



AGENDA

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

**January 26, 2017
6:00 P.M.**

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

**William K. Rounds, Mayor
Jay Sarno, Mayor Pro Tem
Richard J. Moore, Councilmember
Juanita Trujillo, Councilmember
Joe Angel Zamora, 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.

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.

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.

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.

City of Santa Fe Springs
Regular Meetings

January 26, 2017

1. CALL TO ORDER

2. ROLL CALL

Richard J. Moore, Councilmember
Juanita Trujillo, Councilmember
Joe Angel Zamora, Councilmember
Jay Sarno, Mayor Pro Tem
William K. Rounds, Mayor

PUBLIC FINANCING AUTHORITY

3. CONSENT AGENDA

Consent Agenda items are considered routine matters which may be enacted by one motion and 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 December 22, 2016, Public Financing Authority Meeting

Recommendation: That the Public Financing 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 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 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 December 22, 2016, Water Utility Authority Meeting

Recommendation: That the Water Utility Authority:

- Approve the minutes as submitted.

Monthly Reports

- b. Monthly Report on the Status of Debt Instruments Issued through the Water Utility Authority (WUA)

Recommendation: That the Water Utility Authority:

- Receive and file the report.

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

Recommendation: That the Water Utility Authority:

- Receive and file the report.

- d. Approval to Lease Water Rights to City of Cerritos

Recommendation: That the Water Utility Authority:

- Approve the Water Right and Lease Agreement with the City of Cerritos; and
- Authorize the Director of Public Works to execute the agreement along with all related documents transferring water rights.

HOUSING SUCCESSOR / SUCCESSOR AGENCY

NEW BUSINESS

5.

- a. Resolution NO. SA-2017-001 – Approving the Successor Agency's Recognized Obligation Payment Schedule (ROPS 17-18) for the period July 1, 2017 through June 30, 2018.

Recommendation: That the Successor Agency:

- Adopt Resolution No. SA-2017-001.

- b. Resolution No. SA-2017 – 002 – Approving the Successor Agency's Administrative Budget for the Period July 1, 2017 through June 30, 2018

Recommendation: That the Successor Agency:

- Adopt Resolution No. SA-2017-002.

CITY COUNCIL

6.

CITY MANAGER REPORT

7.

CONSENT AGENDA

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

Approval of Minutes

- a. Minutes of the December 22, 2016 City Council Meetings

Recommendation: That the City Council:

- Approve the minutes of the December 22, 2016, meetings as submitted.

PUBLIC HEARING

8.

Resolution No. 9534 – Approval of Programs/Projects Proposed for Funding During FY 2017 – 2018 Under the City's Community Development Block Grant (CDBG) Cooperation Agreement with the County of Los Angeles

Recommendation: That the City Council:

- Open the Public Hearing and hear from anyone wishing to speak on the matter;
- Approve the acceptance of CDBG funds as described in the body of the report;
- Adopt Resolution No. 9534; and
- Authorize staff to transmit the planning documents to the County of Los Angeles Community Development Commission.

PUBLIC HEARING – ORDINANCE FOR INTRODUCTION

9.

Ordinance No. 1083 - An ordinance to amend Section 155.001 of the Santa Fe Springs Municipal Code adopting changes to the Building (excluding County Amendments to

Chapter 94 (repair welded steel moment frame buildings), Chapter 95 (earthquake hazard reduction for existing concrete tilt-up buildings), and Chapter 96 (earthquake hazard reduction for existing unreinforced masonry bearing wall buildings), Electrical, Plumbing, Mechanical, Residential, Green Building Standards (excluding County Amendments), and Existing Building Codes as set forth in the 2017 Edition of the Los Angeles County Code, Title 26, 27, 28, 29, 30, 31 and 33, respectively. In addition to several amendments found to be necessary due to local climatic, geological and/or conditions, the 2017 Los Angeles County Code is comprised of the 2016 State of California Building, Electrical, Plumbing, Mechanical Residential, Green Building Standards, and Existing Building Codes, respectively. (City of Santa Fe Springs)

Recommendation: That the City Council:

- Open the Public Hearing and hear from anyone wishing to speak on the matter;
- Waive further reading and introduce Ordinance No. 1083

ORDINANCE FOR ADOPTION

10. Zoning Text Amendment – Cottage Food Operations

Ordinance No. 1081: An ordinance of the City Council of the City of Santa Fe Springs, amending Sections 155.003, 155.062, 155.092, 155.635(A) and adding Section 155.635.1 to Title 15, Chapter 155 of the Santa Fe Springs Municipal Code to include Cottage Food Operations as an allowable accessory use in the R-1, Single-Family Residential Zone District and R-3, Multi-Family Residential Zone District. (City of Santa Fe Springs)

Recommendation: That the City Council:

- Waive further reading and adopt Ordinance No. 1081, the proposed amendments to the City Zoning Regulations regarding land use requirements for cottage food operations.

NEW BUSINESS

11. Authorize the Disposal of Surplus Baseball & Softball Bats By Way of Donation

Recommendation: That the City Council:

- Declare the bats surplus and authorize a donation of the baseball bats to Metropolitan Little League and the softball bats to St. Paul High School.

12. On-Call Development Plan Check and Land Surveying Services – Contract Renewal

Recommendation: That the City Council:

- Approve renewing the contracts with Coory Engineering and Huitt-Zollars to provide On-Call Development Plan Check and Land Surveying Services for an additional two (2) years on an as-needed basis and based on the same hourly rate schedule for key personnel;
- Authorize the Director of Public Works to execute Amendment No. 1 to renew the Professional Services Agreement with Coory Engineering for an additional two (2) years in the amount of \$25,000 per year for total of \$50,000; and
- Authorize the Director of Public Works to execute Amendment No. 1 to renew the Professional Services Agreement with Huitt-Zollars for an additional two (2) years in the amount of \$25,000 per year for a total of \$50,000.

13. Police Services Staging Facility Renovation – Award of Contract
Recommendation: That the City Council:
- Appropriate \$165,000 from the Capital Improvement Plan Bond Funds for the Police Services Staging Facility Renovation (Activity 455-S015);
 - Accept the bids; and
 - Award a contract to P&P Develop Inc. of Garden Grove, California in the amount of \$137,856.00.

14. Agreement between the City of Santa Fe Springs and East Los Streetscapers ("Artist") for Fabrication and Installation of Santa Fe Springs Firefighter's Memorial
Recommendation: That the City Council:
- Approve agreement between the City of Santa Fe Springs and East Los Streetscapers ("Artist") for fabrication and installation of Santa Fe Springs Firefighters' Memorial.

Items 15 – 23 will occur in the 7:00 p.m. hour.

15. **INVOCATION**

16. **PLEDGE OF ALLEGIANCE**

17. **INTRODUCTIONS**

- Representatives from the Chamber of Commerce

18. **ANNOUNCEMENTS**

19. **PRESENTATIONS**

- a. Introduction of New Part-Time Employees in the Department of Community Services
- b. Recognition of Recipients for 2016 Holiday Home Decorating Awards Program
- c. Proclamation declaring February 2017 as "Heart Health Month" in Santa Fe Springs
- d. 2017 Youth Leadership Committee Retreat to Green Valley & Recognition of Sponsor Serv-Wel Disposal & Recycling

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

- a. Committee Appointments

21. **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.

22. **EXECUTIVE TEAM REPORTS**

23. **ADJOURNMENT**

City of Santa Fe Springs
Regular Meetings

January 26, 2017

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.



Janet Martinez, CMC
City Clerk

January 20, 2017
Date

**FOR ITEM NO. 3A
PLEASE SEE ITEM NO. 7A**



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 (PFA) is a City entity that has periodically issued debt for the benefit of the Santa Fe Springs community. The following is a brief status report on the debt instruments currently outstanding that were issued through the PFA.

Water Revenue Bonds, 2005 Series A

Financing proceeds available for appropriation at 12/31/16	None
Outstanding principal at 12/31/16	\$2,140,000

Consolidated Redevelopment Project 2006-A Tax Allocation Bonds

Financing proceeds available for appropriation at 12/31/16	None
Outstanding principal at 12/31/16	\$35,377,675

Consolidated Redevelopment Project 2007-A Tax Allocation Refunding Bonds

Financing proceeds available for appropriation at 12/31/16	None
Outstanding principal at 12/31/16	\$29,270,000

Bond Repayment

The City budget includes sufficient appropriations and adequate revenues are expected to be collected to meet the debt service obligations associated with the 2005 Water Revenue Bonds.

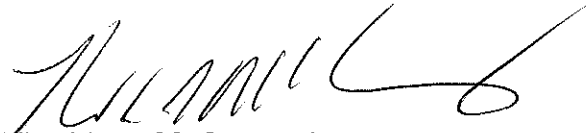
The former Community Development Commission (CDC) issued a number of tax allocation bonds before it was dissolved by State law effective February 1, 2012 which are administered by the City acting as Successor Agency under the oversight of the appointed Oversight Board. The Successor Agency no longer receives tax increment. Instead, distributions from the Redevelopment Property Tax Trust Fund (RPTTF) are received based on approved obligations. It is anticipated that sufficient allocations from the RPTTF will continue to be made to the Successor Agency to meet ongoing debt service obligations.

Unspent Bond Proceeds

Under an approved Bond Expenditure Agreement, unspent bond proceeds of the former CDC in the amount of approximately \$19 million were transferred to the City in July 2014. The funds are to be spent in accordance with the original bond documents. The unspent proceeds continue to be a source of funding within the City's capital improvement program (CIP).

2016 Bond Refunding

In July 2016 the Successor Agency issued its 2016 Tax Allocation Refunding Bonds, which paid off several bond issuances of the former CDC. The bonds were originally issued through the Public Financing Authority and included the 2001 Series A, 2002 Series A, 2003 Series A, the current interest portion of the 2006 Series A, and 2006 Series B bond issuances.



Thaddeus McCormack
City Manager/Executive Director

FOR ITEM NO. 4A
PLEASE SEE ITEM NO. 7A



City of Santa Fe Springs

Water Utility Authority Meeting

January 26, 2017

NEW BUSINESS

Monthly Report on the Status of Debt Instruments Issued through the City of Santa Fe Springs Water Utility Authority (WUA)

RECOMMENDATION

That the Water Utility Authority receive and file the report.

BACKGROUND

The Santa Fe Springs Water Utility Authority (WUA) is a City entity that has issued debt for the benefit of the Santa Fe Springs community. The following is a brief status report on the debt instruments currently outstanding that were issued through the WUA.

Water Revenue Bonds, 2013

Financing proceeds available for appropriation at 12/31/16

None

Outstanding principal at 12/31/16

\$6,890,000

In May 2013 the Water Utility Authority issued the 2013 Water Revenue Bonds in the amount of \$6,890,000. The bonds refunded the existing 2003 Water Revenue Bonds (issued through the Public Financing Authority) and provided additional funds for water improvement projects in the amount of \$2,134,339. The funds were restricted for use on water system improvements. In August 2013 the Water Utility Authority Board appropriated the proceeds for the Equipping Water Well No. 12 Project and all proceeds were since used on this project.

The City budget includes sufficient appropriations and adequate revenues are expected to be collected to meet the debt service obligations associated with the 2013 Water Revenue Bonds.

The WUA was formed in June of 2009. Water revenue bonds issued prior to this date were issued through the City of Santa Fe Springs Public Financing Authority.

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

Thaddeus McCormack
City Manager/Executive Director

Report Submitted By: Travis Hickey
Finance and Administrative Services

Date of Report: January 18, 2017

ITEM NO. 4B



City of Santa Fe Springs

Water Utility Authority Meeting

January 26, 2017

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 of current active water projects.

Engineering Design Services Water Treatment System Water Well No. 12

At the July 28, 2016 City Council Meeting, The Water Utility Authority Board directed staff to award a contract to Civiltec Engineering Inc. (Civiltec) to provide water production design services for Water Well No. 12. Civiltec are currently in the design process of the treatment system and have submitted a 50% complete design for staff to review. A fully functioning water well and treatment system within zone 2 will minimize the use of costly imported surface water, and will increase the efficiency of the water distribution system.

Destruction of Water Well No. 1

At the October 27, 2016 City Council Meeting, The Water Utility Authority Board directed staff to award a contract to General Pump Company (GPC) to provide well destruction services to Water Well No. 1. GPC are currently under contract with the City and have participated in a preconstruction meeting with City Staff. Destruction of Water Well No. 1 will begin at the end of January 2017.

FISCAL IMPACT

The Water Well No. 12 Treatment System Design is funded by the User Utility Tax Capital Improvement Plan Funds. The Destruction of Water Well No. 1 will be funded by the Water Capital Improvement Plan Funds.

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

Thaddeus McCormack
Executive Director

Attachments:

None

Report Submitted By:

Noe Negrete, Director
Department of Public Works

Date of Report: January 18, 2017

ITEM NO. 4C



City of Santa Fe Springs

Water Utility Authority Meeting

January 26, 2017

NEW BUSINESS

Approval to Lease Water Rights to City of Cerritos

RECOMMENDATION

That the Water Utility Authority takes the following actions:

- Approve the Water Right and Lease Agreement with the City of Cerritos; and
- Authorize the Director of Public Works to execute the agreement along with all related documents transferring water rights.

BACKGROUND

Due to the Destruction Water Well No. 1 and with the Water Treatment System project ongoing at Water Well No. 12, it is projected that the City will have approximately 1,400 acre-feet in excess pumping rights for the current fiscal year.

The City of Cerritos is in need of additional water rights and has offered to lease 1,000 acre-feet for the 2016/2017 fiscal year at a price of \$160 per acre-foot (a total of \$160,000). The carryover right will remain with the City of Santa Fe Springs. The amount of \$160 per acre-foot is a competitive figure with recent sales ranging from \$150 to \$165 per acre-foot. The most recent lease of water rights by the City was to the City of Cerritos in 2015 at a lease amount of \$170 per acre-foot. The revenue will help off-set the additional cost to buy Metropolitan Water District (MWD) water for this fiscal year.

FISCAL IMPACT

Leasing water rights that the Water Utility Authority (Authority) cannot utilize will provide the Authority with additional revenue to off-set operational costs.

INFRASTRUCTURE IMPACT

The leasing of water rights will not have any impact on City infrastructure.


Thaddeus McCormack
Executive Director

Attachment:

Water Pumping Allocation Rights Agreement

AGREEMENT FOR LEASE OF WATER PUMPING ALLOCATION RIGHTS

THIS AGREEMENT is made and effective as of **January 26, 2017**, between the **City of Santa Fe Springs Water Utility Authority (WUA)**, a municipal corporation ("Lessor") and the **City of Cerritos**, a nonprofit corporation ("Lessee").

WITNESSETH

WHEREAS, both Lessor and Lessee are parties in that certain Third Amended Judgment dated December 23, 2013 and entered in Los Angeles County Superior Court Case No. 786656 entitled "Central and West Basin Water Replenishment District vs. Charles E. Adams, et al." (the "Judgment"); and

WHEREAS, Lessee has determined that its pumping allocation rights are not sufficient to meet its needs; and

WHEREAS, Lessee desires to lease from Lessor a pumping allocation of 1,000 acre-feet; and

WHEREAS, Lessor wishes to lease to Lessee 1,000 acre-feet of allowed pumping allocation; and

WHEREAS, Lessor has been certified by the Central Basin Watermaster ("Watermaster") to have a pumping allocation equal to or in excess of the amount herein leased to Lessee.

WHEREAS, Lessor warrants it has 1,000 acre-feet of allowed pumping allocation and that it has not pumped and will not pump or permit or license any other person to pump any part of said 1,000 acre-feet during the period of July 1, 2016 to June 30, 2017.

NOW, THEREFORE, Lessor hereby leases said water rights to Lessee on the terms and conditions hereinafter set forth:

1. WATER RIGHTS LEASED

Lessor hereby leases to Lessee and Lessee takes from Lessor the right to extract water on behalf of the City of Santa Fe Springs WUA from the Central Basin to the extent of an agreed pumping allocation of 1,000 acre-feet for Fiscal Year 2016/2017 and agrees to put the same to beneficial use. Lessee's allowed pumping allocation shall be increased by the amount hereby leased when computing carryover or allowable overextraction pursuant to Part III, Subparts A and B of the Judgment. Lessee shall not by the exercise

hereunder of said right acquire any right to extract water independent of the rights of the Lessor.

2. TERM

The term of this Agreement shall commence upon execution of this Agreement by both parties and shall remain and continue in effect until June 30, 2017.

3. INDEMNIFICATION

A. Lessee assumes the sole risk for all the exercise of any and all rights conferred on it by this Agreement. Lessee agrees and does hereby indemnify, defend, save, and hold harmless City, and its elected and appointed officials, officers, agents, and employees (collectively, "Indemnified Parties"):

1. From and against loss, damage, liability, claims, costs, and expenses from damage, of any nature, including, but not limited to, bodily injury, occupational disease, death, person injury, property damages, reasonable attorneys' fees and court costs (hereafter "Loss"), arising out of the exercise of any rights conferred hereunder on Lessee; and

2. From and against any and all costs, expenses, or charges which may accrue to any persons furnishing or supplying work, services, materials, equipment or supplies to Lessee in connection with its performance of or rights under this Agreement.

B. In the event that Lessee and Lessor are sued by a third party for damages caused or allegedly caused by negligent or other wrongful conduct by Lessee, or by an alleged dangerous condition of property created by Lessee, Lessee shall not be relieved of its indemnity obligation to Lessor by any settlement with any such third party unless that settlement includes a full release and dismissal of all claims by the third party against the Indemnified Parties.

4. PAYMENT

Lessee shall pay to Lessor the sum of One Hundred Sixty Thousand Dollars (\$160,000) for 1,000 acre-feet at a rate of \$160 per acre foot for Fiscal Year 2016/2017. Payment for Fiscal Year 2016/2017 shall be made within thirty (30) days after the effective date of this Agreement.

5. REPORTING

Lessee shall report all of its extractions made pursuant to this Agreement to all agencies to whom such reports must be made, pursuant either to law or to any judgment made and entered in said action. Lessee shall note, in any recording of water production for the period of the Agreement that said pumping was done pursuant to this Agreement.

6. PAYMENT OF ASSESSMENTS

Lessee shall pay all pumping assessments levied on Lessor's water rights by the Water Replenishment District of Southern California.

7. ASSIGNMENT

Lessee shall not assign, let or sublet the whole or any part of its interest in this Agreement without the prior written consent of Lessor.

8. TERMINATION

In the event of any breach of this Agreement by Lessee, Lessor shall notify Lessee in writing of such breach, and Lessee shall have thirty (30) days in which to cure said breach. Lessor may, but shall not be required to, terminate this Agreement if the breach is not cured.

9. NOTICES

Any notice which either party may desire to give to the other party under this Agreement must be in writing and may be given either by 1) personal service; 2) delivery by a reputable document delivery service, such as, but not limited to, Federal Express, which provides a receipt showing date and time of delivery; or 3) mailing in the United States Mail, certified mail, postage prepaid, return receipt requested, addressed to the address of the party as set forth below or at such other address as the party may later designate by notice.

To Lessor: City of Santa Fe Springs
Attention: Noe Negrete, Public Works Director
11710 Telegraph Road
Santa Fe Springs, CA 90670

To Lessee: City of Cerritos
Attention: Charles Emig, Water Superintendent
18125 Bloomfield Avenue
Cerritos, CA 90703-3130

10. TRANSMITTAL TO WATERMASTER

Lessee shall transmit a copy of this Agreement to the Watermaster and the Department of Water Resources Southern District Chief upon its execution.

By: _____
CITY OF CERRITOS

CITY OF SANTA FE SPRINGS

By: _____
DIRECTOR OF PUBLIC WORKS

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



City of Santa Fe Springs

Successor Agency Meeting

January 26, 2017

NEW BUSINESS

Resolution SA-2017-001 – Approving the Successor Agency's Recognized Obligation Payment Schedule (ROPS 17-18) for the Period July 1, 2017 through June 30, 2018

RECOMMENDATION

That the Successor Agency adopt Resolution No. SA-2017-001.

BACKGROUND

State legislation, ABX1 26 and AB 1484, created Successor Agencies, which are tasked with the responsibility of winding down former Redevelopment Agencies. As a requirement of the wind down process, the Successor Agencies were originally required to provide a Recognized Obligation Payment Schedule ("ROPS") every six months identifying overall outstanding debt for all enforceable obligations with the Agency, as well as the estimated amount needed for each of those obligations during the six-month period covered by that ROPS. Effective July 1, 2016, the ROPS period changed from semi-annual to annual.

The ROPS is required to be considered and approved by the Successor Agency Board and Oversight Board ("OB"). Once approved, the ROPS and OB Resolution are submitted to the California Department of Finance ("DOF") for subsequent review and final approval. The approved ROPS is then used by Los Angeles County to distribute property tax funds from the Redevelopment Property Tax Trust Fund ("RPTTF") to the Successor Agency in order to pay the approved obligations. The RPTTF deposits consist of the tax increment formerly allocated the Community Development Commission. Any RPTTF deposits in excess of the approved obligations are distributed to various taxing agencies, including the City.

Attached for approval is the annual ROPS covering the period of July 1, 2017 through June 30, 2018. The ROPS has been prepared using the format mandated by DOF. In addition to listing the enforceable obligations, the ROPS includes a summary, as well as a table detailing the available balances retained by the Successor Agency.

The obligations reported on this ROPS are consistent with prior periods and include bond debt service payments, repayment of the General Fund advance to the Washington Blvd. project area, pension and other post-employment benefit obligations, professional services, property management, and administrative costs.

In addition, the ROPS also includes for the first time, a \$1.3 million request representing the first repayment installment of the advance from the General Fund,

Report Submitted By: Travis Hickey
Director of Fiscal Services

Date of Report: January 20, 2017

ITEM NO. 5A



City of Santa Fe Springs

Successor Agency Meeting

January 26, 2017

which is the subject of the lawsuit against the DOF. As this case is currently stayed, pending the appeals of other cases currently in the courts, the Successor Agency provided direction to Staff to begin the repayment process. The principal balance of the advance totals \$8.8 million. As required by dissolution laws, 20% of the amount received must be transferred to the Low and Moderate Income Housing Fund ("LMIHF"). In accordance with dissolution laws, interest on the loan is recalculated at 3% simple interest from the date of the original loan in September 2010. Interest of approximately \$2.2 million is expected to be received over the next 4 years. The maximum loan repayment each year is limited, based on the residual taxes distributed to the various taxing agencies, including the City.

Estimated obligations to be funded with distributions from the RPTTF, reserves, and other miscellaneous revenues during fiscal year 2017-18 are summarized as follows:

Bonded Debt Payments (Sept 2017)	\$10,437,013
Bonded Debt Payments (March/Sept 2018)	5,845,263
General Fund Advance Repayment (New)	1,307,856
Wash. Blvd. Loan Repayment	1,270,782
Unfunded Pension/OPEB Obligation	375,500
Administrative Cost Allowance	251,480
Professional Fees	24,130
Property Management Costs	<u>22,500</u>
Total	\$19,534,524

The September 2017 bond payments (\$10,437,013) include \$5,005,750 which has already been received by the City. However, the amount is required to be included on the ROPS in order to reflect the distribution which will be made from fiscal agent accounts in September 2017. This amount will not be included in the RPTTF distribution to be received in June 2017.

The ROPS must be submitted to the Department of Finance by February 1, 2017. The Oversight Board will be convened to consider the ROPS upon approval by the Successor Agency.



City of Santa Fe Springs

Successor Agency Meeting

January 26, 2017

FISCAL IMPACT

As detailed in the ROPS, the funding for listed obligations in the amount of \$19,514,524 will be from the RPTTF, reserves, and other funds on hand.

Thaddeus McCormack
City Manager

Attachments:

Resolution No. SA-2017-001

Exhibit A – ROPS for July 1, 2017 through June 30, 2018 (ROPS 17-18)

RESOLUTION NO. SA-2017-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA FE SPRINGS ACTING AS SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT COMMISSION/REDEVELOPMENT
AGENCY OF THE CITY OF SANTA FE SPRINGS APPROVING THE
SUCCESSOR AGENCY'S RECOGNIZED OBLIGATION
PAYMENT SCHEDULE (ROPS) FOR JULY 1, 2017
THROUGH JUNE 30, 2018 (ROPS 17-18)

THE CITY COUNCIL ACTING AS SUCCESSOR AGENCY HEREBY
RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to its responsibility set forth in Section 34180(g) of the California Health and Safety Code, the City Council hereby approves the Successor Agency's Recognized Obligation Payment Schedule (ROPS), attached hereto as Exhibit "A", as described in Sections 34171 and 34177 of the aforesaid Code, for the period July 1, 2017 through June 30, 2018.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Resolution 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 Resolution.

SECTION 4. The Successor Agency's officials and staff are hereby authorized and directed to transmit this Resolution and take all other necessary and appropriate actions as required by law in order to effectuate its purposes.

APPROVED and ADOPTED this 26th day of January, 2017 by the following roll call vote:

Ayes:
Noes:
Absent:
Abstain:

William K. Rounds, Mayor

Attest:

City Clerk

Recognized Obligation Payment Schedule (ROPS 17-18) - Summary

Filed for the July 1, 2017 through June 30, 2018 Period

Successor Agency: Santa Fe Springs

County: Los Angeles

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		17-18A Total (July - December)	17-18B Total (January - June)	ROPS 17-18 Total
A	Enforceable Obligations Funded as Follows (B+C+D):	\$ 5,103,445	\$ -	\$ 5,103,445
B	Bond Proceeds	-	-	-
C	Reserve Balance	5,005,750	-	5,005,750
D	Other Funds	97,695	-	97,695
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 8,260,321	\$ 6,170,758	\$ 14,431,079
F	RPTTF	8,134,581	6,045,018	14,179,599
G	Administrative RPTTF	125,740	125,740	251,480
H	Current Period Enforceable Obligations (A+E):	\$ 13,363,766	\$ 6,170,758	\$ 19,534,524

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/

Signature Date

Santa Fe Springs Recognized Obligation Payment Schedule (ROPS 17-18) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see Cash Balance Tips Sheet.

A	B	C	D	E	F	G	H	I
	Cash Balance Information by ROPS Period	Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
ROPS 15-16B Actuals (01/01/16 - 06/30/16)								
1	Beginning Available Cash Balance (Actual 01/01/16)	13,893,544		600		2,389	48,055	
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16B distribution from the County Auditor-Controller during January 2016	27,795				1,308	13,016,691	Interest, 2005 ERAF Excess Funds, RPTTF
3	Expenditures for ROPS 15-16B Enforceable Obligations (Actual 06/30/16)					420	12,970,328	
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	13,921,339						
5	ROPS 15-16B RPTTF Balances Remaining	No entry required						
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ 600	\$ -	\$ 3,277	\$ 94,418	



City of Santa Fe Springs

Successor Agency Meeting

January 26, 2017

NEW BUSINESS

Resolution SA-2017-002 – Approving the Successor Agency's Administrative Budget for the Period July 1, 2017 through June 30, 2018

RECOMMENDATION

That the Successor Agency adopt Resolution No. SA-2017-002.

BACKGROUND

Health and Safety Code ("HSC") Section 34177 requires the Successor Agency to prepare an Administrative Budget that covers the administrative costs to comply with the Dissolution Bills. It is important to point out that the Administrative Budget that is presented here is also included in the Recognized Obligation Payment Schedule ("ROPS") 17-18 (July 2017 – June 2018). However, the Administrative Budget itemizes the administrative costs whereas the ROPS identifies it as a single line item. As with the ROPS, the Department of Finance ("DOF") requires the Successor Agency to prepare an Administrative Budget every year, whereas previously it was every six months. The proposed resolution sets forth the Successor Agency's Administrative Budget for the period July 1, 2017 through June 30, 2018.

The proposed Administrative Budget (attached) consists of the Successor Agency's personnel and non-personnel city support service costs anticipated for Fiscal Year 2017-18. The Successor Agency personnel for which salaries and benefits are listed include the City/Successor Agency Attorney, City Manager, Assistant City Manager/Director of Finance, Director of Planning, Director of Fiscal Services, Accounting Manager, Accountant, and City/Successor Agency Clerk, all of whom will spend a significant amount of their time working on Successor Agency matters. Non-personnel costs include legal counsel and liability insurance for the Oversight Board, auditing and other professional services, and travel and meeting costs.

Under HSC Section 34171(b), the annual administrative cost allowance is the greater of 3% of property taxes allocated to the Successor Agency in the prior year or \$250,000. The amount claimed on the ROPS 17-18 is based on the property tax allocation method.

The legislation requires that the Administrative Budget be approved by both the Successor Agency and the Oversight Board before any distributions from the County's property tax trust fund are made to the Successor Agency. The distributions of property tax trust funds by Los Angeles County for this period are scheduled for June 1, 2017 and January 2, 2018.



City of Santa Fe Springs

Successor Agency Meeting

January 26, 2017

FISCAL IMPACT

The administrative budget will be funded with a distribution from the Redevelopment Property Tax Trust Fund ("RPTTF").



Thaddeus McCormack
City Manager

Attachments:

Resolution No. SA-2017-002

Exhibit A – Successor Agency Administrative Budget for July 1, 2017 – June 30, 2018

RESOLUTION NO. SA-2017-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS
ACTING AS SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT
COMMISSION/REDEVELOPMENT AGENCY OF THE CITY OF SANTA F SPRINGS
APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET
FOR THE FISCAL PERIOD OF JULY 1, 2017 TO JUNE 30, 2018 PURSUANT TO
HEALTH AND SAFETY CODE SECTION 34177(j)

THE CITY COUNCIL ACTING AS SUCCESSOR AGENCY HEREBY
RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby approves the Successor Agency's Administrative Budget, attached hereto as Exhibit "A", as described in Section 34171 of the California Health and Safety Code, for the fiscal period of July 1, 2017 to June 30, 2018.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution 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 Resolution.

SECTION 4. The Successor Agency's officials and staff are hereby authorized and directed to transmit this Resolution and take all other necessary and appropriate actions as required by law in order to effectuate its purposes.

APPROVED and ADOPTED this 26th day of January, 2017.

William K. Rounds, Mayor

Attest:

City Clerk

CITY OF SANTA FE SPRINGS
Successor Agency to the Santa Fe Springs Community Development Commission
Administrative Budget
Fiscal Period July 1, 2017 – June 30, 2018

Description	Jul 2017 – Jun 2018
Salaries	\$ 63,400
Applied Benefits	<u>\$ 90,400</u>
Total Personnel Costs	\$153,800
 City Support Services (Overhead)	 \$ 76,900
Independent Audit Services	\$ 13,000
Oversight Board Legal Services	\$ 2,500
Professional Services	\$ 2,080
Oversight Board Insurance Coverage	\$ 1,700
Travel/meetings/training	<u>\$ 1,500</u>
Total Non-Personnel Costs	\$ 97,680
 Total Budget	 <u>\$ 251,480</u>



City of Santa Fe Springs

City Council Meeting

January 26, 2017

APPROVAL OF MINUTES

Minutes of the December 22, 2016 Adjourned and Regular City Council Meeting

RECOMMENDATION

Staff recommends that the City Council:

- Approve the minutes as submitted.

BACKGROUND

Staff has prepared minutes for the following meeting:

- December 22, 2016

Staff hereby submits the minutes for Council's approval.

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

Thaddeus McCormack
City Manager

Attachment:

Minutes for December 22, 2016



APPROVED:

MINUTES OF THE MEETINGS OF THE CITY COUNCIL

December 22, 2016

1. CALL TO ORDER

Mayor Moore called the meeting to order at 6:04 p.m.

2. ROLL CALL

Members present: Councilmembers/Directors: Sarno, Trujillo, and Zamora, Mayor Pro Tem/Vice Chair Rounds and Mayor Moore.

Members absent: None

Janet Martinez, City Clerk announced that the Members of the Public Financing Authority and Water Utility Authority receive \$150 for their attendance at meetings.

PUBLIC FINANCING AUTHORITY

3. CONSENT AGENDA

Approval of Minutes

- a. Minutes of the November 22, 2016, Public Financing Authority Meeting

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

It was moved by Council Member Trujillo, seconded by Council Member Sarno, approving Item No 3A and 3B, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nays: None

WATER UTILITY AUTHORITY

4. CONSENT AGENDA

Approval of Minutes

- a. Minutes of the November 22, 2016, Water Utility Authority Meeting

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

Monthly Reports

- b. Monthly Report on the Status of Debt Instruments Issued through the Water Utility Authority (WUA)

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

c. Status Update of Water-Related Capital Improvement Projects

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

d. Central Basin Municipal Water District – Amendment No. 10

Recommendation: That the Water Utility Authority:

- Authorize the City Manager to execute Amendment No. 10, which extends the purchase agreement for imported water with the Central Basin Municipal Water District until December 31, 2017.

It was moved Mayor Pro Tem Rounds seconded by Council Member Zamora, approved items 4A, 4B, 4C & 4D, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

CITY COUNCIL

5. CITY MANAGER REPORT

Thaddeus McCormack, City Manager wished everyone happy holidays; noted city hall will be closed Friday and Monday in observance of Christmas.

He also spoke about meeting with the hotel developer mentioned at the previous Council meeting.

Last, he noted the annual homeless count will take place January 24, 2017 led by the Whole Child through the Los Angeles Homeless Services Authority. They will be using the Gus Velasco Neighborhood Center as the staging area for the count.

CONSENT AGENDA

6.

Approval of Minutes

a. Minutes of the November 22, 2016 City Council Meetings

Recommendation: That the City Council:

- Approve the minutes of the November 22, 2016, meetings as submitted.

It was moved by Council Member Sarno seconded by Council Member Trujillo approved the minutes of the November 22, 2016 City Council Meeting, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

ORDINANCE FOR ADOPTION

7. Zoning Text Amendment – Firearms Sales in the M-2 Zone

Ordinance No. 1077 – An ordinance of the City Council of the City of Santa Fe Springs, California, amending Santa Fe Springs Municipal Code, Title 15, Chapter 155, Section 155.243 and Section 155.648 of the City Zoning Regulations regarding firearms sales in the M-2, Heavy Manufacturing Zone.

Recommendation: That the City Council:

- Waive further reading and adopt Ordinance No. 1077.

It was moved by Mayor Pro Tem Rounds, seconded by Council Member Trujillo to adopt Ordinance No. 1077, read by title only by Steve Skolnik, City Attorney, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

ORDINANCE FOR ADOPTION

8. Ordinance No. 1078 – Amending the Santa Fe Springs Municipal Code to Change General Municipal Election Dates to Coincide with Statewide General Elections in November of Even-Numbered Years

Recommendation: That the City Council:

- Waive further reading and adopt Ordinance No. 1078.

It was moved by Council Member Sarno seconded by Mayor Pro Tem Rounds to adopt Ordinance No. 1078, read by title only by Steve Skolnik, City Attorney, by the following vote:

Ayes: Sarno, Trujillo, Rounds, Moore

Nayes: Zamora

ORDINANCE FOR ADOPTION

9. Ordinance No. 1080 - Adopting the 2016 Edition of the California Fire Code and Repealing Ordinance 1051 of the City of Santa Fe Springs and All Other Ordinances and Parts of the Ordinances in Conflict Therewith.

Recommendation: That the City Council:

- Waive further reading and adopt Ordinance No. 1080.

It was moved by Mayor Pro Tem Rounds, seconded by Council Member Zamora to adopt Ordinance No. 1080, read by title only by Steve Skolnik, City Attorney, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

NEW BUSINESS

10. Parkette Playground Improvement (Bradwell Parkette, Longworth Parkette and Davenrich Parkette) – Final Payment

Recommendation: That the City Council:

- Approve the Final Payment (less 5% Retention) to Community Playgrounds, Inc. of Vallejo, California in the amount of \$21,662.85 for the subject project.

It was moved by Council Member Sarno, seconded by Council Member Trujillo, to approve the Final Payment (less 5% Retention) to Community Playgrounds, Inc. of Vallejo, California in the amount of \$21,662.85 for the subject project, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

11. Transportation Center Parcel B – Ground Lease Agreement

Recommendation: That the City Council:

- Authorize the City Manager to Execute a Ground Lease Agreement with the City of Norwalk to Lease Parcel B (APN 8045-001-906) at the Transportation Center.

It was moved by Mayor Pro Tem Rounds, seconded by Council Member Zamora, to authorize the City Manager to execute a Ground Lease Agreement with the City of Norwalk to Lease Parcel B (APN 8045-001-906) at the Transportation Center, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

12. Review of Consideration of Activities for the 2017 City of Santa Fe Springs' 60th Anniversary

Recommendation: That the City Council:

- Review the proposed option of activities for the 2017 City of Santa Fe Springs' 60th Anniversary celebration to occur May 6, 2017.

Ed Ramirez, Community Services Manager, provided a brief presentation. He outlined the proposed activities, including the "Fun Run", community parade, and carnival/festival. Mr. Ramirez identified the proposed route for the Fun Run and Parade, as well as the proposed Grand Marshall (Former SFS Chamber of Commerce President and Marine Corp Major General Kevin Kuklok). The Parade will occur from 10:00 a.m. to noon. Afterwards, the 60th Anniversary Carnival/Festival could occur from 2:00 p.m. to 7:00 p.m. and involve games, musical entertainment, beer and wine garden, off stage performance and cook offs. The Council was made aware that the Carnival/Festival could be held at nighttime, but would require an appropriation of an additional \$15,000 to pay for needed lighting.

Mayor Moore made a comment about the time that it was proposed.

Mayor Pro Tem Rounds requested clarification on the time of the event and whether or not the event would conflict with drop off time for the post office.

Council Member Sarno noted that the temperature will be high/hot if the carnival/festival is held during the day, and expressed concern that individuals might not attend due to the weather. He further advocated for holding the carnival/festival at night, noting that the City could reach out to businesses for donations to help defray the additional costs in order to stay within budget.

It was moved by Council Member Sarno, seconded by Council Member Trujillo, to approve the proposed 60th Anniversary Activities as outlined in the agenda report, inclusive of the night time Festivity (Option 2), and appropriate \$15,000 from the General Fund accordingly, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

13. Approval of Recommendation of Heritage Arts Advisory Committee (HAAC) Recommendation to Utilize the Public Art Fund to Contribute Towards the Santa Fe Springs Firefighters' Memorial

Recommendation: That the City Council:

- Approve the Heritage Arts Advisory Committee's (HAAC) recommendation to contribute \$50,000 for the installation of the Santa Fe Springs Firefighter's Memorial.

Council Member Zamora inquired whether the \$50,000 will be received all at once.

Ed Ramirez, Community Services Manager noted it would.

Discussion ensued amongst Council.

It was moved by Council Member Trujillo, seconded by Mayor Pro Tem Rounds, to approve the Heritage Arts Advisory Committee's (HAAC) recommendation to contribute \$50,000 for the fabrication and installation of the Santa Fe Springs Firefighter's Memorial, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

14. Approving an Enterprise Resource Planning (Finance System) Software Purchase and Services Agreement with Tyler Technologies, Inc.

Recommendation: That the City Council:

- Authorize the City Manager to execute a License and Services agreement with Tyler Technologies, Inc. license the use and implement a citywide enterprise resource planning software system.

Jose Gomez provided a brief presentation on the item. He explained the RFP process and noted the City only received one proposal. He also noted that the City compared the services with other City's that have used Tyler Technologies.

Mayor Pro Tem Rounds thanked Mayor Moore and Council Member Sarno for their time spent on discussing the new Finance System with staff.

It was moved by Council Member Sarno, seconded by Council Member Trujillo, to authorize the City Manager to execute a License and Services agreement with Tyler Technologies, Inc. license the use and implement a citywide enterprise resource planning software system, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

15. Approving an Enterprise Resource Planning (Finance System) Project Management Agreement with AEF Systems Consulting, Inc.

Recommendation: That the City Council:

- Pursuant to Section 34.29(G) of the City's Purchasing Policy (Professional Services and Consulting Services Contracts), suspend the request for proposals (RFP) process.
- Authorize the City Manager to execute a professional services agreement with AEF Systems Consulting, Inc. to provide project management services in the implementation of a Citywide Enterprise Resource Planning (ERP) system.

It was moved by Council Member Sarno, seconded by Council Member Trujillo, to suspend the request for proposals process and authorize the City Manager to execute a professional services agreement with AEF Systems Consulting, Inc. to provide project management services in the implementation of a Citywide Enterprise Resource Planning (ERP) system, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

16. Authorize the Purchase of Computer File Servers from GovConnection, Microsoft Software Licenses from GovConnection and a Storage Area Network (SAN) Appliance from Hewlett Packard Enterprise Group for New Enterprise Resource Planning (ERP) System.

Recommendation: That the City Council:

- A purchase order in the amount of \$52,059.83 to GovConnection for the acquisition of four computer file servers.
- A purchase order in the amount of \$21,022.25 to GovConnection for the acquisition of four Microsoft 2016 Server software licenses, two Microsoft 2016 SQL software licenses and 100 Microsoft 2016 SQL client access software licenses.
- A purchase order in the amount of \$59,918.42 to Hewlett Packard Enterprise Group for the acquisition of one SAN appliance.

The City Manager asked to withdraw the third portion of the staff recommendation pertaining to the SAN appliance due to possible inconsistencies with the City's purchasing policy. He indicated that the purchase of the SAN appliance would be brought back to the City Council at the next meeting.

It was moved by Council Member Sarno, seconded by Council Member Zamora, to authorize a purchase order in the amount of \$52,059.83 to GovConnection for the acquisition of four computer file servers, and a purchase order in the amount of \$21,022.25 to GovConnection for the acquisition of four Microsoft 2016 Server software licenses, two Microsoft 2016 SQL software licenses and 100 Microsoft 2016 SQL client access software, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

17. Adoption of New Salary Schedule – Part-Time Employee Minimum Wage Modifications

Recommendation: That the City Council:

- Adopt the new salary schedule for impacted part-time employees (effective December 26, 2016) reflecting the change in new minimum wage requirements

per California Senate Bill 3 signed by Governor Brown.

It was moved by Council Member Trujillo, seconded by Council Member Zamora, to adopt the new salary schedule for impacted part-time employees (effective December 26, 2016) reflecting the change in new minimum wage requirements per California Senate Bill 3 signed by Governor Brown, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

Mayor Pro Tem Rounds thanked staff for the information provided to support the item and appreciates all their hard work.

18. Adoption of New Position Titles and Salary Schedule – Fire-Rescue Department (Non-Suppression) Full-time Positions

Recommendation: That the City Council:

- Adopt the attached salary schedule (effective January 9, 2017) reflecting the reclassifications of various Fire-Rescue (None-Fire Suppression) positions.

It was moved by Mayor Pro Tem Rounds, seconded by Council Member Sarno, to adopt the attached salary schedule reflecting the reclassification of various Fire-Rescue positions, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

19. Presentation and Consideration of the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2016

Recommendation: That the City Council:

- Receive and file the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2016.

Jose Gomez, Assistant city Manager/Director of finance & Administrative Services provided a brief presentation on the item.

Richard Kikuchi, from LSL provided a brief report on the CAFR report. He noted he was grateful to have Council meet with him during the planning process to make it a more effective audit.

Travis Hickey, Director of Fiscal Services provided a brief presentation

It was moved by Mayor Pro Tem Rounds, seconded by Council Member Zamora, to receive and file the City's Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2016, by the following vote:

Ayes: Sarno, Trujillo, Zamora, Rounds, Moore

Nayes: None

20. Presentation of Fiscal Year 2014-15 Certificate of Achievement for Excellence in Financial Reporting (CAFR Award) to the City Council

Richard Kikuchi from LSL CPA's provided a brief presentation. Provided an award to the city a Certificate of Achievement.

Councilmember Sarno thanked staff for their hard work, such as Mr. Gomez and Mr. Hickey for their late nights and the rest of the staff.

Mayor Moore also would like to echo Council Member Sarno, and noted that since Mr. Hickey came on board and with the new auditors he has seen great improvement. Noted that the City took drastic steps years ago and thanked staff for bringing it to where it is at now.

Jose Gomez, Assistant City Manager/ Finance Director also would like to thank his colleagues.

Mayor Moore recessed the meetings at 7:00 p.m.

Mayor Moore convened the meeting at 7:14 p.m.

21. INVOCATION

Invocation was led by Council Member Zamora.

22. PLEDGE OF ALLEGIANCE

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

23. INTRODUCTIONS

- Representative from the Chamber of Commerce: Teri Bazen from Norwalk La Mirada Plumbing, Inc.

24. ANNOUNCEMENTS

The Youth Leadership Committee Members made the following announcements:

- Polar Bear Party, Saturday, January 21, 2017 from 2:00 P.M. to 4:00 P.M.
- Chinese New Year Karaoke, Friday, January 27, 2017 from 10:00 A.M. to 1:00 P.M.

Masters of Harmony performed two (2) songs.

Santa Clause impersonator was present to greet everyone.

25. PRESENTATIONS

- a. Recognition of the 2016 Christmas Float Program Food Sponsors
- b. Recognition of Maggie's Pub for their support and donation of the Older Adult Holiday Luncheon

- c. Council for Watershed Health
Presentation provided by Mark Grey, Director of Environmental Affairs.

26. APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS

Mayor Pro Tem Rounds appointed Josefina Elizabeth Canchola to the Community Program Committee. Council Member Zamora appointed Larry Oblea to the Heritage Arts Advisory Committee.

27. ORAL COMMUNICATIONS

No speakers.

28. EXECUTIVE TEAM REPORTS

- Noe Negrete, Public Works Director to spoke in regards to the trees that have been recently trimmed; also wished everyone Happy Holidays.
- Wayne Morrell, Director of Planning wished everyone happy holidays
- Dino Torres, Director of Police Services spoke in regards to having staff at the Santa Clause float.
- Mike Crook, Fire Chief noted that the toy drive was held this week, and reported the great amount of toys received from the community and businesses, recognized Maggie's Pub for their contributions.
- Jose Gomez, Finance Director spoke in regards to the new Finance system.
- Maricela Balderas, Community Services Director, spoke in regards to the Neighborly Elf program and Christmas Basket program that was conducted last Saturday, December 17th. She reported they had a great amount of attendees. Lastly, she spoke about the Tree Lighting Ceremony; Christmas float, which involved the Masters of Harmony; snow machine for Christmas tree lighting; Santa and Mrs. Clause.

The following comments were made by the City Council:

- Council Member Zamora wished the Council and staff Merry Christmas and Happy New Years.
- Mayor Pro Tem Rounds acknowledged Community Services and all the activities they have put together; acknowledged the capital improvement projects that were done this year by staff. Wished everyone a Merry Christmas and Happy New Year.
- Council Member Trujillo acknowledged the hard work that Community Services dedicated to put all the programs together for the community. Also, acknowledged the work that Council Member Sarno has done and how many people he has helped.
- Council Member Sarno thanked staff for all their hard work and acknowledge what they have done for the community.
- Mayor Moore also thanked staff for all their hard work while having a busy month.

ADJOURNMENT

- 29.** Mayor Moore adjourned the regular meetings at 8:11 P.M.

*Minutes of the December 22, 2016 Public Finance Authority, Water Utility Authority, Housing Authority,
Successor Agency and City Council Meetings*

William K. Rounds
Mayor

ATTEST:

Janet Martinez
City Clerk

Date



PUBLIC HEARING

Resolution No. 9534 – Approval of Programs/Projects Proposed for Funding During FY 2017-2018 Under the City's Community Development Block Grant (CDBG) Cooperation Agreement with the County of Los Angeles

RECOMMENDATIONS:

- That the Mayor open the Public Hearing and hear from anyone wishing to speak on this matter;
- That the City Council approve the acceptance of CDBG funds as described in the body of this report;
- That the City Council adopt Resolution No. 9534; and
- That the City Council authorize staff to transmit the planning documents to the County of Los Angeles Community Development Commission.

BACKGROUND

The City participates in the Los Angeles Urban County Community Development Block Grant (CDBG) program, a U.S. Department of Housing & Urban Development (HUD) entitlement program administered by the County of Los Angeles. Although the funds are an "entitlement," every year, the City must make specific application to the County defining the projects to be funded. The application requires public participation subject to proper notification of at least 14 days. Accordingly, notices were posted from January 12 – 26, 2017, at City Hall, the kiosk at Town Center Hall, the City Library, and the Gus Velasco Neighborhood Center advising the public of this hearing.

For FY 2017-2018, the City has been granted a CDBG allocation in the amount of \$107,330. These funds can be utilized for proposed CDBG projects that meet one of the following three national objectives:

1. Benefit low- and moderate-income persons;
2. Elimination of slums or blight;
3. Meet an urgent need.

Additionally, per HUD guidelines, the City is able to utilize \$16,100 or 15% of the CDBG allocation for public service programming. Traditionally, the City uses this amount to partially fund the Teen Program, which is known as The Club and operates out of Town Center Hall.

In the two previous years, the City has expended its remaining CDBG allocation on the purchase and outfitting of a paramedic squad vehicle and a Fire-Rescue command vehicle. The paramedic squad vehicle was purchased using entirely CDBG funds and did pose an

impact to the General Fund. The purchase of the new command vehicle will be complete in May and has followed the same purchasing procedures to ensure that it is purchased using only CDBG funds. These projects met the HUD national objective in that it met an urgent and emergent need for community residents to provide emergency medical services (paramedic squad vehicle) and incident command (Fire-Rescue command vehicle).


The proposed project that will utilize the remaining FY 2017-2018 CDBG funds, which would be \$91,230, towards the purchase of a vehicle for seniors and disabled residents who use the City's Transportation Services program. Seniors and disabled persons are presumed to be of low to moderate income level, thus the project would meet the national objective of benefitting low and moderate income persons.

Based on the above eligibility criteria, staff proposes to allocate the City's CDBG funds in the following manner:

- PUBLIC SERVICE AUTHORITY (Teen Program) \$16,100
- CAPITAL PROJECTS (Purchase of transportation vehicle) \$91,230

FISCAL IMPACT

The CDBG allocation of \$107,330 will positively impact the General Fund by partially funding the Teen Program and funding 100% of the purchase and subsequent outfitting of a new transportation vehicle for residents who are seniors and/or disabled. The CDBG funds will only be used for non-personnel costs associated with the purchase of a new transportation vehicle.



Thaddeus McCormack
City Manager

Attachment:
Resolution No. 9534

RESOLUTION NO. 9534

A RESOLUTION OF THE SANTA FE SPRINGS CITY COUNCIL APPROVING THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2017-2018

WHEREAS, on August 22, 1974 the President of the United States signed into law the Housing and Community Development Act of 1974 (Act); and

WHEREAS, the primary goals of Title I of the Act are the development of viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities, principally for persons of low and moderate income; and

WHEREAS, the City of Santa Fe Springs has received notification of the availability of \$107,330 in federal Community Development Block Grant (CDBG) funds to further the attainment of these goals during Fiscal Year 2017-2018; and

WHEREAS, suggestions have been requested from City departments for the utilization of these funds; and

WHEREAS, the City has published information and solicited comments regarding eligible activities under the Act and has conducted a public hearing to solicit comments and suggestions from the community for the utilization of these funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Fe Springs as follows:

Section 1. That the City Council allocates its available CDBG funds for the following purposes:

PUBLIC SERVICE AUTHORITY (Teen Program)	\$16,100
CAPITAL PROJECT (Purchase of Transportation Vehicle)	\$91,230

Section 2. That the City Manager or his designee is authorized and directed to submit the City's final Program Planning Summary for Fiscal Year 2015-2016 to the County of Los Angeles, reflecting the funding allocations set forth herein. In addition, the City Manager or his designee is hereby authorized to administratively adjust funding levels if the City's final allocation varies by less than 25 percent from the figures contained herein.

Section 3. That the Mayor and/or City Manager are authorized to execute the contractual and related documents to be prepared by they County of Los Angeles that are required for the implementation of the projects/programs set forth herein.

PASSED, APPROVED, AND ADOPTED this 26th day of January 2017.

William K. Rounds, Mayor

ATTEST:

Janet Martinez, City Clerk

Steve Skolnik, City Attorney



PUBLIC HEARING - ORDINANCE FOR INTRODUCTION

Ordinance No. 1083 – An ordinance to amend Section 155.001 of the Santa Fe Springs Municipal Code adopting changes to the Building (excluding County Amendments to Chapter 94 (repair welded steel moment frame buildings), Chapter 95 (earthquake hazard reduction for existing concrete tilt-up buildings), and Chapter 96 (earthquake hazard reduction for existing unreinforced masonry bearing wall buildings), Electrical, Plumbing, Mechanical, Residential, Green Building Standards (excluding County Amendments), and Existing Building Codes as set forth in the 2017 Edition of the Los Angeles County Code, Title 26, 27, 28, 29, 30, 31 and 33, respectively. In addition to several amendments found to be necessary due to local climatic, geological and/or conditions, the 2017 Los Angeles County Code is comprised of the 2016 State of California Building, Electrical, Plumbing, Mechanical Residential, Green Building Standards, and Existing Building Codes, respectively. (City of Santa Fe Springs)

RECOMMENDATION: That the City Council:

- Open the Public Hearing and hear from any comments regarding the proposed code amendments, and thereafter close the Public Hearing;
- Waive further reading and introduce Ordinance No. 1083.

BACKGROUND

The California Health and Safety Code requires that local jurisdictions maintain and update the codes which govern construction within the State. This means that local jurisdictions must adopt ordinances to impose the same building standards as are contained in the California Building Standards Code, with the exception that they may establish building standards that are more restrictive and that are reasonably necessary due to one of the following three conditions: local climatic, geological, and/or topographical conditions.

The State recently adopted the 2016 Edition of the California Building Standards Code (hereinafter referred to as "State Code"), which includes the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Codes, etc. Subsequently, to meet the California Health and Safety Code requirements, the County of Los Angeles recently adopted (by reference) the 2016 State Code. Additionally, the County adopted several amendments found to be reasonably necessary due to local topographical, geological, and/or climatic conditions. Attachment "A" provides a summary chart of the amendments to the State Code, as well as applicable findings and explanations for each amendment.

The primary source for the County amendments to the State Code has been the Los Angeles Basin Chapter of the International Code Council, which represents 88 Cities and the County of Los Angeles. The Los Angeles Basin Chapter took the lead in reviewing the 2016 California Building, Residential, and Green Building Standards Codes and previous amendments that were developed by the Los Angeles Regional Uniform Code Program in 2013 to determine which amendments are essential for our region based on our specific needs. This effort ensures conformity and consistency among all local jurisdictions that will help designers, developers, and the public at large in having one set of local amendments.

PROPOSED CHANGES

At this time, in order for the City of Santa Fe Springs to be in compliance with State Law and provide the most current review services for building construction, it is recommended that the City Council adopt Ordinance No. 1083, and amend the current City Code to adopt the 2017 Edition of Los Angeles County Code Title 26 (Building), Title 27 (Electrical), Title 28 (Plumbing), Title 29 (Mechanical), Title 30 (Residential), Title 31 (Green Building Standards), and Title 33 (Existing Building Codes) along with several amendments found by the County to be necessary due to local climatic, geological, and/or topographical conditions.

Staff, however, is recommending that the County amendments to Chapter 94 (repair welded steel moment frame buildings), Chapter 95 (earthquake hazard reduction for existing concrete tilt-up buildings), and Chapter 96 (earthquake hazard reduction for existing unreinforced masonry bearing wall buildings) be excluded. If adopted, said amendments would institute mandatory repair and retrofit programs as contained in Title 26 of the Los Angeles County Code. These programs would require repair or retrofit of both existing city and privately-owned buildings. Additionally, staff is also recommending that the County amendments to the CALGreen Code, which enacted more stringent "mandatory" requirements than those required by the State, be excluded.

As mentioned previously, a summary chart of all amendments to the State Code, as well as applicable findings and explanations for each amendment is provided in Attachment "A" – Summary of Changes. Since the changes merit individual attention, it should be noted that the summary is not designed to be an in-depth study of the changes, rather to direct the reader to the areas of change.

IMPACTS

The benefit of adopting the 2017 Edition of the Los Angeles County Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes is that it will provide building inspectors/officials and plan examiners with further clarification of the intent and the applicability of the California Building Code when presented with a variety of construction issues. Additionally, the

proposed amendment by Los Angeles County helps minimizes differences in Code language and interpretation within the region, thereby assisting the local construction industry by unifying and streamlining the permitting process.

Although some training is required to ensure that building inspectors/officials and plan examiners are familiar with the changes, the cost to provide the necessary code updates and related training is already pre-funded through existing construction-related plan review and permit revenues. There are no proposed changes to the current fees charged for obtaining permits or inspections relating to the proposed Code changes.

Potential increase in construction cost, however, may occur for new construction and for major rehabilitation of buildings relative to the proposed code changes. Those potential cost increases, however, would be offset by the savings realized through efficiency improvements and through mitigating property damage and loss.

LEGAL NOTICE OF PUBLIC HEARING

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

Legal notice of the Public Hearing for the proposed Development Plan Approval project was published in a newspaper of general circulation (Whittier Daily News) on January 6, 2017. The legal notice was also posted in Santa Fe Springs City Hall, the City Library, and Town Center on January 6, 2017, as required by the State Zoning and Development Laws and by the City's Municipal Code.

ENVIRONMENTAL DOCUMENTS

An amendment to the City's Code to adopt the 2017 Edition of Los Angeles County Code Title 26 (Building), Title 27 (Electrical), Title 28 (Plumbing), Title 29 (Mechanical), Title 30 (Residential), Title 31 (Green Building Standards), and Title 33 (Existing Building Codes), to comply with the California Health and Safety Code requirements is considered to be a statutorily exempt project by the State Legislature, pursuant to the Public Resource Code Section 21080(b)(15). Consequently, the project is not subject to any CEQA procedures or policies and, therefore, no other environmental documents are required by law.


Thaddeus McCormack
City Manager

Attachments:

Proposed Ordinance No. 1083

Attachment "A" - Summary of Changes

CITY OF SANTA FE SPRINGS

ORDINANCE NO. 1083

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS AMENDING THE CITY CODE BY ADOPTING BY REFERENCE THE 2017 EDITION OF THE LOS ANGELES COUNTY BUILDING CODE (TITLE 26) EXCLUDING COUNTY AMENDMENTS TO CHAPTER 94 (REPAIR WELDED STEEL MOMENT FRAME BUILDINGS), CHAPTER 95 (EARTHQUAKE HAZARD REDUCTION FOR EXISTING CONCRETE TILT-UP BUILDINGS), AND CHAPTER 96 (EARTHQUAKE HAZARD REDUCTION FOR EXISTING UNREINFORCED MASONRY BEARING WALL BUILDINGS), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), GREEN BUILDING STANDARDS CODE (TITLE 31) EXCLUDING COUNTY AMENDMENTS, AND EXISTING BUILDING CODES (TITLE 33), IN LIEU OF THE PRESENT BUILDING, ELECTRICAL, PLUMBING, MECHANICAL AND RESIDENTIAL CODES OF THE CITY.

WHEREAS, the County of Los Angeles has amended Title 26, Title 27, Title 28, Title 29, Title 30, Title 31, and Title 33 of the Los Angeles County Code by adoption of the California Building Code (2016 Edition), the California Electrical Code (2016 Edition), the California Plumbing Code (2016 Edition), the California Mechanical Code (2016 Edition), the California Residential Code (2016 Edition), California Green Standards Code (2016 Edition), California Existing Building Codes (2016 Edition) and

WHEREAS, the proposed changes and modifications to the building standards contained in the 2016 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Code, and Existing Building Codes are reasonably necessary because of local climatic, geological, and/or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958 et seq., and 18941.5 authorize cities and counties to modify the California Building Standards Code by adopting more restrictive standards and modifications if such standards and modifications are accompanied by expressed findings that they are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, the City held a public hearing on January 26, 2017, at which time all interested persons had the opportunity to appear and be heard on the matter of adopting the 2017 Edition of the Los Angeles County Code, Title 26, 27, 28, 29, 30, 31 and 33, as amended herein; and

WHEREAS, an amendment to the City's Code to adopt the 2017 Edition of Los Angeles County Code Title 26 (Building), Title 27 (Electrical), Title 28 (Plumbing),

Title 29 (Mechanical), Title 30 (Residential), Title 31 (Green Building Standards), and Title 33 (Existing Building Codes), is considered to be a statutorily exempt project by the State Legislature, pursuant to the Public Resource Code Section 21080(b)(15); and

WHEREAS, the City of Santa Fe Springs utilizes the Los Angeles County Codes as the building laws of the City of Santa Fe Springs, except as they relate to establishing fees; and

WHEREAS, In the event of any conflict between any provision of this Ordinance and any other provision in the City Code, this Ordinance shall prevail.

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

SECTION 1. Subsection (A) of Section 150.001 Building Laws Adopted of the City is revised to read as follows:

- 1) The 2017 Edition of the Los Angeles County Building Code, as set forth in Los Angeles County Code, Title 26, excluding County Amendments to Chapter 94 (repair welded steel moment frame buildings), Chapter 95 (earthquake hazard reduction for existing concrete tilt-up buildings), and Chapter 96 (earthquake hazard reduction for existing unreinforced masonry bearing wall buildings) and except as to the establishment of fees.
- 2) The 2017 Edition of the Los Angeles County Electrical Code, as set forth in the Los Angeles County Code, Title 27, except as to the establishment of fees.
- 3) The 2017 Edition of the Los Angeles County Plumbing Code, as set forth in the Los Angeles County Code, Title 28, except as to the establishment of fees.
- 4) The 2017 Edition of the Los Angeles County Mechanical Code, as set forth in the Los Angeles County Code, Title 29, except as to the establishment of fees.
- 5) The 2017 Edition of the Los Angeles County Residential Code, as set forth in the Los Angeles County Code, Title 30, except as to the establishment of fees.
- 6) The 2017 Edition of the Los Angeles County Green Building Standard Code, as set forth in the Los Angeles County Code, Title 31, excluding 2017 County of Los Angeles amendments and as to the establishment of fees.
- 7) The 2017 Edition of the Los Angeles County Existing Building Codes, as set forth in the Los Angeles County Code, Title 33, except as to the establishment of fees.

SECTION 2. With respect to the codes adopted by reference herein, the City Council hereby makes the express finding that the modifications and changes contained are needed, pursuant to the provisions of Section 17958 and 18941.5 of the Health and Safety Code of the State of California. The City Clerk is directed to transmit a copy of this ordinance to the Department of Housing and Community Development of the State of California.

PASSED AND ADOPTED this _____ day of _____ (Month), 2017, by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

William K. Rounds
Mayor

ATTEST:

Janet Martinez, CMC
City Clerk

ATTACHMENT A

Summary of Changes

TITLE 26, BUILDING CODE, 2017 EDITION
TITLE 27, ELECTRICAL CODE, 2017 EDITION
TITLE 28, PLUMBING CODE, 2017 EDITION
TITLE 29, MECHANICAL CODE, 2017 EDITION
TITLE 30, RESIDENTIAL CODE, 2017 EDITION
TITLE 31, GREEN BUILDING STANDARDS CODE, 2017 EDITION
TITLE 33, EXISTING BUILDING CODES, 2017 EDITION

The 2017 Los Angeles County Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes will be comprised of the 2016 State of California Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes, respectively, and the Los Angeles County amendments made necessary by local conditions (topographical, geological, and/or climatic) within the County.

The primary source for the County amendments to this code has been the Los Angeles Basin Chapter of the International Code Council, which represents 88 Cities and the County of Los Angeles. The Los Angeles Basin Chapter took the lead in reviewing the 2016 California Building, Residential, and Green Building Standards Codes and previous amendments that were developed by the Los Angeles Regional Uniform Code Program in 2013 to determine which amendments are essential for our region based on our specific needs. This effort ensures conformity and consistency among all local jurisdictions that will help designers, developers, and the public at large in having one set of local amendments.

In adopting the ordinances and regulations pursuant to Sections 17958 and 18941.5 of the Health and Safety Code, the County of Los Angeles and/or the City of Santa Fe Springs is authorized to make changes and modifications to the requirements contained in the provisions published in the California Building Standards Code after making an express finding that such modifications or changes are reasonably necessary because of local climatic, geological, or topographical conditions. Following is a summary of the general and specific substantial evidence of our local findings in support of our amendments.

TOPOGRAPHICAL CONDITIONS:

Topography is defined as the physical features of the land, especially its landform measured in relief and contour. The County of Los Angeles contains coastal regions, deserts and steep hillside terrain. The majority of the 4,011 square miles of County area drains to the Pacific Ocean through a series of incised valleys with steep canyon walls and flat alluvial plains. These canyons are subject to severe cycles of wildfires and flash flood, landslide, and potential liquefaction.

Ground conditions such as the movement of surface and subsurface water, weathering, wind and seismic activity are the geologic systems constantly operating on and within the earth. Individually, these processes are significant. Often they are interrelated. Hence, topography may be the result of a composite of processes. The intensity and importance of these many geologic processes in any specific area is dependent upon several factors: geographic location, climate, elevation, earth materials and composition, and time. Varying combinations of these factors can create totally different topography.

GEOLOGICAL CONDITIONS:

The County of Los Angeles is interlaced with numerous earthquake faults, including the San Andreas Fault, which runs through, adjacent to and beneath the entire region. Categorized as Seismic Design Categories D, E and F, Los Angeles County is considered to be one of the most seismically active areas in the world. Seismic experts predict a massive earthquake on one of these faults within the next 25 years and several earthquakes similar in intensity to the 1994 Northridge Earthquake. Intense ground-shaking resulting from these potential earthquakes could significantly damage buildings, roadways, and utilities. In addition, landslides could be triggered in populated hillside areas, endangering lives and property. Because of local high groundwater combined with certain soil conditions, liquefaction is also a potential hazard in heavily urbanized areas. This dangerous combination can turn normally stable soils to quicksand during a moderate to major earthquake. Recently released maps by the California Geological Survey depict numerous areas within this region with a potential for liquefaction and earthquake-induced landslides.

It is known that future earthquakes will pose unusual and extraordinary stresses on buildings and structures requiring more stringent building regulations than would otherwise be required. Past seismic events have resulted in broken water lines making fire fighting more difficult, and broken gas lines and electric lines making it more likely that high risk fires will break out.

Although the Northridge Earthquake was considered a moderate size earthquake, it caused tremendous damage to buildings and structures, including minor damage to more than 115,000 buildings, moderate to major damage to more than 3,000 buildings, and the vacating of about 21,000 residential units including 2,000 homes.

In order to reduce the loss of life, limb, and property, the County requires that building designs and construction materials and techniques be commensurate with the expected level of ground shaking in a major earthquake. These requirements are based on site-specific soils and geologic conditions, as well as on the level of risk associated with potential damage to the buildings. Once environmental protection policies are met, design and construction techniques are regulated according to the most recent State of California Building, Electrical, Plumbing, Mechanical and Residential Codes, in addition to the increased requirements as

deemed necessary by local jurisdictions to reduce geologic and seismic risks to acceptable levels.

CLIMATIC CONDITIONS:

Climatic events in Los Angeles County continue to have a short and long-term impact on building requirements. For example, damage and injuries related to El Nino type storms, drought and fires have driven changes to the building codes. These changes were based on lessons learned from these events and were developed to lessen the impact of the next climatic event.

The topography of Los Angeles County is diverse. It encompasses the islands of Santa Catalina, 35 miles offshore in the Pacific Ocean, the broad expanses of the Los Angeles basin and the San Fernando Valley, the Santa Monica Mountains that reach over 3,000 feet, the San Gabriel Mountains that exceed 10,000 feet, and the dry and sparsely populated Antelope Valley of the Mojave Desert.

Los Angeles County's climate is greatly affected by topography. Like the terrain, the climate of Los Angeles County is one of extremes. The complex coastal topography and mountainous regions, for example, can induce heavy precipitation. The mountain and foothill areas create special weather conditions. Moist air masses move inland from the Pacific and are cooled as they meet and rise over the mountains. This cooling produces heavy rainfalls on the windward slopes, known as the orographic effect.

Some of the heaviest 24-hour precipitation totals ever reported in the entire state of California were recorded in these local mountains. Over 26 inches of rain fell in just 24 hours in the San Gabriel Mountains in 1943. In fact, in 1998, the U.S. Department of Commerce estimated that the maximum probable 24-hour precipitation is over 48 inches for the mountain ranges of Los Angeles County. This type of precipitation makes floods more likely.

The entire County of Los Angeles has a distinct wet season. Floods are more frequent during this season. When a very wet winter follows several dry ones, severe flooding can occur. This creates severe hazards from mud and debris flows. Documented debris avalanches have occurred in Los Angeles County during at least 9 rainy seasons since 1915.

Wind is another complex climatic condition affecting Los Angeles County. Wind is a major factor affecting the size of wildfires. Specifically, the Santa Ana Winds occurring in late summer and early fall, compress air through mountain gaps into the Los Angeles Basin, warming the area by five degrees Fahrenheit for every 1,000 feet that it descends. These winds become hot and dry and reach gale force when descending into the basin. These winds in conjunction with topography create areas within Los Angeles County such as Malibu that have the highest levels of fire activity in the entire country.

Finally, lack of precipitation is another climatic condition found in Los Angeles County. Drought conditions from 1975 through 1977 caused agricultural damage and proliferated wildfires and landslides and thereby ushered in the era of low-flow water fixtures and natural landscaping as mandated in the County's building code.

CONCLUSION:

The diverse geology, topography, and climate conditions found in the County of Los Angeles present a severe potential for geotechnical, geologic, flood and fire hazards to name a few. These features require the County of Los Angeles and/or City of Santa Fe Springs to adopt more stringent and specific standards than are included in the State Code to address the potential risks in the built environment.

The proposed County amendments to the State Code are based on specific findings and determinations (see table below):

BUILDING CODE AMENDMENTS

Code Section	Condition	Explanation of Amendment
701A.1	Climatic	Clarifies the application of Chapter 7A to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
701A.3	Climatic	Clarifies the application of Chapter 7A to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
701A.3.1	Climatic	Clarifies the application of Chapter 7A to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
703A.5.2 and 703A.5.2.2	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones.

Code Section	Condition	Explanation of Amendment
704A.3	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones.
705A.2	Climatic	Disallows the use of wood-shingle/wood-shake roofs and requires the use of Class A roof covering due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones.
1030.4	Geological	The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of earthquake fault systems capable of producing major earthquakes, including but not limited to the 1994 Northridge Earthquake. The proposed amendment is intended to prevent occupants from being trapped in a building and to allow rescue workers to easily enter after an earthquake.
1507.3.1	Geological	Section amended to require concrete and clay tiles to be installed over solid structural sheathing boards only, due to the increased risk of significant earthquakes in the County. The changes in Section 1507.3.1 are needed because there were numerous observations of tile roofs pulling away from wood framed buildings following the 1994 Northridge Earthquake. The Structural Engineers Association of Southern California ("SEAOSC") and the Los Angeles City Joint Task Force committee findings indicated significant problems with tile roof due to inadequate design and/or construction. Damage was observed where sheathing beneath the tile roofs was not nailed adequately or the nails were not attached on each side of each tile or the nail just pulled out over a period of time because the shank of the nails were smooth. Therefore, the amendment is needed to minimize such occurrences in the event of future significant earthquakes.
Table 1507.3.7	Geological	Table amended to require proper anchorage for clay or concrete tiles from sliding or rotating due to the increased risk of significant earthquakes in the County. This amendment incorporates the design provisions developed based on detailed study of

Code Section	Condition	Explanation of Amendment
		the 1994 Northridge and the 1971 Sylmar earthquakes.
1613.7 and 1613.7.1	Geological	The inclusion of the importance factor in this equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospital, school, police, and fire station, etc., from adjoining structures. The deletion of the importance factor from Equation 12.12-1 will ensure that a safe seismic separation distance is provided. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1613.7.2	Geological	Damage to one- and two-family dwellings of light frame construction resulting from the Northridge Earthquake may have been partially attributed to vertical irregularities common to this type of occupancy and construction. In an effort to improve quality of construction and incorporate lessons learned from studies after the Northridge Earthquake, the modification to ASCE 7 Section 12.2.3.1 by limiting the number of stories and height of the structure to two stories will significantly minimize the impact of vertical irregularities and concentration of inelastic behavior from mixed structural systems. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1613.7.3	Geological	A SEAOSC and Los Angeles City Joint Task Force investigated the performance of concrete and masonry construction with flexible wood diaphragm failures after the Northridge earthquake. It was determined that continuous ties are needed at specified spacing to control cross grain tension in the interior of the diaphragm. Additionally, sub diaphragm shears need to be limited to control combined orthogonal stresses within the diaphragm. Recognizing the importance and need to continue the recommendation made by the task force, but also

Code Section	Condition	Explanation of Amendment
		<p>taking into consideration the improved performance and standards for diaphragm construction today, a proposal to increase the continuous tie spacing limit to 40 ft in lieu of 25 ft and to use 75 percent of the allowable code diaphragm shear to determine the depth of the sub-diaphragm in lieu of the 300 plf is deemed appropriate and acceptable. The Los Angeles region is within a very active geological location. Due to the frequency of this type of failure during previous significant earthquakes, various jurisdictions within this region have taken these additional steps to prevent roof or floor diaphragms from pulling away from concrete or masonry walls. This amendment is a continuation of an amendment adopted during a previous Code adoption cycles.</p>
1613.7.4	Geological	<p>This change is to implement the provisions in ASCE 7-16. This provision allows for a limited value to be used in the seismic design of a building when certain criteria are met. The current provision does not clearly state the criteria, and has created misapplications of this section. It is necessary to adopt this provision now to avoid further misinterpretation of the intent of the 5 story limit, and how the height of the building is measured. The Los Angeles region is within a very active geological location. When applying the story height limit, mezzanines need to be considered as floor levels due to the added mass, overturning forces, and the variation in shear wall stiffnesses that are created. ASCE 7-16 provisions need to be incorporated into the Code to ensure that new buildings and additions to existing buildings are designed and constructed in accordance with the purpose and intent of the Building Code.</p>
1613.8	Geological Topographic al	<p>Section is added to improve seismic safety of buildings constructed on or into hillsides. Due to the local topographical and geological conditions of the sites within the Los Angeles region and their probabilities for earthquakes, this technical amendment is required to address and clarify</p>

Code Section	Condition	Explanation of Amendment
		<p>special needs for buildings constructed on hillside locations. A SEAOSC and Los Angeles City Joint Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success. This amendment is a continuation of an amendment adopted during previous Code adoption cycles.</p>
1704.6	Geological	<p>The language in Sections 1704.6 of the California Building Code permits the owner to employ any registered design professional to perform structural observations with minimum guidelines. However, it is important that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design or their designee who was involved with the design to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will greatly be increased. Additional requirements are provided to help clarify the role and duties of the structural observer and the method of reporting and correcting observed deficiencies to the Building Official. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</p>
1704.6.1	Geological	<p>With the higher seismic demand placed on buildings and structures in this region, the language in Sections 1704.6.1 Item 3 of the California Building Code would permit many low-rise buildings and structures with complex structural elements to be constructed without the benefit of a structural observation. By requiring a registered design professional to observe the</p>

Code Section	Condition	Explanation of Amendment
		<p>construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will be greatly increased. An exception is provided to permit simple structures and buildings to be excluded. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</p>
1705.3	Geological	<p>Results from studies after the 1994 Northridge Earthquake indicated that a significant portion of the damage was attributable to lack of quality control during construction resulting in poor performance of the building or structure. Therefore, the amendment restricts the exceptions to the requirement for special inspection. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</p>
1705.12	Geological	<p>In Southern California, very few detached one- or two-family dwellings not exceeding two stories above grade plane are built as "box-type" structures, especially for those in hillside areas and near the oceanfront. Many with steel moment frames or braced frames, and or cantilevered columns can still be shown as "regular" structures by calculations. With the higher seismic demand placed on buildings and structures in this region, the language in Section 1705.12 Item 3 of the California Building Code would permit many detached one- or two-family dwellings not exceeding two stories above grade plane with complex structural elements to be constructed without the benefit of special inspections. By requiring special inspections, the quality of major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will be greatly increased. The exception should only be allowed for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design Category</p>

Code Section	Condition	Explanation of Amendment
		A, B, and C.
1807.1.4	Climatic Geological	<p>No substantiating data has been provided to show that a wood foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood retaining walls, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using wood foundations that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.</p>
1807.1.6	Geological	<p>With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions that do not take into consideration the surrounding environment. Plain concrete performs poorly in withstanding the cyclic forces resulting from seismic events. In addition, no substantiating data has been provided to show that under-reinforced foundation walls are effective in resisting seismic loads and may potentially lead to a higher risk of failure. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and</p>

Code Section	Condition	Explanation of Amendment
		take these issues into consideration. This amendment is a continuation of an amendment adopted during previous Code adoption cycles.
1809.3 and Figure 1809.3	Geological	With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result for under-reinforced footings located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment is a continuation of an amendment adopted during previous Code adoption cycles.
1809.7 and Table 1809.7	Geological	No substantiating data has been provided to show that under-reinforced footings are effective in resisting seismic loads and therefore may potentially lead to a higher risk of failure. This amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions for footings that do not take into consideration the surrounding environment. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these factors into consideration. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force that investigated the performance deficiencies observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous Code adoption cycles.
1809.12	Climatic Geological	No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the

Code Section	Condition	Explanation of Amendment
		<p>combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.</p>
1810.3.2.4	Climatic Geological	<p>No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of</p>

Code Section	Condition	Explanation of Amendment
		wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
1905.1.7	Geological	This amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force that investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1905.1.8 through 1905.1.11	Geological	These amendments are intended to carry over critical provisions for the design of concrete columns in moment frames from the Uniform Building Code (UBC). Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded. In addition, this amendment carries over from the UBC a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls from being included in the seismic load resisting system, since their failure could have a catastrophic effect on the building. Furthermore, this amendment was incorporated into this Code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs has been observed in some instances to have popped out of the slab due to insufficient concrete coverage. This modification ensures that critical boundary and collector rebars are placed in sufficiently thick slabs to prevent buckling of such reinforcements. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the

Code Section	Condition	Explanation of Amendment
		County.
2304.10.1 and Table 2304.10.1	Geological	<p>Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment limits the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as nailed wood structural shear panels. The test results of stapled wood structural shear panels demonstrated much lower strength and drift than nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This amendment is a continuation of a similar amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</p>
2304.12.5	Climatic Geological	<p>No substantiating data has been provided to show that wood used in retaining or crib walls is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood used in retaining or crib walls, when it is not properly treated and protected against deterioration, has performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using wood in retaining or crib walls that experience relatively rapid decay due to the fact that the region does not experience temperatures</p>

Code Section	Condition	Explanation of Amendment
		cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
2305.4	Geological	The overdriving of nails into the structural wood panels still remains a concern when pneumatic nail guns are used for wood structural panel shear wall nailing. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the 1994 Northridge Earthquake. The use of clipped head nails continues to be restricted from use in wood structural panel shear walls where the minimum nail head size must be maintained in order to minimize nails from pulling through sheathing materials. Clipped or mechanically driven nails used in wood structural panel shear wall construction were found to perform much worse in previous wood structural panel shear wall testing done at the University of California Irvine. The existing test results indicated that, under cyclic loading, the wood structural panel shear walls were less energy absorbent and less ductile. The panels reached ultimate load capacity and failed at substantially less lateral deflection than those using same size hand-driven nails. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force that investigated the poor performance observed in 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2305.5	Geological	Many of the hold-down connectors currently in use do not have any acceptance report based on dynamic testing protocols. This amendment continues to limit the allowable capacity to 75% of the acceptance report value to provide an

Code Section	Condition	Explanation of Amendment
		<p>additional factor of safety for statically tested anchorage devices. Cyclic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces which are applied in a static manner. Steel plate washers will reduce the additional damage which can result when hold-down connectors are fastened to wood framing members. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force that investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</p>
<p>2306.2 2306.3 2307.2 2308.6.5.1 2308.6.5.2 Figure 2308.6.5.1 and Figure 2308.6.5.2</p>	<p>Geological</p>	<p>The SEAOSC and the Los Angeles City Joint Task Force that investigated damage to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and do not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as wood structural panels fastened with common nails. The test result revealed that wood structural panels fastened with staples demonstrated much lower strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel</p>

Code Section	Condition	Explanation of Amendment
		<p>shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Category D, E and F unless it can be substantiated by cyclic testing. Furthermore, the cities and unincorporated areas within the Los Angeles region have taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board. This amendment continues the previous amendment adopted during the 2007 Code adoption cycle.</p>
2308.6.8.1	Geological	<p>With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The purpose of this amendment is to limit the use of the exception to structures assigned to Seismic Design Category A, B or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.</p>
Table 2308.6.1	Geological	<p>This amendment specifies minimum sheathing thickness and nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended</p>

Code Section	Condition	Explanation of Amendment
		to improve the performance level of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force that investigated the performance deficiencies observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous Code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2308.6.9	Geological	Due to the high geologic activities in the Southern California area and the required higher level of performance of buildings and structures, this amendment limits the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as nailed wood structural shear panels. The test results of stapled wood structural shear panels demonstrated much lower strength and drift than nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This amendment is a continuation of a similar amendment adopted during previous Code adoption cycles.
J101.1	Geological Topographic al Climate	This Section is revised to include erosion and sediment control measures to address the complex and diverse set of soil types and geologic conditions that exist in the Los Angeles County region.
J101.10	Geological Topographic al Climate	This section is revised to maintain safety and integrity of public or private property adjacent to grading sites.
J103.1 – J103.2 and Figure	Geological Topographic al	Sections revised to provide adequate control of grading operations typical to the Los Angeles County region due to the complex and diverse set

Code Section	Condition	Explanation of Amendment
J103.2	Climate	of soil types, climates, and geologic conditions that exist in the Los Angeles County region.
J104.2.1 – J104.4	Geological Topographic al Climate	Sections revised or added to provide adequate control of grading operations typical to the Los Angeles County region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.
J105.1- J105.14	Geological Topographic al Climate	Sections revised or added to provide adequate control of grading operations typical to the Los Angeles County region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.
J106.1	Geological Topographic al Climate	Section revised to require more stringent cut slope ratios to address the complex and diverse set of soil types and geologic conditions that exist in the Los Angeles County region.
J107.1- J107.7	Geological Topographic al Climate	Sections revised to provide more stringent fill requirements for slope stability, and settlement due to the complex and diverse set of soil types, climates, and geologic conditions which exist in the Los Angeles County region.
J107.8 – J107.9	Geological Topographic al Climate	Sections revised to provide more stringent inspection and testing requirements for fill slope stability due to the complex and diverse set of soil types, climates, and geologic conditions which exist in the Los Angeles County region.
J108.1 – J108.4	Geological Topographic al Climate	Sections revised to provide more stringent slope setback requirements to address the complex and diverse set of soil types, climates, and geologic conditions which exist in the Los Angeles County region.
J109.1 – J109.3	Geological Topographic al Climate	Sections revised to provide more stringent drainage and terracing requirements to address the complex and diverse set of soil types, climates, and geologic conditions which exist in the Los Angeles County region.
J109.5	Geological Topographic al Climate	Subsection added to provide for adequate outlet of drainage flows due to the diverse set of soil types, climates, and geologic conditions which exist in the Los Angeles County region.
J110.1 -	Geological	Sections revised or added to provide for State

Code Section	Condition	Explanation of Amendment
J110.8.5	Topographic al Climate	requirements of storm water pollution prevention and more stringent slope planting, and slope stability requirements to control erosion due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.
J111	Geological Topographic al Climate	Section revised to reference additional standards for soils testing due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the Los Angeles County region.

PLUMBING CODE AMENDMENTS

CODE SECTION	CONDITION	EXPLANATION
Section 721.3	Geological Topographical	To allow for the proper operation of existing Los Angeles County sewer infrastructure and establish consistency with Title 20 – Utilities – of the Los Angeles County Code, Division 2 (Sanitary Sewers and Industrial Waste) due to local soil conditions and topography.
Sections 728.1 to 728.6	Geological Topographical	To allow for the proper operation of existing Los Angeles County sewer infrastructure and establish consistency with Title 20 – Utilities – of the Los Angeles County Code, Division 2 (Sanitary Sewers and Industrial Waste) due to local soil conditions and topography.
Table H 101.8	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions and to provide protections for native, protected oak trees that are consistent with Title 22 – Zoning and Planning – of the Los Angeles County Code, Chapter 22.56, Part 16 (Oak Tree Permits).
Table H 201.1(1)	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions, sewer capacity, and sewage treatment.
Table H 201.1(2)	Geological Topographical	To establish consistency with requirements of the County Health Department for sewer capacity and sewage treatment due to local soil conditions.
Table H 201.1(3)	Geological Topographical	To establish consistency with requirements of the County Health Department for sewer capacity and sewage treatment due to local soil conditions.
Table H 201.1(4)	Geological Topographical	To establish consistency with requirements of the County Health Department for sewer capacity and sewage treatment due to local soil conditions.
Section H 301.1	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.

CODE SECTION	CONDITION	EXPLANATION
Section H 401.3	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 601.5	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 601.8	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 701.2	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 1001.1	Geological	To establish more restrictive requirements to prevent earth movement based on local soil and seismic conditions.
Section H 1101.6	Geological	To establish more restrictive requirements to prevent earth movement based on local soil and seismic conditions.

MECHANICAL CODE AMENDMENTS

CODE SECTION	CONDITION	EXPLANATION
501.1	Climatic	Additional Health Department requirements are necessary due to local air quality concerns.
510.1.6	Geological	High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment for bracing and support.
603.3.1	Geological	High geologic activities, such as seismic events,

MECHANICAL CODE AMENDMENTS

CODE SECTION	CONDITION	EXPLANATION
		in the Southern California area necessitate this local amendment for bracing and support.
1114.4	Geological	High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment to reduce damage and potential for toxic refrigerant release during a seismic event caused by shifting equipment and to minimize impacts to the sewer system in such an event.

RESIDENTIAL CODE AMENDMENTS

Code Section	Condition	Explanation of Amendment
R301.1.3.2	Geological	<p>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. After the 1994 Northridge Earthquake, the Wood Frame Construction Joint Task Force recommended that the quality of woodframe construction needed to be greatly improved. The Task Force recommended that structural plans be prepared by the engineer or architect so that plan examiners, building inspectors, contractors, and special inspectors may logically follow and construct the seismic force-resisting systems as presented in the construction documents. For buildings or structures located in Seismic Design Category D₀, D₁, D₂, or E that are subject to a greater level of seismic forces, the requirement to have a California licensed architect or engineer prepare the construction documents is intended to minimize or reduce structural deficiencies that may cause excessive damage or injuries in woodframe buildings. Involvement of a registered professional will minimize the occurrence of structural deficiencies such as plan and vertical irregularities, improper shear transfer of the seismic force-resisting system, missed details or connections important to the structural system, and the improper application of the prescriptive requirements of the California Residential Code.</p>
R301.1.4	Geological Topographical	<p>This technical amendment is for buildings constructed on hillsides. Due to the local topographical and geological conditions of the sites within the greater Los Angeles region and their susceptibility to earthquakes, this amendment is required to address and clarify special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and Los Angeles City Joint Task Force investigated the performance of hillside building failures after the Northridge Earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by the City and County of Los Angeles for several years.</p>

Code Section	Condition	Explanation of Amendment
R301.2.2.2.5	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the type of irregular conditions as specified in the 2016 California Residential Code. Such limitations are recommended to reduce structural damage in the event of an earthquake. The County of the Los Angeles and cities in this region have implemented these extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.
R301.2.2.3.8	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the potential anchorage and supporting frame failure resulting from additional weight. There is no limitation for weight of mechanical and plumbing fixtures and equipment in the International Residential Code. Requirements from ASCE 7 and the International Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.
Table R302.1(2)	Climatic	This amendment will not allow unprotected openings (openings that do not resist the spread of fire) to be in the exterior wall of a residential building that is located on a property line. This amendment is necessary due to local climatic conditions. The hot, dry weather conditions of late summer in combination with the Santa Ana winds creates an extreme fire danger. Residential buildings with unprotected openings located on a property line may permit fires to spread from the inside of the building to adjacent properties and likewise from exterior properties to the

Code Section	Condition	Explanation of Amendment
		interior of the building.
R337.1.1	Climatic	Extends the application of Chapter R337 to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
R337.1.3	Climatic	Extends the application of Chapter R337 to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
R337.1.3.1	Climatic	Extends the application of Chapter R337 to include additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
R337.3.5.2	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation.
R337.3.5.2.2	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation.
R337.4.3	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in High Fire Severity Zones.
R337.5.2	Climatic	Disallows the use of wood-shingle/wood-shake roofs and requires the use of Class A roof covering due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in High Fire Severity Zones.
R401.1	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Wood foundations, even those that are preservative-treated, encounter a higher risk of deterioration when contacting the adjacent ground. The required seismic anchorage and transfer of lateral forces into the foundation system necessary

Code Section	Condition	Explanation of Amendment
		<p>for 2-story structures and foundation walls could become compromised at varying states of wood decay. In addition, global structure overturning moment and sliding resistance is reduced when utilizing wood foundations as opposed to conventional concrete or masonry systems. However, non-occupied, single-story storage structures pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter.</p>
<p>R403.1.2 R403.1.3.6 R403.1.5 Figure R403.1.5</p>	<p>Climatic Geological</p>	<p>Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. These proposed amendments require minimum reinforcement in continuous footings and stepped footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. These amendments implement the recommendations of SEAOSC and the Los Angeles City Joint Task Force resulting from their investigation of the 1994 Northridge Earthquake. Interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.</p>
<p>R404.2</p>	<p>Climatic Geological</p>	<p>No substantiating data has been provided to show that wood foundations are effective in supporting structures and buildings during a seismic event while being subject to deterioration caused by the presence of water and other materials detrimental to wood foundations in the soil. Wood foundations, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. With the higher seismic</p>

Code Section	Condition	Explanation of Amendment
		demand placed on buildings and structures in this region, coupled with the dryer weather conditions, it is the intent of this amendment to reduce or eliminate potential problems resulting from the use of wood footings and foundations.
R501.1	Geological	Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the potential anchorage and supporting frame failure resulting from additional weight. There is no limitation for weight of mechanical and plumbing fixtures and equipment in the International Residential Code. Requirements from ASCE 7 and the International Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this proposed amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.
R503.2.4 Figure R503.2.4	Geological	Section R502.10 of the Code does not provide any prescriptive criteria to limit the maximum floor opening size nor does Section R503 provide any details to address the issue of shear transfer near larger floor openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damage caused by seismic forces. Requiring blocking with metal ties around larger floor openings and limiting opening size is consistent with the requirements of Section R301.2.2.2.5.
R602.3.2	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The County of the Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads by eliminating single top plate construction. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system.

Code Section	Condition	Explanation of Amendment
Table R602.3(1) Table R602.3(2)	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels demonstrated lower strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners for shear walls sheathed with other materials shall not be permitted without being substantiated by cyclic testing.
Table R602.10.3(3)	Geological	Due to the high geologic activities in the Southern California area and the necessary higher level of performance on buildings and structures, this local amendment continues to reduce/eliminate the allowable shear values for shear walls sheathed with lath, plaster or gypsum board. The poor performance of such shear walls sheathed with other materials in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of the Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads.
Table R602.10.4	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. This proposed amendment specifies minimum WSP sheathing thickness and nail size and spacing so as to provide a uniform standard of construction to improve the performance level of buildings and structures given the potential for higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by SEAOSC and the Los Angeles City Joint Task Force following the 1994 Northridge Earthquake. In September 2007, cyclic testing data was provided to the Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels underperformed nailed wood structural shear panels. Test results of the stapled

		wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results.
Table R602.10.5	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The poor performance of such shear walls sheathed in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of the Los Angeles and cities in this region have taken extra measures to maintain the structural integrity with respect to the "maximum shear wall aspect ratios" of the framing of the shear walls when designed for high levels of seismic loads. This proposed amendment is consistent with the shear wall aspect ratio provision of Section 4.3.4 of AWC SDPWS-2015.
Figure R602.10.6.1	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. Box nails were observed to cause massive and multiple failures of the typical 3/8" thick 3 ply-plywood during the Northridge Earthquake. The County of the Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system.
Figure R602.10.6.2	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of such shear walls sheathed in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of the Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the Northridge Earthquake. The proposal to change the minimum lap splice requirement is consistent with Section 12.16.1 of ACI 318-11. This proposed amendment is a continuation of an amendment

		adopted during the previous Code adoption cycles.
Figure R602.10.6.4	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of such shear walls sheathed in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of the Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. The proposal in which "washers shall be a minimum of 0.229 inch by 3 inches by 3 inches in size" is consistent with Section R602.11.1 of the California Residential Code and Section 2308.3.2 of the California Building Code. This proposed amendment is a continuation of an amendment adopted during the previous Code adoption cycle.
R606.4.4	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The addition of the word "or" will prevent the use of unreinforced parapets in Seismic Design Category D ₀ , D ₁ or D ₂ , or on townhouses in Seismic Design Category C.
R606.12.2.2. 3	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Reinforcement using longitudinal wires for buildings and structures located in high seismic areas are not as ductile as deformed rebar. Having vertical reinforcement closer to the ends of masonry walls help to improve the seismic performance of masonry buildings and structures.
R803.2.4	Geological	Section R802 of the Code does not provide any prescriptive criteria to limit the maximum size of roof openings, nor does Section R803 provide any details to address the issue of shear transfer near larger roof openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damage caused by seismic forces. Requiring blocking with metal ties around larger roof openings and limiting the size of openings is consistent with the requirements of Section R301.2.2.2.5.
R1001.3.1	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern

		California area. The performance of fireplaces/chimneys without anchorage to the foundation has been observed to be inadequate during major earthquakes. The lack of anchorage to the foundation results in overturn or displacement.
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COMPARISON OF THE 2016 CALGREEN REQUIREMENTS AND THE 2017 COUNTY OF LOS ANGELES AMENDMENTS

BUILDING TYPES COVERED	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
All newly constructed residential buildings, and additions and alterations to residential buildings that increase the building's conditioned area, volume, or size, shall comply with Chapter 4.	All newly constructed residential buildings 6 stories or less, and all additions and alterations to residential buildings, shall comply with Chapter 4. All newly constructed residential buildings 7 stories or greater shall comply with Chapters 5 and A5, where applicable.
All newly constructed non-residential buildings and additions/alterations to non-residential buildings (>\$200,000 or >1000 SF) shall comply with Chapter 5.	All newly constructed non-residential buildings and additions/alterations to non-residential buildings (>\$200,000/ >1000 SF) shall comply with Chapter 5. No amendments proposed.
Chapters A4 and A5 remain voluntary.	Newly constructed non-residential buildings that are 25,000 square feet or more shall comply with the CALGreen Tier 1 requirements in Chapter A5.* Newly constructed residential buildings 7 stories or more and greater than 25,000 square feet shall comply with CALGreen Tier 1 requirements in Chapter A5.* LA County is not adopting more restrictive building energy efficiency standards than the 2016 California Energy Code Standards.

**Tier 1 requirements are outlined below.*

RESIDENTIAL MANDATORY MEASURES

PLANNING AND DESIGN	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Storm water drainage and retention during construction shall be managed to prevent flooding and erosion.	LA County will continue to enforce its BMP requirements regarding storm water drainage, retention and management.
Post development grading and paving shall manage surface waters.	Require compliance with Title 12 of the County Code of Regulations Low Impact Development (LID) and the County's updated MS4 permit.
Electric vehicle charging infrastructure shall be provided for new residential construction.	Electric vehicle charging infrastructure shall be provided for new residential construction. No amendments proposed.

ENERGY EFFICIENCY	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Compliance with the newly adopted 2016 Energy Efficiency Standards.	Compliance with the newly adopted 2016 Energy Efficiency Standards. No amendments proposed.

WATER EFFICIENCY AND CONSERVATION	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Water conserving plumbing fixtures and fittings shall be installed.	Water conserving plumbing fixtures and fittings shall be installed. No amendments proposed.
Landscape area greater than 500 square feet shall comply with the State Model Water Efficient Landscape Ordinance (MWELO).	Landscape area greater than 500 square feet shall comply with the State Model Water Efficient Landscape Ordinance (MWELO). No amendments proposed.

MATERIAL CONSERVATION	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Divert 65 percent of construction and demolition debris from landfills.	Divert 65 percent of construction and demolition debris from landfills. No amendments proposed.

<u>ENVIRONMENTAL QUALITY</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
No significant changes to existing requirements.	No amendments proposed.

NON-RESIDENTIAL MANDATORY MEASURES

<u>PLANNING AND DESIGN</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Storm water drainage and retention during construction shall be managed to prevent flooding and erosion.	LA County will continue to enforce its BMP requirements regarding storm water drainage, retention and management.
Post development grading and paving shall manage surface waters.	Require compliance with Title 12 of the County Code of Regulations Low Impact Development (LID) and the County's updated MS4 permit.
Electric vehicle charging infrastructure shall be provided for new construction.	Electric vehicle charging infrastructure shall be provided for new construction. No amendments proposed.

<u>ENERGY EFFICIENCY</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Compliance with the newly adopted 2016 Energy Efficiency Standards.	Compliance with the newly adopted 2016 Energy Efficiency Standards. No amendments proposed.

<u>WATER EFFICIENCY AND CONSERVATION</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Water conserving plumbing fixtures and fittings shall be installed.	Water conserving plumbing fixtures and fittings shall be installed. No amendments proposed.
Landscape area greater than 500 square feet shall comply with the State Model Water Efficient Landscape Ordinance (MWELo).	Landscapes above the State threshold shall comply with MWELo. No amendments proposed.

<u>MATERIAL CONSERVATION</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
Divert 65 percent of construction and demolition debris from landfills.	Divert 65 percent of construction and demolition debris from landfills. No amendments proposed

<u>ENVIRONMENTAL QUALITY</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
No significant changes to existing requirements.	No amendments proposed.

TIER 1 REQUIREMENTS

<u>BUILDING TYPES COVERED</u>	
2016 CALGreen	2017 County of Los Angeles Green Building Standards Code
<u>Division A5.1</u> Remains voluntary.	<u>Division A5.1</u> 10 percent of the parking to be designated as fuel efficient. Comply with one additional measure from Division A5.1.
<u>Division A5.2</u> Remains voluntary.	<u>Division A5.2</u> Remains voluntary.
<u>Division A5.3</u> Remains voluntary.	<u>Division A5.3</u> Indoor potable water usage to be reduced by 12 percent. Comply with one additional measure from Division A5.3.
<u>Division A5.4</u> Remains voluntary.	<u>Division A5.4</u> Materials shall have a 10 percent recycled content based on the value of all installed materials. Comply with one additional measure from Division A5.4.
<u>Division A5.5</u> Remains voluntary.	<u>Division A5.5</u> 90 percent of resilient flooring to be low-VOC. All thermal insulation shall be low-VOC

	Comply with one additional measure from Division A5.5.
<u>Division A5.6</u> Remains voluntary.	<u>Division A5.6</u> Comply with one additional measure from any Division.



City of Santa Fe Springs

City Council Meeting

January 26, 2017

ORDINANCE FOR PASSAGE

Zoning Text Amendment – Cottage Food Operations

Ordinance No. 1081: An ordinance of the City Council of the City of Santa Fe Springs, amending Sections 155.003, 155.062, 155.092, 155.635(A) and adding Section 155.635.1 to Title 15, Chapter 155 of the Santa Fe Springs Municipal Code to include Cottage Food Operations as an allowable accessory use in the R-1, Single-Family Residential Zone District and R-3, Multi-Family Residential Zone District. (City of Santa Fe Springs)

RECOMMENDATION: That the City Council take the following actions:

- Waive further reading and adopt Ordinance No. 1081, the proposed amendments to the City Zoning Regulations regarding land use requirements for cottage food operations.

BACKGROUND/DESCRIPTION OF PROPOSAL

Across the Country, states recognize the high cost of starting a food business, as well as inaccessibility to kitchens complying with food regulation laws, have prevented many micro-entrepreneurs from getting started. For decades, low-income and rural communities have faced limited opportunities to purchase healthy foods. In recent years, California has seen a growing movement to support community-based food production.

To help people grow local food economies, the California State legislature enacted Assembly Bill (AB) 1616 in 2012, which required cities and counties to allow individuals to prepare and/or package certain types of non-potentially hazardous foods in private-home kitchens referred to as a Cottage Food Operations (CFO) and allow the sale of such foods either from their homes or from other locations. AB 1616 allows local agencies to establish a permitting process and set reasonable standards within State-prescribed parameters (see AB 1616 text attached to this report). AB 1616 went into effect January 1, 2013 and has since contributed to the rise in home-based food businesses across the State, as micro-entrepreneurs can now get started and prove a market for their food with a smaller initial investment.

REQUIREMENTS AND LIMITATIONS

Although, CFOs are no longer subject to regulations similar to commercial kitchens, all cottage food operators are still subject to specified requirements and limitations set forth in AB 1616, which include the following:

- CFOs shall not have more than fifty thousand dollars (\$50,000) in gross annual sales in a calendar year.

- The individual who operates the CFO must reside in the dwelling where the business is being conducted.
- Operator may not have more than one full-time equivalent employee, not including a family member or household member of the CFO.
- Cottage food preparation, packaging, or handling may not occur in the home kitchen concurrent with any other domestic activities, such as family meal preparation, dishwashing, kitchen cleaning, or guest entertainment.
- No infants, small children, or pets are permitted in the home kitchen during the preparation, packaging, or handling of any cottage food products.
- Operator must keep all kitchen equipment and utensils clean and in good repair.
- Operator shall ensure that all food contact surfaces and utensils used for the preparation, packaging or handling of any cottage food products shall be washed, rinsed, and sanitized before each use.
- Operator shall ensure that all food preparation and storage areas must be kept free of rodents and insects.
- Operator shall ensure that proper hand-washing (or exposed portions of the arms) shall be completed prior to any food preparation or packaging.
- Operator shall ensure that water used in preparation of cottage food products must be potable.
- Smoking is prohibited in the portion of a private home used for the preparation, packaging or handling of cottage food products and related ingredients or equipment, or both, while cottage food products are being prepared.
- A person with a contagious illness shall not work in the CFO. Persons with cuts, blisters, or burns shall cover their hands, wrists, and arms with a dry, sturdy bandage and wear a glove before doing any food preparation or packaging.
- A person who prepares or packages cottage food products shall complete a food processor course within three months of becoming registered.
- A CFO shall properly label all cottage food products in compliance with the Federal Food, Drug, and Cosmetic Act.

The Los Angeles County Environmental Health Division (County) is the local enforcement agency responsible for registering or permitting and inspecting CFOs in Los Angeles County and ensuring that the CFOs comply with all Health and Safety Code requirements. State law requires all CFOs to be registered or permitted by their local environmental health agency before commencing business.

TYPES OF COTTAGE FOOD OPERATIONS

AB 1616 also created a two-tier cottage food operator registration and permitting system (Class A and Class B) to be enforced by the local county environmental health agency. Requirements differ for “Class A” and “Class B” CFOs.

Class A:

- Class A CFOs are only allowed to engage in “direct sales” of cottage food. “Direct sale” means a transaction between a cottage food operator and a consumer, where the consumer purchases the cottage food product directly from the cottage food operator. Direct sales include, but are not limited to, transactions at temporary events, such as bake sales, certified farmers’ markets, farm stands, or at the residence where the CFO is located.
- Class A CFOS must submit a completed self-certification checklist approved by the County when they submit their registration application verifying that the CFO conforms to applicable California Health and Safety Code requirements.
- Class A kitchens are not subject to initial or routine inspections; however, the County, on the basis of a consumer complaint, may perform an inspection of the CFO to ensure that unsafe food has not been produced or any other violation has occurred.

Class B:

- Class B CFOs may engage in both “direct sales” and “indirect sales” of cottage food. “Indirect sale” means an interaction between a cottage food operator, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the CFO from a third-party retailer that holds a valid permit issued by the local environmental health agency. Indirect sales include, but are not limited to, sales made to retail food facilities including markets, restaurants, bakeries, and delis, where food may be immediately consumed on the premises.
- Class B operations must submit a permit application and be inspected prior to obtaining a permit from the County.
- Class B kitchens are inspected initially prior to permit issuance and then annually. The County, on the basis of a consumer complaint, may also perform an inspection of the CFO to ensure that unsafe food has not been produced or any other violation has occurred.

Both Class A registrations and Class B Permits, must be renewed annually. In addition, as mentioned previously, all CFOs will have to meet specified requirements pursuant to California Health and Safety Code related to preparing foods that are on the approved list, completing a food processor training course within three-months of registering (and every three years during operations), implementing sanitary operations, creating state and federal compliant labels, and operating within the established gross annual sales limit of \$50,000 per year.

The enactment of AB 1616 provides CFOs with the opportunity to operate a small scale food business. However, once the CFO exceeds the gross annual sales limit established in the law, they must move their operations to a commercial processing facility.

TYPES OF FOODS PERMITTED

CFOs are only allowed to produce foods that are defined as “non-potentially hazardous.” Specifically, foods that are described in California Health and Safety Code Section 114365.5 and that are prepared for sale in the kitchen of a CFO. Non-potentially hazardous foods are essentially foods that do not support the rapid growth of bacteria that would make people sick when held outside of refrigeration temperatures. These foods, as well as other foods not on the approved foods list (see Section 114365.5 of AB 1616 - attached to this report), are regulated by the California Department of Public Health (CDPH). Typical food items include: baked goods without cream, custards or meat fillings; candies, dried fruits and pastas; fruit pies; cereals; herbs; honey; jams and jellies; nuts; popcorn; roasted coffees and dried teas; seasoning salts, etc.

STAFF CONSIDERATION

AB 1616 states that local agencies shall not prohibit a CFO in any residential dwellings, but shall do one of the following:

1. Classify a CFO as a permitted use of residential property for zoning purposes.
2. Grant a nondiscretionary permit to use a residence as any CFO that complies with local ordinances prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking and noise control relating to those homes.
3. Require any CFO to apply for a permit to use a residence for its operation. The use permit shall be granted if the CFO complies with local ordinances prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking and noise control relating to those homes. Processing of said permit shall be performed as economically as possible with fees not to exceed the cost of the review and permit process.

Staff is recommending option #2, which would allow for an application/permit process consistent with home-based businesses who currently must apply for and obtain a Home Occupation Permit. Staff would, however, create a separate application/permit process for CFOs since the limitations on CFOs differ from other home-based businesses. Said permit would be subject to prior approval by the Director of Planning or his/her designee. It should be noted that regulations for home-based businesses that still fall under the existing Home Occupation Permit will remain unchanged.

PROPOSED ZONING TEXT AMENDMENT

The proposed regulations designed to allow residents to operate CFOs out of their homes and in accordance with AB 1616, would be implemented through various amendments to Title 15, Chapter 155 of the Santa Fe Springs Municipal Code. Specifically, the proposed changes are to:

- Section 155.003, to add pertinent definitions;

- Section 155.062 and Section 155.092, to add “Cottage Food Operations” as an accessory use in the R-1 (Single-Family Residential) and R-3 (Multi-Family Residential) zones, respectively;
- Section 155.635(A) to exclude Cottage Food Operations and effectively distinguish CFOs from the existing Home Occupations Permit; and
- Section 155.635.1, to establish standards, restrictions, and requirements pertaining to the permitting and operation of CFOs in the City. The proposed changes are shown underlined.

SANTA FE SPRINGS MUNICIPAL CODE

Chapter 155 - Zoning

§ 155.003 DEFINITIONS

COTTAGE FOOD OPERATION – An enterprise conducted at a private home where the cottage food operator, within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct, indirect, or direct and indirect sale to consumers in compliance with California Health and Safety Code Section 113758. A Cottage Food Operation must satisfy the provisions set forth in Section 155.635.1 of the City of Santa Fe Springs Municipal Code.

COTTAGE FOOD OPERATOR – An individual who owns or operates a Cottage Food Operation in his or her private home kitchen.

COTTAGE FOOD PRODUCTS – Non-potentially hazardous foods, specifically foods that are described in California Health and Safety Code Section 114365.5 and that are prepared for sale in the kitchen of a Cottage Food Operation.

DIRECT SALE (COTTAGE FOOD) – A transaction between a Cottage Food Operation operator and a consumer, where the consumer purchases the cottage food product directly from the Cottage Food Operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers’ markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the Cottage Food Operation.

INDIRECT SALE (COTTAGE FOOD) – An interaction between a Cottage Food Operation, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the Cottage Food Operation from a third-party retailer that holds a valid permit issued pursuant to California Health and Safety Code Section 114381. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

PRIVATE HOME (COTTAGE FOOD) – A dwelling, including an apartment or other rented space, where people live.

REGISTERED OR PERMITTED AREA (COTTAGE FOOD) – The portion of a private home that contains the private home's kitchen used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, and attached rooms within the home that are used exclusively for storage.

§ 155.062 ACCESSORY USES

The following accessory uses are permitted in the R-1 Zone;

(M) Cottage Food Operations in accordance with the provisions of § 155.635.1.

§ 155.092 ACCESSORY USES

The following accessory uses are permitted in the R-3 Zone;

(H) Cottage Food Operations in accordance with the provisions of § 155.635.1.

§ 155.635 HOME OCCUPATIONS

(A) The term HOME OCCUPATIONS applies only to such uses in the residential zones which may be conducted within a residential dwelling without in any way changing the appearance or condition of the residence. Such uses which consist solely of a business phone and/or mailing address shall only require approval by the Director of Planning and Development, except that Cottage Food Operations may be permitted as specified in Section 155.635.1; all other such uses shall require Planning Commission approval. Before granting approval, the Director of Planning and Development and the Commission shall be satisfied that all of the requirements set forth below are met.

(B) Approval by the Director of Planning and Development and the Commission may be conditioned upon any other requirements deemed necessary to preserve the residential character of the area and carry out the intent of this chapter.

- (1) No employment of help other than members of the resident family.
- (2) No use of material or mechanical equipment not recognized as being part of reasonable household uses.
- (3) The use shall not generate pedestrian or vehicular traffic.
- (4) No storage of materials or supplies outdoors and no use of commercial vehicles for delivery of materials to or from the premises.
- (5) No signs or advertising shall be permitted on the premises.
- (6) In no way shall the appearance of the building be so altered, or the home occupation be so conducted as to cause the premises to deviate from its

- residential character, either by color, materials or construction, or by lighting signs, sounds, or noises, vibrations, and the like.
- (7) There shall be no use of utilities or community facilities beyond that reasonable to the use of the property for residential purposes.
 - (8) The use shall not be a category of industrial homework which is prohibited by state law.
 - (9) That if the use is a category of industrial homework which is not prohibited by state law, evidence shall be submitted that a valid and existing license and permit has been issued to the employer and industrial homemaker (applicant) respectively by the State Division of Industrial Welfare or other appropriate regulatory agency governing the use.
 - (10) That if the use requires a license or permit by any other public agency having jurisdiction by law, evidence shall be submitted that a valid license or permit has been issued to the applicant by such public agency.
 - (11) The applicant shall sign an affidavit that he or she is aware of and agrees to all of the requirements and conditions under which approval of the home occupation is given, and that if any of said requirements or conditions are violated, the approval shall become null and void.

§ 155.635.1 COTTAGE FOOD OPERATIONS

(A) The term COTTAGE FOOD OPERATIONS, as defined in § 155.003, applies only to such uses in residential zones which may be conducted within a residential dwelling without in any way changing the appearance or condition of the residence. Such uses shall require approval of a Cottage Food Operations Permit by the Director of Planning or his/her designee. Before granting approval, the Director of Planning or his/her designee shall be satisfied that all the requirements set forth below are met.

- 1) All Cottage Food Operations must comply with the requirements of the Los Angeles County Environmental Health Division and the California Department of Public Health. Applicants must first obtain a Cottage Food Operations Class A or Class B Permit from the County prior to submitting an application for a Cottage Food Operations Permit under this chapter. A copy of the valid county Class A or Class B Permit must be furnished to the City along with the application for a Cottage Food Operations Permit.
- 2) The Cottage Food Operation shall at all times be conducted in compliance with all conditions and limitations set forth within this Chapter, California Health and Safety Code Sections 113758 and 114365, and all other applicable State and County laws, regulations, and requirements.
- 3) Cottage Food Operations must at all times comply with the restrictions on gross annual sales as set forth in California Health and Safety Code Section 113758. Cottage food operator must at all times maintain applicable tax returns or other proof of gross annual sales for the Cottage Food Operation, and must promptly provide such documentation to City officials upon request.

- 4) Cottage Food Operations shall not be:
 - i. located within 300 feet of the property line of any single-family home where another approved Cottage Food Operation is located; or
 - ii. located within the same building of an apartment complex or other multi-family housing development (i.e. condominiums or townhomes) where another approved Cottage Food Operation exists.
- 5) Cottage Food Operations shall occupy no more of a residence than the lesser of 1) thirty percent (30%) of the floor area of the dwelling, including the garage area; or 2) the area permitted by County Permit.
- 6) The Cottage Food Operation shall be conducted by the cottage food operator within the dwelling where the cottage food operator resides as their primary residence. Said dwelling shall be a legally established dwelling.
- 7) Only foods defined as “non-potentially hazardous” are approved for preparation by Cottage Food Operations. A list of approved cottage food categories is maintained by the California Department of Public Health and is provide on their website, which will be subject to change. Products containing alcohol or marijuana is prohibited.
- 8) Cottage Food Operations shall not have more than one (1) full-time equivalent employee, paid or unpaid, in addition to any family or household members that reside within the dwelling.
- 9) Any direct sales of cottage food products to customers from a dwelling unit, if applicable, shall be by prior appointment only and limited to one customer per hour per day. All sales activities shall occur inside the residence and must be between the hours of 8:00 a.m. and 6:00 p.m. On-site consumption of cottage food products by customers is prohibited.
- 10) All commercial deliveries related to the Cottage Food Operation shall be limited to no more than one (1) per day, between the hours of 9:00 a.m. and 5:00 p.m. Additionally, delivery vehicles shall not be heavier than 6,000 lbs. in gross vehicle weight.
- 11) All Cottage Food Operations shall provide a site plan which confirms that the following parking and loading requirements are met:
 - i. For single-family homes, parking spaces in the property garage or carport and driveway shall be available for the actual parking demand created by the use, including parking for the applicant’s own vehicles, and a parking space for one (1) non-resident employee (if applicable).
 - ii. For apartments or other multi-family developments, the cottage food operator’s designated space(s) shall be available for the actual parking demand created by the use, including parking for the applicant’s own vehicles, and a parking space for one (1) non-resident employee (if applicable). On-site parking, in an apartment complex or other multi-family residence, requires prior approval in writing from the property owner, landlord, homeowners association, or property manager.
 - iii. On-street parking, except on street days where street sweeping occurs, may be temporarily used for persons picking-up and/or

- delivering materials for the Cottage Food Operation.
 - iv. Deliveries and customer visitations to the Cottage Food Operation may not unreasonably interfere with the free flow of traffic in the residential zone. Additionally, the cottage food operator is responsible for ensuring that delivery and/or customer vehicles do not remain idle during visitations.
 - v. Commercial vehicles may not be kept permanently on the site or in the near vicinity to the Cottage Food Operation.
 - 12) Cottage Food Operations may not create noise levels in excess of the permitted noise levels established for the applicable zone in which the Cottage Food Operation is located.
 - 13) No exterior alterations may be made to the dwelling unit for the purposes of use by the Cottage Food Operation that would alter the residential character of the dwelling.
 - 14) No signage or advertisement identifying the cottage food operation shall be permitted at the premises.
 - 15) In addition to a Cottage Food Operations Permit, Cottage Food Operations must obtain all applicable permits, licenses, and certificates required for the operation of a business under the City's Municipal Code.
 - 16) Additional conditions relating to concentration, traffic control, parking and noise control may be imposed as deemed necessary by the Director of Planning.
- (B) The Director of Planning or his/her designee may administratively revoke a Cottage Food Operation Permit if any of the following applies:
- 1) The Cottage Food Operation has become detrimental to public health, safety, welfare, or character of a neighborhood, or constitutes a hazard or nuisance to pedestrian or vehicular circulation or parking; or
 - 2) The Cottage Food Operation has been issued a notice of violation by the Los Angeles County Environmental Health Division and the violation is not corrected within the period noted within the notice; or
 - 3) The Cottage Food Operation is in violation of this Chapter, a condition of the Cottage Food Operations Permit, or any other applicable State or County law, regulation, or requirement.
 - 4) An expansion or relocation of a Cottage Food Operation without an amendment of the Cottage Food Operations Permit.
- (C) A Cottage Food Operations Permit issued in accordance with the provisions set forth within this Section shall not be transferred, assigned, or used by any person other than the permittee, nor shall said use be used at any location other than the one for which the permit is granted.

SUMMARY

Ordinance No. 1081 establishes a process to allow individuals to prepare and package certain types of non-potentially hazardous foods in private-home kitchens and allow

the sale of such foods either from their homes or from other locations, subject to approval of a Cottage Food Operations Permit application by the Director of Planning or his/her designee and also must obtain a Class A registration (for direct sales) or Class B permit (for indirect sales) from the Los Angeles County Environmental Health Division. The proposed zoning text amendment will be consistent with State law, specifically AB 1616, while establishing “reasonable” standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking and noise control as authorized by newly enacted Government Code section 51035(a), to help minimize potential negative impacts on neighbors and protect public health and safety.

It should be noted that in the absence of the City adopting the proposed ordinance, Cottage Food Operations will be allowed to operate in accordance with AB 1616 without any City restrictions or requirements.

CONSISTENCY WITH GENERAL PLAN GOALS AND POLICIES

The fundamental goal of the City of Santa Fe Springs is to provide a high quality of life for all people residing in, working in, or frequenting the City. Subsidiary goals are intended to provide for individual well-being, economic well-being, social well-being, and environmental well-being. The proposed Zoning Text Amendment addresses the following goals and policies:

Land Use Goal 1: Provide for attractive and productive use of land in Santa Fe Springs by maintaining a balance within the City to emphasize local identity, preserve the single-family nature of the community, maintain a high quality of life, and create an efficient yet pleasing environment.

The proposed zone text amendment will be consistent with State law, specifically AB 1616, while establishing “reasonable” standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking and noise control as authorized by newly enacted Government Code section 51035(a), to help minimize potential negative impacts on neighbors and protect public health and safety. The zone text amendment, if approved, would allow local micro-entrepreneurs an opportunity to establish a food business with smaller start-up costs and thus provide healthier community-based food options to the local population.

Land Use Goal 5: Provide an environment to stimulate local employment, community spirit, property values, community stability, the tax base, and the viability of local business.

The proposed zone text amendment will help stimulate the tax base and viability of local businesses, especially for micro-entrepreneurs. If approved, the proposed zone text amendment would provide local residents the opportunity to start a food business out of their home, and determine if their product can be successful, before making a larger investment on a commercial kitchen. As a

result, the local cottage food operations would be providing the local community with greater options for healthy “non-potentially hazardous” foods.

PLANNING COMMISSION CONSIDERATION

At its meeting of December 12, 2016, the City Planning Commission conducted a Public Hearing on a Zoning Text Amendment amending Sections 155.003, 155.062, 155.092, 155.635(A) and Section 155.635.1 of Title 15, Chapter 155 of the Santa Fe Springs Municipal Code. No person appeared at the Public Hearing to offer an opinion on the proposed amendment.

After considering the facts contained in the staff report and a presentation provided by staff, the Planning Commission approved a motion to recommend that the City Council approve the subject Zoning Text Amendment to allow Cottage Food Operations as an allowable accessory use in the R-1, Single-Family Residential Zone District and R-3, Multi-Family Residential Zone District (Ordinance No. 1081). The Planning Commission, however, requested that the text be amended to prohibit products containing alcohol or marijuana. The change is reflected in Section 155.635.1 (A)(7). Additionally, as noted in staff’s presentation, a change was also made to reduce the vehicle weight to 6,000 lbs. to be consistent with the weight limit currently enforced on our residential streets.

Attached for the City Council review are the following:


1. Resolution No. 60-2016, memorializing the action taken by the City Planning Commission to recommend that the City Council approve the proposed Zoning Text Amendment relating to land use requirements for cottage food operations.
2. Proposed Ordinance No. 1081

LEGAL NOTICE OF PUBLIC HEARING

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

The legal notice was posted in Santa Fe Springs City Hall, the City Library, and the City’s Town Center on December 1, 2016 and published in a newspaper of general circulation (Whittier Daily News) December 1, 2016 as required by the State Zoning and Development Laws and by the City’s Zoning Regulations.

The proposed zoning text amendment will be consistent with State law, specifically AB 1616, while establishing “reasonable” standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking and noise control as authorized by newly enacted Government Code section 51035(a), to help minimize potential negative impacts on neighbors and protect public health and safety



Thaddeus McCormack
City Manager

Attachments

1. Resolution No. 60-2016
2. Proposed Ordinance No. 1081
3. Assembly Bill (AB) 1616

CITY OF SANTA FE SPRINGS

RESOLUTION NO. 60-2016

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS APPROVED AND ADOPT AN ORDINANCE AMENDING SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTIONS 155.003, 155.062, 155.092, 155.635 AND ADDING SECTION 155.635.1 RELATING TO COTTAGE FOOD OPERATIONS

WHEREAS, the State Legislature passed an Assembly Bill (AB 1616) in 2012, updating the Health & Safety Code regarding "cottage food operations"; and

WHEREAS, AB 1616 requires all cities to allow Cottage Food Operations as a permitted use in residential zones; and

WHEREAS, Cottage Food Operations are generally described as small food businesses that produce non-potentially hazardous foods in private-home kitchens with limited regulatory oversight as long as certain criteria are met; and

WHEREAS, under AB 1616, if the City requires Cottage Food Operations to obtain a permit, the City may only prescribe reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control related to those residences conducting a Cottage Food Operation; and

WHEREAS, the City wishes to enact regulations for Cottage Food Operations through a Cottage Food Operation Permit process which comply with the requirements of AB 1616; and

WHEREAS, the revisions to the Santa Fe Springs Municipal Code made by the proposed ordinance are consistent with the goals and policies in the City's General Plan; and

WHEREAS, the City of Santa Fe Springs has reviewed and considered the proposed amendments to the text of the City's Zoning Regulations with the intention of amending Sections 155.003, 155.062, 155.092, 155.635 and adding Section 155.635.1 to Title 15, Chapter 155 of the Santa Fe Springs Municipal Code relating to Cottage Food Operations in residential zoned properties, and

WHEREAS, after study and deliberations by the Department of Planning and Development, the City has prepared for adoption of these amendments to the text of the City's Zoning Regulations, and

WHEREAS, Santa Fe Springs Municipal Code section 155.834 and California Government Code section 65854 require the Planning Commission and City Council to conduct a public hearing on the proposed Code amendments; and

WHEREAS, notice of the public hearing was given as required by law, and

WHEREAS, the Planning Commission held a Public Hearing on December 12, 2016 in regards to the proposed amendments to the text of the City's Zoning Regulations, and

NOW, THEREFORE, IT BE RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1: Following a public hearing noticed and conducted in compliance with all applicable law, and pursuant to all laws applicable to the responsibilities of the Planning Commission with respect to the subject matter hereof, the Planning Commission recommends that the City Council adopt Ordinance No. 1081 attached hereto as Exhibit A.

SECTION 2: Based on the oral and written evidence presented at such hearing, the Planning Commission hereby find and determine that the adoption of such Ordinance is in the public convenience, interest and necessity.

SECTION 3: The Planning Commission find that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4: The Commission Secretary shall certify to the adoption of this Resolution.

PASSED and ADOPTED this 12th day of December, 2016.


Ken Arnold, Chairperson

ATTEST:


Teresa Cavallo, Planning Secretary

ORDINANCE NO. 1081

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS AMENDING THE SANTA FE SPRINGS MUNICIPAL CODE, TITLE 15, CHAPTER 155, SECTIONS 155.003, 155.062, 155.092, 155.635(A) AND ADDING SECTION 155.635.1 RELATING TO LAND USE REQUIREMENTS FOR COTTAGE FOOD OPERATIONS

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

SECTION 1. Section 155.003 (Definitions) of Chapter 155 (Zoning) of the Santa Fe Springs Municipal Code, is amended, in part, by adding the following definitions, with all other definitions in that section to remain unchanged:

§ 155.003 DEFINITIONS

COTTAGE FOOD OPERATION: An enterprise conducted at a private home where the cottage food operator, within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct, indirect, or direct and indirect sale to consumers in compliance with California Health and Safety Code Section 113758. A Cottage Food Operation must satisfy the provisions set forth in Section 155.635.1 of the City of Santa Fe Springs Municipal Code.

COTTAGE FOOD OPERATOR: An individual who operates a Cottage Food Operation in his or her private home and is the owner of the Cottage Food Operation.

COTTAGE FOOD PRODUCTS: Non-potentially hazardous foods, specifically foods that are described in California Health and Safety Code Section 114365.5 and that are prepared for sale in the kitchen of a Cottage Food Operation.

DIRECT SALE (COTTAGE FOOD): A transaction between a Cottage Food Operation operator and a consumer, where the consumer purchases the cottage food product directly from the Cottage Food Operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers' markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cottage food operation.

INDIRECT SALE (COTTAGE FOOD): An interaction between a Cottage Food Operation, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the Cottage Food Operation from a third-party retailer that holds a valid permit issued pursuant to California Health and Safety Code Section 114381. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

PRIVATE HOME (COTTAGE FOOD) – A dwelling, including an apartment or other rented space, where the cottage food operator resides.

REGISTERED OR PERMITTED AREA (COTTAGE FOOD): The portion of a private home that contains the private home's kitchen used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, and attached rooms within the home that are used exclusively for storage.

SECTION 2. Section 155.062 ACCESSORY USES is hereby amended to add thereto new subsection (M), so that subsection (M) read as follows:

§ 155.062 ACCESSORY USES

The following accessory uses are permitted in the R-1 Zone;

(M) Cottage Food Operations in accordance with the provisions of § 155.635.1.

SECTION 3. Section 155.092 ACCESSORY USES is hereby amended to add thereto new subsection (H), so that subsection (H) read as follows:

§ 155.092 ACCESSORY USES

The following accessory uses are permitted in the R-3 Zone;

(H) Cottage Food Operations in accordance with the provisions of § 155.635.1.

SECTION 4. Section 155.635 is hereby amended to read as follows:

§ 155.635 HOME OCCUPATIONS

The term HOME OCCUPATIONS applies only to such uses in the residential zones which may be conducted within a residential dwelling without in any way changing the appearance or condition of the residence. Such uses which consist solely of a business phone and/or mailing address shall only require approval by the Director of Planning and Development, except that Cottage Food Operations may be permitted as specified in Section 155.635.1; all other such uses shall require Planning Commission approval. Before granting approval, the Director of Planning and Development and the Commission shall be satisfied that all of the requirements set forth below are met

SECTION 5. Section 155.635.1 is hereby added to read as follows:

§ 155.635.1 COTTAGE FOOD OPERATIONS

(A) The term COTTAGE FOOD OPERATIONS, as defined in § 155.003, applies only to such uses in residential zones which may be conducted within a residential dwelling without in any way changing the appearance or condition of the

residence. Such uses shall require approval of a Cottage Food Operations Permit by the Director of Planning or his/her designee. Before granting approval, the Director of Planning or his/her designee shall be satisfied that all the requirements set forth below are met.

- 1) All Cottage Food Operations must comply with the requirements of the Los Angeles County Environmental Health Division and the California Department of Public Health. Applicants must first obtain a Cottage Food Operations Class A or Class B Permit from the County prior to submitting an application for a Cottage Food Operations Permit under this chapter. A copy of the valid county Class A or Class B Permit must be furnished to the City along with the application for a Cottage Food Operations Permit.
- 2) The Cottage Food Operation shall at all times be conducted in compliance with all conditions and limitations set forth within this Chapter, California Health and Safety Code Sections 113758 and 114365, and all other applicable State and County laws, regulations, and requirements.
- 3) Cottage Food Operations must at all times comply with the restrictions on gross annual sales as set forth in California Health and Safety Code Section 113758. Cottage food operator must at all times maintain applicable tax returns or other proof of gross annual sales for the Cottage Food Operation, and must promptly provide such documentation to City officials upon request.
- 4) Cottage Food Operations shall not be:
 - i. located within 300 feet of the property line of any single-family home where another approved Cottage Food Operation is located; or
 - ii. located within the same building of an apartment complex or other multi-family housing development (i.e. condominiums or townhomes) where another approved Cottage Food Operation exists.
- 5) Cottage Food Operations shall occupy no more of a residence than the lesser of 1) thirty percent (30%) of the floor area of the dwelling, including the garage area; or 2) the area permitted by County Permit.
- 6) The Cottage Food Operation shall be conducted by the cottage food operator within the dwelling where the cottage food operator resides as their primary residence. Said dwelling shall be a legally established dwelling.
- 7) Only foods defined as "non-potentially hazardous" are approved for preparation by Cottage Food Operations. A list of approved cottage food categories is maintained by the California Department of Public Health and is provide on their website, which will be subject to change. Products containing alcohol or marijuana is prohibited.
- 8) Cottage Food Operations shall not have more than one (1) full-time equivalent employee, paid or unpaid, in addition to any family or household members that reside within the dwelling.
- 9) Any direct sales of cottage food products to customers from a dwelling

unit, if applicable, shall be by prior appointment only and limited to one customer per hour per day. All sales activities shall occur inside the residence and must be between the hours of 8:00 a.m. and 6:00 p.m. On-site consumption of cottage food products by customers is prohibited.

- 10) All commercial deliveries related to the Cottage Food Operation shall be limited to no more than one (1) per day, between the hours of 9:00 a.m. and 5:00 p.m. Additionally, delivery vehicles shall not be heavier than 6,000 lbs. in gross vehicle weight.
- 11) All Cottage Food Operations shall provide a site plan which confirms that the following parking and loading requirements are met:
 - i. For single-family homes, parking spaces in the property garage or carport and driveway shall be available for the actual parking demand created by the use, including parking for the applicant's own vehicles, and a parking space for one (1) non-resident employee (if applicable).
 - ii. For apartments or other multi-family developments, the cottage food operator's designated space(s) shall be available for the actual parking demand created by the use, including parking for the applicant's own vehicles, and a parking space for one (1) non-resident employee (if applicable). On-site parking, in an apartment complex or other multi-family residence, requires prior approval in writing from the property owner, landlord, homeowners association, or property manager.
 - iii. On-street parking, except on street days where street sweeping occurs, may be temporarily used for persons picking-up and/or delivering materials for the Cottage Food Operation.
 - iv. Deliveries and customer visitations to the Cottage Food Operation may not unreasonably interfere with the free flow of traffic in the residential zone. Additionally, the cottage food operator is responsible for ensuring that delivery and/or customer vehicles do not remain idle during visitations.
 - v. Commercial vehicles may not be kept permanently on the site or in the near vicinity to the Cottage Food Operation.
- 12) Cottage Food Operations may not create noise levels in excess of the permitted noise levels established for the applicable zone in which the Cottage Food Operation is located.
- 13) No exterior alterations may be made to the dwelling unit for the purposes of use by the Cottage Food Operation that would alter the residential character of the dwelling.
- 14) No signage or advertisement identifying the cottage food operation shall be permitted at the premises.
- 15) In addition to a Cottage Food Operations Permit, Cottage Food Operations must obtain all applicable permits, licenses, and certificates required for the operation of a business under the City's Municipal Code.
- 16) Additional conditions relating to concentration, traffic control, parking and noise control may be imposed as deemed necessary by the Director of

Planning.

- (B) The Director of Planning or his/her designee may administratively revoke a Cottage Food Operation Permit if any of the following applies:
- 1) The Cottage Food Operation has become detrimental to public health, safety, welfare, or character of a neighborhood, or constitutes a hazard or nuisance to pedestrian or vehicular circulation or parking; or
 - 2) The Cottage Food Operation has been issued a notice of violation by the Los Angeles County Environmental Health Division and the violation is not corrected within the period noted within the notice; or
 - 3) The Cottage Food Operation is in violation of this Chapter, a condition of the Cottage Food Operations Permit, or any other applicable State or County law, regulation, or requirement.
 - 4) An expansion or relocation of a Cottage Food Operation without an amendment of the Cottage Food Operations Permit.
- (C) A Cottage Food Operations Permit issued in accordance with the provisions set forth within this Section shall not be transferred, assigned, or used by any person other than the permittee, nor shall said use be used at any location other than the one for which the permit is granted.

SECTION 6. 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 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 7. The City Clerk shall certify to the adoption of this Ordinance, including the vote for and against and shall post a certified copy of this ordinance, within 15 days after its passage to be posted in at least three (3) public places within the City as established by ordinance, and, in compliance with Section 36933 of the Government Code.

Except as amended above, all other provisions of the Zoning Regulations in the City Code shall remain in full force and effect.

PASSED AND ADOPTED this 26th day of January, 2017, by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

William K. Rounds
Mayor

ATTEST:

Janet Martinez, CMC
City Clerk

BILL NUMBER: AB 1616 CHAPTERED
BILL TEXT

CHAPTER 415

FILED WITH SECRETARY OF STATE SEPTEMBER 21, 2012

APPROVED BY GOVERNOR SEPTEMBER 21, 2012

PASSED THE SENATE AUGUST 30, 2012

PASSED THE ASSEMBLY AUGUST 30, 2012

AMENDED IN SENATE AUGUST 30, 2012

AMENDED IN SENATE AUGUST 24, 2012

AMENDED IN SENATE AUGUST 21, 2012

AMENDED IN SENATE JULY 3, 2012

AMENDED IN ASSEMBLY MAY 3, 2012

AMENDED IN ASSEMBLY APRIL 25, 2012

AMENDED IN ASSEMBLY APRIL 10, 2012

INTRODUCED BY Assembly Member Gatto

(Coauthors: Assembly Members Fletcher, Huffman, Nestande, V.
Manuel Pérez, and Wieckowski)

(Coauthors: Senators Correa and DeSaulnier)

FEBRUARY 8, 2012

An act to add Chapter 6.1 (commencing with Section 51035) to Part 1 of Division 1 of Title 5 of the Government Code, and to amend Sections 109947, 110050, 110460, 111955, 113789, 113851, 114021, 114023, 114390, 114405, and 114409 of, to add Sections 113758 and 114088 to, and to add Chapter 11.5 (commencing with Section 114365) to Part 7 of Division 104 of, the Health and Safety Code, relating to food safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 1616, Gatto. Food safety: cottage food operations.

Existing law, the Sherman Food, Drug, and Cosmetic Law (Sherman Law), requires the State Department of Public Health to regulate the manufacture, sale, labeling, and advertising activities related to food, drugs, devices, and cosmetics in conformity with the Federal Food, Drug, and Cosmetic Act. The Sherman Law makes it unlawful to manufacture, sell, deliver, hold, or offer for sale any food that is misbranded. Food is misbranded if its labeling does not conform to specified federal labeling requirements regarding nutrition, nutrient content or health claims, and food allergens. Violation of this law is a misdemeanor.

The existing California Retail Food Code provides for the regulation of health and sanitation standards for retail food facilities, as defined, by the State Department of Public Health. Under existing law, local health agencies are primarily responsible for enforcing the California Retail Food Code. That law exempts private homes from the definition of a food facility, and prohibits food stored or prepared in a private home from being used or offered for sale in a food facility. That law also requires food that is offered for human consumption to be honestly presented, as specified. A violation of these provisions is a misdemeanor.

This bill would include a cottage food operation, as defined, that is registered or has a permit within the private home exemption of the California Retail Food Code. The bill would also exclude a cottage food operation from specified food processing establishment

and Sherman Law requirements. This bill would require a cottage food operation to meet specified requirements relating to training, sanitation, preparation, labeling, and permissible types of sales and would subject a cottage food operation to inspections under specified circumstances. The bill would require a food facility that serves a cottage food product without packaging or labeling to identify it as homemade. The bill would establish various zoning and permit requirements relating to cottage food operations.

This bill would incorporate additional changes in Section 113789 of the Health and Safety Code, proposed by AB 2297, to be operative only if AB 2297 and this bill are both chaptered and become effective January 1, 2013, and this bill is chaptered last.

By imposing duties on local officials and adding new crimes, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) Small businesses have played an important role in helping slow economies recover and prosper as an engine of job creation. During the 1990s, small businesses created the majority of new jobs and now account for 65 percent of United States employment.

(b) California, and the United States as a whole, are facing growing obesity and obesity-related disease epidemics.

(1) Two-thirds of American adults and nearly one-third of children and teens are obese or overweight, placing them at risk for developing chronic diseases such as diabetes, heart disease, and cancer.

(2) One in every nine California children, one in three teens, and over half of adults are already overweight or obese. This epidemic affects virtually all Californians.

(3) These health conditions are preventable and curable through lifestyle choices that include consumption of healthy fresh foods.

(c) For decades, low-income and rural communities have faced limited opportunities to purchase healthy foods. Often, without cars or convenient public transportation options, low-income residents in these areas must rely for much of their shopping on expensive, fatty, processed foods sold at convenience and corner stores.

(d) There is a growing movement in California to support community-based food production, sometimes referred to as "cottage food," "artisanal food," "slow food," "locally based food," or "urban agriculture" movements. These movements seek to connect food to local communities, small businesses, and environmental sustainability.

(e) Increased opportunities for entrepreneur development through microenterprises can help to supplement household incomes, prevent poverty and hunger, and strengthen local economies.

(f) At least 32 other states have passed laws that allow small business entrepreneurs to use their home kitchens to prepare, for

sale, foods that are not potentially hazardous.

(g) Even some bake sales are currently illegal in California.

(h) It is the intent of the Legislature to enact a homemade food act specifically designed to help address these challenges and opportunities.

SEC. 2. Chapter 6.1 (commencing with Section 51035) is added to Part 1 of Division 1 of Title 5 of the Government Code, to read:

CHAPTER 6.1. COTTAGE FOOD OPERATIONS

51035. (a) A city, county, or city and county shall not prohibit a cottage food operation, as defined in Section 113758 of the Health and Safety Code, in any residential dwellings, but shall do one of the following:

(1) Classify a cottage food operation as a permitted use of residential property for zoning purposes.

(2) Grant a nondiscretionary permit to use a residence as any cottage food operation that complies with local ordinances prescribing reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control relating to those homes. Any noise standards shall be consistent with local noise ordinances implementing the noise element of the general plan. The permit issued pursuant to this paragraph shall be granted by the zoning administrator, or if there is no zoning administrator, by the person or persons designated by the planning agency to grant these permits, upon the certification without a hearing.

(3) Require any cottage food operation to apply for a permit to use a residence for its operation. The zoning administrator, or if there is no zoning administrator, the person or persons designated by the planning agency to handle the use permits, shall review and decide the applications. The use permit shall be granted if the cottage food operation complies with local ordinances, if any, prescribing reasonable standards, restrictions, and requirements concerning the following factors: spacing and concentration, traffic control, parking, and noise control relating to those homes. Any noise standards shall be consistent with local noise ordinances implementing the noise element of the general plan. The local government shall process any required permit as economically as possible. Fees charged for review shall not exceed the costs of the review and permit process. An applicant may request a verification of fees, and the city, county, or city and county shall provide the applicant with a written breakdown within 45 days of the request. The application form for cottage food operation permits shall include a statement of the applicant's right to request the written fee verification.

(b) In connection with any action taken pursuant to paragraph (2) or (3) of subdivision (a), a city, county, or city and county shall do all of the following:

(1) Upon the request of an applicant, provide a list of the permits and fees that are required by the city, county, or city and county, including information about other permits that may be required by other departments in the city, county, or city and county, or by other public agencies. The city, county, or city and county shall, upon request of any applicant, also provide information about the anticipated length of time for reviewing and processing the permit application.

(2) Upon the request of an applicant, provide information on the breakdown of any individual fees charged in connection with the issuance of the permit.

(3) If a deposit is required to cover the cost of the permit,

provide information to the applicant about the estimated final cost to the applicant of the permit, and procedures for receiving a refund from the portion of the deposit not used.

(c) Use of a residence for the purposes of a cottage food operation shall not constitute a change of occupancy for purposes of the State Housing Law (Part 1.5 (commencing with Section 17910) of Division 13 of the Health and Safety Code), or for purposes of local building and fire codes.

(d) Cottage food operations shall be considered residences for the purposes of the State Uniform Building Standards Code and local building and fire codes.

SEC. 3. Section 109947 of the Health and Safety Code is amended to read:

109947. "Food processing facility" means any facility operated for the purposes of manufacturing, packing, or holding processed food. Food processing facility does not include a food facility as defined in Section 113785, a cottage food operation that is registered or has a permit pursuant to Section 114365, or any facility exclusively storing, handling, or processing dried beans.

SEC. 4. Section 110050 of the Health and Safety Code is amended to read:

110050. The Food Safety Fund is hereby created as a special fund in the State Treasury. All moneys collected by the department under subdivision (c) of Section 110466 and Sections 110470, 110471, 110485, 114365, 114365.6, 111130, and 113717, and under Article 7 (commencing with Section 110810) of Chapter 5 shall be deposited in the fund, for use by the department, upon appropriation by the Legislature, for the purposes of providing funds necessary to carry out and implement the inspection provisions of this part relating to food, licensing, inspection, enforcement, and other provisions of Article 12 (commencing with Section 111070) relating to water, the provisions relating to education and training in the prevention of microbial contamination pursuant to Section 110485, and the registration provisions of Article 7 (commencing with Section 110810) of Chapter 5, and to carry out and implement the provisions of the California Retail Food Code (Part 7 (commencing with Section 113700) of Division 104).

SEC. 5. Section 110460 of the Health and Safety Code is amended to read:

110460. No person shall engage in the manufacture, packing, or holding of any processed food in this state unless the person has a valid registration from the department, except those engaged exclusively in the storing, handling, or processing of dried beans. The registration shall be valid for one calendar year from the date of issue, unless it is revoked. The registration shall not be transferable. This section shall not apply to a cottage food operation that is registered or has a permit pursuant to Section 114365.

SEC. 6. Section 111955 of the Health and Safety Code is amended to read:

111955. "Food processing establishment," as used in this chapter, shall mean any room, building, or place or portion thereof, maintained, used, or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, canning, packing, slaughtering, or otherwise preparing or handling food except restaurants. "Food processing establishment" shall not include a cottage food operation that is registered or has a permit pursuant to Section 114365.

SEC. 7. Section 113758 is added to the Health and Safety Code, to read:

113758. (a) "Cottage food operation" means an enterprise that has

not more than the amount in gross annual sales that is specified in this subdivision, is operated by a cottage food operator, and has not more than one full-time equivalent cottage food employee, not including a family member or household member of the cottage food operator, within the registered or permitted area of a private home where the cottage food operator resides and where cottage food products are prepared or packaged for direct, indirect, or direct and indirect sale to consumers pursuant to this part. In 2013, the enterprise shall not have more than thirty-five thousand dollar (\$35,000) in gross annual sales in the calendar year. In 2014, the enterprise shall not have more than forty-five thousand dollars (\$45,000) in gross annual sales in the calendar year. Commencing in 2015, and each subsequent year thereafter, the enterprise shall not have more than fifty thousand dollars (\$50,000) in gross annual sales in the calendar year. A cottage food operation includes both of the following:

(1) A "Class A" cottage food operation, which is a cottage food operation that may engage only in direct sales of cottage food products from the cottage food operation or other direct sales venues described in paragraph (4) of subdivision (b).

(2) A "Class B" cottage food operation, which is a cottage food operation that may engage in both direct sales and indirect sales of cottage food products from the cottage food operation, from direct sales venues described in paragraph (4) of subdivision (b), from offsite events, or from a third-party retail food facility described in paragraph (5) of subdivision (b).

(b) For purposes of this section, the following definitions shall apply:

(1) "Cottage food employee" means an individual, paid or volunteer, who is involved in the preparation, packaging, handling, and storage of a cottage food product, or otherwise works for the cottage food operation. An employee does not include an immediate family member or household member of the cottage food operator.

(2) "Cottage food operator" means an individual who operates a cottage food operation in his or her private home and is the owner of the cottage food operation.

(3) "Cottage food products" means nonpotentially hazardous foods, including foods that are described in Section 114365.5 and that are prepared for sale in the kitchen of a cottage food operation.

(4) "Direct sale" means a transaction between a cottage food operation operator and a consumer, where the consumer purchases the cottage food product directly from the cottage food operation. Direct sales include, but are not limited to, transactions at holiday bazaars or other temporary events, such as bake sales or food swaps, transactions at farm stands, certified farmers' markets, or through community-supported agriculture subscriptions, and transactions occurring in person in the cottage food operation.

(5) "Indirect sale" means an interaction between a cottage food operation, a third-party retailer, and a consumer, where the consumer purchases cottage food products made by the cottage food operation from a third-party retailer that holds a valid permit issued pursuant to Section 114381. Indirect sales include, but are not limited to, sales made to retail shops or to retail food facilities where food may be immediately consumed on the premises.

(6) "Private home" means a dwelling, including an apartment or other leased space, where individuals reside.

(7) "Registered or permitted area" means the portion of a private home that contains the private home's kitchen used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, and attached rooms within the home that are used exclusively for storage.

SEC. 8. Section 113789 of the Health and Safety Code is amended to read:

113789. (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

(1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.

(2) Any place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:

(1) Public and private school cafeterias.

(2) Restricted food service facilities.

(3) Licensed health care facilities.

(4) Commissaries.

(5) Mobile food facilities.

(6) Mobile support units.

(7) Temporary food facilities.

(8) Vending machines.

(9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.

(10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.

(c) "Food facility" does not include any of the following:

(1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.

(2) A private home, including a cottage food operation that is registered or has a permit pursuant to Section 114365.

(3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.

(4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.

(5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code and in the regulations adopted pursuant to that section, that comply with Section 118375, regardless of whether there is a charge for the wine tasting, if no other beverage, except for bottles of wine and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption and no food, except for crackers, is served.

(6) Premises operated by a producer, selling or offering for sale only whole produce grown by the producer, or shell eggs, or both, provided the sales are conducted on premises controlled by the producer.

(7) A commercial food processing plant as defined in Section 111955.

(8) A child day care facility, as defined in Section 1596.750.

(9) A community care facility, as defined in Section 1502.

(10) A residential care facility for the elderly, as defined in Section 1569.2.

(11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.

(12) Premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, that comply

with Section 118375, for the purposes of beer tasting, regardless of whether there is a charge for the beer tasting, if no other beverage, except for beer and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption, and no food, except for crackers or pretzels, is served.

SEC. 8.5. Section 113789 of the Health and Safety Code is amended to read:

113789. (a) "Food facility" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level, including, but not limited to, the following:

(1) An operation where food is consumed on or off the premises, regardless of whether there is a charge for the food.

(2) Any place used in conjunction with the operations described in this subdivision, including, but not limited to, storage facilities for food-related utensils, equipment, and materials.

(b) "Food facility" includes permanent and nonpermanent food facilities, including, but not limited to, the following:

(1) Public and private school cafeterias.

(2) Restricted food service facilities.

(3) Licensed health care facilities, except as provided in paragraph (13) of subdivision (c).

(4) Commissaries.

(5) Mobile food facilities.

(6) Mobile support units.

(7) Temporary food facilities.

(8) Vending machines.

(9) Certified farmers' markets, for purposes of permitting and enforcement pursuant to Section 114370.

(10) Farm stands, for purposes of permitting and enforcement pursuant to Section 114375.

(c) "Food facility" does not include any of the following:

(1) A cooperative arrangement wherein no permanent facilities are used for storing or handling food.

(2) A private home, including a cottage food operation that is registered or has a permit pursuant to Section 114365.

(3) A church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three days in any 90-day period.

(4) A for-profit entity that gives or sells food at an event that occurs not more than three days in a 90-day period for the benefit of a nonprofit association, if the for-profit entity receives no monetary benefit, other than that resulting from recognition from participating in an event.

(5) Premises set aside for wine tasting, as that term is used in Section 23356.1 of the Business and Professions Code and in the regulations adopted pursuant to that section, that comply with Section 118375, regardless of whether there is a charge for the wine tasting, if no other beverage, except for bottles of wine and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption and no food, except for crackers, is served.

(6) Premises operated by a producer, selling or offering for sale only whole produce grown by the producer, or shell eggs, or both, provided the sales are conducted on premises controlled by the producer.

(7) A commercial food processing plant as defined in Section 111955.

(8) A child day care facility, as defined in Section 1596.750.

(9) A community care facility, as defined in Section 1502.

(10) A residential care facility for the elderly, as defined in

Section 1569.2.

(11) A residential care facility for the chronically ill, which has the same meaning as a residential care facility, as defined in Section 1568.01.

(12) Premises set aside by a beer manufacturer, as defined in Section 25000.2 of the Business and Professions Code, that comply with Section 118375, for the purposes of beer tasting, regardless of whether there is a charge for the beer tasting, if no other beverage, except for beer and prepackaged nonpotentially hazardous beverages, is offered for sale for onsite consumption, and no food, except for crackers or pretzels, is served.

(13) (A) An intermediate care facility for the developmentally disabled, as defined in subdivisions (e), (h), and (m) of Section 1250, with a capacity of six beds or fewer.

(B) A facility described in subparagraph (A) shall report any foodborne illness or outbreak to the local health department and to the State Department of Public Health within 24 hours of the illness or outbreak.

SEC. 9. Section 113851 of the Health and Safety Code is amended to read:

113851. (a) "Permit" means the document issued by the enforcement agency that authorizes a person to operate a food facility or cottage food operation.

(b) "Registration" shall have the same meaning as permit for purposes of implementation and enforcement of this part.

SEC. 10. Section 114021 of the Health and Safety Code is amended to read:

114021. (a) Food shall be obtained from sources that comply with all applicable laws.

(b) Food stored or prepared in a private home shall not be used or offered for sale in a food facility, unless that food is prepared by a cottage food operation that is registered or has a permit pursuant to Section 114365.

SEC. 11. Section 114023 of the Health and Safety Code is amended to read:

114023. Food in a hermetically sealed container shall be obtained from a food processing plant that is regulated by the food regulatory agency that has jurisdiction over the plant, or from a cottage food operation that produces jams, jellies, and preserves and that is registered or has a permit pursuant to Section 114365.

SEC. 12. Section 114088 is added to the Health and Safety Code, to read:

114088. A cottage food product, as defined in Section 113758, that is served by a food facility without packaging or labeling, as described in Section 114365, shall be identified to the consumer as homemade on the menu, menu board, or other location that would reasonably inform a consumer of its homemade status.

SEC. 13. Chapter 11.5 (commencing with Section 114365) is added to Part 7 of Division 104 of the Health and Safety Code, to read:

CHAPTER 11.5. COTTAGE FOOD OPERATIONS

114365. (a) (1) (A) A "Class A" cottage food operation shall not be open for business unless it is registered with the local enforcement agency and has submitted a completed, self-certification checklist approved by the local enforcement agency. The self-certification checklist shall verify that the cottage food operation conforms to this chapter, including the following requirements:

(i) No cottage food preparation, packaging, or handling may occur in the home kitchen concurrent with any other domestic activities,

such as family meal preparation, dishwashing, clothes washing or ironing, kitchen cleaning, or guest entertainment.

(ii) No infants, small children, or pets may be in the home kitchen during the preparation, packaging, or handling of any cottage food products.

(iii) Kitchen equipment and utensils used to produce cottage food products shall be clean and maintained in a good state of repair.

(iv) All food contact surfaces, equipment, and utensils used for the preparation, packaging, or handling of any cottage food products shall be washed, rinsed, and sanitized before each use.

(v) All food preparation and food and equipment storage areas shall be maintained free of rodents and insects.

(vi) Smoking shall be prohibited in the portion of a private home used for the preparation, packaging, storage, or handling of cottage food products and related ingredients or equipment, or both, while cottage food products are being prepared, packaged, stored, or handled.

(B) (i) The department shall post the requirements described in subparagraph (A) on its Internet Web site.

(ii) The local enforcement agency shall issue a registration number to a "Class A" cottage food operation that meets the requirements of subparagraph (A).

(C) (i) Except as provided in (ii), a "Class A" cottage food operation shall not be subject to initial or routine inspections.

(ii) For purposes of determining compliance with this chapter, a representative of a local enforcement agency may access, for inspection purposes, the registered area of a private home where a cottage food operation is located only if the representative has, on the basis of a consumer complaint, reason to suspect that adulterated or otherwise unsafe food has been produced by the cottage food operation or that the cottage food operation has violated this chapter.

(iii) Access under this subparagraph is limited to the registered area and solely for the purpose of enforcing or administering this chapter.

(iv) A local enforcement agency may seek recovery from a "Class A" cottage food operation of an amount that does not exceed the local enforcement agency's reasonable costs of inspecting the "Class A" cottage food operation for compliance with this chapter, if the "Class A" cottage food operation is found to be in violation of this chapter.

(2) (A) A "Class B" cottage food operation shall not be open for business unless it obtains a permit from the local enforcement agency in a manner approved by the local enforcement agency to engage in the direct and indirect sale of cottage food products.

(B) (i) A "Class B" cottage food operation shall comply with the requirements described in clauses (i) to (vi), inclusive, of subparagraph (A) of paragraph (1) in addition to the other requirements of this chapter.

(ii) The local enforcement agency shall issue a permit number after an initial inspection has determined that the proposed "Class B" cottage food operation and its method of operation conform to this chapter.

(C) Except as provided in this subparagraph, a "Class B" cottage food operation shall not be subject to more than one inspection per year by the local enforcement agency.

(i) For purposes of determining compliance with this chapter, a representative of a local enforcement agency, for inspection purposes, may access the permitted area of a private home where a cottage food operation is located only if the representative has, on the basis of a consumer complaint, reason to suspect that adulterated

or otherwise unsafe food has been produced by the cottage food operation, or that the cottage food operation has violated this chapter.

(ii) Access under this subparagraph is limited to the permitted area and solely for the purpose of enforcing or administering this chapter.

(D) (i) A "Class B" cottage food operation shall be authorized to engage in the indirect sales of cottage food products within the county in which the "Class B" cottage food operation is permitted.

(ii) A county may agree to allow a "Class B" cottage food operation permitted in another county to engage in the indirect sales of cottage food products in the county.

(b) A registration or permit, once issued, is nontransferable. A registration or permit shall be valid only for the person, location, type of food sales, and distribution

activity specified by that registration or permit, and, unless suspended or revoked for cause, for the time period indicated.

114365.2. A cottage food operation that is registered or has a permit issued pursuant to Section 114365 shall be considered a restricted food service facility for purposes of, and subject to, Sections 113953.3, 114259.5, 114285, and 114286. A cottage food operation that is registered or has a permit also shall be subject to Sections 113967, 113973, 113980, 114259.5, 114405, 114407, 114409, 114411, and 114413, and to all of the following requirements:

(a) A person with a contagious illness shall refrain from work in the registered or permitted area of the cottage food operation.

(b) A person involved in the preparation or packaging of cottage food products shall keep his or her hands and exposed portions of his or her arms clean and shall wash his or her hands before any food preparation or packaging activity in a cottage food operation.

(c) Water used during the preparation of cottage food products shall meet the potable drinking water standards described in Section 113869, except that a cottage food operation shall not be required to have an indirect sewer connection. Water used during the preparation of cottage food products includes all of the following:

(1) The washing, sanitizing, and drying of any equipment used in the preparation of a cottage food product.

(2) The washing, sanitizing, and drying of hands and arms.

(3) Water used as an ingredient.

(d) A person who prepares or packages cottage food products shall complete a food processor course instructed by the department to protect the public health within three months of becoming registered. The course shall not exceed four hours in length. The department shall work with the local enforcement agency to ensure that cottage food operators are properly notified of the location, date, and time of the classes offered.

(e) A cottage food operation shall properly label all cottage food products in compliance with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 343 et seq.). Additionally, to the extent permitted by federal law, the label shall include, but is not limited to, all of the following:

(1) The words "Made in a Home Kitchen" in 12-point type on the cottage food product's primary display panel.

(2) The name commonly used for the food product or an adequately descriptive name.

(3) The name of the cottage food operation which produced the cottage food product.

(4) The registration or permit number of the "Class A" or "Class B" cottage food operation, respectively, which produced the cottage food product and, in the case of a "Class B" cottage food operation,

the name of the county of the local enforcement agency that issued the permit number.

(5) The ingredients of the cottage food product, in descending order of predominance by weight, if the product contains two or more ingredients.

114365.5. (a) The department shall adopt and post on its Internet Web site a list of not potentially hazardous foods and their ethnic variations that are approved for sale by a cottage food operation. A cottage food product shall not be potentially hazardous food, as defined in Section 113871.

(b) This list of nonpotentially hazardous foods shall include, but not be limited to, all of the following:

(1) Baked goods without cream, custard, or meat fillings, such as breads, biscuits, churros, cookies, pastries, and tortillas.

(2) Candy, such as brittle and toffee.

(3) Chocolate-covered nonperishable foods, such as nuts and dried fruit.

(4) Dried fruit.

(5) Dried pasta.

(6) Dry baking mixes.

(7) Fruit pies, fruit empanadas, and fruit tamales.

(8) Granola, cereals, and trail mixes.

(9) Herb blends and dried mole paste.

(10) Honey and sweet sorghum syrup.

(11) Jams, jellies, preserves, and fruit butter that comply with the standard described in Part 150 of Title 21 of the Code of Federal Regulations.

(12) Nut mixes and nut butters.

(13) Popcorn.

(14) Vinegar and mustard.

(15) Roasted coffee and dried tea.

(16) Waffle cones and pizelles.

(c) (1) The State Public Health Officer may add or delete food products to or from the list described in subdivision (b), which shall be known as the approved food products list. Notice of any change to the approved food products list shall be posted on the department's cottage food program Internet Web site, to also be known as the program Internet Web site for purposes of this chapter. Any change to the approved food products list shall become effective 30 days after the notice is posted. The notice shall state the reason for the change, the authority for the change, and the nature of the change. The notice will provide an opportunity for written comment by indicating the address to which to submit the comment and the deadline by which the comment is required to be received by the department. The address to which the comment is to be submitted may be an electronic site. The notice shall allow at least 20 calendar days for comments to be submitted. The department shall consider all comments submitted before the due date. The department may withdraw the proposed change at any time by notification on the program Internet Web site or through notification by other electronic means. The approved food products list described in subdivision (b), and any updates to the list, shall not be subject to the administrative rulemaking requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(2) The State Public Health Officer shall not remove any items from the approved food products list unless the State Public Health Officer also posts information on the program Internet Web site explaining the basis upon which the removed food item has been determined to be potentially hazardous.

114365.6. (a) The State Public Health Officer shall provide technical assistance, and develop, maintain, and deliver

commodity-specific training related to the safe processing and packaging of cottage food products to local enforcement agencies.

(b) Local enforcement agencies may collect a surcharge fee in addition to any permit fees collected for "Class B" cottage food operations. The surcharge fee shall not exceed the reasonable costs that the department incurs through the administration of the training described in subdivision (a) to protect the public health. The surcharge fees collected shall be transmitted to the department in a manner established by the department to be deposited in the Food Safety Fund. The department shall use the surcharge fees only to develop and deliver the training described in subdivision (a) to local enforcement agency personnel on an ongoing basis.

SEC. 14. Section 114390 of the Health and Safety Code is amended to read:

114390. (a) Enforcement officers shall enforce this part and all regulations adopted pursuant to this part.

(b) (1) For purposes of enforcement, any authorized enforcement officer may, during the facility's hours of operation and other reasonable times, enter, inspect, issue citations to, and secure any sample, photographs, or other evidence from a food facility, cottage food operation, or any facility suspected of being a food facility or cottage food operation, or a vehicle transporting food to or from a retail food facility, when the vehicle is stationary at an agricultural inspection station, a border crossing, or at any food facility under the jurisdiction of the enforcement agency, or upon the request of an incident commander.

(2) If a food facility is operating under an HACCP plan, the enforcement officer may, for the purpose of determining compliance with the plan, secure as evidence any documents, or copies of documents, relating to the facility's adherence to the HACCP plan. Inspection may, for the purpose of determining compliance with this part, include any record, file, paper, process, HACCP plan, invoice, or receipt bearing on whether food, equipment, or utensils are in violation of this part.

(c) Notwithstanding subdivision (a), an employee may refuse entry to an enforcement officer who is unable to present official identification showing the enforcement officer's picture and enforcement agency name. In the absence of the identification card, a business card showing the enforcement agency's name plus a picture identification card such as a driver's license shall meet this requirement.

(d) It is a violation of this part for any person to refuse to permit entry or inspection, the taking of samples or other evidence, access to copy any record as authorized by this part, to conceal any samples or evidence, withhold evidence concerning them, or interfere with the performance of the duties of an enforcement officer, including making verbal or physical threats or sexual or discriminatory harassment.

(e) A written report of the inspection shall be made and a copy shall be supplied or mailed to the owner, manager, or operator of the food facility.

SEC. 15. Section 114405 of the Health and Safety Code is amended to read:

114405. (a) A permit may be suspended or revoked by a local enforcement officer for a violation of this part. Any food facility or cottage food operation for which the permit has been suspended shall close and remain closed until the permit has been reinstated. Any food facility or cottage food operation for which the permit has been revoked shall close and remain closed until a new permit has been issued.

(b) Whenever a local enforcement officer finds that a food

facility or cottage food operation is not in compliance with the requirements of this part, a written notice to comply shall be issued to the permitholder. If the permitholder fails to comply, the local enforcement officer shall issue to the permitholder a notice setting forth the acts or omissions with which the permitholder is charged, and informing him or her of a right to a hearing, if requested, to show cause why the permit should not be suspended or revoked. A written request for a hearing shall be made by the permitholder within 15 calendar days after receipt of the notice. A failure to request a hearing within 15 calendar days after receipt of the notice shall be deemed a waiver of the right to a hearing. When circumstances warrant, the hearing officer may order a hearing at any reasonable time within this 15-day period to expedite the permit suspension or revocation process.

(c) The hearing shall be held within 15 calendar days of the receipt of a request for a hearing. Upon written request of the permitholder, the hearing officer may postpone any hearing date, if circumstances warrant the action.

SEC. 16. Section 114409 of the Health and Safety Code is amended to read:

114409. (a) If any imminent health hazard is found, unless the hazard is immediately corrected, an enforcement officer may temporarily suspend the permit and order the food facility or cottage food operation immediately closed.

(b) Whenever a permit is suspended as the result of an imminent health hazard, the enforcement officer shall issue to the permitholder a notice setting forth the acts or omissions with which the permitholder is charged, specifying the pertinent code section, and informing the permitholder of the right to a hearing.

(c) At any time within 15 calendar days after service of a notice pursuant to subdivision (b), the permitholder may request in writing a hearing before a hearing officer to show cause why the permit suspension is not warranted. The hearing shall be held within 15 calendar days of the receipt of a request for a hearing. A failure to request a hearing within 15 calendar days shall be deemed a waiver of the right to a hearing.

SEC. 17. Section 8.5 of this bill incorporates amendments to Section 113789 of the Health and Safety Code proposed by both this bill and Assembly Bill 2297. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2013, (2) each bill amends Section 113789 of the Health and Safety Code, and (3) this bill is enacted after Assembly Bill 2297, in which case Section 8 of this bill shall not become operative.

SEC. 18. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



City of Santa Fe Springs

City Council Meeting

January 26, 2017

NEW BUSINESS

Authorize the Disposal of Surplus Baseball & Softball Bats By Way of Donation

RECOMMENDATION

That the City Council declare the bats surplus and authorize a donation of the baseball bats to Metropolitan Little League and the softball bats to St. Paul High School.

BACKGROUND

With the closure of the City-Managed Diamond Batting Cages in 2012 a supply of bats in various lengths and weights have been stored in the warehouse, consisting of twenty-seven (27) softball and forty-one (41) baseball. The bats are new and unused but the grips have deteriorated to the point that they need replacing.

Contact was made with a representative of Metropolitan Little League to explore interest in accepting a donation of the bats. Metropolitan has indicated that they would gratefully accept a donation of the baseball bats but would respectfully decline the softball bats as they no longer operate softball leagues.

Contact was then made with Softball Coach Morales from St. Paul High School and they would gratefully accept the donation of the available softball bats for their girls' softball program.

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

Thaddeus McCormack
City Manager



NEW BUSINESS

On-Call Development Plan Check and Land Surveying Services – Contract Renewal

RECOMMENDATION

That the City Council take the following actions:

- Approve renewing the contracts with Coory Engineering and Huitt-Zollars to provide On-Call Development Plan Check and Land Surveying Services for an additional two (2) years on an as-needed basis and based on the same hourly rate schedule for key personnel;
- Authorize the Director of Public Works to execute Amendment No. 1 to renew the Professional Services Agreement with Coory Engineering for an additional two (2) years in the amount of \$25,000 per year for total of \$50,000; and
- Authorize the Director of Public Works to execute Amendment No. 1 to renew the Professional Services Agreement with Huitt-Zollars for an additional two (2) years in the amount of \$25,000 per year for a total of \$50,000.

BACKGROUND

At their October 24, 2013 meeting, the City Council authorized the Director of Public Works to execute a Professional Services Agreement with Coory Engineering and Huitt-Zollars to provide On-Call Development Plan Check and Land Surveying Services on an as-needed basis for a 3-year term, with the option to renew the Agreement for an additional two (2) years based on their performance and City Council approval.

The 3-year term of the contracts expired on November 18, 2016. Due to administrative oversight, Staff did not present the request to renew the contracts prior to the contract expiration.

During the contract period, both Coory Engineering and Huitt Zollars have provided on-call development plan check services, and land surveying services, including but not limited to, topographic, boundary, utility and construction surveying, lot line adjustments and plan checking tentative and final parcel maps in compliance with the California Subdivision Map Act.

Staff has reviewed the performance and quality of work for both Coory Engineering and Huitt-Zollars and recommend that the City Council authorize the Director of Public Works to execute Amendment No. 1 to the Professional Services Agreements for an additional two (2) years on an as-need basis and based on the same hourly rate schedule for key personnel. The contract amount for each firm is \$25,000 per year for a total \$50,000 for the two (2) year term.

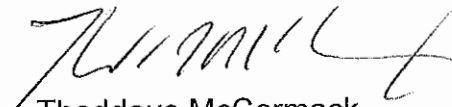
Report Submitted By: Noe Negrete, Director Date of Report: January 18, 2017
Department of Public Works

FISCAL IMPACT

The funding for the cost of On-Call Development Plan Check and Land Surveying Services is included in the approved Department of Public Works Budget for FY 2016-17 and is also included in the proposed FY 2017-18 Department Budget.

INFRASTRUCTURE IMPACT

The On-Call Development Plan Check and Land Surveying Services will significantly expedite the processing of proposed developments within the City.



Thaddeus McCormack
City Manager

Attachments:

1. Amendment No. 1 - Agreement – Coory Engineering
2. Amendment No. 1 - Agreement – Huitt-Zollars
3. Original Agreement – Coory Engineering
4. Original Agreement – Huitt-Zollars

**CITY OF SANTA FE SPRINGS
PROFESSIONAL SERVICES AGREEMENT
AMENDMENT NO. 1**

**ON-CALL DEVELOPMENT PLAN CHECK
AND LAND SURVEYING SERVICES**

In accordance with the Professional Services Agreement dated the 24th day of October, 2013, by and between the City of Santa Fe Springs, a municipal corporation (CITY), and Coory Engineering ("CONSULTANT"), Amendment No. 1 renews the Agreement for an additional two (2) years, beginning November 18, 2016 and expiring on November 18, 2018.

City shall compensate CONSULTANT for On-Call Development Plan Check and Land Surveying Services for an amount not to exceed \$25,000 per year for each of the two (2) years, and as detailed in the schedule of hourly rates for key personnel made a part of the Professional Service Agreement. The same schedule of hourly rates shall apply for the two (2) year renewal term and be made a part of Amendment No. 1.

All other provisions of the Professional Services Agreement shall apply and be made a part of Amendment No. 1.

ACCEPTANCE of the terms of Professional Services Amendment No. 1 is acknowledged by the following signatures of the Authorized Representatives.

SUBMITTED BY:
CITY OF SANTA FE SPRINGS

ACCEPTED BY:
COORY ENGINEERING

Noe Negrete, Director of Public Works

Samir M. Khoury, Owner

Date

Date

**CITY OF SANTA FE SPRINGS
PROFESSIONAL SERVICES AGREEMENT
AMENDMENT NO. 1**

**ON-CALL DEVELOPMENT PLAN CHECK
AND LAND SURVEYING SERVICES**

In accordance with the Professional Services Agreement dated the 24th day of October, 2013, by and between the City of Santa Fe Springs, a municipal corporation (CITY), and Huitt-Zollars ("CONSULTANT"), Amendment No. 1 renews the Agreement for an additional two (2) years , beginning November 18, 2016 and expiring on November 18, 2018.

City shall compensate CONSULTANT for On-Call Development Plan Check and Land Surveying Services for an amount not to exceed \$25,000 per year for each of the two (2) years, and as detailed in the schedule of hourly rates for key personnel made a part of the Professional Service Agreement. The same schedule of hourly rates shall apply for the two (2) year renewal term and be made a part of Amendment No. 1.

All other provisions of the Professional Services Agreement shall apply and be made a part of Amendment No. 1.

ACCEPTANCE of the terms of Professional Services Amendment No. 1 is acknowledged by the following signatures of the Authorized Representatives.

SUBMITTED BY:
CITY OF SANTA FE SPRINGS

ACCEPTED BY:
HUITT-ZOLLARS

Noe Negrete, Director of Public Works

Marc J. Haslinger P.E., Office Manager

Date

Date

CITY OF SANTA FE SPRINGS PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, made and entered into this 24th day of October, 2013 by and between the City of Santa Fe Springs (CITY), and Coory Engineering (CONSULTANT), CITY and CONSULTANT (PARTIES) hereby enter into in consideration of the mutual covenants and promises contained herein. The PARTIES do mutually agree as follows:

1. CONSULTANT will provide services (SERVICES) as outlined in the proposal submitted on August 24, 2013 which is hereby incorporated by reference and CONSULTANT shall organize, supervise, prepare and complete said SERVICES as set forth therein. Said services shall be referred to as "On-Call Surveying Services".
2. It is the intent of the CITY to enter into this Agreement with the CONSULTANT for a three (3) year term, effective the date this Agreement is fully executed by the PARTIES. The CITY reserves the right to renew this Agreement for an additional two (2) years after the term of this Agreement, based on performance and approval of the City Council. The schedule of hourly rates for key personnel would be applicable to the entire three (3) year term, with the exception of Union Field Survey personnel who operate under a Collective Bargaining Agreement which is subject to annual increases and is used as the basis for Prevailing Wage in the Construction Industry.
3. CITY shall compensate CONSULTANT for the SERVICES as detailed in the schedule of hourly rates attached and made part of this Agreement. The hourly rate includes full compensation for direct labor and overhead costs. CITY and CONSULTANT shall negotiate the appropriate dollar amount for each project prior to work for each project commencing. Any such compensation shall become payable on a periodic time schedule as approved and agreed to by CITY and the CONSULTANT.
4. CONSULTANT hereby acknowledges that obtaining a City business license is required to perform the SERVICES specified in this Agreement.
5. The parties hereto acknowledge and agree that the relationship between CITY and CONSULTANT is one of principal and independent CONSULTANT and no other. CONSULTANT 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. CONSULTANT specifically acknowledges that CITY is not required to, nor shall, provide Worker's Compensation Benefits Insurance for CONSULTANT. Notwithstanding the above, CONSULTANT hereby specifically waives any claims and/or demands for such benefits.

6. CONSULTANT shall, indemnify, hold free and harmless the CITY and its appointed and elected officials, officers, and employees from and against any and all damages to property or injuries to or death of any person or persons, including reasonable attorney fees and shall indemnify, save and hold harmless CITY and its appointed and elected officials, officers, and employees from damages and expenses, 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 CONSULTANT, whether intentional or negligent, in the performance of this Agreement.

7. CONSULTANT will not be required to follow or establish a regular or daily work schedule. Any advice given to the CONSULTANT 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 CONSULTANT to assure its conformity with this Agreement.

8. CONSULTANT shall comply with CITY'S Harassment Policy. CITY prohibits any and all harassment in any form.

9. CONSULTANT shall submit to the CITY the required insurance certificates for the CONSULTANT and its team. The CONSULTANT shall indemnify and hold CITY and its officers, employees, and assigns harmless from any liability imposed for injury whether arising before or after completion of work hereunder or in any manner directly or indirectly caused, occasioned, or contributed to, or claims to be caused, occasioned, or contributed to, in whole or in part, by reason of any negligent act or omission of CONSULTANT, or of anyone acting under CONSULTANT'S direction or control or on its behalf, in connection with, or incident to, or arising out of the performance of this contract. Notwithstanding the foregoing, any duty to indemnify shall not include a duty to defend until a finding, by a court of competent jurisdiction, that Consultant's willful misconduct, negligent performance, or failure to perform was a legal cause of claimant's damages, but only to the extent thereof.

The CONSULTANT shall maintain the following levels of insurance coverage for the duration of the services provided, as well as any sub-consultants hired by the Consultant:

(a) Worker's Compensation insurance with statutory limits, and employer's liability insurance with limits not less than \$1,000,000 per accident

(b) Commercial general liability insurance or equivalent form, with a combined single limit of not less than \$2,000,000 per occurrence

(c) Business automobile liability insurance, or equivalent form, with a combined single limit of not less than \$1,000,000 per occurrence. Such insurance shall include coverage for owned, hired and non-owned automobiles.

(d) Professional liability (errors and omissions) insurance, with a combined single limit of not less than \$1,000,000 per claim.

CONSULTANT 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 (not applicable on professional liability). 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.


CON SULTANT Signature

11/15/13
Date

SAMIR M. KHOURY
Name (Print)

OWNER
Title

COORY ENGINEERING
Company Name


Corporation ☐ Sole Proprietor ☒ Partnership ☐ LLC ☐

551-96-8530
SSN or Tax ID#

1718 N NEVILLE ST
Address

ORANGE, CA 92865
City, State, Zip

(714) 202-8700
Telephone


City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

11/18/13
Date

CITY OF SANTA FE SPRINGS PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, made and entered into this 24th day of October, 2013 by and between the City of Santa Fe Springs (CITY), and Huitt-Zollars (CONSULTANT), CITY and CONSULTANT (PARTIES) hereby enter into in consideration of the mutual covenants and promises contained herein. The PARTIES do mutually agree as follows:

1. CONSULTANT will provide services (SERVICES) as outlined in the proposal submitted on August 27, 2013 which is hereby incorporated by reference and CONSULTANT shall organize, supervise, prepare and complete said SERVICES as set forth therein. Said services shall be referred to as "On-Call Surveying Services".
2. It is the intent of the CITY to enter into this Agreement with the CONSULTANT for a three (3) year term, effective the date this Agreement is fully executed by the PARTIES. The CITY reserves the right to renew this Agreement for an additional two (2) years after the term of this Agreement, based on performance and approval of the City Council. The schedule of hourly rates for key personnel would be applicable to the entire three (3) year term, with the exception of Union Field Survey personnel who operate under a Collective Bargaining Agreement which is subject to annual increases and is used as the basis for Prevailing Wage in the Construction Industry.
3. CITY shall compensate CONSULTANT for the SERVICES as detailed in the schedule of hourly rates attached and made part of this Agreement. The hourly rate includes full compensation for direct labor and overhead costs. CITY and CONSULTANT shall negotiate the appropriate dollar amount for each project prior to work for each project commencing. Any such compensation shall become payable on a periodic time schedule as approved and agreed to by CITY and the CONSULTANT.
4. CONSULTANT hereby acknowledges that obtaining a City business license is required to perform the SERVICES specified in this Agreement.
5. The parties hereto acknowledge and agree that the relationship between CITY and CONSULTANT is one of principal and independent CONSULTANT and no other. CONSULTANT 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. CONSULTANT specifically acknowledges that CITY is not required to, nor shall, provide Worker's Compensation Benefits Insurance for CONSULTANT. Notwithstanding the above, CONSULTANT hereby specifically waives any claims and/or demands for such benefits.

6. CONSULTANT shall, indemnify, hold free and harmless the CITY and its appointed and elected officials, officers, and employees from and against any and all damages to property or injuries to or death of any person or persons, including reasonable attorney fees and shall indemnify, save and hold harmless CITY and its appointed and elected officials, officers, and employees from damages and expenses, 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 CONSULTANT, whether intentional or negligent, in the performance of this Agreement.

7. CONSULTANT will not be required to follow or establish a regular or daily work schedule. Any advice given to the CONSULTANT 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 CONSULTANT to assure its conformity with this Agreement.

8. CONSULTANT shall comply with CITY'S Harassment Policy. CITY prohibits any and all harassment in any form.

9. CONSULTANT shall submit to the CITY the required insurance certificates for the CONSULTANT and its team. The CONSULTANT shall indemnify and hold CITY and its officers, employees, and assigns harmless from any liability imposed for injury whether arising before or after completion of work hereunder or in any manner directly or indirectly caused, occasioned, or contributed to, or claims to be caused, occasioned, or contributed to, in whole or in part, by reason of any negligent act or omission of CONSULTANT, or of anyone acting under CONSULTANT'S direction or control or on its behalf, in connection with, or incident to, or arising out of the performance of this contract. Notwithstanding the foregoing, any duty to indemnify shall not include a duty to defend until a finding, by a court of competent jurisdiction, that Consultant's willful misconduct, negligent performance, or failure to perform was a legal cause of claimant's damages, but only to the extent thereof.

The CONSULTANT shall maintain the following levels of insurance coverage for the duration of the services provided, as well as any sub-consultants hired by the Consultant:

(a) Worker's Compensation insurance with statutory limits, and employer's liability insurance with limits not less than \$1,000,000 per accident

(b) Commercial general liability insurance or equivalent form, with a combined single limit of not less than \$2,000,000 per occurrence

(c) Business automobile liability insurance, or equivalent form, with a combined single limit of not less than \$1,000,000 per occurrence. Such insurance shall include coverage for owned, hired and non-owned automobiles.

(d) Professional liability (errors and omissions) insurance, with a combined single limit of not less than \$1,000,000 per claim.

CONSULTANT 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 (not applicable on professional liability). 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.



CONSULTANT Signature

NOVEMBER 14, 2013

Date

JAMES L. GARVIN

Name (Print)

VICE PRESIDENT

Title

HUITT-ZOLLARS, INC.

Company Name

Corporation ☒ Sole Proprietor ☐ Partnership ☐ LLC ☐

75-1500178

SSN or Tax ID#

2603 MAIN STREET, SUITE 400


Address

IRVINE, CA 92614

City, State, Zip

(949) 988-5815

Telephone


City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

11/14/13
Date



City of Santa Fe Springs

City Council Meeting

January 26, 2017

NEW BUSINESS

Police Services Staging Facility Renovation – Award of Contract

RECOMMENDATION

That the City Council take the following actions:

- Appropriate \$165,000 from the Capital Improvement Plan Bond Funds for to Police Services Staging Facility Renovation (Activity 455-S015);
- Accept the bids; and
- Award a contract to P&P Develop Inc. of Garden Grove, California in the amount of \$137,856.00.

BACKGROUND

The City Council, at their meeting of November 22, 2016, authorized the City Engineer to advertise for construction bids.

Bids were opened on January 10, 2017 and a total of three (3) bids were received. The low bidder for the project is P&P Develop Inc. of Garden Grove, California in the amount of \$137,856.00. The following represents the bids received and the amount of each bid:

- | | |
|---|----------------|
| 1. P&P Develop, Inc. | \$137,856.00** |
| 2. Cybertech Construction Company, Inc. | \$197,600.00 |
| 3. JR Universal Construction Inc. | \$416,154.59** |

**Denotes mathematical errors in the bid extended amount.

The bid proposal for P&P Develop Inc. was publicly read at \$134,400, however due to mathematical errors, the actual bid is \$137,856.00. Staff has contacted P&P Develop Inc. and they have agreed to honor their actual bid proposal cost.

The bid submitted by P&P Develop Inc. is approximately 0.10 % less than the Engineer's Construction Cost Estimate of \$138,000.

The Department of Public Works has reviewed the bids and has determined the low bid submitted by P & P Develop Inc. to be responsive and responsible.

FISCAL IMPACT

The Police Services Staging Facility Renovation Project is an approved Capital Improvement Plan (CIP) project with an original budget of \$158,000 for the removal and replacement of the lockers. It was anticipated that an additional appropriation will be necessary at the time of the Award of Contract since the Scope of Work was expanded. The revised scope of work includes the following improvements:

Report Submitted By: Noe Negrete, Director Date of Report: January 18, 2017
Department of Public Works

ITEM NO. 13

1. Renovations to the men's and women's showers.
2. Ceramic tile flooring throughout the facility.
3. Modifications to restrooms (new tile and countertops) for ADA compliance
4. A new roll down fire door, including structural and electrical modifications for Fire Code compliance.
5. Interim Staging Facility in the adjacent Exercise Room and rental of portable restrooms.

The revised and original estimated cost of the project is shown below.

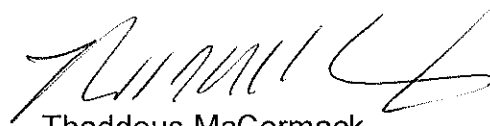
	Revised Budget	Original Budget
Construction	\$ 138,000.00	\$ 55,000.00
Lockers	\$ 48,000.00	\$ 45,000.00
Interim Facilities	\$ 36,000.00	\$.00
Engineering / Design	\$ \$55,000.00	\$ 15,000.00
Inspection	\$ 20,000.00	\$ 15,000.00
Contingency	\$ 26,000.00	\$ 28,000.00
Total	\$ 323,000.00	\$ \$158,000.00

The estimated cost of the project is \$323,000 which includes the construction, purchase of lockers and all temporary facilities required during construction.

Staff requests an appropriation of \$165,000 from Bond Funds for Capital Projects to Police Services Staging Facility Renovation (Activity 454-S015). Sufficient funding is available from the Bond Funds.

INFRASTRUCTURE IMPACT

Renovation of the Police Services Staging Facility will provide improved accommodations and work space for the Police Officers and Staff that are deployed to protect and serve the community.



Thaddeus McCormack
City Manager

Attachments:
Contract Agreement

CITY OF SANTA FE SPRINGS
CONTRACT AGREEMENT
FOR
POLICE SERVICES STAGING
FACILITY RENOVATION

IN THE CITY OF SANTA FE SPRINGS

This Contract Agreement is made and entered into the above-stated project this 26th day of January 2017, BY AND BETWEEN the City of Santa Fe Springs, as AGENCY, and P & P Develop, Inc., as CONTRACTOR in the amount of \$137,856.00.

WITNESSETH that AGENCY and CONTRACTOR have mutually agreed as follows:

ARTICLE I

The contract documents for the aforesaid project shall consist of the Notice Inviting Sealed Bids, Instructions to Bidders, Proposal, General Specifications, Standard Specifications, Special Provisions, Plans, and all referenced specifications, details, standard drawings, CDBG contract provisions and forms, and appendices; together with this Contract Agreement and all required bonds, insurance certificates, permits, notices, and affidavits; and also including any and all addenda or supplemental agreements clarifying, or extending the work contemplated as may be required to ensure its completion in an acceptable manner. All of the provisions of said contract documents are made a part hereof as though fully set forth herein.

ARTICLE II

For and in consideration of the payments and agreements to be made and performed by AGENCY, CONTRACTOR agrees to furnish all materials and perform all work required for the above-stated project, and to fulfill all other obligations as set forth in the aforesaid contract documents.

ARTICLE III

CONTRACTOR agrees to receive and accept the prices set forth in the Proposal as full compensation for furnishing all materials, performing all work, and fulfilling all obligations hereunder. Said compensation shall cover all expenses, losses, damages, and consequences arising out of the nature of the work during its progress or prior to its acceptance including those for well and faithfully completing the work and the whole thereof in the manner and time specified in the aforesaid contract documents; and also including those arising from actions of the elements, unforeseen difficulties or obstructions encountered in the prosecution of the work, suspension or discontinuance of the work, and all other unknowns or risks of any description connected with the work.

ARTICLE IV

AGENCY hereby promises and agrees to employ, and does hereby employ, CONTRACTOR to provide the materials, do the work and fulfill the obligations according to the terms and conditions herein contained and referred to, for the prices aforesaid, and hereby contracts to pay the same at the time, in the manner, and upon the conditions set forth in the contract documents. No work or portion of the work shall be paid for until it is approved for payment by the City Engineer. Payment made for completed portions of the work shall not constitute final acceptance of those portions or of the completed project.

ARTICLE V

CONTRACTOR acknowledges the provisions of the State Labor Code requiring every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that code and certifies compliance with such provisions. Contractor further acknowledges the provisions of the State Labor Code requiring every employer to pay at least the minimum prevailing rate of per diem wages for each craft classification or type of workman needed to execute this contract as determined by the Director of Labor Relations of the State of California. The Contractor is required to pay the higher of either the State or Federal Wages.

ARTICLE VI

CONTRACTOR agrees to indemnify, defend and hold harmless AGENCY and all of its officers and agents from any claims, demand or causes of action, including related expenses, attorney's fees, and costs, based on, arising out of, or in any way related to the work undertaken by CONTRACTOR hereunder.

ARTICLE VII

CONTRACTOR affirms that the signatures, titles and seals set forth hereinafter in execution of this Contract Agreement represent all individuals, firm members, partners, joint venturers, and/or corporate officers having principal interest herein.

IN WITNESS WHEREOF, the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Contract Agreement to be executed in triplicate by setting hereunto their name, titles, hands, and seals as of the date noted above.

By:

CONTRACTOR

ADDRESS

THE CITY OF SANTA FE SPRINGS

By:

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



City of Santa Fe Springs

City Council Meeting

January 26, 2017

NEW BUSINESS

Agreement between City of Santa Fe Springs and East Los Streetscapers ("Artist") for fabrication and installation of Santa Fe Springs Firefighters' Memorial

RECOMMENDATION

That the City Council approve the agreement between the City of Santa Fe Springs and East Los Streetscapers ("Artist") for fabrication and installation of Santa Fe Springs Firefighters' Memorial

BACKGROUND

The Santa Fe Springs Firefighters Association Local 3507 has been conceptualizing and researching various options to create a memorial to honor members of the Fire Department that have lost their lives, in the line of duty. They include Captain Tolle, Engineer Mike Jones, Captain Dennis Stubblefield and fire fighter Armando Mora. The memorial will also include additional names should that day come.

The memorial is a 17 foot tall spire of concrete clad in marble. A steel sculpture of flames with an eagle or phoenix rising from the steel flames will be placed on top. The names of the fallen and Fire Department symbols will be etched in the marble. Surrounding the spire, three (3) to four (4) marble clad benches will be installed to provide visitors a place to sit. Each bench will possess a single word etched on its side displaying Honor, Courage, and Dedication. One of the benches will contain a custom bronze sculpture of a fire jacket and helmet laying on top. The memorial will be installed at Fire headquarters, 11300 Greenstone Avenue, Santa Fe Springs, CA. The Artist/Fabricator/Installer (Los Streetscapers) has estimated the cost of the memorial to be \$85,000.

On December 22, 2016, the City Council approved the appropriation of \$50,000 of the Public Art Fund towards the project. The Firefighters Association has been selling memorial challenge coins and receiving donations to raise funds for this project, which to date amount to approximately \$10,000. The Fire Department Budget has sufficient funds to absorb the \$25,000 that represents the balance of the project's cost.

The Council is being asked to approve the attached agreement between the City and Los Streetscapers for the fabrication and installation of the memorial.


Thaddeus McCormack
City Manager

Attachment
Agreement

Report Submitted By: City Manager's Office

Date of Report: January 20, 2017

ITEM NO. 14

CITY OF SANTA FE SPRINGS FD MEMORIAL PUBLIC ART COMMISSION AGREEMENT

Agreement ("Agreement") dated [month] [day], 2017, between the City of Santa Fe Springs, a municipal corporation ("City"), and East Los Streetscapers, a sole proprietorship ("Artist").

1. Description of Artwork: City commissions Artist to design an original sculpture (the "Work"), as depicted in Exhibit A, and fabricate and install the Work on the grounds of the City's Fire Department located at 11300 Greenstone Ave, Santa Fe Springs, California 90670, in accordance with the specifications and elevations set forth in Exhibit B. The location of installation is depicted in Exhibit C.
2. Services: Artist shall provide all supplies, materials and equipment necessary to design, fabricate and install the Work. Artist shall take every precaution reasonably necessary during Artist's installation of the Work to protect the public. Final acceptance of the Work by City will not be made until Artist designs, fabricates and installs the Work in conformity with the terms of this Agreement.
3. Schedule of Performance: Artist shall commence the design, fabrication and installation of the Work upon receipt of immediately upon receipt of a Notice to Proceed from designated City Project Manager and shall complete the design, fabrication and installation of the Work within 42 weeks of Artist's receipt of the Notice to Proceed, in accordance with the timeline set forth in Exhibit B.
4. Compensation and Payment Schedule: City shall pay Artist a total fee of Eighty-Five Thousand Dollars (\$85,000) as full compensation for Artist's design, fabrication and installation of the Work and for all rights granted and waived by Artist pursuant to this Agreement, which sum includes costs for site preparation, equipment, materials and supplies and payment of sales tax and all other taxes, insurance, indirect costs, overhead and profit allowance, materials and supplies. City shall not withhold federal payroll, state payroll and other taxes, or other similar deductions from payments made to Artist. Artist shall submit invoices to City in accordance with the payment schedule set forth in Exhibit B and City shall pay all properly billed portions of the invoices within five (5) calendar days after City's receipt of the invoice up to the amount of the total fee specified above.

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EastLosStreetscapers.org

POB 31460

Los Angeles CA 90031

Tel 626 571 6761

stscaper@sbcglobal.net

5. Compliance with Laws: Artist shall comply with all relevant Federal, State, and City laws, including laws related to business tax and license responsibilities.
6. Review and Progress Reports: City may review the progress of the design, fabrication and installation of the Work at reasonable times throughout Artist's performance under this Agreement and require that Artist provide City with progress reports.
7. Liability: Artist will defend, indemnify, protect and hold harmless City, its officers, officials, agents and employees, from and against all claims, demands, losses or defense costs and expenses or liability of any kind or nature that City, its officers, officials, employees, volunteers and agents may sustain or incur, or that may be imposed upon them for injury to or death, or damage to property, or claims for money due, arising out of Artist's negligent or wrongful acts or omissions in performing or failing to perform under the terms of this Agreement, excepting only liability arising out of the sole negligence of City.
8. Insurance: Artist shall maintain at all times during the term of this Agreement not less than the types and amounts of insurance coverage listed below issued by insurers to do business in California and listed "B+" or better in Best's Insurance Guide. Artist shall submit to City certificates indicating compliance with the following insurance requirements concurrently with the execution of this Agreement.
 1. Broad-Form Commercial General Liability Insurance with minimum limits of One Million Dollars (\$1,000,000) combined single limit coverage against any injury, death, loss or damage as a result of wrongful or negligent acts by Artist, its officers, employees, agents, and independent contractors in performance of the Work.
 2. Worker's Compensation Insurance to cover the Artist's employees, as required by the California Labor Code, and Employer's Liability Insurance with a minimum limit of One Million Dollars (\$1,000,000). If the Artist has no employees as defined by the California Labor Code Section 3350-3371, and Artist submits a letter to City so stating, this requirement may be waived in writing by City.
 3. Automobile Insurance covering automobiles owned or hired by Artist or his officers, employees, agents, or independent contractors and used in Artist's performance under this Agreement with a minimum limit of Five Hundred Thousand Dollars (\$500,000) combined single limit.

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stscaper@sbcglobal.net

City, its officers, employees, attorneys, and designated volunteers shall be named as additional insureds on the policy(ies) as to commercial general liability bodily injury and property damage coverage and automobile coverage with respect to liabilities arising out of Artist's performance under this Agreement.

Each insurance policy required by this Section 8 shall be endorsed as follows:

(1) the insurer waives the right of subrogation against City and its officers, employees, agents and representatives; (2) except for the worker's compensation policy, the policies are primary and non-contributing with any insurance that may be carried by City; and (3) the policies may not be canceled or materially changed except after thirty (30) days prior written notice by insurer to City unless cancelled for non-payment, in which case the insurer shall give ten (10) days' written notice to City.

Artist shall not cancel, reduce or otherwise modify any insurance coverage required under this Agreement. Artist shall eliminate any self-insured retention and replace the self-insured retention with a deductible.

At all times during the term of this Agreement, Artist shall maintain on file with the City Clerk a Certificate of Insurance evidencing that the policies required under this Agreement are in effect and meet the requirements of this Section and the additional insured endorsement required under this Agreement.

9. Status as Independent Contractor: Artist is and shall at all times remain as to City a wholly independent contractor. The personnel performing the services under this Agreement on behalf of Artist shall at all times be under Artist's exclusive direction and control. Neither City nor any of its officers, officials, volunteers, employees or agents shall have control over the conduct of Artist's officers, volunteers or agents, except as set forth in this Agreement. Artist shall not at any time or in any manner represent that it or any of its officers, volunteers or agents are in any manner officers, employees or agents of City. Artist shall not incur or have the power to incur any debt, obligation or liability whatsoever against City, or bind City in any manner.

10. Standard of Performance: Artist shall perform all services required under this Agreement to the highest professional standards and in a manner reasonably satisfactory to City.

11. Guarantee: Artist warrants that the Work will be free of defects in workmanship and materials, and that Artist will, at Artist's sole expense, remedy any defects in workmanship or materials that appear within three (3) years from the date of City's final payment to Artist under this Agreement.
12. Originality of Work: Artist represents and warrants that: (i) the Work is and will be Artist's sole original work of authorship; (ii) at the time of transfer of possession from Artist to City, Artist will be the sole owner of the Work and of all rights therein, including copyright, trademark and any other proprietary rights therein; (iii) Artist has and will have full and sufficient right to assign all rights granted herein and to waive all rights relinquished herein; (iv) Artist is not under any obligation to transfer or sell the Work to any third party; (v) the Work has not been and will not be published under circumstances which have caused or will cause a loss of any copyright, trademark, or other proprietary rights therein; and (vi) the Work does not and will not infringe any patent, copyright, trademark, or other proprietary rights, privacy rights, or other rights of any third party, nor has any claim of such infringement (whether or not embodied in any legal claim past or present) been threatened or asserted, nor is any such claim pending against Artist.
13. Copyright
- (a) General. Artist, as the author of the Work, an original work of authorship, is the owner of the copyright in the Work. Artist shall place the Work in the form and manner sufficient to secure a copyright in the Work under United States Copyright Law. If Artist registers the copyright in the Work with the U.S. Copyright Office, Artist shall provide City with a copy of the application, the registration number and the effective date of registration. Artist grants City use of the Work as set forth in this Section 13.
- (b) Copyright Renewal. Artist shall take such steps and proceedings as may be necessary to renew the copyright in the Work.
- (c) City's and Artist's Rights to Use the Work for Noncommercial Purposes. City and Artist shall have the right in perpetuity to use, license, exploit, photograph, reproduce, prepare derivative works based on, and distribute copies of the Work and Artist's name for noncommercial purposes, including, but not limited to, self-promotional advertisements, public relation and educational purposes, licenses for mechanical reproductions, use in public

performances, use in video or film, use in print, use of the sound or reproduction of the Work on t-shirts.

(d) City's and Artist's Rights to Use the Work for Commercial Purposes. City and Artist shall have the right in perpetuity to use, license, exploit, photograph, reproduce, prepare derivative works based on, distribute copies of and publicly display the Work and Artist's name for commercial purposes. For as long as Artist owns the copyright in the Work, and except as otherwise provided in this Paragraph d, City and Artist agree that prior to a party's use of the Work for commercial purposes that will result in profits in excess of \$1,000 dollars, the party shall provide the other party with ten (10) days' written notice of intent to use the Work for commercial purposes. The parties shall then meet or otherwise confer in order to 1) provide consent to the other party's intended use, which consent may not be unreasonably withheld; and 2) execute agreements so that each party shares in profits. Notwithstanding the foregoing, the parties agree that either party may permit the Work to be filmed by a film company (for profit or otherwise) without the need for notice or consent or the need to share in profits. City shall request that a filming company recognize Artist in its film credits, but makes no guarantee that film companies will honor City's request to recognize Artist and is not liable to Artist for film companies' failure to do so. Also notwithstanding the foregoing, Artist shall have the right in perpetuity to photograph and distribute photographic copies of the Work in Artist's portfolio presentations and promotional materials without the need for notice or consent or the need to share in profits.

(e) Display. Artist grants City the exclusive right to publicly display the Work or to loan the Work to other persons or institutions for public display. If City loans the Work to another person or institution, City shall request that the borrower credit the Work to Artist.

(f) Physical Ownership and Preservation of the Work.

(1) Artist's grant to City of the right, in perpetuity, to reproduce, prepare derivative works based on, distribute copies of and publicly display the Work constitutes Artist's transfer of ownership of the physical Work to City. Ownership of the physical Work shall not remain with or

be reserved to Artist. Nothing in this Paragraph shall affect Artist's rights of authorship of the Work.

(2) Artist expressly waives the rights created under California Civil Code Section 987, the Federal Visual Rights Act and any other similar federal or state law. Artist grants City the exclusive right, for itself and its successors and assigns, to sell, loan or lease the Work. City may, in its sole discretion, physically deface, mutilate, alter or destroy the Work, restrict or modify public access to the Work, or move the Work even if movement may cause the physical defacement, mutilation, alteration or destruction of the Work. Notwithstanding the foregoing, City shall make reasonable attempts to inform Artist should City decide to alter, destroy or move the Work and provide Artist with the opportunity to purchase the Work from City for fair market value, or, for just and valid reason, disclaim authorship of the Work. In the event of an emergency whereby the public safety is in jeopardy, City shall have no obligation to inform Artist of City's intent to alter, destroy or more the Work.

14. Artist Representation and Warranties:

- a) Artist represents and warrants that the Work will be free of any defect in workmanship, materials and design, including all known defects that would cause or accelerate deterioration of the Work, and that if any failure to conform to this warranty becomes apparent within three (3) years from the date of City's final acceptance of the Work, Artist shall repair the Work at Artist's own expense, including the costs of labor and materials. City shall give Artist notice of a need for repairs due to defects in workmanship, materials and design with reasonable promptness.
- b) Artist represents and warrants that the Work will not require maintenance in excess of that described in Section 18(a) of this Agreement.
- c) Artist represents and warrants that the Work will not be a danger to the public.

15. Maintenance, Repair and Restoration:

- a) Artist shall not be responsible for regular maintenance and protection of the Work.
- b) If after City's final acceptance of the, the Work is damaged by no fault of Artist nor by Artist's breach of this Agreement, City shall make

reasonable efforts to consult with Artist concerning repairs and provide Artist with the opportunity to execute the repairs at a reasonable fee to be agreed upon between the City and the Artist. If City and Artist cannot agree on a fee or if Artist fails to make the agreed upon repairs within a reasonable time frame, then City may make such repairs or restoration without Artist's interference.

- c) Artist shall notify City of changes to its address. Failure to do so shall be deemed a waiver by Artist of its right to enforce those provisions of this Agreement that require notice to Artist.
16. No Waiver: No waiver of full performance by either party shall be construed, or operate, as a waiver of any subsequent default or any of the terms, covenants, and conditions of this Agreement. The payment or acceptance of fees for any period after a default shall not be deemed a waiver of any right or acceptance of defective performance.
17. Termination: Either party may terminate this Agreement with or without cause. If the Artist terminates without cause, the Artist shall refund all sums paid by the City and shall not be entitled to any further payment. If the City terminates this Agreement without cause or fault of the Artist, the Artist may retain the funds paid to the date of termination. In the event of termination, ownership of the incomplete Work shall pass to the City.
18. Notices: Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on (a) the day of delivery if delivered by hand or overnight courier service during Artist's and City's regular business hours or by facsimile before or during Artist's regular business hours; or (b) on the third business day following deposit in the United States mail, postage pre-paid, to the addresses heretofore set forth in the Agreement, or to such other addresses as the parties may, from time to time, designate in writing pursuant to the provisions of this section.

EAST LOS STREETSCAPERS

EastLosStreetscapers.org

POB 31460

Los Angeles CA 90031

Tel 626 571 6761

stscaper@sbcglobal.net

Notices:

City:
City Clerk
City of Santa Fe Springs
10349 Heritage Park Dr #1
Santa Fe Springs, California 90670

With a copy to:
City Manager
City of Santa Fe Springs
10349 Heritage Park Dr #1
Santa Fe Springs, California 90670

Artist: Wayne Healy
East Los Streetscapers
PO Box 31460
Los Angeles, CA 90031

19. Risk of Loss: Title of the physical Work passes to the City when City pays the total fee in full to Artist. Artist bears the risk of damage to or loss of the Work until title passes to City.
20. No Assignment or Transfer: The personal skill, judgment and creativity of Artist are an essential element of this Agreement. Therefore, although the parties recognize that Artist may employ qualified personnel to work under Artist's supervision, Artist shall not assign, transfer or subcontract the creative and artistic portions of the Work to another party without City's prior written consent.
21. Non-Discrimination and Equal Employment Opportunity. In the performance of this Agreement, Artist shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, national origin, ancestry, age, physical or mental handicap, medical condition, or sexual orientation. Artist will take affirmative action to ensure that subcontractors and applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, religion, sex, marital status, national origin, age, physical or mental handicap, medical condition, or sexual orientation.
22. Amendments: No modification or amendment of the terms hereof shall be effective unless written and signed by authorized representatives of the parties. The parties expressly reserve the right to modify this Agreement from time to time by mutual agreement.
23. Attorney's Fees: In the event that either party to this Agreement shall commence any legal action or proceeding to enforce or interpret the

provisions of this Agreement, the prevailing party in such action or proceeding shall be entitled to recover its costs of suit, including reasonable attorney's fees.

24. Entire Agreement: This Agreement is all of the covenants, promises, agreements, and conditions, either oral or written, between the parties.

CITY OF SANTA FE SPRINGS

Thaddeus McCormack, City Manager

Attest:

Janet Martinez, City Clerk

Approved as to Form:

Steven N. Skolnik, City Attorney

EAST LOS STREETSCAPERS

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Los Angeles CA 90031
Tel 626 571 6761
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ARTIST

By: Wayne Healy
Title: Sole Proprietor

By:
Title:

(Please note two signatures required for corporations pursuant to California Corporations Code Section 313.)

EXHIBIT A

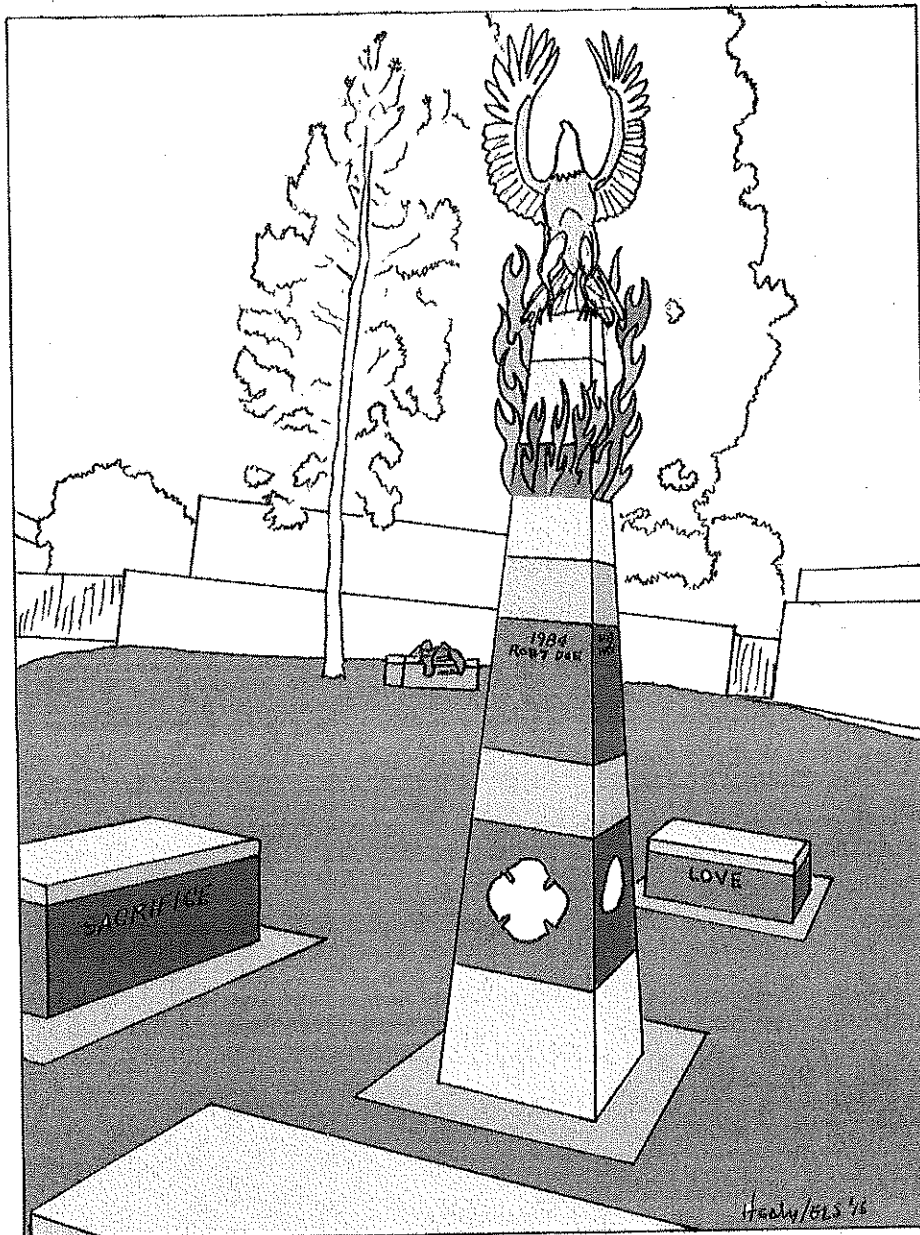


EXHIBIT B

Scope of Work (SOW)

General

- A The following Scope of Work contains all the requirements for Wayne Healy/East Los Streetscapers (hereinafter "Artist") and City of Santa Fe Springs, a municipal corporation (hereinafter "City") to comply with the "City of Santa Fe Springs FD Memorial Agreement" (hereinafter "Agreement") referenced hereinbefore. Please refer to Design Parameters Drawing for total dimensions.
- B Artist will supply the design, fabrication, and installation for the SFS FD Memorial Artwork named "Arising From The Ashes" which consists of 3 components: metal sculptures, granite cladding, and the concrete foundation/obelisk and benches. The nominal weight for the entire work is 21 tons.
- C Artist will provide all engineering P.E. stamped drawings as part of the design and will be a ready to build per blue print for the artwork.

Artist Requirements

A Steel and Bronze Sculptures

1. Artist will provide one (1) laser cut, formed and welded Cor-ten and stainless steel sculpture of the rising Phoenix Bird to mount atop the concrete obelisk. The total height will be approximately 15'.
2. The Bronze Sculpture will have represent the fire fighter's protective uniform left draped on a bench..
3. The stainless steel Phoenix Bird will arise up and away from the Cot-ten steel flames
4. A subcontractor of Artist's choosing and IAW previous contracted work will do metal fabrication.
5. Artist will provide all drawings and dimensions to complete the task.
6. Artist will install the artwork at the designated site.

B Granite Cladding

1. Artist shall provide City with drafts of proposed etched designs for City's review and sole approval prior to Artist's fabrication of the granite.
2. Artist will provide granite cladding for the obelisk and benches.
3. The concrete obelisk will hold black and gray granite.
4. The concrete benches will have black and gray granite.
5. Concrete floor surfaces will be slip resistant to meet the general safety and health regulations, ADA and OSHA requirements.
6. Artist will fabricate obelisk and benches.
7. Artist will provide all drawings and dimensions to complete the task.
8. Artist will install the artwork at the designated site.

C Concrete Foundation/Obelisk and Benches

1. The concrete foundation design will conform to the designated site.
2. The site shall be coordinated between the Artist and the Fire Department.
3. The floor of the concrete foundation will house 4 inset up lights. The lighting design and lighting fixtures will be determined during the design phase and IAW consultation with an electrical engineer.
4. Artist will provide the electrical junction box within the perimeter of the structure and ready to accept electric power brought in by the City.
5. In the event that subgrade structures must be moved, replaced or repaired, it will be solely at City's expense.
6. A subcontractor of Artist's choosing and IAW previous contracted work will do the concrete foundation/columns fabrication.
7. Artist will provide all P.E. stamped engineering drawings and dimensions to complete the task.
8. Subcontractor, under Artist's supervision, will install the artwork at the designated site.

D Additional Requirements

1. Artist shall provide final designs for City review and approval prior to fabrication.

EAST LOS STREETSCAPERS

EastLosStreetscapers.org

POB 31460

Los Angeles CA 90031

Tel 626 571 6761 Fax 626 5716762

stscaper@sbcglobal.net

2. Hazardous Materials and Finishes. Artist shall avoid materials or finishes known to be hazardous, including lead based paint or any derivative thereof.
3. Cleaning and Finishing. Artist shall clean and finish the Work upon completion of construction and installation.
4. Anti-Graffiti Coating. Artist shall apply anti-graffiti coating(s) to the Work to ensure adequate protection from vandalism.
5. Bronze Plaque Wording. Artist shall provide City with the wording layout for a bronze plaque describing the Work, subject to City's approval.

City Requirements

1. The City shall provide historical information relevant to City's local history for Artist to incorporate into bronze portion of Work.
2. City shall provide bronze plaque design, production, and installation.
3. City shall provide electric power to the electrical junction box located within the perimeter of the artwork floor.
4. The City shall provide land survey and related documents to locate underground structures and dig alerts.
5. In the event that subgrade structures must be moved, replaced or repaired, it shall be solely at City's expense.
6. City will provide all City permits, plan check, and inspections.
7. Additional site preparations not specifically outlined in the Artist Requirements section of this Agreement shall be completed by City.

Payment Schedule

- A. First Payment – Design \$15,000.00 upon "Agreement" signature.
- B. Second Payment – Start Fabrication \$30,000.00 upon completion and City's approval of final design.
- C. Third Payment – Fabrication 50% Complete \$30,000.00 upon completion of 50% of fabrication and with City's concurrence.
- D. Fourth Payment – Installation \$8,870.00 upon fabrication 100%, ready for installation and with City's concurrence.
- E. Fifth and Final Payment – Installation Complete, \$10,000.00 upon completion of installation, artwork 100% and City Acceptance.

EAST LOS STREETSCAPERS

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stscaper@sbcglobal.net

Schedule of Performance

Artist shall design, fabricate and install the Work within 38 weeks from the date of this Agreement and in accordance with the following timeline:

A. Design

Artist shall commence the design of the Work upon receipt of payment under Payment Plan and complete the design within 6 weeks. Artist shall provide City with drafts of proposed site designs for City's review within 3 weeks after Artist receives Payment Plan A. City shall provide Artist with design comments within 1 week of receipt of Artist's proposed site configurations.

B. Start Fabrication

Shall commence after Payment Plan B is received and shall last for a period of 16 weeks.

C. Fabrication 50% Complete

Shall commence after Payment Plan C is received and shall last for a period of 16 weeks.

D. Installation

Shall commence as soon as Payment Plan D is received and shall last for a period of 2 week.

Risk of Loss

While the Work is in Artist's possession, Artist shall, at its sole expense, keep the Work fully insured against fire, theft, destruction and other loss and bear the risk of loss until delivery of the Work to City and receipt of final payment of the total fee from City, at which point risk of loss and title shall pass to City. In the event the Work suffers any insured loss before delivery to City, Artist shall use the insurance proceeds to repair and restore or to recommence the making of the Work.

Design Parameters Drawings

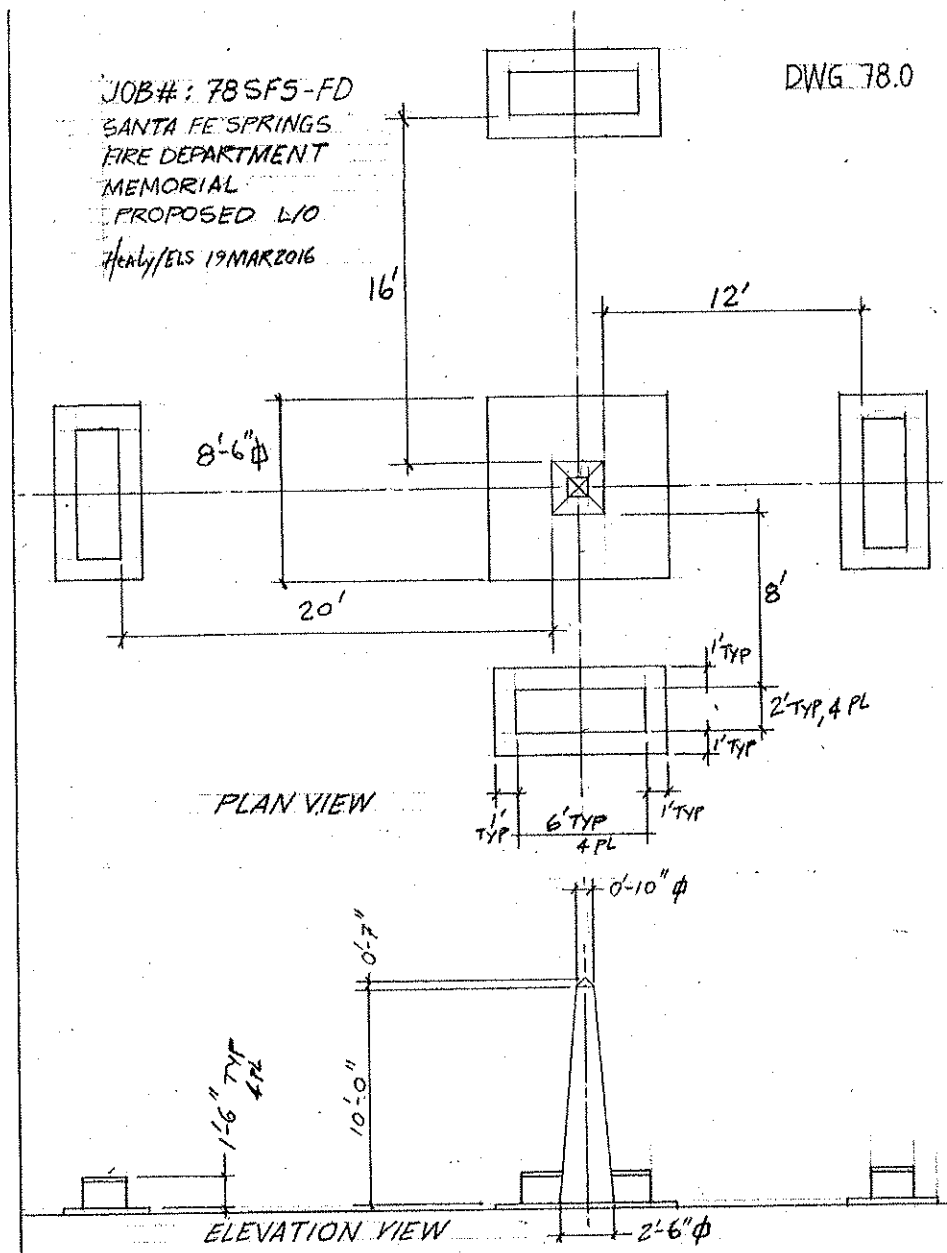


Figure 1 – Site Layout

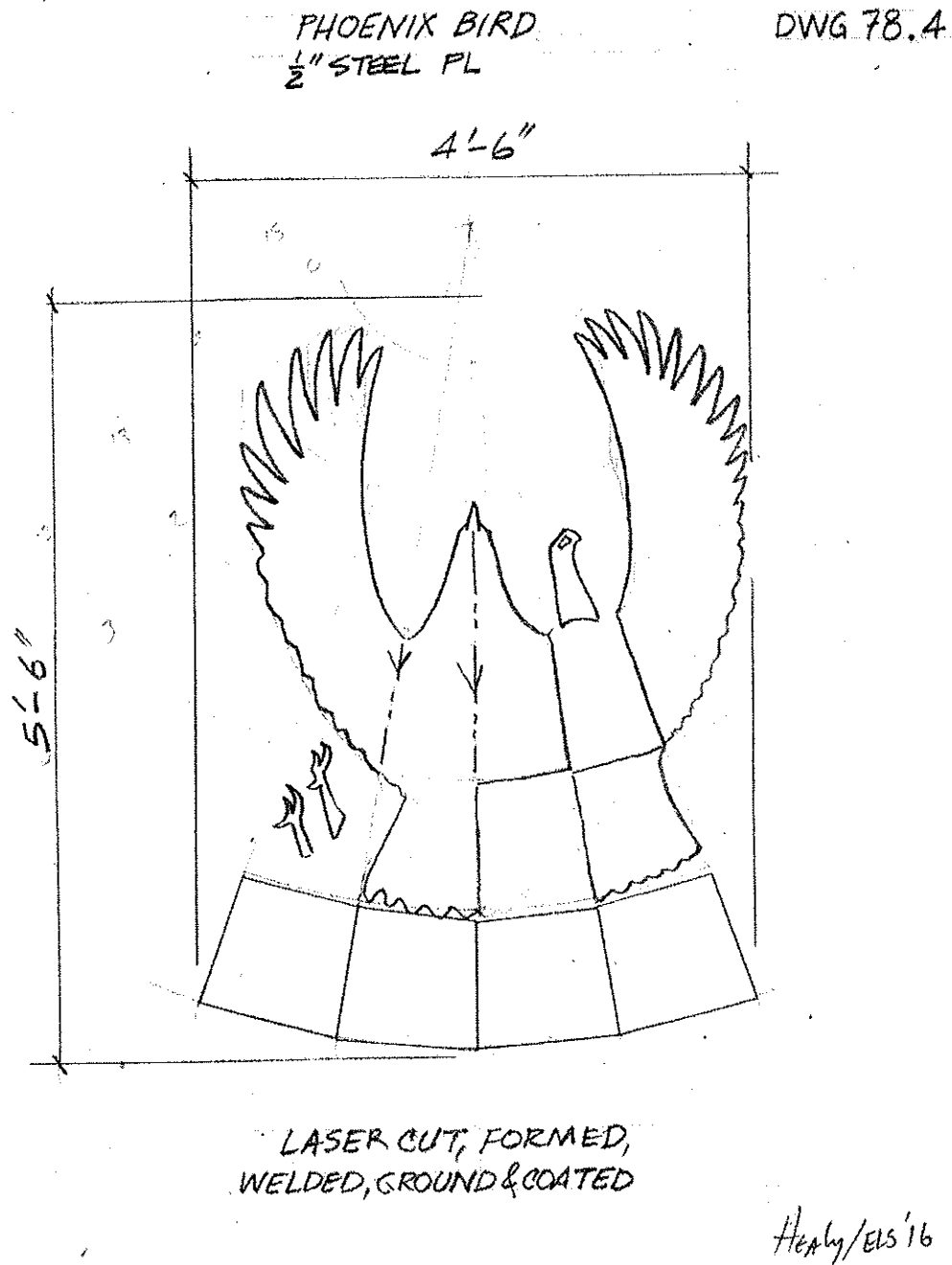
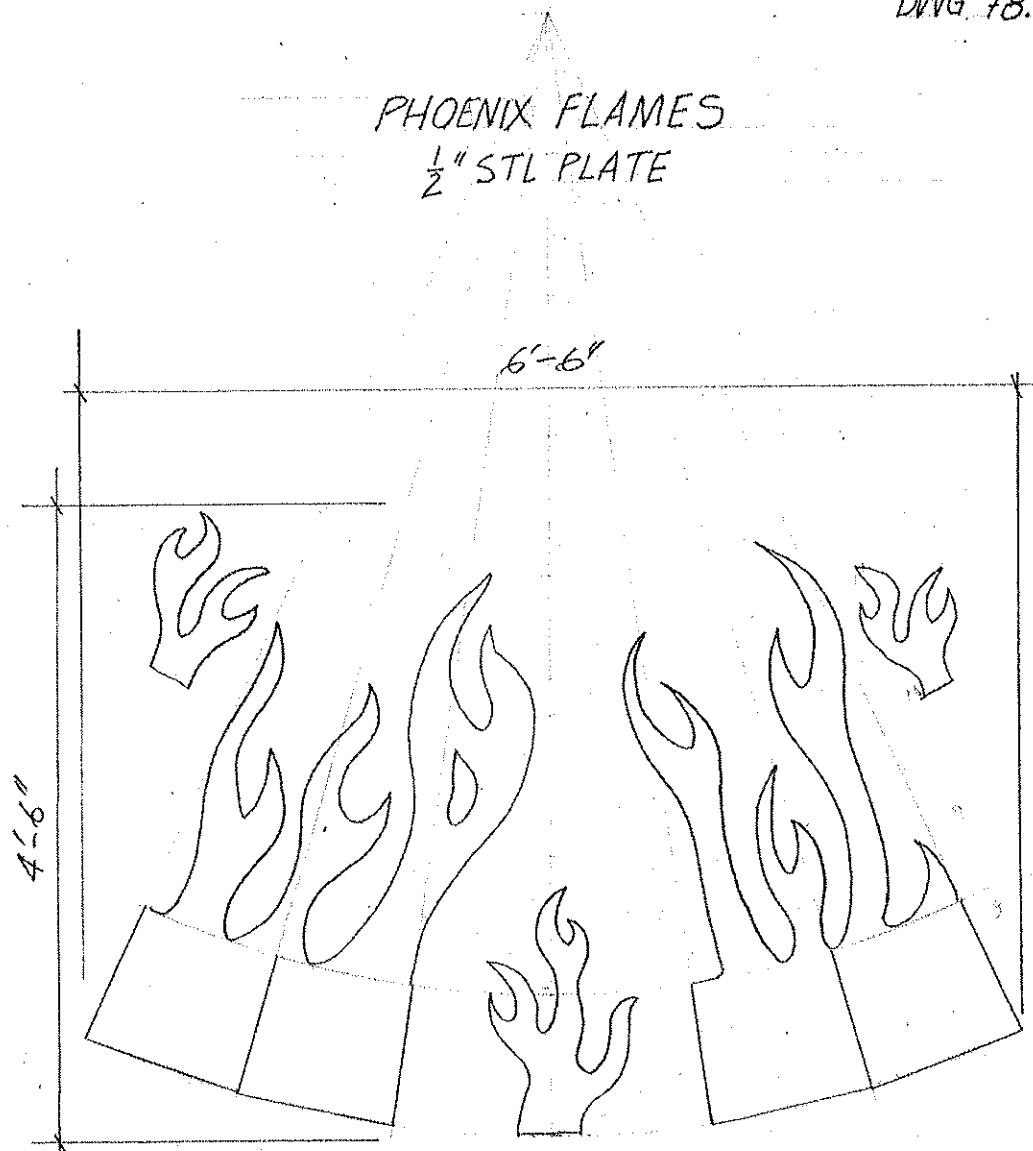


Figure 2 - Phoenix Laser Cut Sculpture

DWG 78.5



LASER CUT, FORMED,
WELDED, GROUND & COATED

Healy/els '16

Figure 3 – Phoenix Flames

DWG 78.6

*FOLDED UNIFORM
CAST BRONZE*

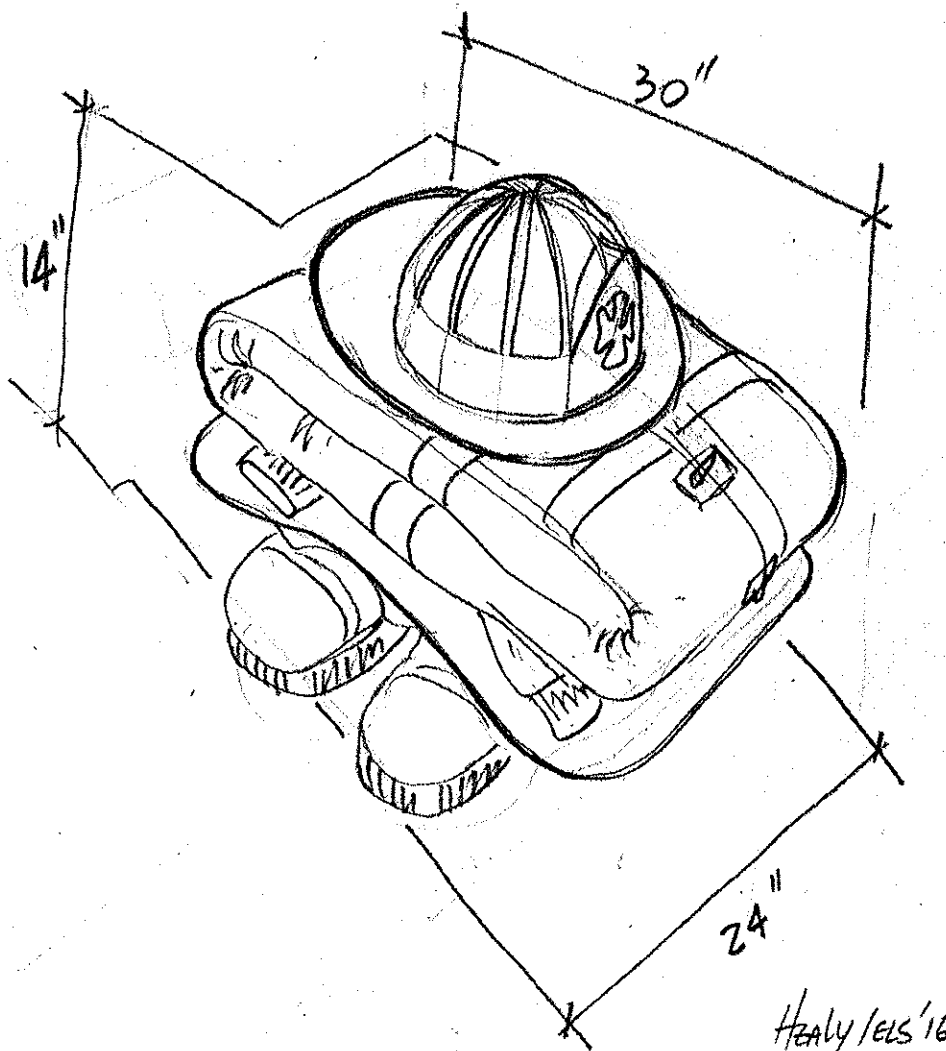
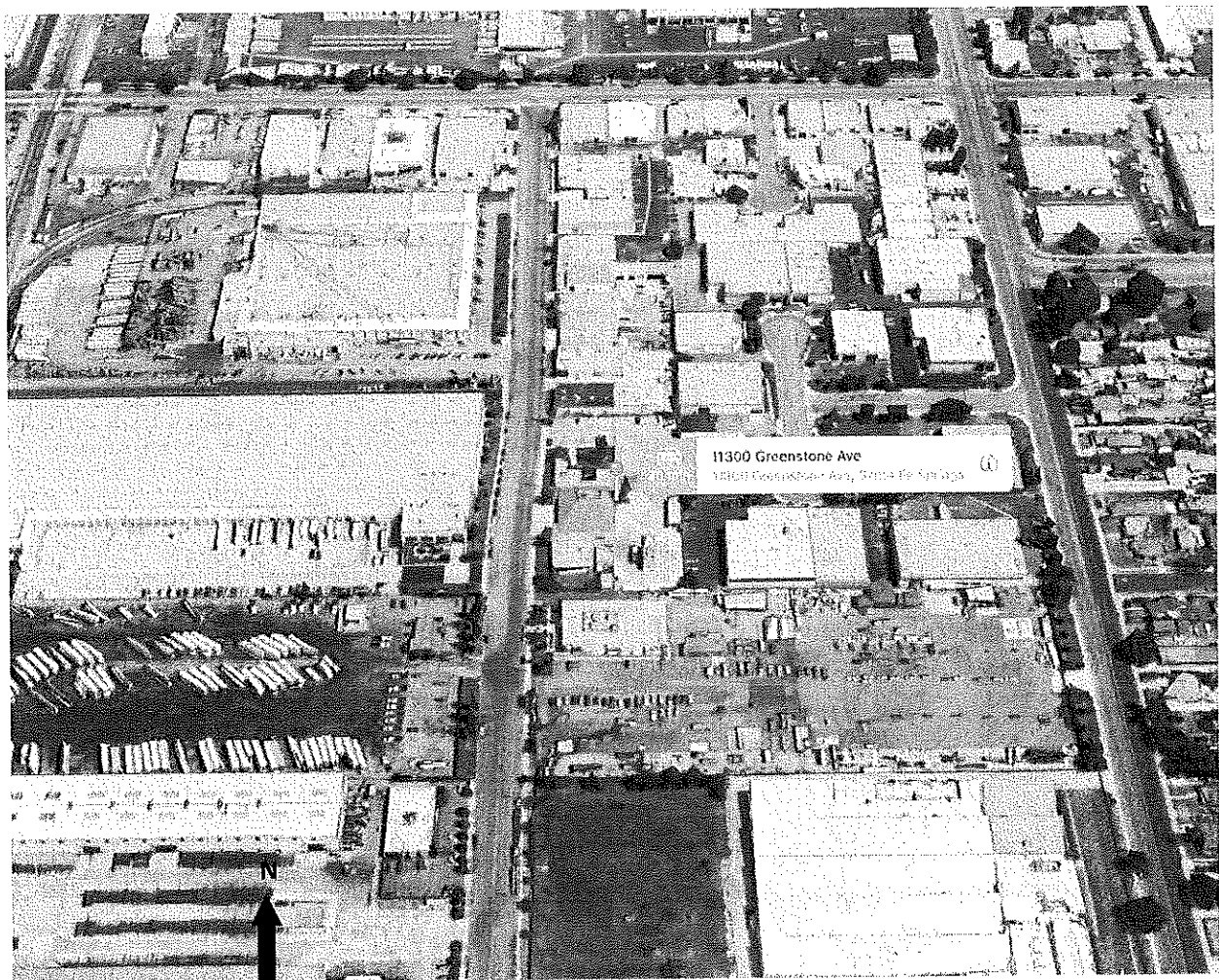


Figure 4 – Cast Bronze

EXHIBIT C

Artwork placement location at 11300 Greenstone Ave (conceptual)





City of Santa Fe Springs

City Council Meeting

January 26, 2017

PRESENTATION

Introduction of New Part-Time Employees in the Department of Community Services

RECOMMENDATION

The Mayor may wish to call upon the Community Services Director, Maricela Balderas to introduce the new part-time employees in the Department of Community Services.

Family & Human Services Division (FHS)

1. Jasmine Ruiz
2. Karina Flores
3. Stephen Gonzalez
4. Angelina Ramirez
5. Gloria Mejia
6. Antoinette Romo
7. David Aguilar

Library & Cultural Services Division (LCS)

8. Bobbi Mendoza

Parks & Recreation Services Division (PRS)

9. Gerardo Moreno
10. Kaitlyn Moncayo

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

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council Meeting

January 26, 2017

PRESENTATION

2016 Holiday Home Decorating Program Contest Winners

RECOMMENDATION

That the City Council recognize the 2016 Holiday Home Decorating Program contest winners.

BACKGROUND

The Holiday Home Decorating Contest Committee toured the City on Friday, December 16, 2016. The Committee, chaired by Mayor Bill Rounds, consisted of Beautification Committee members.

Homes that were judged by the committee were based on 19 city resident applicants. Applications were available to city residents beginning the week of Monday, November 27th through Wednesday, December 13th, 2016. Advertisement for the contest consisted of fliers sent home with school age students in our local schools, city brochure, web-site and applications available at city facilities and various city special events.

After touring the neighborhoods of decorated homes, the committee decided upon 9 homes which they felt best embodied the spirit of the contest and the holiday season. Each recipient who is being recognized will receive a lawn sign recognizing them as a 2016 award's recipient and an engraved picture plaque of their decorated home.

The 2016 contest winners have been invited to tonight's meeting to be recognized by the Council for their creativity and civic participation. The 2016 winners are:

Aguayo Family	11539 Flossmoor Rd.	"Winter Wonderland"
Tom & Noriko Fletcher	10425 Gridley Rd.	"Christmas Magic"
The Gomez Family	11214 Clarkman St.	"Holiday Spirit"
The Martin Family	10703 Roseton Ave.	"Best Window Display"
Pieper Family	11314 Clarkman St.	"Toyland"
The Pulley Family	12257 Holly Ct.	"Best Use of Space"

Report Submitted By: Jo Ann Madrid, Community Services Supervisor
Department of Community Services

Date of Report: January 20, 2017
ITEM NO. 19B



City of Santa Fe Springs

City Council Meeting

January 26, 2017

The Trigo Family	11437 Darcy St.	"Honorable Mention"
Manny Valdez	9832 Orr & Day Rd.	"Best Use of Lights"
The Wohlford Family	9208 Flallon Ave.	"Most Beautiful"

The Mayor may wish to call upon Jo Ann Madrid, Community Services Supervisor to assist with the presentation.

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

Thaddeus McCormack
City Manager

Report Submitted By: Jo Ann Madrid, Community Services Supervisor
Department of Community Services

Date of Report: January 18, 2017



City of Santa Fe Springs

City Council Meeting

January 26, 2017

PROCLAMATION

Proclamation declaring February 2017 as "Heart Health Month" in the City of Santa Fe Springs

RECOMMENDATION

That the City Council proclaim the month of February 2017 as "Heart Health Month" in the City of Santa Fe Springs.

BACKGROUND

According to the American Heart Association, heart disease is the leading cause of death for men and women in the United States. Every year, 1 in 4 deaths are caused by heart disease. Anyone can develop heart disease; risk factors including diabetes, obesity, poor diet, physical inactivity, and excessive alcohol consumption can also increase the likelihood of developing heart disease. Heart disease can be prevented when people make healthy choices and learn to manage their health conditions. Communities, health professionals, and families can work together to create opportunities for people to make healthier choices.

Although these opportunities are available year round, February has been designated as Heart Health Month to raise awareness and educate the public about this deadly disease. This annual campaign focuses on educating the public about the importance of preventing the disease by living healthy lives at home and in our communities.

This February, the City of Santa Fe Springs will proudly participate in Heart Health Month. The Department of Community Services has partnered with PIH Health to offer a series of health & wellness classes taught by PIH professionals at the Gus Velasco Neighborhood Center. The first series, "Live Your Best Life", begins February 27th from 9:30 a.m. – 11 a.m. The class topics will include: understanding important lab tests, eating healthier at home and on the go, and re-energizing your physical activity. This class is free and open to the entire community.

Additionally, we invite everyone to wear red on Friday, February 3, 2017 and show your support for heart health and saving lives. National Wear Red Day is the first Friday each February and it is a day to bring attention to heart disease, especially in women. Everyone is encouraged to wear red, know their cardiovascular risk and take action to live longer, healthier lives.



City of Santa Fe Springs

City Council Meeting

January 26, 2017

The Mayor may wish to call upon Maritza Sosa-Nieves, Management Assistant, to assist with the presentation.

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

Thaddeus McCormack
City Manager

Attachment
(Proclamation – Heart Health Month)

WHEREAS, the month of February is Heart Health Month, an annual campaign dedicated to raising awareness of heart disease and educating the public about the importance of preventing the disease by living heart healthy lives at home and in our communities; and

WHEREAS, heart disease causes 1 in 4 deaths each year in the United States; and

WHEREAS, 80 percent of cardiac incidents can be prevented with education and lifestyle changes; healthy changes can lower your risk of developing heart disease; and

WHEREAS, this February, the City of Santa Fe Springs will join the nationwide movement in support of healthier communities and healthier lives;

WHEREAS, the Department of Community Services has partnered with PIH Health to offer health and wellness classes to members of the community; and

NOW, THEREFORE, be it resolved that I, William K. Rounds, Mayor of the City of Santa Fe Springs, proclaim February 2017 as

“Heart Health Month”

in the City of Santa Fe Springs, and encourage all citizens to educate themselves about heart disease, learn how it can be prevented, and take the necessary steps toward a healthier lifestyle. Furthermore, I call upon all community members to get involved and help raise heart disease awareness by participating in National Wear Red Day on Friday, February 3, 2017 as a sign of commitment to fighting heart disease.

DATED this 26 day of January 2017

MAYOR WILLIAM K. ROUNDS



PRESENTATION

Youth Leadership Committee Report on Retreat to Green Valley, California held January 13 – 15, 2017 and Recognition of Retreat Sponsor

RECOMMENDATION

The Mayor may wish to call upon Wayne Bergeron, Community Services Supervisor to introduce Jenissa Casillas, Chairperson of the Youth Leadership Committee who will be making the presentation.

BACKGROUND

On January 13 – 15, 2017 the Youth Leadership Committee (YLC) participated in its annual leadership retreat in Green Valley, CA. The YLC worked in partnership with Parks and Recreation Services Division staff to team build, develop goals and review the responsibilities of the committee.

The Youth Leadership Committee Retreat was broken up into four sessions for the weekend. Session I focused on City structure and meeting etiquette. Session II focused specifically on the purpose of the Youth Leadership Committee. Session III was geared toward goal development and implementation. Session IV engaged committee members in strategic planning for 2017.

Highlights of the retreat included:

- Review and accomplishments of 2016 and goals for 2017
- Civic engagement and responsibility
- Team building activities
- Integrating new members into the Committee
- Develop goals for the Youth Leadership 2017 year
- Building self-confidence, teamwork, and leadership skills
- Recreational activities



City of Santa Fe Springs

City Council Meeting

January 26, 2017

This retreat would not have been possible without the generous contribution of Serv-Wel Disposal & Recycling. The Youth Leadership Committee would like to recognize Serv-Wel's President, Mr. John Prohorhoff, for his tremendous support of this retreat.

A handwritten signature in dark ink, appearing to read "Thaddeus McCormack", is written over a light blue horizontal line.

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council Meeting

January 26, 2017

APPOINTMENTS TO COMMITTEES AND COMMISSIONS

Committee	Vacancies	Councilmember
Beautification	1	Moore
Beautification	1	Rounds
Beautification	3	Sarno
Beautification	1	Trujillo
Historical	1	Rounds
Historical	3	Sarno
Historical	3	Trujillo
Historical	3	Zamora
Parks & Recreation	1	Trujillo
Parks & Recreation	2	Sarno
Senior Citizens	3	Moore
Senior Citizens	1	Rounds
Senior Citizens	1	Sarno
Senior Citizens	3	Trujillo
Senior Citizens	3	Zamora
Sister City	1	Moore
Sister City	3	Sarno
Sister City	1	Trujillo
Sister City	1	Zamora
Youth Leadership	1	Moore
Youth Leadership	3	Sarno
Youth Leadership	1	Trujillo
Youth Leadership	3	Zamora

Applications Received: None.

Recent Actions: Josefina Elizabeth Canchola was appointed to the Sister City Committee.

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

Thaddeus McCormack
City Manager

Attachments:
Committee Lists
Prospective Members

Prospective Members for Various Committees/Commissions

Beautification

Community Program

Family & Human Services

Heritage Arts

Historical

Personnel Advisory Board

Parks & Recreation

Planning Commission

Senior Citizens Advisory

Sister City

Traffic Commission

Youth Leadership

BEAUTIFICATION COMMITTEE

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

9:30 a.m., Town Center Hall

Qualifications: 18 Years of age, reside or active in the City

Membership: 25

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Juliet Ray	(18)
	Vacant	(18)
	Annie Petris	(17)
	Guadalupe Placencia	(17)
	Gloria Campos	(17)
Zamora	Mary Reed	(18)
	Charlotte Zevallos	(18)
	Doris Yarwood	(18)
	Vada Conrad	(17)
	Joseph Saiza	(17)
Rounds	Sadie Calderon	(18)
	Rita Argott	(18)
	Mary Arias	(17)
	Marlene Vernava	(17)
	Vacant	(17)
Sarno	Vacant	(18)
	Irene Pasillas	(18)
	Vacant	(18)
	May Sharp	(17)
	Vacant	(17)
Trujillo	Mary Jo Haller	(18)
	Nora Walsh	(18)
	Margaret Bustos*	(18)
	Vacant	(17)

**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 5:45 p.m., Gus Velasco Neighborhood Center

Qualifications: 18 Years of age, reside or active in the City

Membership: 15 Residents Appointed by City Council

5 Social Service Agency Representatives Appointed by the Committee

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Arcelia Miranda	(18)
	Martha Villanueva	(17)
	Margaret Bustos*	(17)
Zamora	Gaby Garcia	(18)
	Tina Delgado	(17)
	Gilbert Aguirre	(17)
Rounds	Annette Rodriguez	(18)
	Janie Aguirre	(17)
	Ted Radoumis	(17)
Sarno	Debbie Belmontes	(18)
	Linda Vallejo	(18)
	Hilda Zamora	(17)
Trujillo	Dolores H. Romero*	(18)
	Laurie Rios	(18)
	Bonnie Fox	(17)

Organizational Representatives:
(Up to 5)

Nancy Stowe
Evelyn Castro-Guillen
Elvia Torres
(SPIRITT Family Services)

**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 Gus Velasco
Neighborhood Center Room 1

Qualifications: 18 Years of age, reside or active in the City

Membership: 9 Voting Members
 6 Non-Voting Members

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Laurie Rios	6/30/2018
Zamora	Larry Oblea	6/30/2018
Rounds	Pauline Moore	6/30/2018
Sarno	Francis Carbajal	6/30/2018
Trujillo	Amparo Oblea	6/30/2018

Committee Representatives

Beautification Committee	Marlene Vernava*	6/30/2017
Historical Committee	Sally Gaitan	6/30/2017
Planning Commission	Gabriel Jimenez	6/30/2017
Chamber of Commerce	Debbie Baker	6/30/2017

Council/Staff Representatives

Council Liaison	
Council Alternate	Richard Moore
City Manager	Thaddeus McCormack
Director of Community Services	Maricela Balderas
Director of Planning	Wayne Morrell

**Indicates person currently serves on three committees*

HISTORICAL COMMITTEE

Meets Quarterly - The 2nd Tuesday of Jan., April, July, and Oct., at 5:30 p.m.,
Heritage Park Train Depot

Qualifications: 18 Years of age, reside or active in the City

Membership: 20

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Astrid Shesterkin	(18)
	Tony Reyes	(18)
	Amparo Oblea	(17)
	George Felix, Jr.	(17)
Zamora	Vacant	(18)
	Vacant	(18)
	Vacant	(17)
	Larry Oblea	(17)
Rounds	Vacant	(18)
	Linda Vallejo	(18)
	Mark Scoggins*	(17)
	Janice Smith	(17)
Sarno	Vacant	(18)
	Vacant	(18)
	Vacant	(17)
	Sally Gaitan	(17)
Trujillo	Vacant	(18)
	Vacant	(18)
	Merrie Hathaway	(17)
	Vacant	(17)

**Indicates person currently serves on three committees*

PARKS & RECREATION ADVISORY COMMITTEE

Meets the First Wednesday of the month, except Jul., Aug., and Dec., 7:00 p.m., Town Center Hall, Meeting Room #1

Subcommittee Meets at 6:00 p.m.

Qualifications: 18 Years of age, reside or active in the City

Membership: 25

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Mary Tavera	(18)
	Adrian Romero	(17)
	William Logan	(17)
	Ralph Aranda	(17)
	Kurt Hamra	(17)
Zamora	Michael Givens	(18)
	Ruben Gonzalez	(18)
	Jamie Castañeda	(18)
	Sally Gaitan	(17)
	Steve Gonzalez	(17)
Rounds	Kenneth Arnold	(18)
	Richard Legarreta, Sr.	(18)
	Johana Coca*	(18)
	Tim Arnold	(17)
	Mark Scoggins*	(17)
Sarno	Vacant	(18)
	Debbie Belmontes	(18)
	Lisa Garcia	(17)
	Vacant	(18)
	David Diaz-Infante	(17)
Trujillo	Miguel Estevez	(18)
	Andrea Lopez	(18)
	Vacant	(17)
	Anthony Ambris	(17)
	Arcelia Miranda	(17)

**Indicates person currently serves on three committees*

PERSONNEL ADVISORY BOARD

Meets Quarterly on an As-Needed Basis

Membership: 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 JUNE 30 OF
Council	Angel Munoz	6/30/2017
	Ron Biggs	6/30/2017
Personnel Advisory Board	Neal Welland	6/30/2020
Firemen's Association	Jim De Silva	6/30/2017
Employees' Association	Johnny Hernandez	6/30/2020

PLANNING COMMISSION

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

Qualifications: 18 Years of age, reside or active in the City

Membership: 5

APPOINTED BY

NAME

Moore

Ken Arnold

Rounds

Ralph Aranda

Sarno

John Mora

Trujillo

Frank Ybarra

Zamora

Gabriel Jimenez

SENIOR CITIZENS ADVISORY COMMITTEE

Meets the Second Tuesday of the month, except Jul., Aug., Sep., and Dec., at 9:30 a.m.,
Gus Velasco Neighborhood Center

Qualifications: 18 Years of age, reside or active in the City

Membership: 25

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Vacant	(18)
	Vacant	(18)
	Paul Nakamura	(18)
	Astrid Shesterkin	(17)
	Vacant	(17)
Zamora	Vacant	(18)
	Elena Lopez Armendariz	(18)
	Rebecca Lira	(18)
	Amelia Acosta	(17)
	Vacant	(17)
Rounds	Vacant	(18)
	Bonnie Fox	(18)
	Gilbert Aguirre	(17)
	Lorena Huitron	(17)
	Janie Aguirre	(17)
Sarno	Yoko Nakamura	(18)
	Linda Vallejo	(18)
	Hilda Zamora	(17)
	Vacant	(17)
	Ed Duran	(17)
Trujillo	Vacant	(18)
	Vacant	(18)
	Vacant	(18)
	Margaret Bustos*	(17)
	Vacant	(17)

**Indicates person currently serves on three committees*

SISTER CITY COMMITTEE

Meets the First Monday of every month, except Dec., at 6:45 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.

Qualifications: 18 Years of age, reside or active in the City

Membership: 25

APPOINTED BY	NAME	TERM EXPIRES JUNE 30 OF
Moore	Martha Villanueva	(18)
	Laurie Rios	(18)
	Mary K. Reed	(17)
	Peggy Radoumis	(17)
	Francis Carbajal	(17)
Zamora	Charlotte Zevallos	(18)
	Josefina E. Canchola	(18)
	Michele Carbajal	(17)
	Doris Yarwood	(17)
	Lucy Gomez	(17)
Rounds	Manny Zevallos	(18)
	Susan Johnston	(18)
	Robert Wolfe	(18)
	Ted Radoumis	(17)
	Vacant	(17)
Sarno	Jeannette Wolfe	(18)
	Vacant	(18)
	Vacant	(18)
	Vacant	(17)
	Cathy Guerrero	(17)
Trujillo	Vacant	(18)
	Andrea Lopez	(18)
	Dolores H. Romero*	(17)
	Marcella Obregon	(17)
	Miguel Esteves	(17)

**Indicates person currently serves on three committees*

TRAFFIC COMMISSION

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

Membership: 5

Qualifications: 18 Years of age, reside or active in the City

APPOINTED BY

NAME

Moore

Albert J. Hayes

Rounds

Ted Radoumis

Sarno

Alma Martinez

Trujillo

Greg Berg

Zamora

Nancy Romo

YOUTH LEADERSHIP COMMITTEE

Meets the First Monday of every month, at 6:30 p.m., Gus Velasco Neighborhood Center

Qualifications: Ages 13-18, reside in Santa Fe Springs

Membership: 20

APPOINTED BY	NAME	Term Expires in Year Listed or upon Graduation
Moore	Richard Aguilar	(17)
	Evony Reyes	(18)
	Zachary Varela	(17)
	Vacant	(17)
	Giovanni Sandoval	(18)
Zamora	Metztli Mercado-Garcia	(17)
	Vacant	(17)
	Vacant	(18)
	Vacant	(18)
Rounds	Andrew Chavez	(18)
	Jennisa Casillas	(17)
	Walter Alvarez	(18)
	Valerie Yvette A. Gonzales	(17)
Sarno	Vacant	(18)
	Rafael Gomez	(17)
	Vacant	(18)
	Vacant	(18)
Trujillo	Paul Legarreta	(17)
	Ionnis Panou	(18)
	Vacant	(17)
	Amber Marquez	(18)