdictional share of COST OF PROJECT, currently estimated to be One Hundred Four Thousand and 00/100 Dollars (\$104,000.00); and

WHEREAS, CITY is willing to finance its jurisdictional share of COST OF PROJECT, less COUNTY'S contribution of Highways-Through-Cities funds, currently estimated to be One Hundred Four Thousand and 00/100 Dollars (\$104,000.00); and

WHEREAS, COUNTY is willing to perform or cause to be performed the PRELIMINARY ENGINEERING and solicitation and award of construction contract for PROJECT and CONTRACT ADMINISTRATION for PROJECT; and

WHEREAS, COST OF PROJECT includes the costs of PRELIMINARY ENGINEERING, cost of CONSTRUCTION CONTRACT, and cost of CONSTRUCTION ADMINISTRATION as more fully set forth herein; and

WHEREAS, such a proposal is authorized and provided for by the provisions of Sections 6500 and 23004 et seq. of the Government Code and Sections 1685 and 1803 of the California Streets and Highways Code.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, it is hereby agreed as follows:

1) DEFINITIONS:

- a. JURISDICTION as referred to in this AGREEMENT shall be defined as the area within the geographical boundary of the CITY and the unincorporated areas of the COUNTY.
- b. PRELIMINARY ENGINEERING as referred to in this AGREEMENT shall consist of environmental findings and approvals; permits; design survey; soils report; traffic index and geometric investigation; preparation of plans, specifications, and cost estimates; right-of-way engineering; utility engineering; and all other necessary work prior to advertising of PROJECT for construction bids.
- c. COST OF CONSTRUCTION CONTRACT as referred to in this AGREEMENT shall consist of the total of all payments to the construction contractor(s) for PROJECT and the total of all payments to utility companies or contractor(s) for the relocation of facilities necessary for the construction of PROJECT.
- d. CONSTRUCTION ADMINISTRATION as referred to in this AGREEMENT shall consist of construction contract administration, construction inspection, materials testing, construction survey, traffic detour, signing and striping, construction engineering, utility relocation, changes and modifications of plans and specifications for PROJECT necessitated by unforeseen or unforeseeable field conditions encountered during construction of PROJECT, construction contingencies, and all other necessary work after advertising of PROJECT for construction bids to cause PROJECT to be constructed in accordance with said plans and specifications approved by CITY and COUNTY.
- e. COST OF PROJECT as referred to in this AGREEMENT shall consist of the COST OF CONSTRUCTION CONTRACT and costs of PRELIMINARY ENGINEERING, CONSTRUCTION ADMINISTRATION, right-of-way acquisition and clearance matters, and all other work necessary to construct PROJECT in accordance with the approved plans

and specifications and shall include currently effective percentages added to total salaries, wages, and equipment costs to cover overhead, administration, and depreciation in connection with any or all of the aforementioned items.

2) CITY AGREES:

- a. To finance 50 percent of CITY'S jurisdictional share of COST OF PROJECT, currently estimated to be One Hundred Four Thousand and 00/100 Dollars (\$104,000.00), the actual amount of which is to be determined by a final accounting pursuant to paragraph 4) a., below.
- b. To deposit with COUNTY, following the execution of this AGREEMENT and upon demand by COUNTY, sufficient funds to finance 50 percent of CITY'S jurisdictional share of COST OF PROJECT currently estimated to be One Hundred Four Thousand and 00/100 Dollars (\$104,000.00). Said demand will consist of a billing invoice prepared by COUNTY and delivered to CITY.
- c. That if CITY'S PAYMENT, as set forth in paragraph (2) b., above, is not delivered to COUNTY office, COUNTY may delay the award of PROJECT pending the receipt of CITY'S payment.
- d. To grant to COUNTY, at no cost to COUNTY, any temporary right of way that CITY owns or has an easement for that is necessary for the construction of PROJECT.
- e. Upon approval of construction plans for PROJECT, to issue a no-fee permit(s) authorizing COUNTY to construct those portions of PROJECT within CITY'S JURISDICTION.
- f. To appoint COUNTY as CITY'S attorney-in-fact for the purpose of representing CITY in all negotiations pertaining to the advertisement of PROJECT for construction bids, award, administration of the construction contract, and in all things necessary and proper to complete PROJECT.
- g. To cooperate with COUNTY in conducting negotiations with and, where appropriate, issue notices to public utility organizations and owners of substructure and overhead facilities regarding the relocation, removal, operation, and maintenance of all surface and underground utilities and facilities, structures, and transportation services that interfere with the proposed construction. Where utilities have been installed in CITY streets or on CITY property, CITY will provide the necessary right of way for the relocation of those utilities and facilities that interfere with the construction of PROJECT at no cost to COUNTY. Utility relocation costs for CITY-owned utilities shall be borne by CITY. CITY will take all necessary steps to grant, transfer, or assign all of CITY'S prior rights over the utility

companies and owners of substructure and overhead facilities to COUNTY when necessary to construct, complete, and maintain PROJECT or to appoint COUNTY as its attorney-in-fact to exercise such prior rights.

- h. To be financially responsible for disposal and/or mitigation measures, if required, should any hazardous materials, chemicals, or contaminants be encountered during construction of PROJECT within CITY'S JURISDICTION.
- i. Upon completion of PROJECT to maintain in good condition and at CITY expense all improvements constructed as part of PROJECT within CITY'S JURISDICTION.

3) COUNTY AGREES:

- a. To perform or cause to be performed the PRELIMINARY ENGINEERING, CONSTRUCTION ADMINISTRATION, right-of-way acquisition and clearance matters, and all other work necessary to complete PROJECT.
- b. To finance 50 percent of CITY'S jurisdictional share of COST OF PROJECT, currently estimated to be One Hundred Four Thousand and 00/100 Dollars (\$104,000.00).
- c. To finance COUNTY'S jurisdictional share of COST OF PROJECT. COUNTY'S actual share will be determined by a final accounting pursuant to paragraph 4) a., below.
- d. To obtain CITY'S approval of plans for PROJECT prior to soliciting for construction bids.
- e. To solicit PROJECT for construction bids, award and administer the construction contract, do all things necessary and proper to complete PROJECT, and act on behalf of CITY in all negotiations pertaining thereto.
- f. To be financially responsible for disposal and/or mitigation measures, if required, should any hazardous materials, chemicals, or contaminants be encountered during construction of PROJECT within COUNTY'S JURISDICTION.
- g. To furnish CITY within one hundred eighty (180) calendar days after project completion a final accounting of the actual COST OF PROJECT, including an itemization of actual unit costs and actual quantities for PROJECT.

- h. Upon completion of PROJECT, to maintain in good condition and at COUNTY expense all improvements constructed as part of PROJECT within COUNTY'S JURISDICTION.
 - i. To provide all out of scope change orders for PROJECT within CITY'S JURISDICTION to CITY in a timely manner. If CITY'S response is not received within five (5) calendar days, COUNTY may proceed with change orders.
- 4) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:
 - a. The final accounting of the actual total COST OF PROJECT shall allocate said total cost between CITY and COUNTY based on the location of the improvements and/or work done. Thus the cost of all work or improvements (including all engineering, administration, and all other costs incidental to PROJECT work) located within CITY'S JURISDICTION, less COUNTY'S contribution, as set forth in paragraph (3) b., above, shall be borne by CITY. Such costs constitute CITY'S jurisdictional share of the COST OF PROJECT. The cost of all work or improvements (including all engineering, administration, and all other costs incidental to PROJECT work) located within COUNTY'S JURISDICTION shall be borne by COUNTY. Such costs constitute COUNTY'S jurisdictional share of the COST OF PROJECT.
 - b. That if at final accounting, CITY'S share of COST OF PROJECT exceeds CITY'S deposit, as set forth in paragraph (2) b., above, CITY shall pay to COUNTY the additional amount upon demand. Said demand shall consist of a billing invoice prepared by COUNTY. Conversely, if the required CITY funds are less than said deposit, COUNTY shall refund the difference to CITY without further action by CITY.
 - c. That if CITY'S final payment, as set forth in paragraph 4) b., above, is not delivered to COUNTY office described on the billing invoice prepared by COUNTY and delivered to CITY within sixty (60) calendar days after the date of delivery to CITY of said invoice, notwithstanding the provisions of Government Code Section 907, COUNTY may satisfy such indebtedness, including interest thereon, from any funds of CITY on deposit with COUNTY after giving notice to CITY of COUNTY'S intention to do so.
 - d. CITY shall review the final accounting invoice prepared by COUNTY and report in writing any discrepancies to COUNTY within sixty (60) calendar days after the date of said invoice. Undisputed charges shall be paid by CITY to COUNTY within sixty (60) calendar days after the date of said invoice. COUNTY shall review all disputed charges and submit a written justification detailing the basis for those charges within sixty (60) calendar days of receipt of CITY'S written report. CITY shall then make payment of the previously disputed charges or submit justification for nonpayment

within sixty (60) calendar days after the date of COUNTY'S written justification.

- e. COUNTY at any time may, at its sole discretion, designate an alternative payment mailing address and an alternative schedule for payment of CITY funds if applicable. CITY shall be notified of such changes by invoice prepared by COUNTY and delivered to CITY.
- f. During construction of PROJECT, COUNTY shall furnish an inspector or other representative to perform the functions of an inspector. CITY may also furnish, at no cost to COUNTY, an inspector or other representative to inspect construction of PROJECT. Said inspectors shall cooperate and consult with each other, but the orders of COUNTY inspector to the contractors or any other person in charge of construction shall prevail and be final.
- g. For the portion of PROJECT in CITY'S JURISDICTION, COUNTY hereby assigns all of its right, title, and interest to any unlapsed portion of a one-year warranty granted to the COUNTY by the construction contractor constructing PROJECT. CITY agrees to accept said assignment as its sole remedy against COUNTY in connection with defects relating to said PROJECT.
- h. This AGREEMENT may be amended or modified only by mutual written consent of CITY and COUNTY. Amendments and modification of a nonmaterial nature may be made by the mutual written consent of the parties' Directors of Public Works or their delegates.
- i. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY: Mr. Noe Negrete
Director of Public Works
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670-3679

COUNTY: Ms. Gail Farber
Director of Public Works
County of Los Angeles
Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

- j. Other than as provided below, neither COUNTY nor any officer or employee of COUNTY shall be responsible for any damage or liability occurring by reason of any acts or omissions on the part of CITY under or

in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of CITY under this AGREEMENT. It is also understood and agreed that pursuant to Government Code Section 895.4, CITY shall fully indemnify, defend, and hold COUNTY harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of any acts or omissions on the part of CITY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of CITY under this AGREEMENT.

- k. Other than as provided below, neither COUNTY nor any officer or employee of COUNTY shall be responsible, directly or indirectly, for damage or liability arising from or attributable to the presence or alleged presence, transport, arrangement, or release of any hazardous materials, chemicals, or contaminants present at or stemming from the PROJECT within the CITY'S JURISDICTION or arising from acts or omissions on the part of the CITY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of the CITY under this AGREEMENT, including liability under the Comprehensive Environmental, Response, Compensation and Liability Act of 1980 (CERCLA) and under the California Health and Safety Code. It is understood and agreed pursuant to Government Code Section 895.4, CITY shall fully indemnify, defend, and hold COUNTY harmless from any such damage, liability, or claim. In addition to being an agreement enforceable under the laws of the State of California, the foregoing indemnity is intended by the parties to be an agreement pursuant to 42 U.S.C. Section 9607(e), Section 107(e) of the amended CERCLA, and California Health and Safety Code Section 25364.
- l. Neither CITY nor any officer or employee of CITY shall be responsible for any damage or liability occurring by reason of any acts or omissions on the part of COUNTY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of COUNTY under this AGREEMENT. It is also understood and agreed that pursuant to Government Code Section 895.4, COUNTY shall fully indemnify, defend, and hold CITY harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of any acts or omissions on the part of COUNTY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of COUNTY under this AGREEMENT.
- m. Neither CITY nor any officer or employee of CITY shall be responsible, directly or indirectly, for damage or liability arising from or attributable to the presence or alleged presence, transport, arrangement, or release of any hazardous materials, chemicals, or contaminants present at or stemming from the PROJECT within the COUNTY'S JURISDICTION or arising from acts or omissions on the part of the COUNTY under or in

connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of the COUNTY under this AGREEMENT, including liability under the CERCLA and under the California Health and Safety Code. It is understood and agreed pursuant to Government Code Section 895.4, COUNTY shall fully indemnify, defend, and hold CITY harmless from any such damage, liability, or claim. In addition to being an agreement enforceable under the laws of the State of California, the foregoing indemnity is intended by the parties to be an agreement pursuant to 42 U.S.C. Section 9607(e), Section 107(e) of the amended CERCLA, and California Health and Safety Code Section 25364.

- n. In contemplation of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement (as defined in Section 895 of said Code), each of the parties hereto, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, will assume the full liability imposed upon it or any of its officers, agents, or employees by law for injury caused by any act or omission occurring in the performance of this AGREEMENT to the same extent that such liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above-stated purpose, each of the parties indemnifies and holds harmless the other party for any liability, cost, or expense that may be imposed upon such other party solely by virtue of Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if incorporated herein.
- o. It is understood and agreed that the provisions of this AGREEMENT shall supersede and control over any provisions inconsistent herewith in the Assumption of Liability Agreement 32080 between CITY and COUNTY, adopted by the Board of Supervisors on December 27, 1977, and currently in effect.

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IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized by the CITY OF SANTA FE SPRINGS on _____, 2012, and by the COUNTY OF LOS ANGELES on _____, 2013.

COUNTY OF LOS ANGELES

ATTEST:

By _____
Chairman, Board of Supervisors

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By _____
Deputy

CITY OF SANTA FE SPRINGS

By _____
Mayor

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM:

By _____
City Attorney



Location Map



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Imperial Highway Street Improvements (Shoemaker Avenue to Duffield Avenue) - Approval of Amendment to Agreement 77647 with the County of Los Angeles

RECOMMENDATION

That the City Council take the following actions:

1. Appropriate \$125,500 from the Capital Improvement Plan Reserve Fund to the Imperial Highway Street Improvement project;
2. Approve the Amendment to Agreement 77647 with the County of Los Angeles; and
3. Authorize the Mayor to execute the Amendment to the Agreement.

BACKGROUND

On May 11, 2011, the City Council approved Agreement 77647 with the County of Los Angeles (County) to resurface the roadway pavement on Imperial Highway from Shoemaker Avenue to Duffield Avenue. The improvements include the reconstruction of damaged curb, gutter, sidewalk, driveway approaches and curb ramps. Furthermore, striping, pavement rehabilitation and median landscaping are also included in the improvements. At that time, funding was not appropriated for this project as the City and County were working on a funding plan for the project.

The estimated total project cost is \$2,055,800, with the City's share being \$275,500. The City will finance a portion of the project, \$150,000 by assigning available Federal Surface Transportation Program – Local (STP-L) funds as a credit towards the project. The remaining balance, \$125,500 will be financed by the City from the Capital Improvement Plan (CIP) Reserve Fund.

The County has prepared an Amendment to Agreement 77647 which outlines how each agency proposes to finance their respective share of the project cost.

FISCAL IMPACT

Staff recommends appropriating \$125,500 to the Imperial Highway Street Improvement Project from the CIP Reserve Fund. The remaining balance (\$150,000) of the project cost will be covered by the Federal Surface Transportation Program – Local (STP-L) funds.

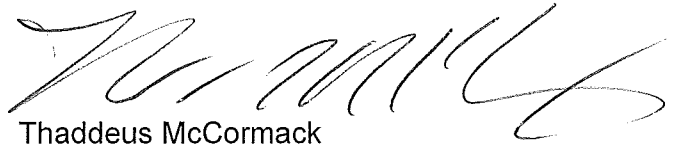
A handwritten signature in dark ink, appearing to be "N. Negrete", is located above the signature line.

Report Submitted By: Noe Negrete, Director
Department of Public Works

Date of Report: December 12, 2012

INFRASTRUCTURE IMPACT

This project will improve the service life and overall aesthetics of Imperial Highway.

A handwritten signature in black ink, appearing to read 'Thaddeus McCormack', is written over a horizontal line.

Thaddeus McCormack
City Manager

Attachment(s):

1. Amendment to Agreement 77647
2. Location Map

AMENDMENT TO AGREEMENT 77647

THIS AMENDMENT TO AGREEMENT 77647 (hereinafter referred to as AMENDMENT), made and entered into by and between the CITY OF SANTA FE SPRINGS, a municipal corporation in the County of Los Angeles (hereinafter referred to as CITY), and the COUNTY OF LOS ANGELES, a political subdivision of the State of California (hereinafter referred to as COUNTY):

WITNESSETH

WHEREAS, CITY and COUNTY have heretofore executed CITY-COUNTY Agreement 77647, dated September 6, 2011 (hereinafter referred to as AGREEMENT), regarding a cooperative project to resurface the roadway pavement on Imperial Highway from Shoemaker Avenue to Duffield Avenue, including reconstruction of damaged curb, gutter, sidewalk, driveway approaches, curb ramps, and portions of existing medians and landscaping, previously and hereinafter referred to as PROJECT; and

WHEREAS, PROJECT is within the geographical boundaries of CITY and COUNTY; and

WHEREAS, PROJECT is of general interest to CITY and COUNTY; and

WHEREAS, under the terms of AGREEMENT, COUNTY is to perform the preliminary engineering, construction inspection and engineering, materials testing, construction survey, and contract administration for PROJECT; and

WHEREAS, under the terms of AGREEMENT, CITY and COUNTY are to finance their respective shares of COST OF PROJECT; and

WHEREAS, COST OF PROJECT was estimated to be Two Million Fifty-five Thousand Eight Hundred and 00/100 Dollars (\$2,055,800.00) with CITY'S estimated share being Two Hundred Seventy-five Thousand Five Hundred and 00/100 Dollars (\$275,500.00) and COUNTY'S estimated share being One Million Seven Hundred Eighty Thousand Three Hundred and 00/100 Dollars (\$1,780,300.00); and

WHEREAS, CITY proposes to finance part of CITY'S jurisdictional share of COST OF PROJECT by assigning One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) of its available Federal Surface Transportation Program-Local (STP-L) funds to COUNTY; and

WHEREAS, CITY will finance its remaining jurisdictional share of COST OF PROJECT of One Hundred Twenty-five Thousand Five Hundred and 00/100 Dollars (\$125,500.00) with other CITY funds; and

WHEREAS, the Los Angeles County Metropolitan Transportation Authority has procedures in effect that permit the transfer of Federal STP-L funds between agencies; and

WHEREAS, COUNTY is willing to accept CITY'S assignment of Federal STP-L funds and utilize the assignment as credit towards the CITY'S jurisdictional share of COST OF PROJECT; and

WHEREAS, such a proposal is authorized and provided for by the provisions of Sections 1685 and 1803 of the California Streets and Highway Code.

WHEREAS, such an assignment of funds is beneficial to and in the general interest of CITY and COUNTY.

NOW, THEREFORE, in accordance with Section (4), Item h., of AGREEMENT, CITY and COUNTY mutually agree to amend AGREEMENT as follows:

In Section (2), the following new paragraph b., replaces existing paragraph b;

(2) CITY AGREES:

- b. To assign One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) of CITY'S available Federal STP-L funds to COUNTY as credit towards the CITY'S estimated share of COST OF PROJECT; and to deposit with COUNTY upon demand by COUNTY One Hundred Twenty-five Thousand Five Hundred and 00/100 Dollars (\$125,500.00) to finance the remaining CITY'S estimated share of COST OF PROJECT. Such assignment shall be effective upon full execution of this AMENDMENT TO AGREEMENT 77647 with no further action required by CITY. Said demand will consist of a billing invoice prepared by COUNTY and delivered to CITY.

In Section (3), insert the following new paragraph i;

(3) COUNTY AGREES

- i. To accept CITY'S assignment of Federal STP-L funds and apply a credit of One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) to finance the estimated CITY'S share of COST OF PROJECT.

In Section (4), the following new paragraph b., replaces existing paragraph b;

(4) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- b. That if at final accounting, CITY'S share of COST OF PROJECT exceeds CITY'S deposit and assignment of Federal STP-L funds, as set forth in paragraph (2) b., above, CITY shall pay to COUNTY the additional amount

Section (4), the following new paragraph o., replaces existing paragraph o;

o. The provisions of this AMENDMENT TO AGREEMENT 77647 shall supersede and control over any provisions inconsistent herewith in the Assumption of Liability Agreement 32080 between CITY and COUNTY, adopted by the Board of Supervisors on December 27, 1977, and currently in effect.

[illegible]

IN WITNESS WHEREOF, the parties hereto have caused this AMENDMENT TO AGREEMENT 77647 to be executed by their respective officers, duly authorized, by the CITY OF SANTA FE SPRINGS on _____, 2012, and by the COUNTY OF LOS ANGELES on _____, 2012.

COUNTY OF LOS ANGELES

ATTEST:

By _____
Chairman, Board of Supervisors

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By _____
Deputy

CITY OF SANTA FE SPRINGS

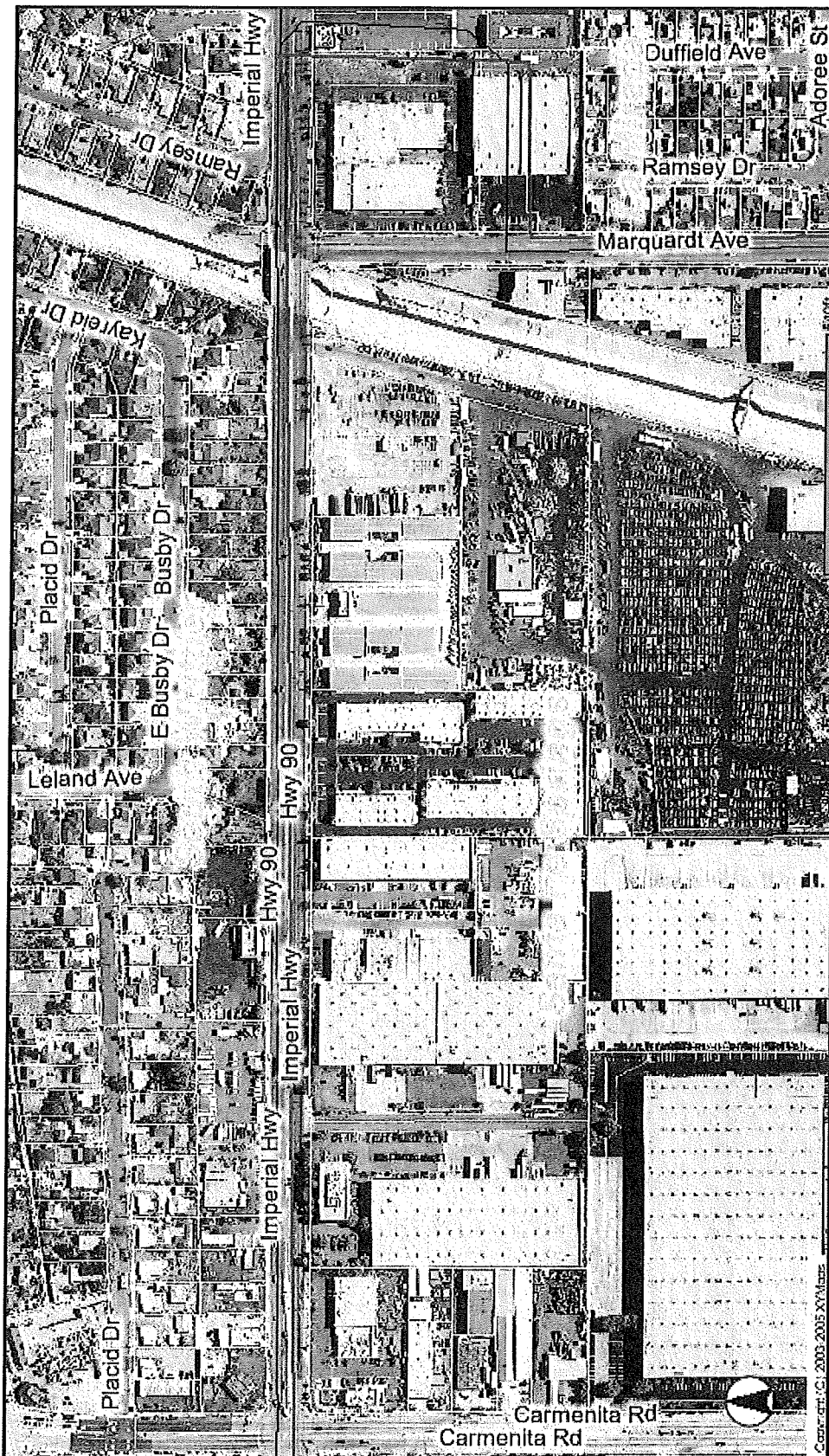
By _____
Mayor

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM:

By _____
City Attorney



Location Map



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Florence Avenue/Interstate 5 Freeway Widening Project - Approval of Utility Agreement No. 7UA-12199 with the State Department of Transportation

RECOMMENDATION

That the City Council take the following actions:

1. Approve Utility Agreement No. 7UA-12199 between the State Department of Transportation and City of Santa Fe Springs for the Florence Avenue/Interstate 5 Freeway Widening Project; and
2. Authorize the Director of Public Works to execute the Utility Agreement.

BACKGROUND

The State Department of Transportation is preparing to proceed with construction of the Florence Avenue/Interstate 5 (I-5) Segment of the I-5 Freeway Widening Project. In conjunction with the State's project, underground utilities will need to be relocated in order to avoid conflicting with work to be done by the State's contractor.

The Florence Avenue/I-5 Segment will involve the reconstruction and expansion of the Florence Avenue/I-5 overpass and widening of the I-5 Freeway approximately 1.7 miles on each side of the bridge. In addition, the Freeway widening work will require about 4,000 feet of existing City waterlines to be replaced and relocated.

The Utility Agreement (UA) attached to this report was prepared by the State to formalize the State's obligation to reimburse the City of Santa Fe Springs for the preparation of plans, specifications and estimates for all water line relocation work to be done by the City. As indicated in the UA, the estimated cost of the work to design the waterline relocations is \$125,000.

Staff has reviewed the UA and is recommending that the City Council authorize the Director of Public Works to execute the Agreement.

FISCAL IMPACT

The City of Santa Fe Springs will be reimbursed under the terms of the UA up to a maximum of \$125,000 for the work to be done in this project phase. The UA contains provisions to fully reimburse the City for all design work to replace and relocate the existing City waterline system in kind, should costs ultimately exceed this budgetary value.

Report Submitted By:

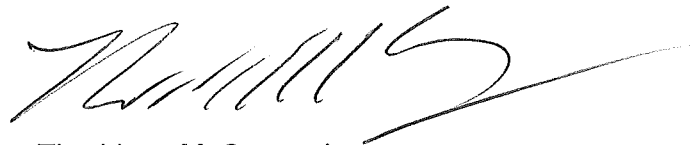
Noe Negrete, Director
Department of Public Works

Date of Report: December 13, 2012

A subsequent utility agreement for the construction of the relocated waterlines will be drafted and submitted for Council's review and approval upon completion of the plans and specifications.

INFRASTRUCTURE IMPACT

Execution of this Agreement will allow the City to be reimbursed for the design of the relocation of City-owned waterline facilities in conflict with the proposed widening of the I-5 Freeway.



Thaddeus McCormack
City Manager

Attachment(s):

Utility Agreement No. 7UA-12199

DISTRICT 7	COUNTY LA	ROUTE 5	POST MILE 5.8/8.3	PROJECT ID 0700001835	EA 215951
FEDERAL AID NUMBER			OWNER'S FILE NUMBER City of Santa Fe Springs		
FEDERAL PARTICIPATION On the Project <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No On the Utilities <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					

Owner Payee Data No. _____ or Form STD 204 is attached ☐

PRELIMINARY ENGINEERING

UTILITY AGREEMENT NO. 7UA-12199

DATE _____

The State of California acting by and through the Department of Transportation, hereinafter called "STATE" proposes to construct I-5 to add one HOV lane and one mixed-flow lanes in each direction and upgrading the inside and outside shoulders to the standard width. Two structures - Florence Ave. OC, NB on ramp from Florence Ave, and Orr and Day Overhead structure will be replaced as part of Segment 5. **City of Santa Fe Springs, 11710 Telegraph Road, Santa Fe Springs, CA 90670-3679**, hereinafter called "OWNER," owns and maintains 4"water on Mondon(U-1), 6" water on Mondon (U-2), 8"water cross I-5 @ Sta 323+20 (U-2), 6"ACP water south of I-5 on Buell & Muller St. (U-2), 8"Abn stl water south of I-5 (U-2), 8" water crossing I-5 @ Sta 323+20 & along southbound I-5 (U-2), 4" abandon water line on Cecilia, Buell, & Muller St (U-2), 6" ACP water south of I-5 on Quinn St (U-3), 4" Abn stl water south of I-5 on Quinn St (U-3), 4" water on Fairford (U-8), 8"water on Fairford (U-8), within the limits of STATE'S project which requires relocation to accommodate STATE's project.

I. WORK TO BE DONE

In accordance with Notice to Owner No 7UA-12199 dated November 15, 2012, OWNER shall prepare their relocation plans. Any revision to the OWNER's plan described above, after approval by the STATE, shall be agreed upon by both parties hereto under a Revised Notice to Owner. Such Revised Notices to Owner, approved by the STATE and 13.07 - 2 (REV 7/2005) agreed to/acknowledged by the OWNER, will constitute an approved revision of the OWNER's plan described above and are hereby made a part hereof. No redesign or additional engineering, after approval by the STATE, shall commence prior to written execution by the OWNER of the Revised Notice to Owner and may require an amendment to this Agreement in addition to the revised Notice to Owner."

II. LIABILITY FOR WORK

"The existing facilities are lawfully maintained in their present location and qualify for relocation at STATE expense under the provisions of Section (702) (703) of the Streets and Highways Code."

III. PERFORMANCE OF WORK

OWNER agrees to perform the herein described work with its own forces or to cause the herein described work to be performed by the OWNER's contractor, employed by written contract on a continuing basis to perform work of this type, and to provide and furnish all necessary labor, materials, tools, and equipment required therefore, and to prosecute said work diligently to completion.

Use of out-of-state personnel (or personnel requiring lodging and meal per diem expenses) will not be allowed without prior written authorization by State's representative. Requests for such authorization must be contained in OWNER's estimate of actual and necessary relocation costs. Accounting Form FA-1301 is to be completed and submitted for all non-State personnel travel per diem. OWNER shall include an explanation why local employee or contract labor is not considered adequate for the relocation work proposed. Per Diem expenses shall not exceed the per diem expense amounts allowed under the State's Department of Personnel Administration travel expense guidelines.

Pursuant to Public Works Case No. 2001-059 determination by the California Department of Industrial Relations dated October 25, 2002, work performed by OWNER's contractor is a public work under the definition of Labor Code section 1720(a) and is therefore subject to prevailing wage requirements. Owner shall verify compliance with this requirement in the administration of its contracts referenced above.

Engineering services for locating, making of surveys, preparation of plans, specifications, estimates, supervision, inspection, are to be furnished by the Utility Owner and approved by the STATE. Cost principles for determining the reasonableness and allow ability of OWNER's costs shall be determined in accordance with 48 CFR, Chapter 1, Part 31; 23 CFR, Chapter 1, Part 645; and 18 CFR, Chapter 1, Parts 101, 201 and OMB Circular A-87, as applicable.

IV. PAYMENT FOR WORK

The STATE shall pay its share of the actual and necessary cost of the herein described work within 45 days after receipt of five (5) copies of OWNER'S itemized bill signed by a responsible official of OWNER's organization and prepared on OWNER's letterhead, compiled on the basis of the actual and necessary cost and expense incurred and charged or allocated to said work in accordance with the uniform system of accounts prescribed for OWNER by the California Public Utilities Commission, Federal Energy Regulatory Commission or Federal Communications Commission whichever is applicable.

It is understood and agreed that the STATE will not pay for any betterment or increase in capacity of OWNER's facilities in the new location and that OWNER shall give credit to the STATE for the "used life" or accrued depreciation of the replaced facilities and for the salvage value of any material or parts salvaged and retained or sold by OWNER.

Not more frequently than once a month, but at least quarterly, OWNER will prepare and submit progress bills for costs incurred not to exceed OWNER's recorded cost as of the billing date less estimated credits applicable to completed work. Payment of progress bills not to exceed the amount of this Agreement may be made under the terms of this Agreement. Payment of progress bills which exceed the amount of this Agreement may be made after receipt and approval by STATE of documentation supporting the cost increase and after an Amendment to this Agreement has been executed by the parties to this Agreement.

UTILITY AGREEMENT NO. 12199

The OWNER shall submit a final bill to the STATE within 360 days after the completion of the work described in Section 1 above. If the STATE has not received a final bill within 360 days after notification of completion of Owner's work described in Section 1 of this Agreement, and STATE has delivered to OWNER fully executed Director's Deeds, Consents to Common Use or Joint Use Agreements as required for OWNER's facilities, STATE will provide written notification to OWNER of its intent to close its file within 30 days and OWNER hereby acknowledges, to the extent allowed by law, that all remaining costs will be deemed to have been abandoned. If the STATE processes a final bill for payment more than 360 days after notification of completion of OWNER's work, payment of the late bill may be subject to allocation and/or approval by the California Transportation Commission.

The final billing shall be in the form of an itemized statement of the total costs charged to the project, less the credits provided for in this Agreement, and less any amounts covered by progress billings. However, the STATE shall not pay final bills which exceed the estimated cost of this Agreement without documentation of the reason for the increase of said cost from the OWNER and approval of documentation by STATE. Except, if the final bill exceeds the OWNER's estimated costs solely as the result of a revised Notice to Owner as provided for in Section 1, a copy of said revised Notice to Owner shall suffice as documentation. In either case, payment of the amount over the estimated cost of this Agreement may be subject to allocation and/or approval by the California Transportation Commission.

In any event if the final bill exceeds 125% of the estimated cost of this agreement, an Amended Agreement shall be executed by the parties to this agreement prior to the payment of the OWNER's final bill. Any and all increases in costs that are the direct result of deviations from the work described in Section I of this Agreement, shall have prior concurrence of the STATE.

Detailed records from which the billing is compiled shall be retained by the OWNER for a period of three years from the date of the final payment and will be available for audit by State and/or Federal auditors. Owner agrees to comply with Contract Cost Principles and Procedures as set forth in 48CFR, Chapter 1, Part 31, et seq., 23 CFR, Chapter 1, Part 645 and/or 18 CFR, Chapter 1, Parts 101, 201, et al. If a subsequent State and/or Federal audit determines payments to be unallowable, OWNER agrees to reimburse STATE upon receipt of STATE billing.

IV. GENERAL CONDITIONS

If STATE's project which precipitated this Agreement is canceled or modified so as to eliminate the necessity of work by OWNER, STATE will notify OWNER in writing and STATE reserves the right to terminate this Agreement by Amendment. The Amendment shall provide mutually acceptable terms and conditions for terminating the Agreement.

All obligations of STATE under the terms of this Agreement are subject to the passage of the annual BUDGET ACT by the State Legislature and the allocation of those funds by the California Transportation Commission.

OWNER agrees to comply and to require its contractors to comply with the "Buy America" requirements set forth in the Intermodal Surface Transportation Efficiency Act of 1991(ISTEA) Sections 1041(a) and 1048(a), 23 U.S.C. 313 and 23 C.F.R. Part 635.410, which are incorporated into this Agreement by reference, and which

UTILITY AGREEMENT NO. 12199

require that all steel and iron products, and their coatings, used in FHWA-funded projects are produced in the United States, unless a waiver has been granted by FHWA or the product is subject to a general waiver.

OWNER shall indemnify and defend Caltrans for any claims or liability arising out of the OWNER's failure to comply with the "Buy America" requirement."

If the Utility Agreement is funded with non-Federal funds, (e.g. State-only funds) the "Buy America" requirements do not apply and the above clauses are not applicable. However, utility work that is accomplished through utility agreements that do not comply with the Buy America requirements (as specified in 23 U.S.C. 313 and 23 CFR 635.410) cannot be used to meet the non-Federal share of costs for a project that uses Federal-aid funding.

IN WITNESS WHEREOF, the above parties have executed this Agreement the day and year above written.

STATE: DEPARTMENT OF TRANSPORTATION

OWNER:

APPROVAL RECOMMENDED:

By _____
Name JOHN NJOROGUE Date _____
Title Office Chief, Utility Relocation
Right of Way

By _____
Name _____ Date _____
Title _____

APPROVAL RECOMMENDED:

By _____
Name LINDA W. TONG Date _____
Title District Utility Coordinator
Senior Right of Way Agent

By _____
Name DAVID RIOS Date _____
Title Utility Coordinator
Associate Right of Way Agent

UTILITY AGREEMENT NO. 12199

**THIS AGREEMENT SHALL NOT BE EXECUTED BY THE STATE OF CALIFORNIA –
DEPARTMENT OF TRANSPORTATION UNTIL FUNDS ARE CERTIFIED.**

DO NOT WRITE BELOW - FOR ACCOUNTING PURPOSES ONLY

PLANNING AND MANAGEMENT COMPLETES EXCEPT SHADED COLUMNS:

UTILITY COMPLETES:

T CODE	DOCUMENT NUMBER	SUF FIX	DIST	UNIT	CHG DIST	PROJECT ID	PHASE	SPECIAL DESIGNATION	FFY	FA	OBJ CODE	DOLLAR AMOUNT

EA FUNDING VERIFIED:

Sign>

Print>

R/W Planning and Management

Date

REVIEW/REQUEST FUNDING:

Sign>

Print>

DAVID RIOS
Utility Coordinator

Date

THE ESTIMATED COST TO STATE FOR ITS SHARE OF THE ABOVE DESCRIBED WORK IS \$125,000

CERTIFICATION OF FUNDS

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purpose of the expenditure shown here.

Planning and Management

Date

ITEM	CHAP	STAT	FY	AMOUNT

FUND TYPE	PROJECT ID	AMOUNT
Design Funds		\$
Construction Funds		\$
RW Funds		\$

Distribution: 2 originals to R/W Accounting
1 original to Utility Owner
1 original to Utility File



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Community Facilities District No. 2002-1 (Bloomfield-Lakeland) - Annual Special Tax Levy Report for Fiscal Year 2011-12

RECOMMENDATION

That the City Council receive and file the Special Tax Levy Annual Report for Community Facilities District 2002-1 for Fiscal Year 2011-12.

BACKGROUND

The Mello-Roos Community Facilities Act of 1982 requires that an annual special tax levy report be prepared for each Community Facilities District (CFD). This report must detail the special taxes that are levied within a CFD and any construction activity at the time the report is prepared. The methodology and amounts to be levied were established at the time the CFD was formed.

CFD 2002-1 was established for the purpose of constructing, maintaining and the administration of certain public improvements, such as: grading and construction of streets, curbs, gutters and sidewalks, street lighting, storm drainage, water, sewer and utility improvements.

FISCAL IMPACT

On-going maintenance and administrative services are funded through the annual special tax levy. Repayment of the bonds and payment of services taxes are secured by the special taxes levied on all properties within the CFD, other than those properties that are exempt as provided in the respective rate and method of apportionment.

INFRASTRUCTURE IMPACT

The special tax levied by the CFD funds the associated maintenance costs within the boundaries of the CFD.

Thaddeus McCormack
City Manager

Attachment:
Annual Report

Report Submitted By: Noe Negrete, Director
Department of Public Works

Date of Report: December 12, 2012



Harris & AssociatesSM

SHAPING THE FUTURE ONE PROJECT AT A TIMESM

Special Tax Levy Annual Report

for

**City of Santa Fe Springs
Community Facilities District No. 2002-1
(Bloomfield-Lakeland)**

Fiscal Year 2011-12

Submitted to:
**City of Santa Fe Springs
Los Angeles County, California**

November 27, 2012

**CITY OF SANTA FE SPRINGS
COMMUNITY FACILITIES DISTRICT NO. 2002-1
(Bloomfield-Lakeland)**

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APPENDIX

Exhibit A	Boundary Map
Exhibit B	Rate and Method of Apportionment of Special Taxes
Exhibit C	Payment Agreement
Exhibit D	Debt Service Schedule
Exhibit E	Special Tax Roll

INTRODUCTION

The City Council of the City of Santa Fe Springs established Community Facilities District No. 2002-1 (Bloomfield-Lakeland) for the purpose of constructing, maintaining and the administration of certain public improvements. The District established a Rate and Method of Apportionment of Special Tax and a Payment Agreement as shown in the Appendix as Exhibit B.

A map showing the boundaries of CFD No. 2002-1 is included in the Appendix of this report as Exhibit A. In compliance with the proceedings governing the formation of CFD No. 2002-1, the special tax has been levied on each assessable parcel within the District according to the provisions of the Rate and Method of Apportionment of Special Taxes as shown in the Appendix of this report in Exhibit B.

The City of Santa Fe Springs granted the Development Plan Approval ("DPA No. 737-739") authorizing the principle sum of \$800,000 on March 14, 2002. The Payment Agreement that was provided for in the DPA established a repayment period that was to commence the 1st day of the month following the Permit Anniversary Date and continue until the Payment Sum has been paid in full (approximately 175 months or 14.5 years).

The payments should have commenced in Fiscal Year 2003-04 and continued until Fiscal Year 2016-17 (established by the Permit Issue dates according to the Rate and Method of Apportionment). As of the close of Fiscal Year 2009-10, no payments have been received from the property owners in CFD 2002-1.

It was determined by the City Finance Department and legal council to amend the Rate and Method of Apportionment with a revised Payment Schedule to begin collecting payments commencing in Fiscal Year 2011-12. The Amended and Restated Rate and Method of Apportionment of Special Tax was approved in a property owner special election on July 14, 2011.

The Special Taxes as hereinafter defined shall be levied on all Assessor's Parcels in CFD No. 2002-1 and collected each fiscal year commencing in Fiscal Year 2011-12, in the amounts determined as described below. All of the real property in CFD No. 2002-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

The City agreed to waive the interest and maintenance cost associated with the District for the years prior to fiscal year 2011-12. The annual street maintenance will continue as originally established in the Rate and Method of Apportionment and will also be levied on the county tax bill as long as the City provides for the maintenance of streets within the District.

I. FACILITIES AND SERVICES FINANCED BY THE DISTRICT

The public facilities financed by CFD No. 2002-1 include all or a portion of design, construction, indirect costs (fees) and administration relating to the following improvements: the grading and construction of streets, curbs, gutters, sidewalks, street lighting, storm drainage, water, sewer and utility improvements (both on and off-site) to serve the area within the boundaries of CFD No. 2002-1, together with appurtenances and appurtenant work.

In addition to the improvements above, the CFD is anticipated to cover the on-going costs for maintenance services and administration of those improvements.

Development Status

Construction was completed for the whole project on May 16, 2003. The total Assessed Value and number of properties sold since 2003 are shown in the following table.

**TABLE 1
PARCEL STATUS**

<u>Development Status</u>	<u>Total Parcels</u> <u>FY 2011-12</u>	<u>Total</u> <u>Assessed Value</u> <u>FY 2011-12</u>	<u>Properties</u> <u>Sold Since</u> <u>FY 2010-11</u>
Developed Non-Residential Property	3	\$ 35,583,906	0
Undeveloped Non-Residential Property	0	\$ -	0
Total	3	\$ 35,583,906	0

II. IMPROVEMENT AREA

The Rate and Method of Apportionment of the Special Tax for Services establishes the apportionment of Special Taxes for Capital Improvements.

Each Fiscal Year, each developed parcel of land within the Special Tax for Services area shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment (RMA).

The Special Tax amount attributed to each parcel is apportioned by the relative square footage of the building on each property. As of the date the district was Amended and Restated in July 2011, all the development was complete and the annualized tax schedule commenced for each property according to the revised payment schedule. The following table represents the annualized tax schedule.

TABLE 2

COMMUNITY FACILITIES DISTRICT

Address	Bldg SF	Total Obligation	Amortized Annual Expense	Amortized Annual Exp./SF
11020 Bloomfield	84,651	\$148,410.28	\$15,032.03	\$0.1776
11130 Bloomfield	240,252	\$421,210.24	\$42,663.12	\$0.1776
11320 Bloomfield	131,405	\$230,379.48	\$23,334.45	\$0.1776
	456,308	\$800,000.00	\$81,029.60	

III. SPECIAL TAX FOR SERVICES

The Rate and Method of Apportionment of the Special Tax for Services establishes the apportionment of Street Maintenance Services.

Each Fiscal Year, each developed parcel of land within the Special Tax for Services area shall be subject to Street Maintenance Services in accordance with the Rate and Method of Apportionment. The annual Street Maintenance Service is \$5,400.00 for the District.

The Special Tax for Service amount attributed to each parcel is apportioned by the relative square footage of the building on each property. The Amended and Restated apportionment as shown in the Appendix as Exhibit B was established based on a monthly tax payment commencing in fiscal year 2011-12 since development was complete. The City decided to waive the uncollected services portion of the tax prior to fiscal year 2011-12. The following table represent the annual tax for services to be collected each fiscal year starting in fiscal year 2011-12 and each fiscal year thereafter, so long as the City provides for the maintenance of streets with the proceeds of the special tax.

TABLE 3

STREET MAINTENANCE

Address	Bldg SF	Annual Expense	Annual Exp./SF
11020 Bloomfield	84,651	\$1,001.77	\$0.01183
11130 Bloomfield	240,252	\$2,843.17	\$0.01183
11320 Bloomfield	131,405	\$1,555.06	\$0.01183
	456,308	\$5,400.00	

VI. SOURCES AND OBLIGATIONS

A statement showing the Sources and Obligations of special tax funds for CFD No. 2002-1 for Fiscal Year 2011-12 is presented in Table 4. The Special Tax Requirement for Fiscal Year 2011-12 was determined as specified in the adopted Rate and Method of Apportionment of the Special Tax.

TABLE 4
SOURCES AND OBLIGATIONS

	Fiscal Year 2010-11 <u>Amount</u>	Fiscal Year 2011-12 <u>Amount</u>
<u>SOURCES</u>		
Annual Special Tax Roll		
Developed Property	\$0.00	\$92,929.60
Undeveloped Property	\$0.00	\$0.00
Subtotal	\$0.00	\$92,929.60
TOTAL SPECIAL TAXES FROM ALL SOURCES	\$0.00	\$92,929.60
<u>OBLIGATIONS</u>		
Debt Service	\$0.00	\$81,029.60
Special Tax for Maintenance Services	\$0.00	\$5,400.00
Allocation for Delinquencies*,		
Administration and Incidentals	\$0.00	\$6,500.00
2011 Fund Balance (Reserve)	\$0.00	\$0.00
Subtotal	\$0.00	\$92,929.60
Surplus/Shortage to District	\$0.00	\$0.00
TOTAL OBLIGATIONS FOR SPECIAL TAXES	\$0.00	\$92,929.60

* There are no delinquencies to report for FY2011-12.

VII. SPECIAL TAX ROLL

The Special Tax Roll lists the special tax levy on each parcel within the boundaries of CFD No. 2002-1 for Fiscal Year 2011-12. A copy of the Special Tax Roll is included in the Appendix of this report as Exhibit C.

EXHIBIT A
Boundary Map

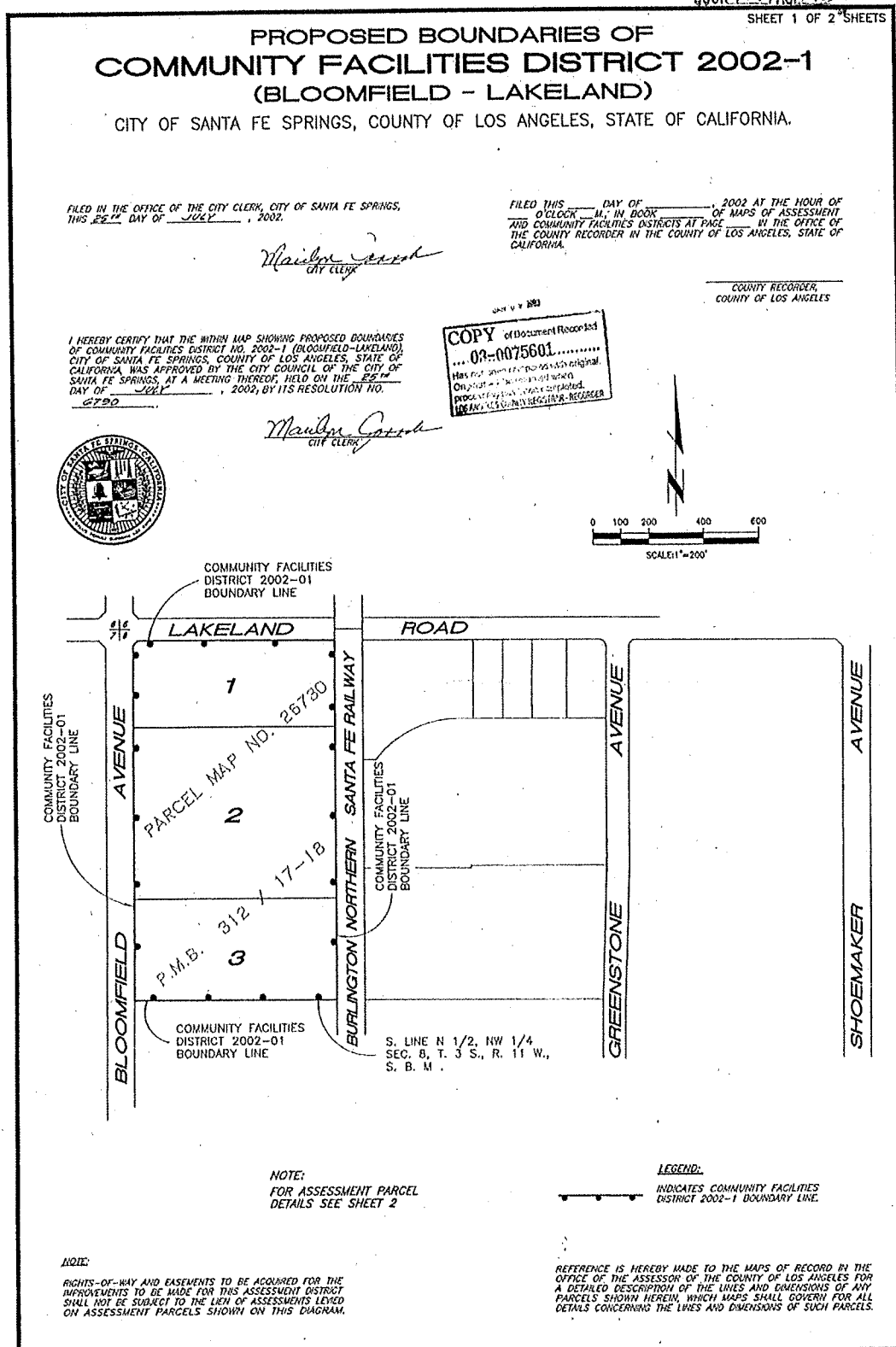




EXHIBIT B

Amended and Restated Rate and Method of Apportionment of the Special Tax

Rate and Method of Apportionment of Special Tax

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

This Amended and Restated Rate and Method of Apportionment of Special Tax amends and restates in its entirety that certain Rate and Method of Apportionment of Special Tax (the "Original Rate and Method"). The Original Rate and Method was attached as Exhibit B to the Notice of Special Tax Lien for City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Lakeland) ("CFD No. 2002-1"), which was recorded in the real property records of the County of Los Angeles on January 9, 2003, as Document No. 03-0077048.

The Special Taxes as hereinafter defined shall be levied on all Assessor's Parcels in CFD No. 2002-1 and collected each fiscal year commencing in Fiscal Year 2011-12, in the amounts determined as described below. All of the real property in CFD No. 2002-1, 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:

"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. 2002-1: 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 to the City, CFD No. 2002-1 or any designee thereof of complying with disclosure requirements of the City, CFD No. 2002-1 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. 2002-1 or any designee thereof related to any appeal of the Special Tax; 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. 2002-1 for any other administrative purposes of CFD No. 2002-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes. The maximum amount for the Administrative Expenses is set at \$6,500 for Fiscal Year 2011-12; the maximum amount for subsequent Fiscal Years shall be equal to (i) the maximum amount for the Administrative Expenses for the previous year plus (ii) the product of multiplying (A) the maximum amount for the Administrative Expenses for the previous year times (B) the annual percentage change (if positive) in CPI for the preceding year ending in March.

"Annual Debt Service" means the annual amount of principal and interest required to satisfy the \$800,000 loan amount set forth in the Payment Agreement, over a 15 year period commencing Fiscal Year 2011-12 (assuming no delinquencies) at an interest rate of 5.75%, assuming level payments.

"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.

Rate and Method of Apportionment of Special Tax

"Building Square Footage" means the building area as shown on the building permit.

"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. 2002-1" means City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Lakeland).

"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. 2002-1.

"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.

"Exempt Property" means all Assessor's Parcels not subject to the Special Tax for Payment Amount as described under Section I.

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

"Maintenance 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 maintenance of certain streets as specified in condition No. 26 of the Development Plan Approval No. 737-739 approved by the City's Community Development Commission on March 14, 2002 and attached as Exhibit B to the Payment Agreement. The maximum amount for Maintenance Expenses, including reserve funding, is set at \$5,400 for Fiscal Year 2011-12; the maximum amount for subsequent Fiscal Years will be equal to (i) the Maintenance Expenses for the previous year plus (ii) the product of multiplying (A) the Maintenance Expenses for the previous year times (B) the annual percentage change (if positive) in CPI for the preceding year ending in March.

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

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

"Parcel" means Assessor's Parcel.

"Payment Agreement" means that certain Payment Agreement, dated as of March 28, 2002, by and between the City and Bloomfield Partners, LLC, which Payment Agreement is attached as Exhibit A.

"Proportionately" means for Taxable Property, in any Fiscal Year, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Property.

Rate and Method of Apportionment of Special Tax

"Public Property" means any Assessor's Parcel within the boundaries of CFD No. 2002-1 that is transferred to a public agency or public utility on or after the date of formation of CFD No. 2002-1 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.

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

"Special Tax for Maintenance Requirement" means that amount required in any Fiscal Year for CFD No. 2002-1 equal to the maximum amount for Maintenance Expenses and the maximum amount of Administrative Expenses.

"Special Tax for Payment Amount" means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax for Payment Amount Requirement.

"Special Tax for Payment Amount Requirement" means that amount required in any Fiscal Year for CFD No. 2002-1 equal to the Annual Debt Service.

"Special Taxes" means, collectively, the Special Tax for Payment Amount and the Special Tax for Maintenance.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2002-1 which are not Exempt Property.

B. CLASSIFICATION OF PROPERTIES

All Assessor's Parcels shall be classified as Taxable Property or Exempt Property.

Once classified as Taxable Property, a parcel may not be subsequently re-classified or changed to Exempt Property without the Special Tax for Payment Amount being paid off in full in accordance with Section E. The Special Tax for Maintenance cannot be prepaid and any parcel of Taxable Property that is re-classified as Exempt Property with respect to the Special Tax for Payment Amount shall remain subject to the Special Tax for Maintenance.

C. SPECIAL TAX FOR PAYMENT AMOUNT RATE

Maximum Special Tax for Payment Amount

The Maximum Special Tax for Payment Amount for Assessor's Parcels of Taxable Property shall be calculated for each Fiscal Year as follows:

First: the City shall calculate the Annual Debt Service for the Fiscal Year.

Second, the amount calculated in First shall be apportioned to all parcels of Taxable Property Proportionately based on the amount of Building Square Footage.

Rate and Method of Apportionment of Special Tax

D. MANNER OF COLLECTION OF SPECIAL TAXES

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2002-1 may directly bill the Special Taxes, 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.

E. PREPAYMENT OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount may be prepaid, in whole or in part, at any time.

F. TERM OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount shall be levied on Taxable Property for a period not to exceed 15 years; provided, however, that the Special Tax for Payment Amount may be levied for a longer period of time if, as a result of delinquencies in the payment of the Special Tax for Payment Amount, it has not collected an amount sufficient to pay the Payment Sum (as defined in the Payment Agreement).

G. SPECIAL TAX FOR MAINTENANCE RATE

Maximum Special Tax for Maintenance

Commencing with Fiscal Year 2011-12 and for each subsequent Fiscal Year, the Council shall levy the Special Tax for Maintenance on all Assessor's Parcels of Taxable Property up to the applicable Maximum Special Tax for Maintenance to fund the Special Tax for Maintenance Requirement.

The Special Tax for Maintenance Requirement shall be apportioned to all parcels of Taxable Property Proportionately based on the amount of Building Square Footage.

H. TERM OF SPECIAL TAX FOR MAINTENANCE

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

If the levy of the Special Tax for Maintenance is repealed by initiative or any other action participated in by the owners of the Assessor's Parcels in CFD 2002-1, the City shall have no obligation to provide the services for which the Special Tax for Maintenance was levied.

I. EXEMPTIONS

The CFD Administrator shall classify Assessor's Parcels of Public Property as Exempt 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.

Rate and Method of Apportionment of Special Tax

J. ENFORCEMENT

If not paid when due, the City shall have the right to foreclose any delinquent Special Tax for Payment Amount by appropriate action in a court of competent jurisdiction, such action to include all court costs, attorney fees and costs of sale.

EXHIBIT C
PAYMENT AGREEMENT

Payment Agreement

PAYMENT AGREEMENT

This Payment Agreement ("Agreement") is made and entered into as of March 28, 2002, by and between the City of Santa Fe Springs ("City"), and Bloomfield Partners, LLC, a Delaware limited liability company (together with its successor and assigns, "Developer").

Recitals

- A. Developer intends to develop that certain real property located in City, legally described in Exhibit "A", attached hereto (the "Property").
- B. On March 11, 2002, City's Planning Commission granted Development Plan Approval ("DPA No. 737-739") for Developer's proposed development of the Property (the "Project"); on March 14, 2002, the Community Development Commission of the City of Santa Fe Springs also approved DPA No. 737-739. A copy of DPA No. 737-739 is attached hereto as Exhibit "B", and is incorporated by reference as though fully set forth herein.
- C. DPA No. 737-739 provides that the parties may enter into this Agreement.
- D. Developer intends to apply for a subdivision of the Property ("Proposed Subdivision"), pursuant to which the Property would be divided into three (3) separate legal parcels. A number of the conditions contained in DPA No. 737-739, including, but not limited to, those described in Section 1 below, were imposed in anticipation of said Proposed Subdivision (the "Proposed Subdivision Conditions").
- E. The conditions imposed in conjunction with DPA No. 737-739 were intended to address all impacts anticipated by the City and likely to arise in connection with the full permitting and development of the Project ("Anticipated Impacts").

Based on the Recitals set forth above and the mutual promises set forth below, the parties agree as follows:

1. Developer shall pay to City the principal sum of \$800,000.00 (the "Payment Sum") in accordance with the provisions of this Agreement, which payment shall constitute full satisfaction of the following, except as set forth in Sections 2 and 3, below:
 - (i) Developer's obligations set forth in DPA No. 737-739 Condition Nos. 5, 6, 7, 14, 21, 22, 25, 26.a and 27, as well as similar conditions that may be imposed in respect of the Anticipated Impacts, including similar conditions that may be imposed in respect of the Proposed Subdivision Conditions. Developer shall not be obligated to construct any of the items described in such conditions, and City holds Developer harmless from and against such obligations, notwithstanding: (a) the fact that the Payment Sum has not yet been fully paid (so long as Developer is making payments in accordance with Section 4 below); and (ii) the failure of City to commence or complete such construction (although the City shall have no obligation to Developer to undertake such construction).

Payment Agreement

(ii) Developer's obligation to pay any City imposed fees or charges in connection with the planning, permitting, or inspection of the Project (collectively, the "Project Fees"), including, without limitation, fees and charges in respect of (a) the City's review, processing and approval of any building, grading, drainage, utility, street and sidewalk, subdivision (including, without limitation, any filing fees or map checking fees required in connection with the Proposed Subdivision), environmental compliance (including, without limitation, any fees required in connection with soil or methane gas monitoring programs), excavation or similar plans, (b) any applications for building, mechanical, electrical, plumbing, structural, occupancy, environmental, or similar permits, (c) any building, grading, fire, health and safety, street and sidewalk or other inspections; and (d) any development impact fees, including the City's Heritage Artwork in Public Places Program.

2. In the event that the total amount chargeable to Developer in Project Fees exceeds \$300,000.00, then Developer shall pay to City the amount by which such Project Fees exceed \$300,000.00, prior to the issuance of any building permits for the Project. The payment of such amount shall be a condition precedent to the issuance of any such permits by City. Such payment shall be separate from, and in addition to, the payment of \$800,000.00, as described in Section 1, above.

3. As to DPA No. 737-738 Condition No. 25, the payment described in Section 1, above, satisfies Developer's obligations, except that it does not satisfy the obligation to agree to adjustments to the existing Street Light Assessment District, as set forth in Condition No. 25.

4. Developer shall pay the Payment Sum to City in accordance with the following:

A. Interest shall accrue at a fixed annual rate of Five and Three Quarters Percent (5.75%), which both the City and Developer agree is the Prime Rate plus One Hundred (100) basis points on the date of this Agreement, and shall be payable in installments as set forth in Section 4B. Interest shall begin to accrue as of the first date any Project Fees would have otherwise been due and payable to the City but for the agreements set forth herein.

B. Developer shall make monthly installment payments of principal and interest of \$6,750.00 ("Installment Payments"), beginning and continuing as provided in Section 4.C. That portion of the Installment Payments not allocated to accrued interest under Section 4.A shall be allocated to the principal amount of the Payment Sum. The parties hereto estimate that the term of the Installment Payments will be 175 months.

C. Payment of Installment Payments shall begin on the first day of the month following the Permit Anniversary Date, and shall continue on the first day of each month thereafter until the Payment Sum has been paid in full.

Payment Agreement

D. As used herein, "Permit Anniversary Date" shall mean the date 12 months following issuance of first building permit for development of the Property.

E. It is expressly stipulated and agreed to be the intent of the parties at all times to comply with applicable state law regarding prevailing wages (including, but not limited to, California Labor Code Sections 1720 and 1771) and that this Section shall control every other covenant and agreement in this Agreement and other related documents between the parties regarding the interest rate paid thereunder. If the applicable prevailing wages law, for any reason, is ever found or judicially interpreted to: (i) render the interest rate under this Agreement to be a public works and/or paid for in whole or in part out of public funds (and such interest rate does not comply with any de minimus exception under the applicable prevailing wages law); and/or (ii) subject the terms of this Agreement to prevailing wages, then it is the parties' express intent that (1) Bloomfield Partners LLC shall immediately pay to the City of Santa Fe Springs, as to all payments previously made under this Agreement, the difference between the interest rate paid pursuant to this Agreement and the appropriate interest rate which would not subject this Agreement to prevailing wages, and (2) the provisions of this Agreement and other related documents immediately be deemed reformed to reflect the appropriate interest rate, without the necessity of the execution of any new documents, so as to not subject the terms of this Agreement to the applicable prevailing wages law.

Upon the commencement of Installment Payments, the parties agree to execute and deliver in a timely fashion an agreement which specifically sets forth the remaining term of the Developer's obligations to make Installment Payments under Section 4B above. Further, upon full repayment of the Payment Sum, City shall provide to Developer, at Developer's request, a letter or similar document reasonably acceptable to Developer, confirming that the Developer's payment obligations under this Section 4 are satisfied.

5. In the event that the City approves the Proposed Subdivision, the Payment Sum shall be apportioned between the newly created parcels, based on the relative square footage of the building to be built on each parcel. As of the date of the recording of the final parcel map for the Proposed Subdivision, the owner of each newly created parcel shall be separately obligated to pay to City its apportioned share of the Payment Sum, and shall be relieved of any liability to pay sums allocable to any other parcel owner. In no event shall a default by one parcel owner be attributable to any other parcel owner.

6. Developer shall secure the Payment Sum by providing City with security as follows: a letter of credit in favor of the City obtained by Developer in the amount of \$800,000. The form of the letter of credit and any letter of credit agreement necessary to describe the security arrangement shall be proposed by Developer and approved by the City Attorney, which approval shall not be unreasonably withheld. The letter of credit or letter of credit agreement shall contain customary provisions releasing the security provided thereby proportionately as the principal amount of the Payment Sum is reduced.

The letter of credit or letter of credit agreement shall also contain provisions permitting the Developer to replace existing security with other security of comparable value, subject to approval by the City Attorney, which approval shall not be unreasonably withheld. The approval and perfecting of such security is a condition precedent to City's issuance of any building permits for the Project.

7. Developer and City have agreed to form a Community Facilities District No. 2002-1 (the "Community Facilities District"). After the Ordinance of the City Council of the City of Santa Fe Springs levying special taxes within such Community Facilities District becomes effective, City acknowledges and agrees that all of Developer's obligations under this Agreement, except as specifically provided in this Section 7 (collectively referred to herein as the "Payment Amount") shall be deemed fully satisfied and complied with including, without limitation, Developer's obligation (i) to pay the Payment Sum to the City or to satisfy the DPA Conditions as described in Section 1, (ii) to provide security for the Payment Sum under Section 6, and any letter of credit issued pursuant thereto shall be released by the City and terminated immediately upon formation of the Community Facilities District, and (iii) to comply with the conditions set forth in DPA No. 737-739 Condition No. 26. Provided, however, Developer acknowledges and agrees that notwithstanding formation of the Community Facilities District, Developer shall not be relieved of its obligation to pay to the City (a) Project Fees in excess of \$300,000 as, and to the extent, described in Section 2 above, or (b) the amount equal to any adjustments to the existing Street Light Assessment District as, and to the extent, described in Section 3 above.

8. This Agreement shall be assignable by Developer and (subject to Section 5 above) shall run with the land, inure to the benefit of and be binding upon the parties, and all of their successors and assigns. In the event of an assignment of all or any portion of Developer's obligations, the assignor shall be relieved of liability as to that portion assigned, but only if the security described in Section 6, above, is left in place, or replaced with equivalent security, or the obligation is deemed satisfied pursuant to Section 7 above.

9. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes all prior agreements. No amendment hereto, or waiver of any provision hereof, can be made except in a writing executed by both parties.

10. This Agreement shall be governed by the laws of the State of California.

11. If any lawsuit, arbitration, or other action is brought by either party against the other party, the prevailing party shall be entitled to recover the reasonable attorneys' fees and court costs it incurred in connection therewith.

Intending to be legally bound, the parties have executed this Agreement, below,
as of the date first set forth above.

City of Santa Fe Springs

Mayor

Attest:

City Clerk


Approved as to form:

City Attorney

Bloomfield Partners LLC, a Delaware
limited liability company

By: Calsmart L.L.C., a Delaware limited liability company
its Manager

By: RREEF America, L.L.C., a Delaware limited liability company
its authorized agent

By: 

LEGAL DESCRIPTION OF PROPERTY

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH; RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING WEST OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD RIGHT-OF-WAY.

EXCEPT THEREFROM THE FOLLOWING THREE (3) STRIPS OF LAND:

STRIP NO. 1; BLOOMFIELD AVENUE:

BEING THE WEST 50.00 FEET OF SAID NORTHWEST QUARTER, MEASURED AT RIGHT ANGLES TO THE WESTERLY LINE THEREOF.

STRIP NO. 2; LAKELAND ROAD:

BEING THE NORTH 40.00 FEET OF SAID NORTHWEST QUARTER, MEASURED AT RIGHT ANGLES TO THE NORTHERLY LINE THEREOF.

STRIP NO. 3; CORNER CUT-OFF:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID STRIP NO. 2 WITH THE EAST LINE OF SAID STRIP NO. 1;

THENCE SOUTHERLY 17.00 FEET ALONG SAID EAST LINE;

THENCE NORTHEASTERLY IN A DIRECT LINE TO A POINT ON SAID SOUTH LINE, DISTANT EAST THEREON, 17.00 FEET FROM THE POINT OF BEGINNING OF THIS STRIP;

THENCE WESTERLY ALONG SAID SOUTH LINE 17.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

DESCRIBED PARCEL CONTAINS 21.35 ACRES MORE OR LESS.



March 12, 2002

Sares Regis Group
Attn: Peter Rooney
18802 Bardeen Avenue
Irvine, CA 92612-1521

RE: Development Plan Approval Case No. 737-739

Dear Mr. Rooney:

The Planning Commission, at their regular meeting of March 11, 2002, acted on your request for approval of development plans to allow the construction of three concrete tilt-up industrial buildings totaling approximately 455,783 sq ft in area on a 21.32-acre property located on the southeast corner of Bloomfield Avenue and Lakeland Road in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project.

The Planning Commission subsequently approved your request for Development Plan Approval for the proposed industrial buildings and related improvements subject to the following list of conditions:

SUGGESTED CONDITIONS OF APPROVAL

1. The owner/developer shall construct a meandering sidewalk within a dedicated easement along Bloomfield Avenue frontage.
2. The owner/developer shall comply with Congestion Management Program (CMP) requirements and provide mitigation of trips generated by the development. The owner/developer will receive credit for demolition of any buildings which formerly occupied the site.
3. Existing public fire hydrants shall be upgraded, if required by the City Engineer.

EXHIBIT B-1

Louie Gonzalez, Mayor • Ronald S. Kernes, Mayor Pro-Tempore
City Council
George Minneman • Betty Putnani • Gustavo R. Velasco
City Manager
Frederick W. Latham

4. Adequate "on-site" parking shall be provided per City requirements, and streets shall be posted "No Stopping Any Time." The cost of sign installation shall be paid by the owner/developer.
5. The owner/developer shall provide \$50,000 to the City to mitigate traffic impacts from this development to the Bloomfield Avenue intersections at Telegraph Road, Florence Avenue and Lakeland Road.
6. The landscape irrigation system shall be connected to a reclaimed water distribution system when available in the street. Separate meter(s) shall be installed for landscape irrigation systems. Owner/Developer shall provide funds to design and construct a 6" reclaimed water distribution pipeline along frontage of development.
7. Point of access to each parcel shall be approved by the City Engineer. Owner/developer shall be responsible for the cost of the design and construction of raised landscaped medians adjacent to the property on Bloomfield Avenue, as approved by the City Engineer.
8. Sanitary sewers shall be constructed in accordance with City specifications to serve subject development. The plans for the sanitary sewers shall be approved by the City Engineer. A sewer study shall be submitted along with the sanitary sewer plans.
9. The owner/developer shall comply with all requirements of the Department of County Engineer-Facilities, make application for and pay the sewer maintenance fee.
10. No common driveways shall be allowed unless approved by the City Engineer. If proposed driveways conflict with existing fire hydrants, street lights, water meters, etc., owner/developer shall pay for relocation.
11. Owner/developer's general contractor shall implement storm water and urban runoff pollution prevention controls and Best Management Practices (BMP's) on construction sites in accordance with Chapter 52, Storm Water Runoff, of the City Code (Ordinance 851). The contractor may also be required to file a Notice of Intent (NOI) with the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan (SWPPP) as specified in the State of California General Permit for Storm Water Discharges associated with the construction activities in accordance with the NPDES mandate to protect receiving waters and storm drains from construction activity, related erosion and pollution. A copy of the September 8, 1992 instructions and NOI form are available from the

EXHIBIT B-2

Public Works Department. In addition, this project shall conform to Ordinance 915, which amends Chapter 52 "Stormwater/Urban Runoff" of the City Code and implements the requirements of the approved Standard Urban Stormwater Mitigation Plan ("SUSMP"). The SUSMP includes a requirement to implement Post Construction BMP's to mitigate (infiltrate or treat) the first 3/4" of runoff from all storm events and to control peak flow discharges.

12. Planning and Development and Public Works Departments shall approve the location of double-check valves. All sprinkler plans shall have a stamp of approval from Planning and Development prior to Fire Department submittal. Disinfection, pressure and bacteriological testing on the line between the street and detector assembly shall be performed in the presence of City Water Department. The valve on water main line shall be operated only by the City upon approval of test results.
13. All projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project construction waste per approval of the Department of Planning and Development.
14. The Owner/Developer shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 755.
15. The owner/developer shall comply with the requirements of Ordinance 829 with respect to Oil and Gas Regulations.
16. Prior to issuance of building permits, the applicant shall comply with the following environmental assessment conditions to the satisfaction of the City of Santa Fe Springs:
 - A. Environmental Audit. Recognizing that NFA letters have been issued by both the DTSC and RWQCB and a large volume of site assessment work has already been performed, only limited additional assessment work will be required. This additional assessment shall focus on properly closing the six (6) UST's that were previously removed but not closed. A Soil Management Plan for mitigating contamination in excess of City standards must be submitted and approved by the Fire Department.
 - B. Permits and Approval. Owner/developer shall, at its own expense, secure or cause to be secured any and all permits which may be required by the City in furtherance of complying with Paragraph 16 (A) set forth herein. Permits shall be secured prior to beginning work related to the permitted activity.

EXHIBIT B - 3

C. Covenants.

1. Owner/developer shall provide a written covenant to the Planning Commission that, except as revealed in previous studies as part of DTSC and RWQCB NFA certification and except as applicant may have otherwise disclosed to the City, Commission, Planning Commission or their employees, in writing, applicant has investigated the environmental condition of the property and does not know or have reasonable cause to believe that (a) any crude oil, hazardous substances or hazardous wastes, as defined in state and federal law, have been released, as that term is defined in 42 U.S.C. Section 9601 (22), on, under or about the Property, or that (b) any material has been discharged on, under or about the Property that could affect the quality of ground or surface water on the Property within the meaning of the California Porter-Cologne Water Quality Act, as amended, Water Code Section 13000, et seq.
2. Owner/developer shall provide a written covenant to the City that, based on reasonable investigation and inquiry, to the best of owner/developer's knowledge, it does not know or have reasonable cause to believe that it is in violation of any notification, remediation or other requirements of any federal, state or local agency having jurisdiction concerning the environmental conditions of the Property.
3. Owner/developer understands and agrees that it is the responsibility of the applicant to investigate and remedy, pursuant to applicable federal, state and local law, any and all contamination on or under any land or structure affected by this approval and issuance of related building permits. The City, Commission, Planning Commission or their employees, by this approval and by issuing related building permits, in no way warrants that said land or structures are free from contamination or health hazards.
4. Owner/developer understands and agrees that any representations, actions or approvals by the City, except to the extent that it acts as the lead environmental agency, Commission, Planning Commission or their employees do not indicate any representation that regulatory permits, approvals or requirements of any other federal, state or local agency have been obtained or satisfied by the applicant and, therefore, the City,

EXHIBIT B-4

Commission, Planning Commission or their employees do not release or waive any obligations the applicant may have to obtain all necessary regulatory permits and comply with all other federal, state or other local agency regulatory requirements. Applicant, not the City, Commission, Planning Commission or their employees will be responsible for any and all penalties, liabilities, response costs and expenses arising from any failure of the applicant to comply with such regulatory requirements.

17. Owner/Developer agrees to comply with all portions of Cleanup and Abatement Order Nos. 85-18 and 97-118 issued by the Regional Water Quality Control Board (RWQCB) as it relates to this property.
18. Not used.
19. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, Uniform Building Code, Uniform Fire Code, Certified Unified Program Agency (CUPA) programs and all other applicable codes and regulations.
20. That the subject property shall submit an Industrial Wastewater Discharge Permit Application prior to generating, storing, treating or discharging any industrial wastewater to the sanitary sewer.
21. In order to meet the current public health and safety standards relating to emergency response and to provide for safety of responders and the community at large, the owner/developer shall install one (1) Emergency traffic signal control device (Opticom) to aid in the rapid and safe response of emergency vehicles at the intersection of Bloomfield Avenue and Lakeland Road.
22. The owner/developer shall install two 4-inch schedule 80 PVC ducts and appurtenances encased in concrete along the eastside of Bloomfield Avenue from a point 1,300 feet south of Lakeland Road centerline. Said ducts for future fiber optic system shall be placed in locations designed by the City Engineer.
23. The owner/developer, or successors in interest, shall be obligated to pay for a portion of the cost of undergrounding existing overhead utilities on Bloomfield Avenue and Lakeland Road adjacent to the subject property. The owner/developer, or successors in interest, shall satisfy said obligation by paying to the City an amount equal to the fair market value of the property to be acquired from owner/developer, or successors in interest, in fee or in easement, by CalTrans, the BNSF Railroad, or other public or

EXHIBIT B-5

quasi-public agency, for construction of a grade separation on Lakeland Road at the BNSF railroad crossing. Payment shall be provided per terms of the "Agreement" between the Sares-Regis Goup (owner/developer) and the City.

24. The owner/developer shall remove the existing wall along Bloomfield Avenue at the south end of the property.
25. The owner/developer shall pay to the City the entire costs of design, engineering, installation and inspection of five (5) street lights on Bloomfield Avenue. The City shall design and cause construction of the street lighting system (\$25,000 Estimated Cost). The owner/developer shall also agree to the addition of a cost of living adjustment to the existing Street Light Assessment District. Annual adjustments shall be based on the Consumer Price Index for Los Angeles County.
26. The owner/developer shall enter into an agreement with the City for the City to maintain the south half of Lakeland Road between Bloomfield Avenue and the easterly property line at the BNSF right-of-way and the east half of Bloomfield Avenue between the southerly property line and Lakeland Road. Maintenance may include slurry seal every five years, resurfacing approximately every ten years and reconstruction at the end of twenty years, if needed, as determined by the City Engineer as reasonably related to the condition of the individual roadway. This condition may be satisfied by the creation of assessment districts, Mello-Roos Districts or other methods of financing approved by the City pursuant to the Agreement, or eliminated in any areas constructed with Portland Cement Concrete (PCC) pavement. (\$27,000 Estimated Annual Cost)
- 26a. The owner/developer shall pay \$96,500 for past and immediate resurfacing of the Lakeland Road and the Bloomfield Avenue frontage to the street centerline, the funding of which shall be provided per terms of the Agreement.
27. The developer shall pay to the City one-fourth (1/4) of any and all costs to construct a Portland cement concrete street intersection at Bloomfield Avenue and Lakeland Road.
28. Owner/developer may defer completion of satisfaction of Conditions 5, 6, 7, 14, 21, 22, 25, 26, 26a and 27, as numbered above, contingent on owner/developer entering into an agreement with the City regarding such performance. Entry into such agreement shall be a condition precedent to the issuance of any necessary permits (e.g., building permits) or other approvals (e.g., parcel map) for development of the subject property. Such agreement shall: (a) require developer

EXHIBIT B-6

to provide adequate security for such performance in a form approved by the City, which approval will not be unreasonably withheld; (b) provide for interest, at a market rate, on developer's financial obligations to the City; (c) provide for completion of performance or repayment within seven (7) years of the date of approval hereof unless otherwise approved by the City; and (d) provide for the potential, with the City's approval, of incorporating work into street maintenance, landscaping or lighting districts.

29. A grading plan shall be submitted for drainage approval by the City Engineer. The site is subject to storm water retention, and the drainage plan shall incorporate retention on site. The owner/developer shall pay drainage review fees in conjunction with this submittal. The hydrology study to be conducted shall evaluate the amount and disposition of storm water on the subject property. The hydrology study shall be conducted by a Professional Engineer and subject to the approval of the City Engineer. The grading plan shall also accommodate the existing drainage from the railroad right-of-way at southeast portion of property.
30. The owner/developer shall pay to the City a one-time cost (not to exceed \$2,500) for the replacement of street name signs, traffic control signs, raised pavement markers and pavement markings, as required by the City Engineer.
31. Land and access rights shall be reserved for a future grade separation on Lakeland Road between Bloomfield Avenue and the BNSF Railroad. Sufficient right-of-way includes: construction easement, utilities easement and slope easement along Lakeland Road frontage and railroad shoofly along portion of east property line. Project design shall accommodate the future grade separation. No permanent structure shall be placed within the reservation area.
32. All buildings shall be protected by an approved automatic sprinkler system.
33. All buildings that are to be used for high-piled storage shall be equipped with required access doors as per Article 81 of the Uniform Fire Code.
34. Interior gates or fences are not permitted across required fire access roadways.
35. On-site fire hydrants must be provided along required Fire Department access roads. Minimum flow shall be 2500 GPM.

EXHIBIT B-7

36. The minimum width of required Fire Department access roadways shall be not less than twenty-six (26) feet. Internal driveways shall have a turning radius of not less than fifty-two (52) feet.
37. Prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Fire Department for required access roadways and on-site fire hydrant locations. Plan must be between 20 and 40 scale. Include on plan all entrance gates that will be installed.
38. Knox boxes are required on all new construction. All entrance gates shall also be equipped with Knox boxes.
39. That an "Owners' Association" or a Community Association shall be created with CC&R's stipulating maintenance requirements for landscape maintenance, including the pedestrian walkways, if the property is subdivided. Levels of maintenance shall be to the highest of standards as required by the City, and all maintenance costs shall be borne by the Association.
40. That the applicant shall submit for approval a detailed Xeriscape landscape and irrigation system for the on-site and parkway landscape areas for the development design pursuant to the Landscape Design Guidelines of the City. Said landscape plan shall indicate the location and type of all plant materials to be used.
41. That no portion of the required off-street parking and loading areas shall be used for outdoor storage, manufacturing or similar uses at any time, unless approved by the Director of Planning and Development.
42. That all fences, walls, signs and similar improvements for the proposed development shall be subject to the approval of the Director of Planning and Development.
43. That a sufficient number of approved outdoor trash enclosures shall be provided for the development subject to the approval of the Director of Planning and Development.
44. That a security and lighting plan for the proposed industrial development shall be submitted to the Department of Police Services for review and approval.
45. That all truck yard areas shall be screened from the public streets in the area by a decorative screen wall subject to the approval of the Director of Planning and Development.

EXHIBIT B-8



46. The applicant understands that other than indicated within these conditions, the applicant shall comply with the requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, Fire Code and all other applicable regulations as pertain to this property.
47. That Development Plan Approval Case No. 737-739 shall not be valid until approved by the Community Development Commission and shall be subject to any other conditions the Board deems necessary to impose.
48. That Development Plan Approval Case No. 737-739 shall not be effective for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating he is aware of and accepts all the conditions of this approval.

Your attention is called to the fact that this approval is not effective until an affidavit has been signed and notarized to indicate your willingness to accept and abide by the conditions of approval. **Two copies of an affidavit are enclosed for this purpose. One copy should be returned to this office upon completion; the other copy is for your files.**

The Zoning Ordinance sets forth an appeal period of four (14) days, beginning with the date you receive this letter, during which any party aggrieved by the Commission's action can appeal the matter to the City Council. You are hereby notified that the time within which judicial review must be sought is governed by the provisions of California Code of Civil Procedure, Section 1094.6.

If you have any questions regarding this matter, please feel free to call me at (562) 868-0511, Ext. 211.

Very truly yours,



ROBERT G. ORPIN
Director of Planning and Development

EXHIBIT B-9

cc: City Council
Frederick W. Latham, City Manager
Marina Sueiro, Director of Intergovernmental Relations
Building Division
Fire Department
Property Maintenance Officer
Sue Janikowski, Assistant Planner
Monica Mendoza, Planning Intern

EXHIBIT B-10

MAY 01 '02 09:55AM SARES-REGIS GROUP (949) 756-5955

P.12/12

ACCEPTANCE OF CONDITIONS
IN DEVELOPMENT PLAN APPROVAL CASE

AFFIDAVIT

I Dwight L. Merriman, HEREBY STATE THAT I am the owner, or the authorized agent of the owner, of property involved in Development Plan Approval Case No. 737-739.

I FURTHER STATE THAT I have read, understand and accept, and will comply with all the conditions of approval established by the Planning Commission at its meeting of March 14, 2002.

I AM ALSO AWARE THAT if any of the provisions of this approval are violated or held to be invalid, or any law, statute or ordinance is violated, the Permit shall be void and the privileges granted thereunder shall lapse.

[Signature]
signature

Principal
title (if any)

RREEF America L.L.C. (c/o Bloomfield Partners L.L.C.)
company name (if any)

101 California Street, 26th Floor
mailing address

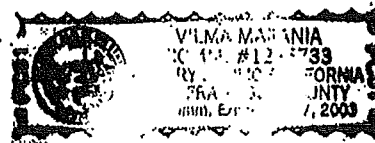
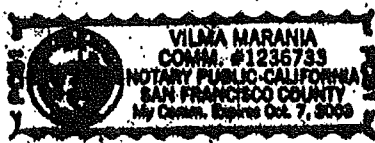
San Francisco, CA 94111
city, state, zip

(415) 781-3300
phone

STATE OF CALIFORNIA)
COUNTY OF San Francisco) SS.

On May 13, 2002 before me, Vilma Marania, Notary Public,
date Name and Title of Officer

personally appeared Dwight L. Merriman
Name(s) of Signer(s)



- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument,

WITNESS my hand and official seal.

[Signature]
Notary Public

EXHIBIT B-11

EXHIBIT D

Debt Service Schedule

EXHIBIT D
Debt Service Schedule

\$800,000 Principal Amount
5.75% Interest Rate
FY 25-26 last year of collection
15 years of payment left
0.101287 level debt factor (A/P)
\$81,030 total annual installment due

Fiscal Year	Beginning Principal Balance	Principal	Interest	Principal + Interest Amount
FY 11-12	\$800,000	\$35,030	\$46,000	\$81,030
FY 12-13	\$764,970	\$37,044	\$43,986	\$81,030
FY 13-14	\$727,927	\$39,174	\$41,856	\$81,030
FY 14-15	\$688,753	\$41,426	\$39,604	\$81,030
FY 15-16	\$647,328	\$43,808	\$37,222	\$81,030
FY 16-17	\$603,520	\$46,327	\$34,703	\$81,030
FY 17-18	\$557,193	\$48,991	\$32,039	\$81,030
FY 18-19	\$508,203	\$51,808	\$29,222	\$81,030
FY 19-20	\$456,395	\$54,787	\$26,243	\$81,030
FY 20-21	\$401,609	\$57,937	\$23,093	\$81,030
FY 21-22	\$343,672	\$61,268	\$19,762	\$81,030
FY 22-23	\$282,404	\$64,791	\$16,239	\$81,030
FY 23-24	\$217,614	\$68,517	\$12,513	\$81,030
FY 24-25	\$149,097	\$72,456	\$8,574	\$81,030
FY 25-26	\$76,642	\$76,623	\$4,407	\$81,030

EXHIBIT E
Special Tax Roll

EXHIBIT E
Special Tax Roll

APN	Building Square Feet	Total Special Tax Amount FY 2011-12	Amount Collected prior to FY 2011-12
8026-001-069	84,651	\$17,239.64	\$0.00
8026-001-070	240,252	\$48,928.62	\$0.00
8026-001-071	131,405	\$26,761.34	\$0.00
	456,308	\$92,929.60	\$0.00





City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Community Facilities District No. 2004-1 (Bloomfield-Florence) - Annual Special Tax Levy Report for Fiscal Year 2011-12

RECOMMENDATION

That the City Council receive and file the Special Tax Levy Annual Report for Community Facilities District 2004-1 for Fiscal Year 2011-12.

BACKGROUND

The Mello-Roos Community Facilities Act of 1982 requires that an annual special tax levy report be prepared for each Community Facilities District (CFD). This report must detail the special taxes that are levied within a CFD and any construction activity at the time the report is prepared. The methodology and amounts to be levied were established at the time the CFD was formed.

CFD 2004-1 was established for the purpose of constructing, maintaining and the administration of certain public capital improvements, including installation of a new traffic signal and a reclaimed water line to serve the area within the boundaries of the CFD.

FISCAL IMPACT

Capital improvements and administrative services are funded through the annual special tax levy. Repayment of the bonds and payment of services taxes are secured by the special taxes levied on all properties within the CFD, other than those properties that are exempt as provided in the respective rate and method of apportionment.

INFRASTRUCTURE IMPACT

The special tax levied by the CFD funds the associated capital improvements and administrative costs within the boundaries of the CFD.

Thaddeus McCormack
City Manager

Attachment:
Annual Report

Report Submitted By: Noe Negrete, Director
Department of Public Works

Date of Report: December 13, 2012



Harris & AssociatesSM

SHAPING THE FUTURE ONE PROJECT AT A TIMESM

Special Tax Levy Annual Report

for

**City of Santa Fe Springs
Community Facilities District No. 2004-1
(Bloomfield-Florence)**

Fiscal Year 2011-12

Submitted to:
**City of Santa Fe Springs
Los Angeles County, California**

November 27, 2012

**CITY OF SANTA FE SPRINGS
COMMUNITY FACILITIES DISTRICT NO. 2004-1
(Bloomfield-Florence)**

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APPENDIX

Exhibit A	Boundary Map
Exhibit B	Rate and Method of Apportionment of Special Taxes
Exhibit C	Reimbursement Agreement
Exhibit D	Debt Service Schedule
Exhibit E	Special Tax Roll

INTRODUCTION

The City Council of the City of Santa Fe Springs established Community Facilities District No. 2004-1 (Bloomfield-Florence) for the purpose of constructing, maintaining and the administration of certain public improvements. The District established a Rate and Method of Apportionment of Special Tax and a Payment Agreement as shown in the Appendix as Exhibit B.

A map showing the boundaries of CFD No. 2004-1 is included in the Appendix of this report as Exhibit A. In compliance with the proceedings governing the formation of CFD No. 2004-1, the special tax has been levied on each assessable parcel within the District according to the provisions of the Rate and Method of Apportionment of Special Taxes as shown in the Appendix of this report in Exhibit B.

The City of Santa Fe Springs granted the Development Plan Approval ("DPA No. 778-785") authorizing the principle sum of \$700,000 on February 26, 2004. The Payment Agreement that was provided for in the DPA established a 15-year, fully amortized repayment schedule with interest accruing from the date of the loan.

The payments should have commenced in Fiscal Year 2004-05 and continued until Fiscal Year 2018-19. As of the close of Fiscal Year 2009-10, no payments have been received from the property owners in CFD 2004-1.

It was determined by the City Finance Department and legal council to amend the Rate and Method of Apportionment with a revised Payment Schedule to begin collecting payments commencing in Fiscal Year 2011-12. The Amended and Restated Rate and Method of Apportionment of Special Tax was approved in a property owner special election on July 14, 2011. The property owners were offered the option of paying off their portion of the loan interest free (including unpaid interest prior to Amending the District). The following table reflects the paid liens and remaining Principal Balance:

Payment Summary

Total Original Principal Amount	\$700,000
Total Liens Paid	\$357,536
Remaining Principal Balance	\$342,464
Interest Rate (annual)	5.75%
Repayment Term (in years)	15.00

Building No.	Assessor's Parcel No.	Bldg SqFt	% of Total	Principal Payoff Per Bldg	Liens Paid in 2011	Remaining Principal
1	8011-016-026	19,973	5.32%	\$37,229.32	\$0.00	\$37,229.32
2	8011-016-027	112,014	29.83%	\$208,792.14	\$0.00	\$208,792.14
3	8011-016-030	26,573	7.08%	\$49,531.61	\$49,531.61	\$0.00
4	8011-016-033	35,384	9.42%	\$65,955.16	\$0.00	\$65,955.16
5	8011-016-034	16,356	4.36%	\$30,487.30	\$0.00	\$30,487.30
6	8011-016-035	21,399	5.70%	\$39,887.36	\$39,887.36	\$0.00
7	8011-016-036	45,964	12.24%	\$85,676.09	\$85,676.09	\$0.00
8	8011-016-903	97,877	26.06%	\$182,441.02	\$182,441.02	\$0.00
		375,540	100.00%	\$700,000.00	\$357,536.08	\$342,463.92

The Special Taxes as hereinafter defined shall be levied on all remaining Assessor's Parcels in CFD No. 2004-1 and collected each fiscal year commencing in Fiscal Year 2011-12, in the amounts determined as described below. All of the real property in CFD No. 2004-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

The City agreed to waive the interest and administrative cost associated with the District for the years prior to fiscal year 2011-12.

I. FACILITIES AND SERVICES FINANCED BY THE DISTRICT

The public facilities financed by CFD No. 2004-1 include all or a portion of design, construction, indirect costs (fees) and administration relating to the following improvements: the installation of a new traffic signal and a reclaimed water line to serve the area within the boundaries of CFD No. 2004-1, together with appurtenances and appurtenant work.

Development Status

Construction has been complete since 2005. The total Assessed Value and number of properties sold since 2004 are shown in the following table.

**TABLE 1
PARCEL STATUS**

	Total Parcels	Total Assessed Value	Properties Sold Since
<u>Development Status</u>	<u>FY 2011-12</u>	<u>FY 2011-12</u>	<u>FY 2010-11</u>
Developed Non-Residential Property	8	\$ 31,972,962	0
Undeveloped Non-Residential Property	0	\$ -	0
Total	8	\$ 31,972,962	0

II. IMPROVEMENT AREA

The Rate and Method of Apportionment of the Special Tax for Services establishes the apportionment of Special Taxes for Capital Improvements.

Each Fiscal Year, each developed parcel of land within the Special Tax for Services area shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment (RMA).

The Special Tax amount attributed to each parcel is apportioned by the relative square footage of the building on each property. As of the date the district was Amended and Restated in July 2011, all the development was complete and the annualized tax schedule commenced for each property according to the revised payment schedule. The following table represents the annualized tax schedule.

TABLE 2

COMMUNITY FACILITIES DISTRICT

Address	Bldg SF	Total Obligation	Amortized Annual Expense	Amortized Annual Exp./SF
12661 Corral PI	19,973	\$37,229.32	\$3,770.85	\$0.1888
12681 Corral PI	112,014	\$208,792.14	\$21,147.93	\$0.1888
12662 Corral PI	26,573	Paid 2011	-	
10818 Bloomfield Ave	35,384	\$65,955.16	\$6,680.40	\$0.1888
10838 Bloomfield Ave	16,356	\$30,487.30	\$3,087.97	\$0.1888
10928 Bloomfield Ave	21,399	Paid 2011	-	
10988 Bloomfield Ave	45,964	Paid 2011	-	
12680 Corral PI	97,877	Paid 2011	-	
	375,540	\$342,463.92	\$34,687.14	

III. ADMINISTRATIVE FEES

The Rate and Method of Apportionment of the Special Tax allows for the collection of fees associated with the servicing of the loan.

Each Fiscal Year, each developed parcel of land within the Special Tax for Services area shall be subject to their proportional share of the administrative fee based on the relative square footage of the building on each property in accordance with the Rate and Method of Apportionment. The administrative fee for FY11-12 is \$6,500.00. When the District was Amended and Restated in FY 2011-12, four of the original eight properties paid off their apportioned share of the loan and the City agreed to absorb the administrative costs that would have been paid by those four parcels. The remaining administrative fee spread proportionately to the four parcels subject to the levy is \$3,180.02.

The following table represents proportional spread of the administrative fee for FY 2011-12. The fee is subject to increase as set forth in the amended Rate and Method of Apportionment (RMA).

TABLE 3

ADMINISTRATIVE FEE

Address	Bldg SF	Annual Expense	Annual Exp./SF
12661 Corral PI	19,973	\$345.70	\$0.01731
12681 Corral PI	112,014	\$1,938.78	\$0.01731
12662 Corral PI	26,573	-	
10818 Bloomfield Ave	35,384	\$612.44	\$0.01731
10838 Bloomfield Ave	16,356	\$283.10	\$0.01731
10928 Bloomfield Ave	21,399	-	
10988 Bloomfield Ave	45,964	-	
12680 Corral PI	97,877	-	
	375,540	\$3,180.02	

VI. SOURCES AND OBLIGATIONS

A statement showing the Sources and Obligations of special tax funds for CFD No. 2004-1 for Fiscal Year 2011-12 is presented in Table 4. The Special Tax Requirement for Fiscal Year 2011-12 was determined as specified in the adopted Rate and Method of Apportionment of the Special Tax.

TABLE 4
SOURCES AND OBLIGATIONS

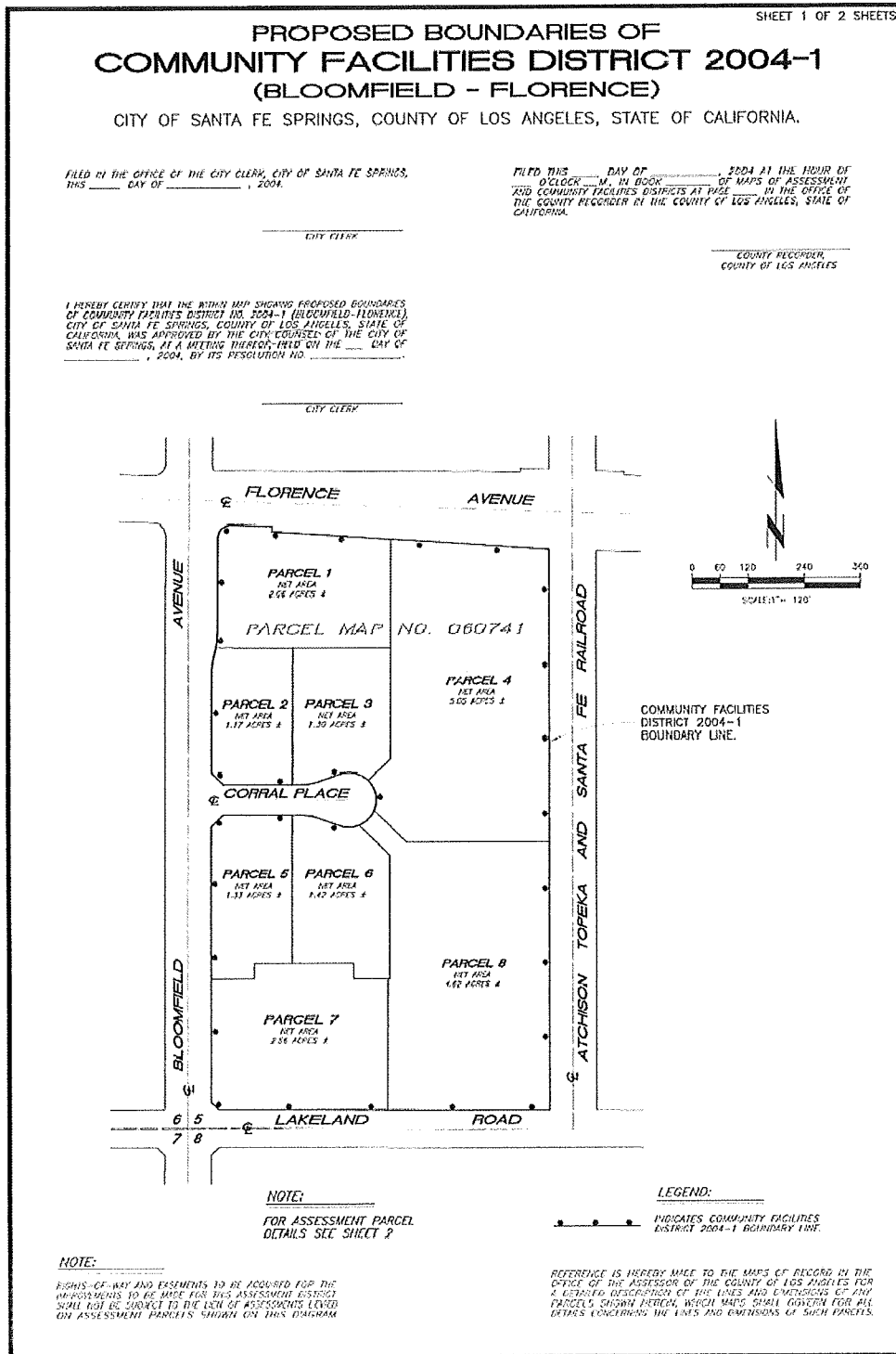
	Fiscal Year 2010-11 <u>Amount</u>	Fiscal Year 2011-12 <u>Amount</u>
<u>SOURCES</u>		
Annual Special Tax Roll		
Developed Property	\$0.00	\$37,867.16
Undeveloped Property	\$0.00	\$0.00
Subtotal	\$0.00	\$37,867.16
TOTAL SPECIAL TAXES FROM ALL SOURCES	\$0.00	\$37,867.16
<u>OBLIGATIONS</u>		
Debt Service	\$0.00	\$34,687.14
Allocation for Delinquencies*, Administration and Incidentals	\$0.00	\$3,180.02
2011 Fund Balance (Reserve)	\$0.00	\$0.00
Subtotal	\$0.00	\$37,867.16
Surplus/Shortage to District	\$0.00	\$0.00
TOTAL OBLIGATIONS FOR SPECIAL TAXES	\$0.00	\$37,867.16

* There are no delinquencies to report for FY2011-12.

VII. SPECIAL TAX ROLL

The Special Tax Roll lists the special tax levy on each parcel within the boundaries of CFD No. 2004-1 for Fiscal Year 2011-12. A copy of the Special Tax Roll is included in the Appendix of this report as Exhibit C.

EXHIBIT A
Boundary Map



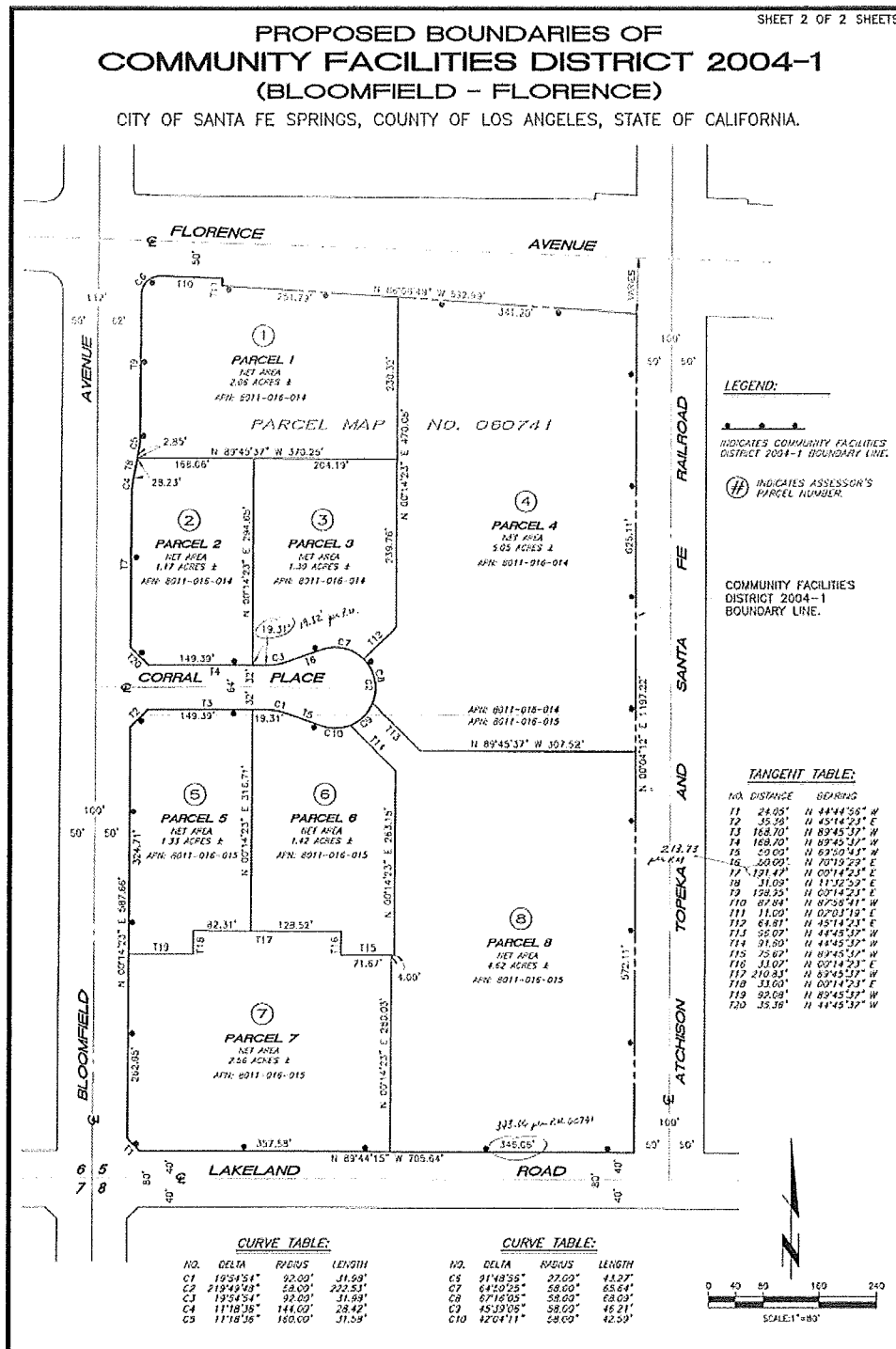


EXHIBIT B

***Amended and Restated Rate and Method of
Apportionment of the Special Tax***

**AMENDED AND RESTATED
RATE AND METHOD OF APPORTIONMENT FOR
CITY OF SANTA FE SPRINGS
COMMUNITY FACILITIES DISTRICT NO. 2004-1
(Bloomfield-Florence)**

This Amended and Restated Rate and Method of Apportionment of Special Tax amends and restates in its entirety that certain Rate and Method of Apportionment of Special Tax (the "Original Rate and Method"). The Original Rate and Method was attached as Exhibit B to the Notice of Special Tax Lien for City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Florence) ("CFD No. 2004-1"), which was recorded in the real property records of the County of Los Angeles on November 3, 2004, as Document No. 04-2853634.

The Special Taxes as hereinafter defined shall be levied on all Assessor's Parcels in CFD No. 2004-1 and collected each fiscal year commencing in Fiscal Year 2011-12, in the amounts determined as described below. All of the real property in CFD No. 2004-1, 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:

"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. 2004-1: 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 to the City, CFD No. 2004-1 or any designee thereof of complying with disclosure requirements of the City, CFD No. 2004-1 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. 2004-1 or any designee thereof related to any appeal of the Special Tax; 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. 2004-1 for any other administrative purposes of CFD No. 2004-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes. The maximum amount for the Administrative Expenses is set at \$6,500 for Fiscal Year 2011-12; the maximum amount for subsequent Fiscal Years shall be equal to (i) the maximum amount for the Administrative Expenses for the previous year plus (ii) the product of multiplying (A) the maximum amount for the Administrative Expenses for the previous year times (B) the annual percentage change (if positive) in CPI for the preceding year ending in March.

"Annual Debt Service" means the annual amount of principal and interest required to satisfy the \$700,000 loan amount set forth in the Reimbursement Agreement, over a 15 year period

commencing Fiscal Year 2011-12 (assuming no delinquencies) at an interest rate of 5.75%, assuming level payments.

"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.

"Building Square Footage" means the building area as shown on the building permit.

"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. 2004-1" means City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Lakeland).

"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. 2004-1.

"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.

"Exempt Property" means all Assessor's Parcels not subject to the Special Tax for Payment Amount as described under Section G.

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

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

"Parcel" means Assessor's Parcel.

"Reimbursement Agreement" means that certain Reimbursement Agreement, dated as of September 23, 2004, by and between the City and Bloomfield Partners II, LLC, which Reimbursement Agreement is attached as Exhibit A.

"Proportionately" means for Taxable Property, in any Fiscal Year, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Property.

"Public Property" means any Assessor's Parcel within the boundaries of CFD No. 2004-1 that is transferred to a public agency or public utility on or after the date of formation of CFD No. 2004-1 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.

"Special Tax for Payment Amount" means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax for Payment Amount Requirement.

"Special Tax for Payment Amount Requirement" means that amount required in any Fiscal Year for CFD No. 2004-1 equal to the Annual Debt Service and the maximum amount of Administrative Expenses.

"Special Taxes" means, collectively, the Special Tax for Payment Amount and the Special Tax for Maintenance.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2004-1 which are not Exempt Property.

B. CLASSIFICATION OF PROPERTIES

All Assessor's Parcels shall be classified as Taxable Property or Exempt Property.

Once classified as Taxable Property, a parcel may not be subsequently re-classified or changed to Exempt Property without the Special Tax for Payment Amount being paid off in full in accordance with Section E.

C. SPECIAL TAX FOR PAYMENT AMOUNT RATE

Maximum Special Tax for Payment Amount

The Maximum Special Tax for Payment Amount for Assessor's Parcels of Taxable Property shall be calculated for each Fiscal Year as follows:

First: the City shall add the Annual Debt Service plus Administrative Expenses for the Fiscal Year.

Second, the amount calculated in First shall be apportioned to all parcels of Taxable Property Proportionately based on the amount of Building Square Footage.

D. MANNER OF COLLECTION OF SPECIAL TAXES

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2004-1 may directly bill the Special Taxes, 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.

E. PREPAYMENT OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount may be prepaid, in whole or in part, at any time.

F. TERM OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount shall be levied on Taxable Property for a period not to exceed 15 years; provided, however, that the Special Tax for Payment Amount may be levied for a longer period of time if, as a result of delinquencies in the payment of the Special Tax for Payment Amount, it has not collected an amount sufficient to pay the Payment Sum (as defined in the Reimbursement Agreement).

G. EXEMPTIONS

The CFD Administrator shall classify Assessor's Parcels of Public Property as Exempt 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.

At the time CFD No. 2004-1 was originally formed, Assessor's Parcel number 8011-016-903 was not then a publicly owned property. Therefore, in accordance with Section B, this property continues to be considered Taxable Property.

H. ENFORCEMENT

If not paid when due, the City shall have the right to foreclose any delinquent Special Tax for Payment Amount by appropriate action in a court of competent jurisdiction, such action to include all court costs, attorney fees and costs of sale.

EXHIBIT C
REIMBURSEMENT AGREEMENT

Reimbursement Agreement

REIMBURSEMENT AGREEMENT

This Agreement is made and entered into as of September 23, 2004, by and between the City of Santa Fe Springs ("City"), the Community Development Commission of the City of Santa Fe Springs ("CDC") and Bloomfield Partners II, L.L.C., a Delaware limited liability company ("Developer").

RECITALS:

- A. Developer intends to develop that certain real property located in City, legally described in Exhibit "A" attached hereto (the "Property").
- B. On February 23, 2004, City's Planning Commission granted Development Plan Approval No. 778-785 (the "DPA") for Developer's proposed development of the Property (the "Project"); on February 26, 2004, CDC also approved the DPA. A copy of the DPA is attached hereto as Exhibit "B", and is incorporated by reference as though fully set forth herein.
- C. The DPA requires that the parties enter into this Agreement.
- D. Developer intends to subdivide the Property into eight (8) separate legal parcels.

Based on the Recitals set forth above and the mutual promises set forth below, the parties agree as follows:

1. City shall pay for and contract for the construction of the following items of public infrastructure pertaining to the Project: (a) the new traffic signal to be located at the intersection of Bloomfield Avenue and the new cul-de-sac street (Corral Place) to be constructed to lead into the Property; and (b) the reclaimed water line to be located beneath Bloomfield Avenue (both set forth in DPA Condition No. 30).

2. CDC shall loan to Developer an amount not to exceed \$700,000 (the "Loan"), to be used by Developer to pay for the construction of the following items of public infrastructure and related costs pertaining to the Project: (a) a public cul-de-sac street (DPA Condition No. 2); (b) the resurfacing of portions of the streets adjacent to the Project (DPA Condition No. 5); (c) a sidewalk on Bloomfield Avenue (DPA Condition No. 6); (d) street sign replacements (DPA Condition Nos. 11 and 12—to be performed by City and reimbursed by Developer); (e) re-striping required by traffic study (DPA Condition No. 13); (f) storm drain costs (DPA Condition No. 20); (g) demolition of existing improvements to make way for new public improvements; (h) landscaping within public right-of-way along Bloomfield, Lakeland and Florence; (i) costs associated with the mitigation of environmental impacts; (j) costs for public storm drain facilities; (k) any other public improvements deemed appropriate by mutual agreement of the parties; (l) all permits, fees, soft costs or other costs associated with the public infrastructure, including City art fees; and (m) interest accruing from the date of funding until the date of issuance of the last of the eight building permits.

3. The loan shall bear simple interest at an annual rate of 5.75%. Principal and interest shall be paid on a 15-year, fully amortized schedule with interest accruing from the date of the loan. Funding of the loan from CDC to Developer shall be completed within ten (10) business days of the submission of a written request for such funding from Developer to CDC.

705269.04/OC
57335-4510-14-04/wsd/twd

MPA



Reimbursement Agreement

4. It is the intention of the parties that City will form a Community Facilities District ("CFD") comprised entirely of the eight (8) parcels ("Parcels") to be created by Developer's subdivision of the Property, for the purpose of repaying the Loan. The percentage of the special tax on each subdivided parcel shall be based on the relative size of the building to be constructed on each such parcel. The amount of the special tax for each subdivided parcel shall, in combination with the special tax amounts for the other subdivided parcels, be equivalent to the annual payment obligation of the loan and shall, when delivered to the City, constitute the annual payment of the loan. See the proposed CFD Repayment Allocation Schedule attached as Exhibit "C". It is the intention of the parties that Developer pay the cost of forming such CFD.

5. No funds shall be released until after the CFD is formed. Upon formation of the CFD, the City shall record separate special tax liens against each of the Parcels so the tax can appear on the tax roll. Thereafter, payments on the loan shall be made to City semi-annually, through the property tax bills on the Parcels. The first payment shall be due the later of (i) December 2005 or (ii) the first tax payment date on which the special tax lien is reflected on the tax bills of the Parcels.

6. This Agreement shall be assignable and shall run with the land, inure to the benefit of and be binding upon the parties, and all of their successors and assigns.

7. This document contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes all prior agreements. No amendment hereto, or waiver of any provision hereof, can be made except in a writing executed by both parties.

Intending to be legally bound, the parties have executed this Agreement, below, as of the date first set forth above.

CITY OF SANTA FE SPRINGS


Mayor

Attest:


City Clerk

COMMUNITY DEVELOPMENT
COMMISSION OF THE CITY OF SANTA FE
SPRINGS


Chairman

Attest:


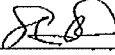

Commission Secretary

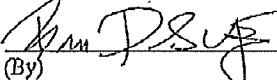
EXHIBIT C
Reimbursement Agreement

Approved as to form.

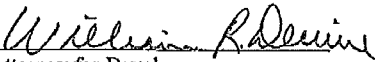


City/CDC Attorney

BLOOMFIELD II, LLC, a Delaware limited liability company


(By) _____

Approved as to form.



Attorney for Developer



EXHIBIT C
Reimbursement Agreement

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

BEING A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING WEST OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD RIGHT OF WAY, AS RECORDED AS PARCEL MAP NO. 06741 IN BOOK _____, PAGES _____ TO _____.

EXCEPT THEREFROM ANY STREETS OF RECORD.

Reimbursement Agreement



11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org
February 27, 2004
Re: Development Plan Approval Case No. 778-785
Modification Permit Case No. 1154

Peter Rooney
Sares-Regis Group
18802 Bardeen Avenue
Irvine, California 92612-1521

Dear Mr. Rooney:

The Planning Commission and Community Development Commission, at their respective meetings held February 23, 2004 and February 26, 2004, took action on your request for Development Plan Approval Case Nos. 778-785 to allow the construction of eight (8) concrete, tilt-up industrial buildings totaling approximately 383,177 sq ft and a Modification of Property Development Standards (Modification Permit Case No. 1154) to reserve and not provide a portion of the required number of parking spaces on the 19.51-acre property located on the east side of Bloomfield Avenue between Florence Avenue to the north, Lakeland Road to the south and the Burlington Northern Santa Fe Railroad (BNSF) track to the east, in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project Area.

The Planning Commission and Community Development Commission approved your requests subject to the following conditions:

1. The owner and/or developer shall dedicate a street right-of-way easement as required to accommodate construction of a northbound right-turn-only lane on the southeast corner of Bloomfield Avenue and Florence Avenue. Dedication shall be at no cost to the City. The dedicated area shall be kept clear of any permanent structure and shall be landscaped and maintained until such time as the lane is constructed by the City.
2. The owner and/or developer shall construct the new cul-de-sac street in accordance with City requirements and shall dedicate a street right-of-way easement to the City for the new street. All work and dedication is to be done at no cost to the City.

Gustavo R. Velasco, Mayor • Betty Putnam, Mayor Pro-Tempro
City Council
Louie Gonzalez • Ronald S. Kermes • Joseph D. Serrano, Sr.
City Manager
Frederick W. Taitum

Item No.



Reimbursement Agreement

3. The owner and/or developer shall prepare a Street Improvement Plan for all street improvements to be completed on all street frontages, including new improvements and modifications to existing improvements. This includes the new cul-de-sac street and any changes needed to implement traffic mitigation measures. Said Plan shall be prepared by a Registered Civil Engineer in accordance with City standards and approved by the City Engineer before any street improvements are installed.
4. The owner and/or developer shall install streetlights on the new cul-de-sac in accordance with plans to be prepared by the City and shall reimburse the City for 100% of the actual cost of design, engineering and inspection of the streetlights.
5. The owner and/or developer shall slurry/resurface the Bloomfield Avenue, Lakeland Road and Florence Avenue street frontages to the centerline of each street, excluding intersections and concrete areas, if required, to the satisfaction of the City Engineer.
6. The owner and/or developer shall construct 5-foot-wide meandering sidewalks within a dedicated easement along Bloomfield Avenue.
7. The owner and/or developer shall agree to the addition of a cost-of-living adjustment to the existing Street Light Assessment District. Annual adjustments shall be based on the Consumer Price Index for Los Angeles County.
8. The owner and/or developer shall install all water mains and facilities needed to supply fire, domestic and irrigation water to the site in accordance with City requirements. Minimum water main size is 12-inch diameter. A Water System Plan shall be developed that shows how all systems and buildings will connect to off-site water lines and how all on-site lines serving the site will be located. Water system for the site will need to be supplied through two points of connection to off-site mains. Facilities within dedicated street right-of-way and any on-site facilities to be dedicated to the City must be designed and constructed in accordance with City standards. Said Plan shall be prepared by a Registered Civil Engineer and approved by the Public Works and Fire Departments before any water facilities are installed.
9. The owner and/or developer shall comply with Congestion Management Program (CMP) requirements and provide mitigation of trips generated by the development. The owner and/or developer will receive credit for demolition of any buildings which formerly occupied the site to the extent they generated traffic. If owner and/or developer cannot meet the mitigation requirements, the owner and/or developer shall pay a mitigation fee to be determined by the City Engineer for offsite transportation improvements.

Reimbursement Agreement

- Price*
10. The owner and/or developer shall agree to participate in a future street maintenance district or other type of benefit assessment district to slurry seal, resurface and reconstruct the street frontage on regular intervals (5-year, 10-year and 20-year intervals, respectively, as determined by the City Engineer). The owner shall retain the right to challenge the costs and method of spreading future assessments.
 11. The owner and/or developer shall reimburse the City for 100% of the actual cost for the installation/replacement of street name signs, traffic control signs and pavement markings. The City will complete the work.
 12. Adequate "on site" parking shall be provided per City requirements, and adjacent public streets, including the new cul-de-sac street, shall be posted "No Stopping Any Time." The City will cause off-site signage to be installed. The cost of sign installation shall be paid by the owner/developer.
 13. A traffic study has been prepared by a Professional Engineer and submitted as required by the City. The traffic study shows the present traffic in the area and projected traffic after the development of the property and includes an analysis of the following intersections: Florence Avenue and Bloomfield Avenue; Florence Avenue and Shoemaker Avenue; Florence Avenue and Norwalk Boulevard; Telegraph Road, Bloomfield Avenue and Santa Fe Springs Road; Telegraph Road and Norwalk Boulevard; Lakeland Road and Norwalk Boulevard; and Florence Avenue and Pioneer Boulevard. Owner and/or developer agree that the improvements and mitigation measures recommended by the study shall be completed to the satisfaction of the City Engineer before the project is occupied.
 14. The owner and/or developer shall agree to modify the southbound left-turn lane on Bloomfield Avenue at the intersection with the proposed cul-de-sac street or implement on-site mitigation measures to limit the number of trucks using the left-turn lane to eliminate the backup of left-turning traffic into the southbound through-lane of Bloomfield Avenue should that situation begin to occur on a regular basis.
 15. The landscape irrigation system shall be connected to the reclaimed water line to be installed by the City. Separate meter(s) shall be installed by owner and/or developer to accommodate connection of irrigation systems to the water line.
 16. Access to the site from existing public streets and any new streets shall be approved by the City Engineer. All points of access must be located, sized and designed to accommodate the volume and type of traffic that will be entering and leaving the site. Access points shall be located so that traffic generated by the development will not adversely affect the flow of traffic on any adjacent City Street.

EXHIBIT C
Reimbursement Agreement

17. A grading plan shall be submitted for drainage approval by the City Engineer. The owner/developer shall pay drainage review fees in conjunction with this submittal. The grading plan shall be prepared by a professional engineer registered in the State of California.
18. A hydrology study shall be submitted to the City if requested by the City Engineer. The study shall be conducted by a Professional Engineer.
19. A soils report shall be prepared and submitted as directed by the City Engineer.
20. A Storm Drain Plan shall be developed that shows all on-site and off-site drainage facilities. The existing drainage ditch located in the southeast corner of the site shall be replaced with an underground system that is not located under any permanent structure. New easements shall be granted to accommodate the new location of this facility. The storm drain system shall be designed and constructed in accordance with City Standards and requirements. Property owner shall obtain a Storm Drain Connection permit for any connection to the City or County storm drain system. Plan shall be prepared by a Registered Civil Engineer and approved by the City Engineer before any storm drain facilities are installed.
21. The east and south frontages of the development shall be designed to accommodate the future grade separation on Lakeland Road at the BNSF Railroad. Areas needed for temporary or permanent easements shall be kept clear of any permanent structures. Owner shall be entitled to the full use of said easement areas until such time as construction is ready to begin and shall be compensated for said easements by separate agreement prior to the beginning of construction.
22. The owner and/or developer shall install all sewer mains and facilities needed to supply sewer service to the site in accordance with City requirements. A Sewer System Plan shall be developed that shows how all systems and buildings will connect to off-site sewer lines and how all on-site lines serving the site will be located. A sewer study shall be submitted to document how sewer mains have been sized. Facilities within dedicated street right-of-way and any on-site facilities to be dedicated to the City must be designed and constructed in accordance with City standards. Said Plan shall be prepared by a Registered Civil Engineer and approved by the City Engineer before any sewer facilities are installed.
23. The owner and/or developer shall comply with all requirements of, make application to, and pay all fees required by the County Sanitation Districts of Los Angeles County to provide for sewer service to the project site.

EXHIBIT C
Reimbursement Agreement

24. Upon completion of public improvements constructed by developers, the developer's civil engineer shall submit Mylar record drawings and AutoCAD V.14 drawing files to the office of the City Engineer.
25. Final parcel map checking of \$3,900 plus \$260 per parcel shall be paid to the City. Developer shall comply with Los Angeles County's Digital Subdivision Ordinance (DSO) and submit final maps to the City and County in digital format.
26. No common driveways shall be allowed unless approved by the City Engineer. Proposed driveways shall be located to clear existing fire hydrants, streetlights, water meters, etc.
27. All known abandoned oil wells, pipelines, tanks and related lines, between the existing curb and right-of-way, and within the right-of-way line, excluding the two utility casings in Bloomfield Avenue, and one utility casing in Lakeland Road, and within the areas to be dedicated for the right-turn-only lane, new cul-de-sac street, and meandering sidewalk easement, that hinder construction of improvements within those areas shall be removed unless otherwise approved by the City Engineer.
28. Developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMP's) on all construction sites in accordance with Chapter 52 of the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over 5 acres in size will be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Division of Water Quality at (916) 657-1977 or by downloading the forms from their website, at <http://www.swrcb.ca.gov/stormwtr/construction.html>. The project shall also conform to Ordinance 915 regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"). The SUSMP includes a requirement to implement Post Construction BMP's to mitigate (infiltrate or treat) the first 3/4" of runoff from all storm events and to control peak-flow discharges. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.
29. The owner and/or developer shall provide at no cost to the City one Mylar print of the recorded parcel map from the County of Los Angeles Department of Public Works, P.O. Box 1460, Alhambra, CA 91802-1460, Attention: Bill Slenniken (626) 458-5131.

Reimbursement Agreement

30. An Agreement shall be executed and recorded in the Office of the Los Angeles County Recorder that addresses the obligations of the owner and/or developer and City regarding the following work that is to be completed and paid for by the City:
- Installation of a traffic signal at the intersection of Bloomfield Avenue and the new cul-de-sac street.
 - Extension of a reclaimed water line southerly in Bloomfield Avenue from Florence Avenue to a point south of Lakeland Road.

Agreement shall be subject to the approval of the City Attorney and executed by the owner and/or developer before a certificate of occupancy is issued by the City.

31. That an "Owners' Association" or a Community Association shall be created with CC&R's stipulating maintenance requirement for landscaping and all common areas of the development. Level of maintenance shall be to the highest of standards as required by the City, and all maintenance costs shall be borne by the Association. Such CC&R's shall be subject to the approval of the Director of Planning and Development.
32. A Reciprocal Access Easement Agreement covering each parcel of the subject map shall be prepared, executed and recorded in the Office of the Los Angeles County Recorder. Such Agreement and any CC&R's shall be subject to the approval of the City Attorney.
33. That the fire sprinkler plans, which show the proposed double-check valve detector assembly location, shall have a stamp of approval from the Planning Department and Public Works Department prior to the Fire Department's review for approval. Disinfection, pressure and bacteriological testing on the line between the street and detector assembly shall be performed in the presence of personnel from the City Water Department. The valve on the water main line shall be operated only by the City and only upon the City's approval of the test results.
34. That if the Department of Planning and Development requires that the double-check detector assembly be screened by shrubs or any other material, the screening shall only be applicable to the double-check detector assembly and shall not include the fire department connector (FDC). Notwithstanding, the Fire Marshal shall have discretionary authority to require the FDC to be located a minimum distance from the double-check detector assembly.

Reimbursement Agreement

35. That all projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project waste. Contact Recycling Coordinator, Department of Planning and Development at (562) 868-0511.
36. That the owner/developer shall comply with Public Resource Code, Section 42900 et. seq. (California Solid Waste Reuse Recycling Access Act of 1991 (Act) relating to providing adequate areas for collection and loading of recyclable materials in development projects.
37. That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909.
38. That all buildings over 5,000 sq ft shall be protected by an approved automatic sprinkler system.
39. That the owner shall comply with the requirements of Section 117.131 of the Santa Fe Springs Municipal Code, Requirement for a Soil Gas Study.
40. That the interior gates or fences are not permitted across required Fire Department access roadways.
41. That if on-site fire hydrants are required by the Fire Department, a minimum flow must be provided at 2,500 gpm with 1,500 gpm flowing from the most remote hydrant.
42. That the minimum width of required Fire Department access roadways shall be not less than twenty-six (26) feet with a minimum clear height of thirteen (13) feet six (6) inches. Internal driveways shall have a turning radius of not less than fifty-two (52) feet.
43. That prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Fire Department for required access roadways and on-site fire hydrant locations. The site plan shall be drawn at a scale between 20 to 40 feet per inch. Include on plan all entrance gates that will be installed.
44. That Knox boxes are required on all new construction. All entry gates shall also be equipped with Knox boxes or Knox key switches for power-activated gates.
45. That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways.

Reimbursement Agreement

46. That prior to issuance of building permits, the applicant shall comply with the following conditions to the satisfaction of the City of Santa Fe Springs:
- A. Owner/developer shall obtain a "Closure Letter," "No Further Action Letters" or other appropriate documentation certifying that the required soil remediation standards have been achieved shall be secured from the Los Angeles Regional Water Quality Control Board.
 - B. Owner/developer shall submit a soils management plan (SMP) which addresses site monitoring and potential soil remediation activities during site development is required. The SMP must be approved by the Fire Department prior to the issuance of a grading permit. A final SMP report must be submitted and approved once the grading is complete.
 - C. Permits and approvals. Owner/developer shall, at its own expense, secure or cause to be secured any and all permits or other approvals, which may be required by the City and any other governmental agency having jurisdiction as to the environmental condition of the Property. Permits shall be secured prior to beginning work related to the permitted activity.
 - D. Covenants.
 - 1. Owner/developer shall provide a written covenant to the Planning Commission that, except as may be revealed by the environmental remediation described above and except as applicant may have otherwise disclosed to the City, Commission, Planning Commission or their employees, in writing, applicant has investigated the environmental condition of the property and does not know, or have reasonable cause to believe, that (a) any crude oil, hazardous substances or hazardous wastes, as defined in state and federal law, have been released, as that term is defined in 42 U.S.C. Section 9601 (22), on, under or about the Property, or that (b) any material has been discharged on, under or about the Property that could affect the quality of ground or surface water on the Property within the meaning of the California Porter-Cologne Water Quality Act, as amended, Water Code Section 13000, et seq.
 - 2. Owner/developer shall provide a written covenant to the City that, based on reasonable investigation and inquiry, to the best of owner/developer knowledge, it does not know or have reasonable cause to believe that it is in violation of any notification, remediation or other requirements of any federal, state or local agency having jurisdiction concerning the environmental conditions of the Property.

Reimbursement Agreement

3. Owner/developer understands and agrees that it is the responsibility of the applicant to investigate and remedy, pursuant to applicable federal, state and local law, any and all contamination on or under any land or structure affected by this approval and issuance of related building permits. The City, Commission, Planning Commission or their employees, by this approval and by issuing related building permits, in no way warrants that said land or structures are free from contamination or health hazards.
4. Owner/developer understands and agrees that any representations, actions or approvals by the City, Commission, Planning Commission or their employees do not indicate any representation that regulatory permits, approvals or requirements of any other federal, state or local agency have been obtained or satisfied by the applicant and, therefore, the City, Commission, Planning Commission or their employees do not release or waive any obligations the applicant may have to obtain all necessary regulatory permits and comply with all other federal, state or other local agency regulatory requirements. Applicant, not the City, Commission, Planning Commission or their employees, will be responsible for any and all penalties, liabilities, response costs and expenses arising from any failure of the applicant to comply with such regulatory requirements.
47. That all known abandoned pipelines, tanks and related facilities shall be removed unless approved by the City Engineer and Fire Chief. Appropriate permits for such work shall be secured before abandonment work begins.
48. That the owner shall require all tenants, prior to occupancy, to acquire a Business Operations Tax Certificate (BOTC) from the Department of Finance and submit an approved Statement of Intended Use Form to the Santa Fe Springs Fire Department.
49. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, Uniform Building Code, Uniform Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations.
50. That the owner shall comply with all conditions, limitations and requirements of the approved Industrial Wastewater Discharge Permit in addition to applicable sections of the Wastewater Ordinance and Chapter 97 of the City Code, as it relates to industrial waste disposal. The owner/operator shall submit an Industrial Wastewater Discharge Permit Application prior to generating, storing, treating or discharging any industrial wastewater to the sanitary sewer.

Reimbursement Agreement

51. That the owner shall comply with for the Regional Water Quality Control Board's Stormwater Pollution Prevention Plan permit requirements.
52. That the owner/developer shall submit for approval to the Police Services Department of the City a lighting and security plan for the property. The lighting shall be installed to provide adequate lighting throughout the property. Further, all exterior lighting shall be designed/installed in such a manner that light and glare are not transmitted onto adjoining properties in such concentration/quantity as to create a hardship to adjoining property owners or a public nuisance.
53. That the owner/developer shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day.
54. That approved suite numbers/letters or address numbers shall be placed on the proposed building in such a position as to be plainly visible and legible from the street fronting the property. Said numbers shall contrast with their background. The size recommendation shall be 12" minimum.
55. That all roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet of the proposed development and is visible from adjacent property or a public street at ground level shall be screened by an enclosure which is consistent with the architecture of the building and approved by the Director of Planning and Development.
56. That the owner/developer shall submit for approval a detailed landscape and automatic irrigation plan pursuant to the Landscaping Guidelines of the City. Said landscape plan shall indicate the location and type of all plant materials to be used and shall include 2 to 3 foot high berms (as measured from the parking lot grade elevation), shrubs designed to fully screen the interior yard and parking areas from public view and 24" box trees along the street frontage.
57. That the owner shall be responsible for his tenants and require that all work is performed inside the building. No portion of the required off-street parking area shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning and Development and the Fire Marshall.



EXHIBIT C
Reimbursement Agreement

58. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of vehicles and indicate that vehicles will be removed at the owner's expense and that a citation may be issued for the violation. The sign shall also contain the telephone number of the local law enforcement agency. The lettering within the sign shall not be less than one inch in height.
59. That all vehicles associated with the businesses on the subject property shall be parked on the subject site at all times. Off-site parking is not permitted and may result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the property shall not obstruct or impede any traffic.
60. That the location of electrical transformers shall be subject to the approval of the Planning Department.
61. That all fences, walls, signs and similar improvements for the proposed development shall be subject to the approval of the Fire Department and the Department of Planning and Development.
62. That pursuant to the sign standards of the Zoning Ordinance and related sign guidelines of the City, a comprehensive sign program for the proposed development shall be prepared and submitted to the Director of Planning and Development for approval. All signs shall be installed in accordance with the approved sign program.
63. That a sufficient number of approved outdoor trash enclosures shall be provided for the development subject to the approval of the Director of Planning and Development.
64. That the "mainline railroad right-of-way," which is considered as a "public way" as per Los Angeles County Building Code Manual No. 505.1, Article 1, and is located adjacent to Buildings 4 and 8 as depicted on the approved site plan dated February 17, 2004, for the proposed development, may be used to increase the basic allowable area of Buildings 4 and 8, as per Section 505.1 of the Los Angeles County Building Code (2002 Edition).
65. That the final plot plan, floor plan and elevations of the proposed development and all other appurtenant improvements, textures and color schemes shall be subject to the final approval of the Director of Planning and Development.



66. That the development shall otherwise be substantially in accordance with the plot plan, floor plan and elevations submitted by the owner and on file with the case.
67. That Development Plan Approval Case Nos. 778-785 shall not be valid until approved by the Community Development Commission and shall be subject to any other conditions the Commission may deem to impose.
68. That Development Plan Approval Case Nos. 778-785 shall not be effective for any purpose until the owner/developer has filed with the City of Santa Fe Springs an affidavit stating he/she is aware of and accepts all of the conditions of approval.
69. That the owner/developer agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Development Plan Approval Case Nos. 778-785 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.

Your attention is called to the fact that this approval is not effective until an affidavit has been signed and notarized to indicate your willingness to accept and abide by the conditions of this approval. Two copies of an affidavit are enclosed for this purpose. One copy is to be returned to this office upon completion; the second copy is for your files.

The Zoning Ordinance sets forth an appeal period of fourteen days, beginning with the date you receive this letter, during which any party aggrieved by the Commission's action can appeal the matter to the City Council. You are hereby notified that the time within which judicial review must be sought is governed by the provisions of California Code of Civil Procedure, Section 1094.6.

EXHIBIT D

Debt Service Schedule

Debt Service Schedule

\$342,464 Principal Amount
5.75% Interest Rate
FY 25-26 last year of collection
15 years of payment left
0.101287 level debt factor (A/P)
\$34,687 total annual installment due

Fiscal Year	Beginning Principal Balance	Principal	Interest	Principal + Interest Amount
FY 11-12	\$342,464	\$14,995	\$19,692	\$34,687
FY 12-13	\$327,469	\$15,857	\$18,830	\$34,687
FY 13-14	\$311,612	\$16,769	\$17,918	\$34,687
FY 14-15	\$294,843	\$17,733	\$16,954	\$34,687
FY 15-16	\$277,109	\$18,753	\$15,934	\$34,687
FY 16-17	\$258,356	\$19,831	\$14,856	\$34,687
FY 17-18	\$238,525	\$20,971	\$13,716	\$34,687
FY 18-19	\$217,554	\$22,177	\$12,510	\$34,687
FY 19-20	\$195,377	\$23,452	\$11,235	\$34,687
FY 20-21	\$171,925	\$24,801	\$9,886	\$34,687
FY 21-22	\$147,124	\$26,227	\$8,460	\$34,687
FY 22-23	\$120,896	\$27,735	\$6,952	\$34,687
FY 23-24	\$93,161	\$29,330	\$5,357	\$34,687
FY 24-25	\$63,831	\$31,016	\$3,671	\$34,687
FY 25-26	\$32,815	\$32,800	\$1,887	\$34,687

EXHIBIT E

Special Tax Roll



EXHIBIT E
Special Tax Roll

Exhibit E
SPECIAL TAX ROLL

APN	Building Square Feet	Total Special Tax Amount FY 2011-12	Amount Collected prior to FY 2011-12
8011-016-026	19,973	\$4,116.55	\$0.00
8011-016-027	112,014	\$23,086.71	\$0.00
8011-016-033	35,384	\$7,292.84	\$0.00
8011-016-034	16,356	\$3,371.06	\$0.00
	183,727	\$37,867.16	\$0.00





City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Gus Velasco Neighborhood Center Renovation and Modernization Project – Approval of Contract Change Order No. 14 and Final Progress Payment

RECOMMENDATION

That the City Council take the following actions:

1. Approve Contract Change Order No. 14 in the amount of \$71,388.
2. Authorize the Director of Public Works to execute Contract Change Order No. 14.; and
3. Approve the Final Progress Payment (less 5% Retention) to First National Insurance Company of America in the amount of \$421,870.46.

BACKGROUND

The Gus Velasco Neighborhood Center ("Center") Renovation Project is substantially complete. The Center is scheduled to open on January 7, 2012. Corrections to punch list reviews are being completed by the general contractor. Project close-out documentation is being submitted for staff review and filing.

Pursuant to the Los Angeles County Health Department inspection, modifications are required for the catering kitchen prior to issuing a permit. Pending completion of the required modifications and a final inspection, a temporary permit is being issued by the Health Department for the month of January. The temporary permit is specifically for use of the main kitchen by the Southeast Area Social Service Funding Authority Senior Nutrition Program. The aggregate cost of this change order work is \$34,270.00.

Additional change order work is necessary for the purposes of addressing value engineering and unforeseen conditions and additional improvements as a result of the punch list review by the architect. This change order work is summarized below:

1. Security. Revise security system to connect all doors to the security monitoring system and install electronic deadbolts to the automatic lobby entrance doors. The aggregate cost of this change order work is \$14,151.00.
2. Framing. Additional framing in various locations required to meet code requirements and provide proper noise insulation. The aggregate cost of this change order work is \$9,179.00.

3. Door Hardware. Additional door hardware as a result of the punch list review by the architect necessary to meet code requirements. The aggregate cost of this change order work is \$9,704.00
4. General. Other change order costs include additional or revised signage, modified alarm pull station covers. The aggregate cost of this change order work is \$4,084.00.

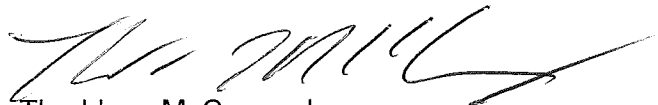
Staff is also recommending final payment to the Surety due per the terms of the contract for the work which has been completed and found to be satisfactory. The final progress payment (excluding the 5% retention) is \$421,870.46.

FISCAL IMPACT

This project is included in the Six-Year Capital Improvement Program FY 2006-07 through FY 2011-12. Funds have been appropriated from unallocated CDC Tax-Exempt Bond Funds to the Project Account No. 484-R545. Funds for this project are included in Resolution No. OB-SA-2012-001 and Resolution No. OB-SA-2012-002 and were approved on April 25, 2012 by the Oversight Board of the Successor Agency to the Community Development Commission/Redevelopment Agency of the City of Santa Fe Springs.

INFRASTRUCTURE IMPACT

Authorization to make the various improvements recommended in Change Order No. 14 are consistent with the planned modernization and renovation of the Gus Velasco Neighborhood Center, and will complete the project to preserve the existing facility, achieve ADA compliance, increase operations and maintenance efficiencies, provide for increased functional work space, and enhance service to the community.



Thaddeus McCormack
City Manager

Attachment(s):

Contract Change Order No. 14
Payment Detail



11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org

"A great place to live, work, and play"

December 21, 2012

First National Insurance Company of America
1001 4th Avenue, Suite 1700
Seattle, Washington 98154

Subject: Gus Velasco Neighborhood Center Renovation and Modernization Project
Contract Change Order No.14

Contract Change Order No. 14 shall constitute full compensation for all changes from negotiations between The City of Santa Fe Springs (City) and First National Insurance Company of America (Surety), for purposes of addressing unforeseen site conditions, value engineering, and requests by the Contractor.

It is proposed that the Contractor furnish all labor, materials, and equipment necessary to perform the following work as identified in the attached supporting documentation.

The City herein incorporates into Contract Change Order No. 14 the cost quotes from Sun Group and the City's acceptance documentation which identifies the cost assigned for each change. The total amount of Contract Change Order No. 14 is \$71,388.00. This sum constitutes full compensation, including markups, for the work of this change. No additional working days shall be granted for this work. The completion date for this contract is November 30, 2012.

1. RFQ 209 (N) COR 16700-rev1 Revise Security System Identifications	\$ 7,086.00
2. RFQ 210 (N) COR 10440-05 Additional Signage	\$ 599.00
3. RFQ 211 (N) COR 8400-05-rev-1 Revise Pantry Door Hardware	\$ 4,840.00
4. RFQ 212 (N) COR 8100-09 Additional Door Hardware from Punch List	\$ 4,864.00
5. RFQ 213 (N) COR 9100-17 Additional Framing in Offices 102 and 103	\$ 3,933.00
6. RFQ 214 (N) COR 9100-18 Additional Framing in Storage Room 107	\$ 4,648.00
7. RFQ 215 (N) COR 9100-19 Additional Framing in each Bathroom	\$ 598.00
8. RFQ 216 (N) COR 15400-13-rev-1 Hand Washing Sink in Catering Kitchen	\$15,411.00
9. RFQ 217 (N) COR 8100-10 Electronic Deadbolts for Automatic Entry Doors	\$ 2,886.00
10.RFQ 218 (N) COR 16700-12 Program Electronic Deadbolts	\$ 4,179.00
11.RFQ 219 (N) COR 9650-03-rev-1 Replace Floor in Catering Kitchen	\$ 9,035.00
12.RFQ 220 (N) COR 1000-31 Frame Fire Alarm Covers	\$ 3,485.00
13.RFQ 221 (N) COR 15400-14 Remove Catering Kitchen Sink/Fixtures	\$ 2,720.00
14.RFQ 222 (N) COR 6200-06 Replace Catering Kitchen Countertop	\$ 7,104.00

William K. Rounds, Mayor • Richard J. Moore, Mayor Pro Tem

City Council

Louie González • Laurie M. Rios • Juanita Trujillo

City Manager

Thaddeus McCormack

Gus Velasco Neighborhood Center Renovation and Modernization Project
Contract Change Order No. 14
First National Insurance Company of America
December 21, 2012
Page 2 of 2

FIRST WORKING DAY.....	December 5, 2011
Working days specified in Contract.....	114 working days
ORIGINAL COMPLETION DATE.....	May 14, 2012
Administrative Delay.....	0
Non-working days due to weather delays by previous Change Orders.	0
Non-working days due to weather delays by this Change Order.....	0
Contract Time Extensions by previous Change Orders.....	111
Contract Time Extensions by this Change Order.....	28 working days
Total Contract Time Extensions to date.....	139 working days
REVISED COMPLETION DATE.....	November 30, 2012

Please confirm your approval of this Contract Change Order by signing below. Should you have any questions, please contact Al Fuentes, Project Manager at (562) 868-0511, Extension 7355.

SUBMITTED BY:

CITY OF SANTA FE SPRINGS

Al Fuentes
Project Manager

APPROVED BY:

Noe Negrete
Director of Public Works

Date

NN/af/mc

ACCEPTED BY:

THE SUN GROUP

Date

FIRST NATIONAL INSURANCE
COMPANY OF AMERICA

Date

Payment Detail
Neighborhood Center Renovation and Modernization Project

Contractor: First National Insurance Company of America
1001 4th Avenue, Suite 1300
Seattle, Washington 98154

Item No.	Description	Contract		Completed This Period		Completed To Date	
		Quantity	Units	Unit Price	Total	Quantity	Amount
1	Furnish all labor, equipment and materials necessary to construct the Neighborhood Center Renovation and Modernization Improvements, complete in place:	1	L.S.	\$ 2,319,013	\$2,319,013.47	4.16%	\$ 96,470.96
Total					\$2,319,013.47	\$	\$ 96,470.96
						\$	\$ 2,319,013.47

Contract Change Order							
2	Contract Change Order No. 4	1	LS	\$224,520.00	\$ 224,520.00	100%	\$ 224,520.00
3	Contract Change Order No. 5	1	LS	\$185,037.00	\$ 185,037.00	100%	\$ 185,037.00
4	Contract Change Order No. 6	1	LS	\$159,995.00	\$ 159,995.00	5.6%	\$ 8,880.00
5	Contract Change Order No. 7	1	LS	\$116,122.00	\$ 116,122.00	100%	\$ 116,122.00
6	Contract Change Order No. 8	1	LS	\$197,823.00	\$ 197,823.00	7.04%	\$ 13,923.00
7	Contract Change Order No. 9	1	LS	\$163,257.00	\$ 163,257.00	6.45%	\$ 10,526.00
8	Contract Change Order No. 10	1	LS	\$74,149.00	\$ 74,149.00	12.63%	\$ 9,367.00
9	Contract Change Order No. 11	1	LS	\$44,299.00	\$ 44,299.00	1.82%	\$ 808.00
10	Contract Change Order No. 12	1	LS	\$83,924.00	\$ 83,924.00	100.00%	\$ 83,924.00
11	Contract Change Order No. 13	1	LS	\$173,458.00	\$ 173,458.00	100.00%	\$ 173,458.00
12	Contract Change Order No. 14	1	LS	\$71,388.00	\$ 71,388.00	100.00%	\$ 71,388.00
Total				\$ 1,493,972.00	\$	\$ 372,274.00	\$ 1,493,972.00
Total				\$3,812,985.47	Total Completed Items to Date:	\$	\$ 3,812,985.47

CONTRACT PAYMENTS

Total Items Completed to Date	\$ 3,812,985.47
Less Retention Withheld (10%)	\$ 381,298.55
Less Progress Payment No. 1	\$ 257,363.82
Less Progress Payment No. 2	\$ 51,977.81
Less Progress Payment No. 3	\$ 380,916.94
Less Progress Payment No. 4	\$ 205,366.67
Less Progress Payment No. 5	\$ 217,143.30
Less Progress Payment No. 6	\$ 177,617.56
Less Progress Payment No. 7	\$ 403,032.38
Less Progress Payment No. 8	\$ 499,635.46
Less Progress Payment No. 9	\$ 816,762.52
Final Progress Payment	\$ 421,870.46

FINANCE PLEASE PAY

AMOUNT: \$ 421,870.46

W.O. #: 484-397-R545-4800

RECOMMENDED BY: _____

APPROVED BY: _____



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Award Bid to Downtown Ford Sales for the Purchase of Two (2) 2013 Ford Escape Vehicles

RECOMMENDATION

That the City Council award a bid to Downtown Ford Sales for the purchase of two (2) Ford Escape vehicles.

BACKGROUND

The City Council previously approved \$25,000 in the Fiscal Year 2012-13 budget for the replacement of one (1) Fire-Rescue Department utility vehicle (Unit 831). Since then, the department has indicated the need to replace a second utility vehicle (Unit 853). The unit has been experiencing chronic maintenance problems, and is now inoperable as it is in need of a transmission replacement. The Department of Fire-Rescue recently realized proceeds of \$32,500 in the sale of Reserve Engine 812 and would use these proceeds toward the purchase of the second vehicle.

The units to be replaced are as follows:

- Unit 831 - 1998 GMC Yukon (256,464 miles)
- Unit 853 - 2001 Ford Taurus (52,320 miles)

The Director of Purchasing Services requests approval to award a bid to Downtown Ford Sales based on the below received bids. Bid amounts include all taxes and fees.

<u>VENDOR</u>	<u>BID AMOUNT</u>
Downtown Ford Sales	\$46,741.73
Wondries Fleet Group	47,095.36
Carmenita Ford	47,616.64
Ken Grody Ford	50,350.40


Thaddeus McCormack
City Manager

Attachment:
Vendor quote

QUOTATION

DOWNTOWN FORD SALES
525 N16th Street, Sacramento, CA. 95814
916-442-6931 fax 916-491-3138

DF112112910

QUOTATION

Customer

Name CITY OF SANTA FE SPRINGS
Address _____
City _____ CA _____
Phone _____

Date 11/21/2012
REP FORBESS
Phone _____
FOB _____

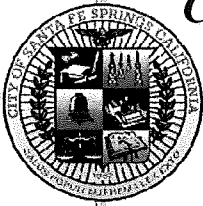
Qty	Description	Unit Price	TOTAL
2	2013 FORD ESCAPE FWD SE 200A PACKAGE INCLUDES ALL WEATHER FLOOR MATS AND CARGO AREA PROTECTOR	\$21,087.00	\$ 42,174-

Payment Details

- ☐
☒
☐

Taxes	SHIPPING	\$42,174
	8.75	\$ 700-
	DOC FEE	\$3,690.23
	TIRE FEE	\$160-
	TOTAL	\$17.50
		\$46,741.73

Office Use Only



NEW BUSINESS

Authorize the Disposal of Two Surplus Vehicles by Way of Public Auction

RECOMMENDATION

That the City Council authorize the disposal of two (2) surplus vehicles and authorize the City Manager or his designee to proceed with the disposal of the vehicles at public auction.

BACKGROUND

The City has two vehicles for disposal. Each meets the disposal criteria. Unit 831 is 14 years old and has over 256,000 miles. Unit 853 is currently inoperable because of a defective transmission, and has been determined by Fire-Rescue department mechanics that the costs of repair will be near the value of the vehicle.

Unit	Year	Dept.	Make/Model	VIN#	Mileage
831	1998	Fire	GMC Yukon 1500	1GKEC13R7WJ734834	256,464
853	2001	Fire	Ford Taurus	1FAFP52U41A147586	52,320

FISCAL IMPACT

Historically, the proceeds gained are between \$1,700 and \$3,600 per auctioned vehicle. The proceeds will be put back into the vehicle acquisition and replacement activity where vehicle purchases are budgeted.

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Request for Approval of a Recyclable Materials Dealer Permit for Fortune Metal Inc. of Rhode Island (Marry Harris, Applicant)

RECOMMENDATION

That the City Council approve the issuance of Recyclable Materials Dealer Permit No.27 to Fortune Metal Inc. of Rhode Island for an annual renewal period set to expire on June 30, 2013, subject to the conditions of approval as contained within this report.

BACKGROUND

City Ordinance No. 892 approved by the City Council on April 22, 1999, added section 119.02 to the code that requires all persons engaged in the business of purchasing or collecting recyclable materials within the city must first obtain from the City Council a permit as a "Recyclable Materials Dealer."

In accordance with section 119.02, the applicant, Marry Harris, of Fortune Metal Inc. of Rhode Island, located at 12234 Florence Ave. in the City of Santa Fe Springs, has applied for a Recyclable Materials Dealers Permit in order to collect recyclable material within the City, particularly scrap metal and electronic waste. The materials will then be sorted into different classifications and sold to recycling companies located in the United States and overseas.

STAFF CONSIDERATIONS

As part of the permit process, staff has conducted a review of the applicant's request for a Recyclable Materials Dealers Permit. It is staff's opinion that if the recycling activity is conducted in accordance with the conditions of approval contained within this report, then the use will not pose a risk or nuisance to the public.

Consequently, staff is recommending approval of the Recyclable Materials Dealer Permit request by the applicant subject to the conditions of approval set forth herein.

RECYCLABLE MATERIALS HAULING-PURCHASE OF MATERIAL

Section 119.05, regarding the purchasing and hauling of recyclable materials, states the following:

"Permitted recyclable materials dealers shall be allowed to purchase and haul recyclable materials, as defined under Section 119.01, from any business location within the city, provided not less than 90% of the materials removed is recycled,

reused, or taken to a certified recycling center, except in the case of construction debris, where the requirements shall be 75% recyclable.”

CONDITIONS OF APPROVAL

1. That the applicant shall obtain approval of a Conditional Use Permit prior to the commencement of any salvage, reclamation, recycling, wrecking, storage and disposal activities on the subject property.
2. That, in accordance with Section 119.09 of the City Code, the applicant understands that the Recyclable Materials Dealer Permit shall not be assigned or otherwise referred without the prior written approval of the City Council. Any transfer or assignment made without such approval shall be treated as null and void.
3. That the applicant will be required to complete the City's tracking form that will: 1). confirm the amount of recyclable material being recycled from the City; 2). indicate any charges to customers; and 3). include any payments due to the City. This tracking form will be submitted to the City on a monthly basis unless no fees for service are collected under which circumstances the form will be submitted quarterly. Failure to submit the required tracking form may result in the permit being null and void.
4. That the applicant maintains a current Santa Fe Springs Business License. This license can be obtained through the Finance Department, City Hall, 11710 Telegraph Road. Business Licensing is required annually beginning July 1 of each year.
5. That the applicant does not collect, haul, or purchase recycled material, as defined under Section 119.01, from any business location within the City, containing less than 90% materials that will be recycled, reused, or taken to a certified recycling center, except in the case of construction debris, where the requirement shall be 75% recyclable material.
6. That the applicant agrees to abide by all requirements in Section 119 of the City Code.
7. That any vehicles used in conjunction with the recycling operation shall not be stored or parked in the R-1, Single Family Residential Zone.
8. That all equipment used in the collection of recyclable materials 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.

9. That any vehicles used in conjunction with the recycling operation must be inspected by the City Department of Public Works and Department of Police Services on an annual basis. Contact Phillip DeRousse, Department of Police Services at (562) 409-1850 to arrange for vehicle inspections.
10. That all vehicles used by a Recyclable Materials Dealer shall be maintained in compliance with all applicable State and local laws, and shall abide by the following:
 - a. The name of the dealer 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 recyclable materials within the city;
 - b. Each vehicle shall be constructed and used so that no material will block, fall, or leak out of the vehicle. Any material dropped or spilled in collection or transfer shall immediately be cleaned up by the operator. A broom, shovel, and spill kit shall be carried at all times on each vehicle for this purpose; and
 - c. Should the City Manager, or designee, at any time give notification in writing to a permittee 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, or designee.
11. All equipment used to collect recyclable materials, including vehicles and containers, shall be kept free of graffiti.
12. That the vehicles used in picking up recycling goods shall be clearly marked with the company name. Should the Applicant sub-contract the pick-up services, written approval shall first be obtained by the Director of Police Services.
13. That the recycling bins shall not be located within required parking, loading, or driveway areas.
14. That the recycling bins shall be located in an area where they will not be visible from the street; alternatively, an enclosure may be constructed to help screen the recycling bins.
15. That the applicant shall not allow their vehicles/trucks to queue on the streets, use streets as a waiting area, or to backup onto the street from the subject property.
16. That the pickup of recycling goods shall not be performed within the residential areas between the hours of 7 p.m. and 7a.m. the day thereafter.

17. That all company drivers shall be fully licensed with the appropriate classification as required by the California Department of Motor Vehicles.
18. 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, both the Director of Police Services and Director of Planning and Development shall be notified in writing of said intention not less than 60 (sixty) days prior to signing of the agreement to sell, lease or sublease.
19. It is hereby declared to 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.
20. That all recycling activities shall comply with Section 155.420 of the City's Zoning Ordinance regarding the generation of objectionable odors. If there is a violation of this aforementioned Section, the property owner/applicant shall take whatever measures necessary to eliminate the objectionable odors from the operation in a timely manner.
21. That the applicant shall comply with all of the Federal, State, and local regulations, ordinances, and reporting requirements pertaining to recycling operations.
22. That the Director of Police Services, at his discretion, shall have the authority to include additional conditions of approval that he may deem necessary, prior to the termination of the licensing period.
23. That Recyclable Dealer Permit No.27 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 be valid through June 30, 2013, at which time the applicant shall request an annual extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.
25. That failure to comply with the foregoing conditions of approval shall be cause for procedures to suspend and/or revoke this permit.



Thaddeus McCormack
City Manager

Attachment:
Application

City of Santa Fe Springs

11710 Telegraph Rd., Santa Fe Springs, CA 90670-3679

(562) 868-0511 ☐ Fax (562) 868-7112 ☐ www.santafesprings.org

Office use only	
Date Applied:	10/29/12
Certificate No.:	REC 27

Recycling Permit Application

Recycler Information			
Applicant Name & Title:	Fortune Metal Inc. of RI		
Business Address:	12234 Florence Ave.		
Mailing Address (if Different):			
Business Phone:	562-941-6368	Business Fax:	562-941-6126
Email Address	661-387-1100		

Materials to be Recycled & Estimated Monthly Weight to be Hauled – in Tons			
Construction & Demolition	Tons/Months	Glass	Tons/Months
<input type="checkbox"/> Brick	_____	<input type="checkbox"/> Beverage Containers (w/CRV)	_____
<input type="checkbox"/> Concrete	_____	<input type="checkbox"/> Crushed	_____
<input type="checkbox"/> Dirt	_____	<input type="checkbox"/> Other Beverage Containers	_____
<input type="checkbox"/> Granite	_____	<input type="checkbox"/> Panes	_____
<input type="checkbox"/> Gravel	_____	<input type="checkbox"/> Other Glass	_____
<input type="checkbox"/> Pavement/Asphalt	_____	Paper	Tons/Months
<input type="checkbox"/> Sand	_____	<input type="checkbox"/> Cardboard	_____
Metal	Tons/Months	<input type="checkbox"/> Computer Paper	_____
<input type="checkbox"/> Aluminum Cans	_____	<input type="checkbox"/> Newspaper	_____
<input checked="" type="checkbox"/> Ferrous Metals	10,000	<input type="checkbox"/> Office Paper	_____
<input checked="" type="checkbox"/> Non-Ferrous Metals	60,000	<input type="checkbox"/> Telephone Books	_____
<input checked="" type="checkbox"/> Scrap Metals	40,000	Plastic	Tons/Months
<input type="checkbox"/> Tins Cans	_____	<input type="checkbox"/> Film	_____
<input type="checkbox"/> White Goods	_____	<input type="checkbox"/> High Density Polyethylene (HDPE)	_____
Yard Wastes	Tons/Months	<input type="checkbox"/> Polythene Terephthalate (PET)	_____
<input type="checkbox"/> Compost	_____	Wood	Tons/Months
<input type="checkbox"/> Grass Clippings	_____	<input type="checkbox"/> Bark	_____
<input type="checkbox"/> Leaves	_____	<input type="checkbox"/> Boards/Planks	_____
<input type="checkbox"/> Mixed	_____	<input type="checkbox"/> Chips	_____
<input type="checkbox"/> Prunings/Christmas Trees	_____	<input type="checkbox"/> Pallets	_____
Other Organics	Tons/Months	<input type="checkbox"/> Sawdust	_____
<input type="checkbox"/> Food Waste	_____	<input type="checkbox"/> Shavings	_____
<input type="checkbox"/> Textiles	_____	Other	Tons/Months
Other	Tons/Months	<input type="checkbox"/> Ash	_____
<input checked="" type="checkbox"/> E-waste	1 ton	<input type="checkbox"/> Mixed Residue	_____
<input type="checkbox"/> _____	_____	<input type="checkbox"/> Soap	_____
<input type="checkbox"/> _____	_____	<input type="checkbox"/> Tire Rubber	_____
<input type="checkbox"/> _____	_____	<input type="checkbox"/> Used Oil	_____

Location Where Materials Will Be Taken To Be Recycled			
Business Name:	Fortune Metal Inc of RI		
Business Address:	12234 Florence Ave		
Mailing Address (if Different):			
Business Phone:	562-941-6368	Business Fax:	562-941-6126
Recyclable Dealer Permit No.		Business License Number	
Describe How The Materials Will Be Used Once They Have Been Recycled (i.e., Tire Rubber to Asphalt).			
Materials collected at facility will be sorted into types & classifications. They are then sold to many different companies domestic and overseas			
Will you be charging a fee to pick up the materials? Yes <input type="checkbox"/> No <input type="checkbox"/>			
Will you be receiving payment for materials being picked up? Yes <input type="checkbox"/> No <input type="checkbox"/>			
Describe How The Method Of Calculating Your Fees To The Business Including Dollar Amounts (i.e., \$10/Ton)			
Everything that is picked up is done by corporate. contracts for customers such as Verizon, LAWP, & Att. We do not pick up for the general public. We currently will only have Att/Verizon locations that will be serviced on contract. We currently do not have any clients in Santa Fe Springs that are charged for service/pick-up. We own material we pick-up through contract			

According to Section 119.06 of the City Code, "Permitted recyclable materials dealers shall be allowed to charge a fee to haul recyclable materials as defined under §119.01, from any business location within the city, provided not less than ninety percent (90%) of the material removed is recycled, reused or taken to a certified recycling center, except in the case of construction debris, where the requirement shall be seventy-five percent (75%) recyclable. In order to engage in such activity, the business entity which will be contracting with the recyclable materials dealer shall first obtain a "Fee-for-Service Recycling Permit" to be issued by the Director. Each permit application shall be accompanied by a detailed explanation of the types of materials that will be hauled and the recycling facility where the materials will be taken. Any fee charged under this section shall be subject to the franchise fee specified under §50.22. In addition, any recyclable materials dealer engaging in fee-for-service hauling shall also be subject to the reports, remittances, books and records, audits, and penalties specified under §50.24."

According to Section 119.07 of the City Code, "recyclable materials dealers shall not knowingly transport loads containing more than ten percent (10%) residue, or twenty-five (25%) in the case of construction debris, from any premises within the city, either free or on a fee-for-service basis, whether or not such dealers are picking up recyclable materials from such premises."

According to Section 119.08 of the City Code, "On a not less than monthly basis for fee-for-service hauling, and not less than quarterly basis for purchase hauling, at their sole expense, all recyclable materials dealers shall furnish collection reports to the city, and a form provided by, or acceptable to, the Director. These reports shall include the total number of tons collected, and the number of tons recycled, the number of tons by type of recyclable materials collected, and the number of tons of residue and where the residue was disposed of during the previous quarter. These reports shall be furnished no later than thirty (30) days following the last calendar quarter day or calendar month, whichever applies."

I CERTIFY THAT I HAVE READ AND FULLY UNDERSTAND THE PRECEEDING AND AGREE TO COMPLY WITH THESE STATUTES AS WELL AS ALL LOCAL, COUNTY, STATE, AND FEDERAL LAWS PERTAINING TO THE EXECUTION OF THIS PERMIT. I ALSO CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Name Mary Harris Title Manager

Signature Mary Harris Date 12/5/12

Permit Approved By	
Signature: <u>P. P. [Signature]</u>	Date: <u>12/12/12</u>
Date Paid: <u>10/29/12</u>	Effective Dates of permit: <u>TO 6/30/12</u>
Police Services Approval: <u>[Signature]</u>	Date: <u>12/12/12</u>
Finance Department Approval: <u>OK</u>	Date: <u>↓</u>
Recycling Coordinator Approval: <u>OK</u>	Date: <u>↓</u>
Planning Department Approval: <u>OK</u>	Date: <u>↓</u>



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Approval of Out-of-State Travel for Gymnastic Coaches

RECOMMENDATION

That the City Council approve out-of- state travel for Gymnastic Coaches Shari Sanchez, Feliciano Castillo, and Christine Gonzalez to attend the Las Vegas Gymnastic Competition called Lady Luck at the South Point Hotel, January 18 – 20, 2013.

BACKGROUND

The City's Gymnastics Team program has 12 gymnasts registered to compete in the Lady Luck Gymnastics Competition, taking place in Las Vegas, January 18 – 20, 2013. This is an invitational competition which means any gymnast can compete. This is an opportunity for the gymnasts to meet out-of-state gymnasts and out-of-state judges.

The coaches will be staying at the South Point Hotel where the competition is taking place.

FISCAL IMPACT

Transportation, hotel accommodations, and food costs associated with the competition will be reimbursed by the Gymnastics Gyro's fundraising account. The cost of the coaching hours is included in the Community Services Department/ Parks and Recreation Division budget for Fiscal Year 2012 /13.

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council Meeting

December 20, 2012

NEW BUSINESS

Approval of Out-of-State Travel for Boxing Coach Danny Zamora

RECOMMENDATION

That the City Council approve out-of-state travel for Boxing Coach Danny Zamora to attend the 2013 Junior World Team Open Fact Sheet, January 6-11, 2013, in Reno, Nevada.

BACKGROUND

The City's Boxing program has two boxers registered to compete in the 2013 Junior World Team Open Fact Sheet, taking place in Reno, Nevada, January 6-11, 2013. This is an open boxing tournament. The champions from the Junior World Team Open will represent Team USA at all International Competitions in 2013.

Boxing Coach Danny Zamora will be flying to Reno and staying at Circus Circus Hotel in Reno.

FISCAL IMPACT

This item is not budgeted. The anticipated cost should be approximately \$900 and will be absorbed in the Community Services Department/Parks and Recreation Division budget for Fiscal Year 2012/13. Staff will explore fundraising options to fund costs for future boxing tournaments.

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council

December 20, 2012

APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS

Committee	Vacancy	Councilmember
Beautification	3	González
Beautification	1	Moore
Community Program	2	Rios
Community Program	3	Rounds
Community Program	5	Trujillo
Family & Humans Services	1	Moore
Historical	2	Rios
Historical	2	Rounds
Historical	2	Trujillo
Senior Citizens Advisory	1	González
Senior Citizens Advisory	1	Moore
Senior Citizens Advisory	2	Rios
Senior Citizens Advisory	2	Rounds
Senior Citizens Advisory	3	Trujillo
Sister City	1	Moore
Sister City	1	Rios
Sister City	2	Rounds
Sister City	2	Trujillo
Youth Leadership	1	Rios
Youth Leadership	1	Rounds

Applications received: None.

Thaddeus McCormack
City Manager

Attachments:

Committee Lists

Prospective Member List

Prospective Members for Various Committees/Commissions

Beautification

Community Program

Family & Human Services

Jimmy Mendoza, Jr.
Brandy Ordway-Roach
Francis Carbajal

Heritage Arts

Vaibhav Narang

Historical

Personnel Advisory Board

Parks & Recreation

Planning Commission

Alma Martinez
Janet Rock
Vaibhav Narang

Senior Citizens Advisory

Sister City

Traffic Commission

Alma Martinez
Janet Rock
Vaibhav Narang

Youth Leadership

BEAUTIFICATION COMMITTEE

Meets the fourth Wednesday of each month, except July, Aug, Dec.

9:30 a.m., Town Center Tall

Mary Jo Haller 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Vacant	(14)
	Irene Pasillas	(14)
	Vacant	(14)
	May Sharp	(13)
	Vacant	(13)
Moore	Juliet Ray	(14)
	Paula Minnehan	(14)
	Annie Petris	(13)
	Guadalupe Placencia	(13)
	Vacant	(13)
Rios	Mary Reed	(14)
	Charlotte Zevallos	(14)
	Vaibhav Narang	(14)
	Vada Conrad	(13)
	Sally Gaitan*	(13)
Rounds	Sadie Calderon	(14)
	Rita Argott	(14)
	Mary Arias	(13)
	Marlene Vernava	(13)
	Debra Cabrera	(13)
Trujillo	Mary Jo Haller	(14)
	Eleanor Connelly	(14)
	Margaret Bustos*	(14)
	Rosalie Miller	(13)
	A.J. Hayes	(13)

**Asterisk indicates person currently serves on three committees*

COMMUNITY PROGRAM COMMITTEE

Meets the third Wednesday in Jan., May, and Sept., at 7:00 p.m., in City Hall.

Mary Jo Haller 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Jeanne Teran	(14)
	Miguel Estevez	(14)
	Kim Mette	(14)
	Cecilia Leader	(13)
	Frank Leader	(13)
Moore	Rosalie Miller	(14)
	Margaret Palomino	(14)
	Mary Jo Haller	(13)
	Lynda Short	(13)
	Bryan Collins	(13)
Rios	Francis Carbajal	(14)
	Mary Anderson	(13)
	Dolores H. Romero*	(13)
	Vacant	(14)
	Vacant	(13)
Rounds	Mark Scoggins*	(14)
	Marlene Vernava	(14)
	Vacant	(14)
	Vacant	(13)
	Vacant	(13)
Trujillo	Vacant	(14)
	Vacant	(14)
	Vacant	(14)
	Vacant	(13)
	Vacant	(13)

**Asterisk indicates person currently serves on three committees*

FAMILY & HUMAN SERVICES ADVISORY COMMITTEE

Meets the third Wednesday of the month, except Jul., Aug., Sept., and Dec., at 5:30 p.m., Neighborhood Center

Mary Jo Haller 15 Residents Appointed by City Council
5 Social Service Agency Representatives Appointed by the Committee

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Mercedes Diaz	(14)
	Josephine Santa-Anna	(14)
	Angelica Miranda	(13)
Moore	Arcelia Miranda	(14)
	Vacant	(13)
	Margaret Bustos*	(13)
Rios	Lydia Gonzales	(14)
	Manny Zevallos	(13)
	Gilbert Aguirre*	(13)
Rounds	Annette Rodriguez	(14)
	Janie Aguirre*	(13)
	Ted Radoumis	(13)
Trujillo	Dolores H. Romero*	(14)
	Gloria Duran*	(14)
	Alicia Mora	(13)

Organizational Representatives: Nancy Stowe
Evelyn Castro-Guillen
Elvia Torres
(SPIRRIT Family Services)

**Asterisk indicates person currently serves on three committees*

HERITAGE ARTS ADVISORY COMMITTEE

Meets the Last Tuesday of the month, except Dec., at 9:00 a.m., at the Library
Community Room

Mary Jo Haller 9 Voting Members
6 Non-Voting Members

APPOINTED BY	NAME	TERM EXP.
Gonzalez	Gloria Duran*	6/30/2014
Moore	May Sharp	6/30/2014
Rios	Paula Minnehan	6/30/2014
Rounds	A.J. Hayes	6/30/2014
Trujillo	Amparo Oblea	6/30/2014

Committee Representatives

Beautification Committee	Marlene Vernava	6/30/2013
Historical Committee	Larry Oblea	6/30/2013
Planning Commission	Frank Ybarra	6/30/2013
Chamber of Commerce	Tom Summerfield	6/30/2013

Council/Staff Representatives

Council	Richard Moore
Council Alternate	Laurie Rios
City Manager	Thaddeus McCormack
Director of Library & Cultural Services	Hilary Keith
Director of Planning	Wayne Morrell

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HISTORICAL COMMITTEE

Meets Quarterly - The second Tuesday of Jan. and the first Tuesday of April, July, and Oct., at 5:30 p.m., Train Depot

Mary Jo Haller

Membership: 20

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Ed Duran	(14)
	Gilbert Aguirre*	(13)
	Janie Aguirre*	(13)
	Sally Gaitan*	(13)
Moore	Astrid Gonzalez	(14)
	Tony Reyes	(14)
	Amparo Oblea	(13)
	Francine Rippy	(13)
Rios	Vacant	(14)
	Hilda Zamora	(14)
	Vacant	(13)
	Larry Oblea	(13)
Rounds	Vacant	(14)
	Vacant	(14)
	Mark Scoggins*	(13)
	Janice Smith	(13)
Trujillo	Vacant	(14)
	Alma Martinez	(14)
	Merrie Hathaway	(13)
	Vacant	(13)

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PARKS & RECREATION ADVISORY COMMITTEE

Meets the First Wednesday of the month, except Jul., Aug., and Dec., 7:00 p.m.,
Council Chambers.

Subcommittee Meets at 6:00 p.m., Council Chambers
Mary Jo Haller

Membership: 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Jennie Carlos	(14)
	Frank Leader	(14)
	Brandy Ordway-Roach	(13)
	Raul Miranda, Jr.	(14)
	Vaibrav Narang	(13)
Moore	Jimmy Mendoza	(14)
	John Salgado	(14)
	Janet Rock	(13)
	David Gonzalez	(13)
	Sheila Archuleta	(13)
Rios	Lynda Short	(14)
	Bernie Landin	(14)
	Joe Avila	(14)
	Sally Gaitan*	(13)
	Fred Earl	(13)
Rounds	Kenneth Arnold	(14)
	Richard Legarreta, Sr.	(14)
	Luigi Trujillo	(14)
	Angelica Miranda	(13)
	Mark Scoggins*	(13)
Trujillo	Miguel Estevez	(14)
	Andrea Lopez	(14)
	Christina Maldonado	(13)
	Jesus Mendoza	(13)
	Arcelia Miranda	(13)

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PERSONNEL ADVISORY BOARD

Meets Quarterly on an As-Needed Basis

Mary Jo Haller 5 (2 Appointed by City Council, 1 by
Personnel Board, 1 by Firemen's Association,
1 by Employees' Association)

Terms: Four Years

APPOINTED BY	NAME	TERM EXPIRES
Council	Angel Munoz	6/30/2015
	Ron Biggs	6/30/2013
Personnel Advisory Board	Jim Contreras	6/30/2013
Firemen's Association	Wayne Tomlinson	6/30/2013
Employees' Association	Anita Ayala	6/30/2015

PLANNING COMMISSION

Meets the second Monday of every Month at 4:30 p.m.,
Chambers

Council

Mary Jo Haller 5

APPOINTED BY

NAME

Gonzalez

Jaime Velasco

Moore

Manny Zevallos

Rios

Michael Madrigal

Rounds

Susan Johnston

Trujillo

Frank Ybarra

SENIOR CITIZENS ADVISORY COMMITTEE

Meets the Second Tuesday of the month, except Jul., Aug., Sep., and Dec., at 10:00 a.m., Neighborhood Center

Mary Jo Haller 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Gloria Duran*	(14)
	Josephine Santa-Anna	(14)
	Vacant	(13)
	Janie Aguirre*	(13)
	Ed Duran	(13)
Moore	Yoshi Komaki	(14)
	Yoko Nakamura	(14)
	Paul Nakamura	(14)
	Vacant	(13)
	Pete Vallejo	(13)
Rios	Vacant	(14)
	Louis Serrano	(14)
	Vacant	(14)
	Amelia Acosta	(13)
	Jessie Serrano	(13)
Rounds	Vacant	(14)
	Vacant	(14)
	Gloria Vasquez	(13)
	Lorena Huitron	(13)
	Berta Sera	(13)
Trujillo	Vacant	(14)
	Vacant	(14)
	Gilbert Aguirre*	(13)
	Margaret Bustos*	(13)
	Vacant	(13)

**Asterisk indicates person currently serves on three committees*

SISTER CITY COMMITTEE

Meets the First Monday of every month, except Dec., at 6:30 p.m., Town Center Hall, Mtg. Room #1. If the regular meeting date falls on a holiday, the meeting is held on the second Monday of the month.

Mary Jo Haller 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Amanda Tomsick	(14)
	Kimberly Mette	(14)
	Jimmy Mendoza	(13)
	Dominique Velasco	(14)
	Lucy Gomez	(13)
Moore	Martha Villanueva	(14)
	Vacant	(14)
	Mary K. Reed	(13)
	Peggy Radoumis	(13)
	Jeannette Wolfe	(13)
Rios	Charlotte Zevallos	(14)
	Francis Carbajal	(14)
	Marlene Vernava	(13)
	Doris Yarwood	(13)
	Vacant	(13)
Rounds	Manny Zevallos	(14)
	Susan Johnston	(14)
	Vacant	(14)
	Ted Radoumis	(13)
	Vacant	(13)
Trujillo	Vacant	(14)
	Andrea Lopez	(14)
	Dolores H. Romero*	(13)
	Marcella Obregon	(13)
	Vacant	(13)

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TRAFFIC COMMISSION

Meets the Third Thursday of every month, at 6:00 p.m., Council Chambers

Mary Jo Haller 5

APPOINTED BY

NAME

Gonzalez

Ruben Madrid

Moore

Lillian Puentes

Rios

Sally Gaitan

Rounds

Ted Radoumis

Trujillo

Greg Berg

YOUTH LEADERSHIP COMMITTEE

Meets the First Monday of every month, at 6:30 p.m., Council Chambers

Mary Jo Haller

Membership: 20

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Dominique Walker	()
	Victoria Molina	()
	Felipe Rangel	(14)
	Victor Garza	()
Moore	Destiny Cardona	(14)
	Gabriela Rodriguez	(13)
	Wendy Pasillas	(13)
	Daniel Wood	(13)
Rios	Vacant	()
	Danielle Garcia	(14)
	Marisa Gonzalez	(15)
	Ariana Gonzalez	(13)
Rounds	Drew Bobadilla	(13)
	Andrea Valencia	(13)
	Vacant	()
	Lisa Baeza	(13)
Trujillo	Maxine Berg	(15)
	Martin Guerrero	(13)
	Cameron Velasco	()
	Kevin Ramirez	(13)