



City of Santa Fe Springs

AGENDA

FOR THE ADJOURNED MEETINGS OF THE:
COMMUNITY DEVELOPMENT COMMISSION
CITY COUNCIL

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

NOVEMBER 9, 2009

6:00 P.M.

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

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

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 Council meeting or other services offered by the City, please contact the City Clerk's Office at (562) 868-0511. Notification of at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.*

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

1. **CALL TO ORDER**

2. **ROLL CALL**

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

COMMUNITY DEVELOPMENT COMMISSION

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

4. **CONSENT AGENDA**

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

Minutes

- A. Minutes of the Community Development Commission Meeting of October 22, 2009

Recommendation: That the Commission approve the Minutes as submitted.

NEW BUSINESS

5. Resolution No. 240-09 – Approving the Use of Community Development Commission Funds for the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard

Recommendation: That the Commission adopt Resolution No. 240-09 finding that the modification of the traffic signal at Slauson Avenue and Norwalk Boulevard benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the community; and transfer \$8,560 from Account No. 484-R514 to Account No. 484-R555 to complete the funding for this project.

6. Resolution No. 245-09 – Approving the Use of Community Development Commission Funds for the Acquisition of Certain Real Property Interests for the Valley View Grade Separation Project

Recommendation: That the Commission adopt Resolution No. 245-09 finding that the Valley View Grade Separation Project benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of the project is available within the community; appropriate the indicated amount from 2006 tax exempt bond proceeds to cover the probable just compensation established by the City Council and required by law for issuance of the Order for Possession; and authorize the City Manager, or

his designee, to execute all necessary documents and authorize the City Attorney's office and CDC staff to take all necessary steps to deposit said funds with the court.

7. Resolution No. 246-09 – Approving the Use of Community Development Commission Funds for the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) Project

Recommendation: That the Commission review and approve the design for the Four Corners Landscaping Project; amend the Adopted Capital Improvement Program for FY 2006-07 through FY 2011-12 to include the Four Corners Landscaping Project; adopt Resolution No. 246-09 finding that the Four Corners Landscaping Project benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the community; appropriate \$160,000.00 from unallocated 2006 CDC bond funds from Account No. 484-350 to 484-R553 to complete the funding for this project; accept the bids for the Four Corners Landscaping; and award a contract to Belaire West Landscape, Inc. of Buena Park, California in the amount of \$78,286.00.

8. Request for Assistance by and Agreement with Frederick J. Hanshaw Regarding Installation and Use of Electronic Readerboard Sign

Recommendation: That the Commission approve Resolution No. 244-2009; approve the use of CDC funds to assist in the cost to install a replacement electronic readerboard sign and approve an appropriation from CDC funds in an amount not to exceed 50% of the total cost, or \$45,000, whichever is less; and authorize the Executive Director to effectuate the provisions of Resolution No. 244-2009 and execute the Agreement.

CITY COUNCIL

9. **CONSENT AGENDA**

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

Minutes

A. Minutes of the City Council Meeting of October 22, 2009

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

PUBLIC HEARING

10. Consideration of Adoption of Resolutions of Necessity Nos. 9224, 9225 and 9226 for the Acquisition by Eminent Domain of Certain Real Property Interests for Public Purposes for the Valley View Grade Separation Project

Recommendation: That the City Council separately consider Resolution Nos. 9224, 9225 and 9226; conduct a Public Hearing on the adoption of the proposed Resolutions of

Necessity, receive from staff the evidence stated and referred to in the Agenda report, take testimony from any person wishing to be heard on issues A, B, C, and D as stated in the report, consider all evidence to determine whether to adopt each proposed Resolution of Necessity; and if the City Council finds that the evidence warrants the necessary findings with respect to each of the proposed Resolutions of Necessity, then staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution Nos. 9224, 9225 and 9226 (each of which require a 4/5 vote of the entire Council) and authorize the City Attorney's office to file an eminent domain proceeding to acquire the subject real property interests; authorize the City Attorney's office and City staff to take all necessary steps to deposit with the court the amount of probable compensation required by law for issuance of the Order for Possession; and authorize the City Manager, or his designee, to execute all necessary documents.

PUBLIC HEARING

11. Resolution No. 9228 – Approval of the I-5 (Valley View Avenue to San Gabriel River) Freeway Agreement

Recommendation: That the City Council conduct the Public Hearing; and adopt Resolution No. 9228 approving the I-5 (Valley View Avenue to San Gabriel River) Freeway Agreement and authorize the Mayor to sign the Agreement.

PUBLIC HEARING

12. General Plan Amendment No. 23
Resolution No. 9229

Request to amend the land use map of the City's General Plan from the existing land use designation of "Business Park" to "Multi-Family Residential" on three existing parcels at 9830 Jersey Avenue, 9841 Alburdis Avenue and 9851 Alburdis Avenue

Recommendation: That the City Council conduct the Public Hearing; and adopt Resolution No. 9229 approving General Plan Amendment Case No. 23.

PUBLIC HEARING

13. Zone Change Case No. 131
Ordinance No. 1005

Request for approval to change the zoning designation for three existing parcels at 9830 Jersey Avenue, 9841 Alburdis Avenue, and 9851 Alburdis Avenue from ML, Limited Manufacturing Administration and Research, Zone to R-3-PD, Multiple-Family Residential-Planned Development, Zone

Recommendation: That the City Council conduct the Public Hearing; find that Zone Change Case No. 131 satisfies the criteria and conditions set forth in Section 155.825 et seq. of the City Code for the granting of a change of zone; find that Zone Change Case No. 131 is consistent with the City's General Plan as amended by General Plan Amendment Case No. 23; find that the 2.67 plus acres of property is suitable for the requested change of zone; and introduce and waive further reading of Ordinance No. 1005.

ORDINANCE FOR INTRODUCTION

14. Ordinance No. 1006 – Amending Section 130.04 of the City Code Banning Smoking within Public Parks

Recommendation: That the City Council waive further reading and introduce Ordinance No. 1006, an ordinance amending Section 130.04 of the City Code to make it unlawful to smoke within public parks.

NEW BUSINESS

15. Resolution No. 9230 – Approving the Use of Community Development Commission Funds for the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard

Recommendation: That the City Council adopt Resolution No. 9230 finding that the modification of the traffic signal at Slauson Avenue and Norwalk Boulevard benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of the project is available within the community.

16. Resolution No. 9231 – Request for Parking Restriction on Arctic Circle

Recommendation: That the City Council adopt Resolution No. 9231, which would prohibit parking of vehicles weighing over 6,000 pounds on the south side of Arctic Circle beginning at a point 1,600 feet east of the centerline of Shoemaker Avenue to a point 2,000 feet east of the centerline of Shoemaker Avenue and implement a tow-away zone for vehicles that violate the restriction.

17. Resolution No. 9232 – Approving the Use of Community Development Commission Funds for the Acquisition of Certain Real Property Interests for the Valley View Avenue Grade Separation Project

Recommendation: That the City Council adopt Resolution No. 9232 finding that the Valley View Grade Separation Project benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of the project is available within the community.

18. Resolution No. 9233 – Approving the Use of Community Development Commission Funds for the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) Project

Recommendation: That the City Council adopt Resolution No. 9233 finding that the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of the project is available within the community.

19. Renewal of Concession Agreement with Ebrahim Ghaneian

Recommendation: That the City Council renew the Concession Agreement with Ebrahim (Ebie) Ghaneian to operate the kitchen at Heritage Park and grant him exclusive catering rights for weddings and large picnics at Heritage Park. This agreement shall be for a five-year period, October 1, 2009 through October 1, 2014.

20. Request for Transfer of Trucking Use Time Extension Entitlement

Recommendation: That the City Council approve the transfer of the rights and privileges granted by the Trucking Use Time Extension issued to Yellow Freight Systems, Inc. to Crown Enterprises, Inc. subject to the same terms and conditions set forth in the original Memorandum of Understanding.

21. Request for Approval of a Recyclable Materials Dealer Permit for Pivco Recycling Company

Recommendation: That the City Council approve the issuance of Recyclable Materials Dealer Permit No. 18 to Pivco Recycling for an annual renewal period set to expire on June 30, 2010, subject to the conditions of approval.

22. Review and Consideration of the San Gabriel Watershed and Mountains Special Resource Study Position Paper

Recommendation: That the City Council approve the recommendations in the Position Paper and authorize the City Manager and staff to prepare and send comments to the National Park Service regarding the San Gabriel Watershed and Mountains Special Resource Study.

23. Authorization to Sign a Memorandum of Understanding (MOU) between the City of Santa Fe Springs and the City of Norwalk to Provide Grant Administration Services for Federal Transit Administration Grant CA-04-0141

Recommendation: That the City Council authorize the City Manager to execute an MOU between the City of Santa Fe Springs and the City of Norwalk to provide grant administration services for Federal Transit Administration Grant CA-04-0141, which provides \$475,000 to the City of Santa Fe Springs for the Transportation Center Parcel B Parking Expansion Project.

24. Amendment of Water Rates and Related Charges for FY 2009-2010

Recommendation: That the City Council direct staff to initiate proceedings in accordance with Proposition 218 to consider implementing a 12.0% increase in water rates and 7.0% increase in service charges as of February 1, 2010.

UNFINISHED BUSINESS

25. Designation of Waste Hauler to Provide Solid Waste Collection and Disposal Services for the Villages at Heritage Springs Housing Development

Recommendation: That the City Council designate Serv-Wel Disposal as the provider of solid waste collection and disposal services for the Villages at Heritage Springs Housing Development; authorize staff to prepare the requisite amendments to the Franchise Agreement between Serv-Wel and the City; and maintain service with the current provider of waste disposal services at City facilities.

Please note: *Item Nos. 26 - 37 will commence in the 7:00 hour*

26. **INVOCATION**

27. **PLEDGE OF ALLEGIANCE**

INTRODUCTIONS

28. Representatives from the Youth Leadership Committee

29. Representatives from the Chamber of Commerce

30. Chamber of Commerce Citizens of the Year

31. **ANNOUNCEMENTS**

PRESENTATIONS

32. Presentation to the City Council from the American Cancer Society

33. Proclaiming November 15, 2009 as "America Recycles Day in Santa Fe Springs"

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

Committee Appointments

35. **ORAL COMMUNICATIONS**

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

36. **EXECUTIVE TEAM REPORTS**

37. ADJOURNMENT

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

Barbara Earl, CMC
City Clerk

November 4, 2009
Date

MINUTES

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

CITY OF SANTA FE SPRINGS
OCTOBER 22, 2009

1. **CALL TO ORDER**

Chairperson/Mayor Gonzalez, at 6:07 p.m., called the Public Financing Authority, Water Utility Authority, Community Development Commission and City Council meetings to order.

2. **ROLL CALL**

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

Also present: Fred Latham, City Manager; Barbara Earl, City Clerk; Steve Skolnik, City Attorney; Paul Ashworth, Director of Planning and Development; Don Jensen, Director of Public Works; Fernando Tarin, Director of Police Services; Maricela Balderas, Director of Family & Human Services; Jose Gomez, Director of Finance & Administrative Services; Chris Crispo sitting in for Alex Rodriguez, Fire Chief

PUBLIC FINANCING AUTHORITY

3. **APPROVAL OF MINUTES**

Public Financing Authority Meeting of September 24, 2009

Recommendation: That the Authority approve the Minutes as submitted.

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

NEW BUSINESS

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

Recommendation: That the Authority receive and file the report.

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

WATER UTILITY AUTHORITY

APPROVAL OF MINUTES

5. Water Utility Authority Meeting of September 24, 2009

Recommendation: That the Authority approve the Minutes as submitted.

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

NEW BUSINESS

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

Recommendation: That the Authority receive and file the report.

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

COMMUNITY DEVELOPMENT COMMISSION

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

Executive Director Paul Ashworth advised that Heraeus Metal had requested their conditional use permit be continued to the November 9 Planning Commission meeting to give them time to work out some outstanding issues with the AQMD.

8. **CONSENT AGENDA**

A. Minutes

Minutes of the Regular Community Development Commission Meeting of October 8, 2009

Recommendation: That the Commission approve the Minutes as submitted.

Award of Contract

- B. Neighborhood Center Temporary Senior Center and Office Facility**

Recommendation: That the Commission accept the bids for the Neighborhood Center Temporary Senior Center and Office Facility and award the contract to the lowest responsible bidder, if acceptable.

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

City Manager Latham directed the Commissioners to the updated report before them, which reflected a bid 26.75% below estimate.

CITY COUNCIL

12. CONSENT AGENDA

Minutes

- A. Minutes of the Regular City Council Meeting of October 8, 2009

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

New Business

- B. Agreement with the City of Irwindale to Provide Traffic Signal Maintenance Services

Recommendation: That the City Council approve the Agreement with the City of Irwindale to provide signal maintenance services; and authorize the City Manager to execute the Agreement on behalf of the City.

Final Payment

- C. Miscellaneous Street Repairs (FY 2008/09 Program)

Recommendation: That the City Council approve the Final Progress Payment (less 5% retention) to Hardy & Harper, Inc. of Santa Ana, CA in the amount of \$119,806.00 for the subject project.

Councilmember Velasco moved to approve the Consent Agenda, including Item Nos. 12A, 12B and 12C. Councilmember Rounds seconded the motion, which carried unanimously.

Councilmember Rounds, referring to Item 12B, thanked staff for coming to Council with items that will bring revenue in to the City.

ORDINANCE FOR PASSAGE

13. Ordinance No. 1004 – Community Facilities District No. 2009-01 (Villages at Heritage Springs)

Recommendation: That the City Council waive further reading and adopt Ordinance No. 1004 entitled “An Ordinance of the City Council of the City of Santa Fe Springs Levying Special Taxes within City of Santa Fe Springs Community Facilities District No. 2009-01 (Villages at Heritage Springs).”

City Attorney Skolnik read Ordinance No. 1004 by title as follows: An Ordinance of the City Council of the City of Santa Fe Springs Levying Special Taxes Within City of Santa Fe Springs Community Facilities District No. 2009-01 (Villages at Heritage Springs).

Councilmember Velasco moved to waive further reading and introduce Ordinance No. 1004. Councilmember Serrano seconded the motion, which carried by the following roll call vote:

AYES: Putnam, Rounds, Serrano, Velasco, Gonzalez

NOES:

ABSENT:

ABSTAIN:

NEW BUSINESS

14. Acceptance of Dedication and Approval of Tract Map No. 71030 – Villages at Heritage Springs

Recommendation: That the City Council accept the sewer and water easement dedications on the Final Map and approve Tract Map No. 71030; find that Tract Map No. 71030 is consistent with the City's General Plan; and authorize the City Engineer and City Clerk to sign Tract map No. 71030.

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

15. Adoption of Resolution No. 9227 – Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing Certain other Actions in Connection therewith

Recommendation: That the City Council adopt Resolution No. 9227 and the Proposition 1A Purchase and Sale Agreement.

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

COUNCILMEMBER -REQUESTED ITEM – COUNCILMEMBER SERRANO

16. Creation of a Milestone Event Celebration Program

Recommendation: Should Council wish to adopt the Program, to do so as defined by staff's report.

Councilmembers Velasco and Rounds questioned the legality of presenting newborns with \$25 U.S. Savings bonds.

City Attorney Skolnik stated that he did not foresee any problems with the issuance of savings bonds, especially in light of the small denomination proposed.

Mayor Pro Tem Putnam stated that it was a bad time to start such a program in light of the City's budget challenges; the program should be re-introduced when the City is in a stronger position. She also stated that staff were too busy to manage another program.

Councilmember Serrano moved the recommendation but revised it to remove the issuance of U.S. Savings bonds to newborns. Councilmember Velasco seconded the motion, which carried by the following roll call vote:

AYES: Rounds, Serrano, Velasco, Gonzalez

NOES: Putnam

ABSENT:

ABSTAIN:

RECESS

Mayor Gonzalez, at 6:23 p.m., recessed the meetings to go into Closed Session.

COMMUNITY DEVELOPMENT COMMISSION

CLOSED SESSION

9. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
County of Los Angeles Challenge of Redevelopment Project Area Amendments
No. of Cases: 2

CLOSED SESSION

10. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: 13473 Telegraph Road
Negotiating Parties: Staff and Property/Business Owner
Under Negotiation: Terms of Agreement

CITY COUNCIL

CLOSED SESSION

11. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
No. of Cases: 1

RECONVENE

Mayor Gonzalez, at 7:05 p.m., reconvened the meetings with all Councilmembers present.

CITY COUNCIL

17. **INVOCATION**

Mayor Pro Tem Putnam gave the Invocation.

18. **PLEDGE OF ALLEGIANCE**

Mayor Gonzalez led the Pledge of Allegiance followed by a moment of silence for former City employee John Rodriguez.

INTRODUCTIONS

19. Representatives from the Youth Leadership Committee
No representatives were present.

20. Representatives from the Chamber of Commerce
No representatives were present.

21. Introduction and Recognition of Pro-Bono Attorneys for Legal Services Program
Eddie Ramirez, Family & Human Services Supervisor, introduced those attorneys who were present. Mayor Gonzalez presented each with a certificate of appreciation; pictures with Council followed.

PRESENTATIONS

23. Red Ribbon Contest Winners
Kim Sawyer, Public Safety Educator, introduced the winners by age group. Mayor Gonzalez presented each with a certificate of accomplishment; pictures with Council followed.

24. Introduction of Pow Wow Princess and Invitation to Attend the 2009 Pow Wow at Heritage Park

Jerry Edwards, Heritage Park Supervisor, introduced Ed Nunez, 2009 Pow Wow Coordinator. Mr. Nunez thanked Council for their continued support of the Pow Wow, gave an overview of the activities planned, and invited Council and the audience to attend.

22. ANNOUNCEMENTS

City Manager Latham advised that the flat screen monitor had been installed in the lobby and would be used to advertise various City-sponsored events and for public information announcements; announced that the City's 73rd piece of public art entitled "The Construction Worker" was installed today at the Kiewit site; and announced that Bob Comstock, Developer of the Villages Housing Project, was interviewed about the project on radio this afternoon. The interview was played for Council and the audience.

Thaddeus McCormack, Assistant to the City Manager, reminded Council of the LAEDC Awards to be held on November 12 in which the City was a finalist in the "Most Business Friendly" category.

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

APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS

25. Committee Appointments
Councilmember Rounds appointed Lisa Baeza to the Youth Leadership Committee.

Councilmember Velasco appointed Hector Renteria to the Parks & Recreation Committee.

26. ORAL COMMUNICATIONS

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

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

27. EXECUTIVE TEAM REPORTS

No reports were given.

RECESS

Chairperson/Mayor Gonzalez, at 7:45 p.m., recessed the meetings to resume the Closed Session.

28. RECONVENE/ADJOURNMENT

Chairperson/Mayor Gonzalez, at 8:35 p.m., reconvened the meetings and immediately adjourned them in the memories of John "Big John" Rodriguez, long-time Public Works employee; Consuelo Nunez and Evelyn Moorman, long-time Santa Fe Springs residents; and John Watson, former City employee.

Luis M. Gonzalez
Chairperson/Mayor

ATTEST:

Barbara Earl, CMC, City Clerk



CITY ENGINEER'S REPORT

Resolution No. 240-09 – Approving the Use of Community Development Commission Funds for the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard

RECOMMENDATION

That the Community Development Commission take the following actions:

1. Adopt Resolution No. 240-09 finding that the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the Community; and
2. Transfer \$8,560 from Account No. 484-R514 to Account No. 484-R555 to complete the funding for this project.

BACKGROUND

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

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

MODIFICATION OF THE TRAFFIC SIGNAL AT SLAUSON AVENUE AND NORWALK BOULEVARD

This project involves the installation of protected/permissive left turn phasing for northbound traffic at the intersection of Slauson Avenue and Norwalk Boulevard. This intersection is jointly owned by the County of Los Angeles (93%) and the City of Santa Fe Springs (7%). The County completed a traffic study that indicated that left turn phasing was warranted for northbound traffic due to the delays to northbound left turning vehicles.

Report Submitted By:

Don Jensen, Director
Department of Public Works

Date of Report: November 3, 2009

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Since the County owns 93% of the intersection, they would be responsible for the design and construction of the improvements. The total estimated cost of the project including engineering, inspection, and contingency is \$122,250. Based on 7% ownership, the City's share of the cost would be \$8,560.

FISCAL IMPACT

This project will not adversely affect the current maintenance costs for this signal.

INFRASTRUCTURE IMPACT

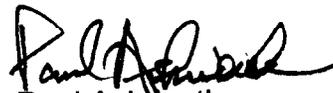
This project will reduce the delay to northbound left turning motorists.

FINDINGS

1. That the modification of the traffic signal at Slauson Avenue and Norwalk Boulevard is of benefit both within and outside the Consolidated Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from the Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager



Paul Ashworth
Executive Director

Attachment(s)

Resolution No. 240-09

RESOLUTION NO. 240-09

A RESOLUTION OF THE
COMMUNITY DEVELOPMENT COMMISSION OF THE
CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE MODIFICATION OF THE TRAFFIC SIGNAL AT SLAUSON
AVENUE AND NORWALK BOULEVARD

WHEREAS, the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard will be of benefit to the community within the Consolidated Redevelopment Project Area; and

WHEREAS, the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard will improve and eliminate blighting influences within the City; and

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

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

Section 1: The Adopted Capital Improvements Program for FY 2006-07 through FY 2011-12 is amended to include the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard

Section 2: The expenditure of funds from the Community Development Commission is hereby authorized for the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard; and

Section 3: The Director of Finance and Administrative Services is authorized to transfer \$8,560 from Account No. 484-R514 (Traffic Signal Modifications for FY 07-08) to 484-R555 to cover the cost of the authorized project.

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

APPROVED and ADOPTED this 9th day of November 2009.

CHAIRPERSON

ATTEST:

COMMISSION SECRETARY



City of Santa Fe Springs

Community Development Commission Meeting

November 9, 2009

APPROPRIATION OF FUNDS

Resolution No. 245-09 – Approving the Use of Community Development Commission Funds for the Acquisition of Certain Real Property Interests for the Valley View Grade Separation Project

RECOMMENDATION

It is recommended that the Community Development Commission take the following actions:

1. Adopt Resolution No. 245-09, finding that the Valley View Grade Separation Project benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of the project is available within the community;
2. With respect to each of the following Resolutions of Necessity, provided the Resolution has been adopted by the City Council, appropriate the indicated amount from 2006 Tax Exempt Bond Proceeds to cover the probable Just Compensation established by the City Council and required by law for issuance of the Order for Possession:

a.	Resolution No. 9224	\$1,021,959.00
b.	Resolution No. 9225	\$ 516,162.00
c.	Resolution No. 9226	\$ 6,358.00
3. Authorize the City Manager, or his designee, to execute all necessary documents and authorize the City Attorney's office and CDC staff to take all necessary steps to deposit said funds with the Court.

BACKGROUND

Under a separate item on the agenda for November 9, 2009 the City Council will consider adoption of three (3) proposed Resolutions of Necessity for the acquisition of a partial fee interest, permanent street easements, permanent utility easements and temporary construction easements in connection with the Valley View Avenue Grade Separation Project ("Project").

The real property interests sought to be acquired for the Project are for a public use, namely for the construction and maintenance of the Valley View Avenue Grade Separation Project ("Project") which is a joint project of the Cities of Santa Fe Springs and La Mirada in cooperation with Caltrans, Division of Rail and the BNSF Railroad. The purpose of the Project is to improve safety and traffic flow along Valley View Avenue that is interrupted by the existing at-grade BNSF railroad crossing.

Report Submitted By:

Don Jensen, Director 
Department of Public Works

Date of Report: November 3, 2009

As required by applicable State and Federal laws, the City of Santa Fe Springs, pursuant to California Government Code Section 7262 *et seq.*, obtained appraisals of the fair market value of the Real Property Interests needed to complete the Project, set just compensation in accordance with the appraised fair market value and has extended written offers to the owners of record. To date, offers made by the City of Santa Fe Springs have not been accepted.

Should the City Council decide to acquire these real property interests through eminent domain, a total of \$1,544,479 will need to be deposited with the Court. A breakdown of the total amount is provided below.

Northwest Quadrant of the Project

One property in the northwest quadrant will be affected by the Project. It is located within the City of Santa Fe Springs and is identified as follows:

- 14515 – 14565 Valley View Avenue (APN 8069-006-042)

The amount of Just Compensation for the right-of-way that needs to be acquired from this property has been determined by the City Council to be \$1,021,959.00.

Southwest Quadrant of the Project

Two properties within the southwest quadrant of the Project will be affected by the proposed Project. Both are located within the City of Santa Fe Springs.

Property No. 1 includes the following parcels:

- 14027 Borate Street (APN 8069-008-031)
- 14100 Borate Street (APN 8069-008-033)
- 14103 Borate Street (APN 8069-008-032)

The amount of Just Compensation for the right-of-way that needs to be acquired from this property has been determined by the City Council to be \$516,162.00.

Property No. 2 includes the following parcels:

- 15015 Valley View Avenue (APN 8069-008-025)
- 15015 Valley View Avenue (APN 8069-008-035)

The amount of Just Compensation for the right-of-way that needs to be acquired from this property has been determined by the City Council to be \$6,358.00.

Appropriation of CDC Funds

Pursuant to California Community Redevelopment Law, Section 33445, the City

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

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

FISCAL IMPACT

Project costs, including the cost of property acquisition, will be reimbursed from Federal, State and County funds that have been allocated to the project. Local funds will be needed only to make initial payments. Once the City acquires possession of the properties described above, the City will be able to request reimbursement from the State and Federal funding sources and will then be able to repay the CDC. Staff believes reimbursement will be completed within the next twelve months.

INFRASTRUCTURE IMPACT

This action does not have a direct impact on City infrastructure. However, any delays in securing the real property interests referenced herein will have a significant impact on the City's ability to complete, and the current schedule for completing, the Project.

FINDINGS

1. That the Valley View Grade Separation Project is of benefit both within and outside the Consolidated Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from the Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager



Paul Ashworth
Executive Director

Attachment(s):
Resolution No. 245-09

RESOLUTION NO. 245-09

A RESOLUTION OF THE
COMMUNITY DEVELOPMENT COMMISSION OF THE
CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE VALLEY VIEW GRADE SEPARATION PROJECT

WHEREAS, the Valley View Grade Separation Project will be of benefit to the community within the Consolidated Redevelopment Project Area; and

WHEREAS, the Valley View Grade Separation Project will improve and eliminate blighting influences within the City by converting the existing at-grade crossing of Valley View Avenue and the BNSF track into a grade separated intersection; and

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

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

Section 1: The expenditure of funds from the Community Development Commission is hereby authorized for the Valley View Grade Separation Project; and

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

APPROVED and ADOPTED this 9th day of November 2009.

CHAIRPERSON

ATTEST:

COMMISSION SECRETARY



City of Santa Fe Springs

Community Development Commission Meeting

November 9, 2009

AWARD OF CONTRACT

Resolution No. 246-09 – Approving the Use of Community Development Commission Funds for the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road)

RECOMMENDATION

That the Community Development Commission take the following actions:

1. Review and approve the design for the Four Corners Landscaping Project (northwest corner of Telegraph Road and Santa Fe Springs Road);
2. Amend the Adopted Capital Improvement Program for FY 2006-07 through FY 2011-12 to include the Four Corners Landscaping Project (northwest corner of Telegraph Road and Santa Fe Springs Road);
3. Adopt Resolution No. 246-09 finding that the Four Corners Landscaping Project (northwest corner of Telegraph Road and Santa Fe Springs Road) benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the Community;
4. Appropriate \$160,000.00 from unallocated 2006 CDC Bond Funds from Account No. 484-350 to 484-R553 to complete the funding for this project;
5. Accept the bids for the Four Corners Landscaping; and
6. Award a contract to Belaire West Landscape, Inc. of Buena Park, California, in the amount of \$78,286.00.

BACKGROUND

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

1. That buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the project is located, regardless of whether the improvements are within another project area, or in the case of a project area in which substantially all of the land is publicly owned that the improvements are of benefit to an adjacent project area of the agency.

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

Date of Report: November 4, 2009

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2. That no other reasonable means of financing such buildings, facilities, equipment, structure, or other improvements, are available to the community.

FOUR CORNERS LANDSCAPING (TELEGRAPH RD./SANTA FE SPRINGS RD.)

Staff was tasked with developing a design to provide landscaping, irrigation and screening for the northwest corner of Telegraph Road and Santa Fe Springs Road. Upon completion of design, staff was directed to seek informal bids for the project construction.

The City has an easement on the northwest corner of Telegraph Road and Santa Fe Springs Road which was originally granted for a fountain to be constructed at this location. The proposed improvements include the placement of imported top soil to create a berm on the north side of the corner. At the top of the berm, landscape materials (trees and shrubs) consistent with the planting pallet of the Telegraph Road Corridor Master Plan will be installed along with a corresponding irrigation system.

Adjacent hardscape improvements (sidewalk, access ramp and mow strip) will accompany the landscape improvements. Temporary fencing with wind screen will be installed along Telegraph Road and Santa Fe Springs Road to limit the view of the oil fields in the background.

Bids were opened on October 27, 2009, and a total of four (4) bids were received. The low bidder for the project was Belaire West Landscape, Inc. of Buena Park, California, in the amount of \$78,286.00. The Department of Public Works has reviewed the bids and found the low bid submitted by Belaire West Landscape, Inc. to be satisfactory. The following represents the bids received and the amount of each bid:

<u>Company</u>	<u>Bid Amount</u>
Belaire West Landscape, Inc.	\$78,286.00
Hondo Company, Inc.	\$86,713.40
Marina Landscape	\$97,705.18
Yakar	\$99,020.50

The low bid of \$78,286.00 is 21.71% below the Engineer’s Estimate of \$100,000.00.

Staff requests an appropriation in the amount of \$160,000.00 from unallocated 2006 CDC Bond Funds to fund this project. The appropriation will cover the construction, design, inspection, contingency, fencing and three-year maintenance for the project.

FISCAL IMPACT

The on-going maintenance for this project is covered for a three-year term.

INFRASTRUCTURE IMPACT

This project will reduce blighting influences at the northwest corner of Telegraph Road and Santa Fe Springs Road.

FINDINGS

1. That the four corners landscaping project at Telegraph Road/Santa Fe Springs Road is of benefit both within and outside the Consolidated Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from the Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager



Paul Ashworth
Executive Director

Attachment(s)
Resolution No. 246-09

(4 to 5)

60" Box Oak Trees



Privet Hedge
on top of berm

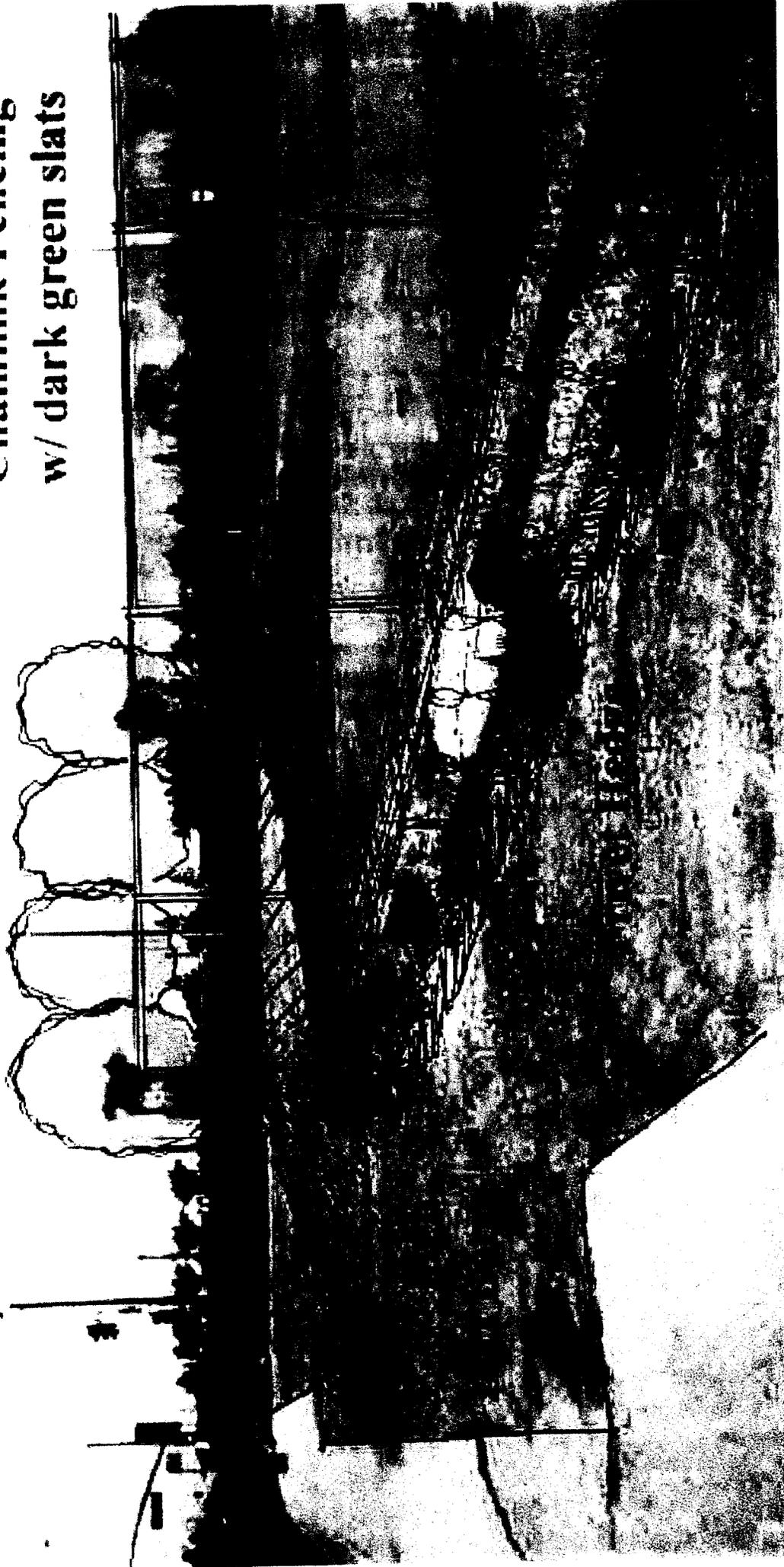


Landscape planting scheme to match other corners of intersection

(4 to 5)

60" Box Oak Trees

Chainlink Fencing
w/ dark green slats



RESOLUTION NO. 246-09

A RESOLUTION OF THE
COMMUNITY DEVELOPMENT COMMISSION OF THE
CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE FOUR CORNERS LANDSCAPING (TELEGRAPH ROAD/SANTA FE
SPRINGS ROAD)

WHEREAS, the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project will be of benefit to the community within the Consolidated Redevelopment Project Area; and

WHEREAS, the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project will improve and eliminate blighting influences within the City; and

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

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

Section 1: The expenditure of funds from the Community Development Commission is hereby authorized for the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project; and

Section 2: The Director of Finance and Administrative Services is authorized to appropriate \$160,000 from Account No. 484-350 to 484-R553 to cover the cost of the authorized project.

Section 3: The Commission Secretary shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 9th day of November 2009.

CHAIRPERSON

ATTEST:

COMMISSION SECRETARY



City of Santa Fe Springs

Adjourned Community Development Commission

November 9, 2009

NEW BUSINESS

Request for Assistance by and Agreement with Frederick J. Hanshaw Regarding Installation and Use of Electronic Readerboard Sign.

Consideration of a request for financial assistance involving the installation and use of a new (replacement) electronic readerboard sign at the Promenade Shopping Center, adoption of Resolution No. 244-2009 making findings relative to the use of Community Development Commission funds for this assistance.

RECOMMENDATION

It is recommended that the Community Development Commission take the following action:

1. That the Community Development Commission approve Resolution No. 244-2009 which makes findings relative to providing financial assistance to Fredrick J. Hanshaw for the installation and use of a new (replacement) electronic readerboard sign at the Promenade Shopping Center, 11452 Telegraph Road.
2. That the Community Development Commission approve the use of CDC funds to assist in the cost to install a replacement electronic readerboard sign, and approve an appropriation from Community Development Commission funds in an amount not to exceed 50% of the total cost, or \$45,000, whichever is less.
3. That the Community Development Commission authorize the Executive Director to effectuate the provisions of Resolution No. 244-2009 and execute the attached Agreement.

BACKGROUND

The Promenade Shopping Center at the southeast corner of Orr and Day Road and Telegraph Road is a multi-tenant retail shopping center that is centrally located to serve the city's residential community. The existing electronic messageboard sign on the property is outdated and inoperable; replacement parts are not available to reactivate the sign. The owner of the Promenade Shopping Center, Frederick J. Hanshaw, is requesting financial



City of Santa Fe Springs

Adjourned Community Development Commission

November 9, 2009

assistance toward the cost of installing a new, replacement electronic readerboard sign. Mr. Hanshaw contends that a new readerboard sign, to replace an existing, inoperable monochrome messageboard, will improve advertising outreach for the tenants within the shopping center, thereby leading to improved sales. Mr. Hanshaw feels that the new readerboard sign is particularly needed now to help bolster sales during the current economic slowdown.

The proposed new readerboard sign, to be installed within the existing sign cabinet, will provide vivid, LED full-color capabilities. Mr. Hanshaw contends that the new readerboard sign is similar to electronic signs already used by other shopping centers; consequently, the proposed new readerboard sign will allow the Promenade Shopping Center's tenants to enjoy the advertising advantage other shopping centers already have.

FISCAL IMPACT

Providing financial assistance to help offset the cost of a new (replacement) electronic readerboard sign will require an appropriation of Community Development Commission funds in an amount not to exceed \$45,000. It is noted that the Community Development Commission has sufficient undesignated funds for economic development purposes, and that said financial assistance will benefit the project area by enhancing economic development.

Frederick W. Latham
City Manager

Paul R. Ashworth
Executive Director

Attachment(s)

Resolution No. 244-2009

Agreement between Frederick J. Hanshaw and CDC

Copy of Sales Agreement between Vendor and Hanshaw

RESOLUTION NO. 244-2009

A RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF SANTA FE SPRINGS
APPROVING AN AGREEMENT WITH
FREDERICK J. HANSHAW

WHEREAS, Frederick J. Hanshaw (“Owner”) owns the Promenade Shopping Center in the City of Santa Fe Springs and in the Consolidated Redevelopment Project Area; and

WHEREAS, Owner’s property, upon which the Promenade Shopping Center is located, is an important generator of sales tax revenue to the City, and the continuing economic vitality of the Promenade Shopping Center is important to the City’s continuing ability to fund essential services and to the continuing success of redevelopment activities in the Consolidated Project Area; and

WHEREAS, Owner intends to install a new electronic “readerboard” sign, to replace an existing, outdated and inoperable sign, as described in the agreement attached hereto as Exhibit “A” (the “Agreement”); and

WHEREAS, the installation of such new sign is likely to contribute to the continuing economic vitality of Owner’s Promenade Shopping Center; and

WHEREAS, pursuant to the Agreement, the Community Development Commission is purchasing from Owner the right to use the readerboard sign for civic, community and redevelopment purposes,

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

Section 1: The Community Development Commission hereby adopts each of the findings set forth above.

Section 2: The Community Development Commission approves the Agreement, for the purposes described therein and set forth above.

Section 3: The Executive Director is authorized and directed to execute the Agreement on the Commission’s behalf, in order to effectuate the provisions of this Resolution.

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

PASSED, APPROVED AND ADOPTED this ___ day of _____, 2009.

Chairperson Luis M. Gonzalez

ATTEST:

Commission Attorney

AGREEMENT
BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF SANTA FE SPRINGS
AND
FREDERICK J. HANSHAW
REGARDING INSTALLATION AND USE OF READERBOARD SIGN

This Agreement is made and entered into as of _____, 2009, by and between the Community Development Commission of the City of Santa Fe Springs (“Commission”) and Frederick J. Hanshaw (“Hanshaw”), owner of the Promenade Shopping Center upon which the subject readerboard sign is located.

RECITALS

A. Hanshaw is owner of the property that is developed with the Promenade Shopping Center located in the City of Santa Fe Springs (the “City”), commonly known as 11452 Telegraph Road (the “Property”).

B. The Promenade Shopping Center, a multi-tenant retail center centrally located to serve the city’s residential area, is an important producer of sales tax revenue in the City; as such, the continuing vitality of the Hanshaw’s Promenade Shopping Center is significant to the City and to its residents.

C. Hanshaw has determined, and Commission agrees, that the installation of two single face, full color LED displays within the existing sign cabinet (the “Sign”) at the Property would help to maximize retail sales activity at Hanshaw’s Promenade Shopping Center, and would also provide a forum for the displaying of messages, generated by the City and Commission, which would benefit the City, its residents and its Redevelopment Project Areas.

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

1. Hanshaw shall contract to have said Sign installed in the size, design, manner and location as depicted and described in the exhibits attached hereto, which exhibits are incorporated by reference herein.

2. Within 15 days after the later of (i) the issuance of a Certificate of Completion for the construction of the Sign and (ii) receipt by Commission of satisfactory proof of the amount expended by Hanshaw to install the Sign, Commission will pay to Hanshaw an amount equal to 50% of such amount expended by Hanshaw, with Commission’s obligation capped at \$45,000.

3. In installing the Sign, Hanshaw shall comply with all applicable laws, regulations and permits, including the "prevailing wage laws" of the state of California, which apply to this project due to the expenditure of public funds.

4. For the life of the Sign or a maximum of 10 years, the CDC shall be entitled to receive 25% of the message board time, for any public purpose.

5. For the life of the Sign or a maximum of 10 years, Hanshaw shall not display or permit any messages which do not relate directly to the activities of tenants occupying space within the Promenade Shopping Center.

6. Neither Commission nor the City shall have any responsibility for the expenses of operating or maintaining the Sign.

7. Should Hanshaw fail to obtain a Certificate of Completion for the Sign by _____, then Commission's obligations pursuant to this Agreement will terminate.

8. The provisions of this Agreement shall be binding upon Hanshaw's successors-in-interest.

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

Community Development Commission
of the City of Santa Fe Springs

Frederick J. Hanshaw, owner,
Promenade Shopping Center

Paul Ashworth, Executive Director

Frederick J. Hanshaw, Owner

EMI
ELECTRA-MEDIA, INC.
SALES AGREEMENT

Customer

Santa Fe Springs Promenade
11442-11570 Telegraph Road
Santa Fe Springs, Ca 90670

Equipment Address:

Same

I/We hereby order for purchase under the terms and conditions of this agreement, incorporated herein by reference, the following product(s):

Product Description: Remove two (2) single face old LED display faces from existing double face sign cabinet. Re-use existing sign cabinet, pylon structure, and identification display. Existing cabinet dimensions (7' 6 3/4" high x 24' 1/4" wide), fabricate and install two (2) new single face, full color LED displays (64 pixels high by 208 pixels wide) 33mm resolution with host computer (Windows Software), modem and A. C. unit for remote controller in sign, time & temperature, and automatic dimming circuit.

Maintenance Contract: Includes Five (5) year factory warranty on LED parts. Two year Labor Maintenance Contract, first year at no charge and second year at \$390 per month, includes crane labor, technicians, troubleshooting, shipping and monitoring of parts being repaired and returned and restored back in sign. Also includes service to fix or replace LED components, modules, power supplies, interface cards, line drivers, modem, and controller, along with preventative maintenance calls once per month over and above emergency calls.

Delivery: 90 days from date permits are obtained and down payment is received.

Electrical & Phone: Reuse existing electrical, and phone line. Customer agrees to upgrade phone line to DSL line. (EMI to help coordinate).

Note: Does not include modification or up grade to existing cabinet structure or steel pylon structure.

City Permits: Includes coordinating and processing City building permit for LED face change. A \$1,200.00 permit fee to paid upon signing for City application fees. Upon approval of permit deposit will apply towards purchase price. **Note: actual cost of City application fees and final building permit fee are to be billed separately.**

<u>Price</u>		<u>Payment Terms</u>	
Equipment & Labor:	\$ 86,129.00	\$ 22,096.25	25% down upon signing
Applicable Sales Tax:	\$ 2,256.00	\$ 22,096.25	25% Upon delivery of display
Total With Tax:	\$ 88,385.00	\$ 44,192.50	50% Upon completion

IN WITNESS WHEREOF, Owner and EMI have executed this agreement this 3rd day of November, 2009.

Owner: Santa Fe Springs Promenade
11442-11570 Telegraph Road
Santa Fe Springs, Ca 90670

Electra Media, Inc. (310-725-0816)
4737 W. 156th Street
Lawndale, CA 90260

By _____

By _____
Rod Wilson

Date _____

Date _____

PLEASE REFER TO ITEM NO. 4A

9-A



City of Santa Fe Springs

City Council Meeting

November 9, 2009

PUBLIC HEARING

Consideration of Adoption of Resolutions of Necessity Nos. 9224, 9225 and 9226 for the Acquisition by Eminent Domain of Certain Real Property Interests for Public Purposes for the Valley View Grade Separation Project

RECOMMENDATION

It is recommended that the City Council take the following actions:

1. Separately consider each of the following Resolutions:
 - a. Resolution No. 9224 – A Resolution of Necessity of the City of Santa Fe Springs declaring certain real property interests located at 14515-14565 Valley View Avenue, and further identified as Assessor's Parcel Number 8069-006-042, necessary for public purposes and authorizing the acquisition thereof, in connection with the Valley View Grade Separation Project;
 - b. Resolution No. 9225 – A Resolution of Necessity of the City of Santa Fe Springs declaring certain real property interests located at 14027, 14103 and 14100 Borate Street, and further identified as Assessor's Parcel Number 8069-008-031, 032 and 033, necessary for public purposes and authorizing the acquisition thereof, in connection with the Valley View Grade Separation Project;
 - c. Resolution No. 9226 – A Resolution of Necessity of the City of Santa Fe Springs declaring certain real property interests located at 15015 Valley View Avenue, and further identified as Assessor's Parcel Number 8069-008-025 and 035, necessary for public purposes and authorizing the acquisition thereof, in connection with the Valley View Grade Separation Project.
2. Open and conduct a Public Hearing on the adoption of the proposed Resolutions of Necessity, receive from staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D as stated in the Report, and consider all evidence to determine whether to adopt each proposed Resolution of Necessity, each of which requires the City Council's separate consideration and determination;
3. If the City Council finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at this hearing, and all written testimony submitted to the City Council, that the evidence warrants the necessary findings with respect to each of the proposed Resolutions of Necessity, then staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution Nos. 9224, 9225 and 9226 (each of which requires a 4/5 vote of the entire Council) and authorize the City Attorney's office to file an eminent domain proceeding to acquire the following real property interests:

Report Submitted By: Don Jensen, Director
Public Works Department

Date of Report: October 29, 2009

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RECOMMENDATION (CONT'D)

- a. Portions of 14515 – 14565 Valley View Avenue (Assessor's Parcel Number 8069-006-042) for a partial fee take, permanent street easement, permanent utility easement and temporary construction easements;
- b. Portions of three (3) contiguous parcels on Borate Street, identified as follows:
 - i. 14027 Borate Street (Assessor's Parcel Number 8069-008-031) for a permanent utility easement;
 - ii. 14103 Borate Street (Assessor's Parcel Number 8069-008-032) for permanent utility easements;
 - iii. 14100 Borate Street (Assessor's Parcel Number 8069-008-033) for permanent utility easements and a temporary construction easement.
- c. Portions of 15015 Valley View Avenue (Assessor's Parcel Numbers 8069-008-025 and 8069-008-035) for a permanent utility easement.

These real property interests are referred to collectively as "Subject Property Interests" and are described more particularly in the Exhibits attached to each Resolution of Necessity. Each Resolution also contains a drawing depicting the location of the real property interests in relation to the Valley View Avenue Grade Separation Project. Said Resolutions together with their Exhibits are attached hereto and incorporated in this Report by this reference;

4. With respect to each Resolution of Necessity that is approved, authorize the City Attorney's office and City staff to take all necessary steps to deposit with the Court the amount of probable compensation required by law for issuance of the Order for Possession; and
5. Authorize the City Manager, or his designee, to execute all necessary documents.

BACKGROUND

The City Council has before it three (3) proposed Resolutions of Necessity for the acquisition of a partial fee interest, permanent street easements, permanent utility easements and temporary construction easements on certain real properties located on Valley View Avenue and Borate Street in the City of Santa Fe Springs in connection with the Valley View Avenue Grade Separation Project ("Project"). The real property interests sought to be acquired for the Project are for a public use, namely for the construction and maintenance of a grade separation, and all purposes necessary and convenient thereto in connection with the Project pursuant to the authority conferred upon the City of Santa Fe Springs to acquire property by eminent domain by California Government Code sections 37350, 37350.5, 37351, 40401 and

40404 and California Code of Civil Procedure section 1230.010, *et seq.* (Eminent Domain Law), including, but not limited to sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.150, 1240.410, 1240.510, 1240.610, 1240.650, and other provisions of law.

The Valley View Avenue Grade Separation Project ("Project") is a joint project of the Cities of Santa Fe Springs and La Mirada in cooperation with Caltrans, Division of Rail and the BNSF railroad. The purpose of the Project is to improve safety and traffic flow along Valley View Avenue that is interrupted by the existing at-grade BNSF railroad crossing.

Four (4) permanent fee takings, fourteen (14) permanent easements, and fourteen (14) temporary construction easements from 8 parcels located adjacent to the proposed grade separation will be necessary to construct the Project. Construction is expected to commence in August 2010 and be completed within 30 months.

The Cities of Santa Fe Springs and La Mirada have studied the existing grade crossing at Valley View Avenue and Stage Road and have determined that the proposed Project will reduce traffic congestion in and around the intersection of Valley View Avenue and Stage Road. A true and correct copy of the environmental assessment report for the Valley View Grade Separation project is on file in the office of the Director of Public Works for both the City of Santa Fe Springs and La Mirada and is incorporated into this report by this reference.

As shown more fully below, the real properties that are the subject of the Resolutions of Necessity to be considered by the City Council for the City of Santa Fe Springs are necessary for the proposed Project. The "Subject Property Interests" the City seeks to acquire for the proposed Project are described as follows:

- Portions of 14515 – 14565 Valley View Avenue (Assessor's Parcel Number 8069-006-042) for a partial fee take, permanent street easement, permanent utility easement and temporary construction easements;
- Portions of 3 contiguous parcels on Borate Street, identified as follows:
 - 14027 Borate Street (Assessor's Parcel Number 8069-008-031) for a permanent utility easement;
 - 14103 Borate Street (Assessor's Parcel Number 8069-008-032) for permanent utility easements;
 - 14100 Borate Street (Assessor's Parcel Number 8069-008-033) for permanent utility easements and a temporary construction easement; and
- Portions of 15015 Valley View Avenue (Assessor's Parcel Numbers 8069-008-025 and 8069-008-035) for a permanent utility easement.

Legal descriptions of each of the real property interests the City seeks to acquire for the proposed Project are attached as Exhibits "A" to each Resolution of Necessity. Maps depicting the location of the real property interests the City seeks to acquire in relation to the proposed Project are attached to each of the above Resolutions of Necessity as Exhibits "B". Each Resolution and their respective Exhibits "A" and Exhibits "B" are incorporated into this Report by this reference.

In order to adopt each Resolution of Necessity with respect to the Subject Property Interests, the City Council must find and determine with respect to each proposed acquisition that:

- A. The public interest and necessity require the proposed Project;
- B. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury;
- C. The Subject Property Interests described in each Resolution of Necessity are necessary for the proposed Project; and
- D. The City has made an offer as required by Government Code section 7267.2 to each of the owners of record of the real property it seeks to acquire.

The amount of just compensation is not an issue before the City Council at this hearing. This hearing relates to issues A, B, C, and D above.

DISCUSSION

Description of Proposed Project and Environmental Review

The proposed Project requires a grade separation along Valley View Avenue and construction of a new railroad bridge with three tracks across the Valley View Avenue right-of-way in order to eliminate the existing at-grade crossing. The primary element of the Project will involve lowering the intersection of Valley View Avenue and Stage Road by approximately 21 feet so that Valley View traffic will be able to drive under the railroad bridge. However, while all four quadrants adjacent to this intersection will be impacted, no buildings will need to be acquired or modified, nor does the proposed project require any existing businesses to be relocated in order to complete construction. Additionally, appropriate mitigation measures will be implemented to address impacts on affected parking areas, access to private property and disruption of private utility services.

The widths of Valley View Avenue and Stage Road will be unchanged. However, to allow for the lowering of the intersection of Valley View Avenue and Stage Road, temporary sheeting and permanent retaining walls will be constructed within the adjacent properties via permanent road and slope easements. The limits on Valley View Avenue where work will be done are approximately 750 feet north of Stage Road and extend to 900 feet south of Stage Road. The lowest point of elevation on Valley View Avenue will be 21 feet below before condition street grade and 16 feet

below the bottom of the steel bridge of the railroad at the BNSF railroad crossing. The project will necessitate the modification and, in some cases, the relocation of driveways along Valley View Avenue and the north side of Stage Road west of Valley View that are within the limits of the Project, to meet the new street grade. The Project will also require extensive relocation, removal and reconstruction of all affected utility lines, including public water, sewer and drainage lines.

Northeast Quadrant of the Project

Three properties within the northeast quadrant will be affected by the proposed Project. All three are located within the City of La Mirada. They are identified as follows:

- Property No. 1: 14324 San Ardo Drive (APN 8061-033-006)
- Property No. 2: 14330 San Ardo Drive (APN 8061-033-005)
- Property No. 3: 14652 Valley View Avenue (APN 8061-033-021)

With respect to each property, an 11-foot wide permanent property acquisition and a 4-foot wide temporary construction easement will be needed along the rear of these three single family residential properties for the Project for utility systems, roadway, and sidewalk construction purposes. A reinforced concrete retaining wall will be constructed within the fee acquisition area to allow for the lowering of Stage Road to the new elevation. In the before condition, these properties are approximately three feet above existing Stage Road grade level, and the acquisition areas are improved with landscaped planters. Utilities will be relocated and a new sidewalk will be constructed. The difference in street grade along Stage Road will be gradual from zero to 21 feet at the intersection with Valley View Avenue.

Northwest Quadrant of the Project

One property in the northwest quadrant will be affected by the Project. It is located within the City of Santa Fe Springs and is identified as follows:

- 14515 – 14565 Valley View Avenue (APN 8069-006-042)

With respect to this property, a variety of temporary and permanent easements will be needed to accommodate the construction of new curb, gutter, sidewalk, landscaped slope, retaining walls, and utility relocation. Approximately 28-1/2 feet will be needed from adjacent private property along Stage Road and approximately 33 feet will be needed from property adjacent to Valley View Avenue. The southern driveway for this property along Valley View Avenue will be relocated approximately 45 feet to the north. The eastern driveway for this property along Stage Road to the adjacent property will be relocated approximately 65 feet to the west. Both driveways will be modified to join the new elevation for Valley View Avenue and Stage Road respectively. The change in grade of Valley View Avenue will be from zero to 21 feet at the intersection with the BNSF under crossing with 16 feet of clearance under the new railroad bridge. During construction, there will be a temporary loss of parking spaces in order to accommodate a temporary detour road, utility relocation and construction.

Southwest Quadrant of the Project

Two properties within the southwest quadrant of the Project will be affected by the proposed Project. Both are located within the City of Santa Fe Springs.

Property No. 1 includes the following parcels:

- 14027 Borate Street (APN 8069-008-031)
- 14100 Borate Street (APN 8069-008-033)
- 14103 Borate Street (APN 8069-008-032)

With respect to this property, twenty-five feet will be needed along Stage Road for relocation of utilities and approximately 25 feet will be needed along Valley View Avenue for new curb, gutter, sidewalk and retaining walls. The driveway on Valley View for this property will be modified to join the new elevation for Valley View Avenue. The change in grade along Valley View Avenue will be from zero to 21 feet at the intersection with Stage Road north of the undercrossing. During construction, there will be a temporary loss of parking spaces to some of the properties, to allow for construction of a temporary detour road, utility relocation and other construction.

Property No. 2 includes the following parcels:

- 15015 Valley View Avenue (APN 8069-008-025)
- 15015 Valley View Avenue (APN 8069-008-035)

With respect to this property, a small rectangular permanent easement will be needed to accommodate the relocation of an existing power pole. This pole needs to be relocated in order to accommodate the construction of a temporary detour road.

Southeast Quadrant of the Project

Two properties within the southeast quadrant of the Project will be affected by the proposed Project. Both are located within the City of La Mirada.

Property No. 1 includes the following parcel:

- 14830 Valley View Avenue (APN 8069-009-021)

With respect to this property, approximately 11-3/4 feet will be needed along the Valley View frontage of this property to accommodate the construction of new curb, gutter, sidewalk, a landscaped slope, retaining walls and utility relocation. A 5-foot wide utility easement will be necessary as well to accommodate some utility relocation work. The northern driveway to this property will be reconstructed to meet the new grade of Valley View. In the before condition, the existing northern parking lot for this property is situated about 5 feet below street grade. In the after condition, the northern parking area will be about 4 feet above street grade. The building will sit about 8 feet above street grade in the after condition. Due to the change in grade and

needed right of way, the northernmost parking area of the corner parcel will have to be regraded and striped. As a result, portions of this parking area will be as much as 7 feet lower than they are in the existing condition with respect to the adjacent building and a new exterior stairwell will need to be constructed for pedestrian access. The adjacent southerly driveway for this property will be reprofiled to meet the new grade of Valley View. The change in grade of Valley View Avenue along the frontage of this property will be from zero to 21 feet at the intersection with the BNSF undercrossing.

Property No. 2 includes the following parcel:

- 14950-14952 Valley View Avenue (APN 8069-009-020)

A temporary construction easement ranging in size from six feet to fifteen feet in width will be needed along the Valley View frontage of this property to accommodate the construction of new sidewalk and utility pole relocation work. A 40-foot by 50-foot temporary construction easement will also be needed so that the existing driveway can be modified to meet the new grade of Valley View. Along the north side of this property, and also along the west side of the property, two 10-foot wide permanent utility easements will be needed to accommodate the relocation of underground utilities.

Supplemental Information

The existing at-grade crossing will need to be isolated in order to construct the new railroad bridge and grade separation. Given that requirement, staff evaluated the following options for accommodating construction:

1. Completely closing Valley View for the full duration of construction
2. Constructing a detour road to the east
3. Constructing a detour road to the west

With over 25,000 cars travelling through the intersection on an average daily basis, closing Valley View was determined to be impractical as all traffic would have to be detoured to other streets. This option would also have had significant impacts on the access to existing businesses and residences.

Constructing a detour road to the east was also found to be impractical for two reasons. First, in the northeast quadrant it would have required the existing frontage road adjacent to residential properties to be removed. Secondly, constructing a detour road in the southeast quadrant would have required the demolition of the existing building at 14830 Valley View.

Subsequently, staff concluded that the most feasible solution was to construct the detour road to the west of the existing crossing. There will be two lanes for each direction in order to accommodate current traffic volumes on Valley View Avenue. The detour road will impact adjacent private property on both the northwest and southwest quadrants of the Project, however no structures will be affected. This detour road will be needed for a period of 30 months. All damaged site improvements

within the temporary construction easement areas will be repaired or replaced in kind as part of the construction in the manner proposed.

The Los Angeles-San Diego Rail Corridor is the second busiest intercity passenger rail corridor in the nation. The corridor serves not only BNSF freight traffic; it is also a key artery for Metrolink commuter service and Amtrak intercity services to and from Orange, San Diego and Riverside counties. Approximately 100 trains per day use this congested corridor, often causing blocking delays to traffic traveling on surface streets with the existing at-grade crossings, which in turn translate into significant economic losses. Additionally, the projected increases in the frequency of freight services, as well as future increases of commuter rail services and intercity train services as an alternative mode of transportation, indicate that there will be more blocking delays to traffic traveling on streets with at-grade crossings.

The proposed Project is being implemented to achieve one immediate objective. The grade separation will substantially enhance safety and traffic flow on surface streets along this segment of the rail corridor by eliminating the existing at-grade intersection of trains and motor vehicle traffic. In addition, it is anticipated that the proposed Project will reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through the existing at-grade crossings and will reduce noise pollution created by air horn and warning signals. These concerns are identified in both the Land Use and Circulation Elements of the Cities of Santa Fe Springs and La Mirada. The proposed Project is identified as a means of enhancing public safety and traffic flow. It is further identified as a means of reducing air and noise pollution within the City.

As discussed more fully below, the proposed Project was considered as part of a 2003 Program Environmental Impact Report (PEIR) prepared by the California Department of Transportation, Division of Rail. The PEIR evaluated the potential adverse environmental impacts that could result from construction of railroad track improvements and seven grade separation projects along a 23.66 kilometer segment of the Burlington Northern and Santa Fe Railway Company's (BNSF) East-West Main Line Railroad Track. BNSF operates freight trains and the Division of Rail oversees the intercity passenger rail system within California. It is estimated that up to 100 freight and passenger trains presently use this segment of the main line track. The Division of Rail, in cooperation with Metrolink, served as the California Environmental Quality Act (CEQA) lead agency for these rail corridor improvement projects.

An Initial Study for the project was prepared in April 2001. A Notice of Preparation (NOP)/Scoping Announcement for the preparation of a Draft PEIR was circulated on April 16, 2002. Public scoping meetings were held on April 24 in Santa Fe Springs, on April 25 in the City of La Mirada, and on April 29 in Pico Rivera. The Notice of Completion (NOC) of the Draft PEIR was filed in April 2003. The public review period was April 4 through May 19, 2003. There were four public meetings held on the Draft PEIR: April 29 in Buena Park, April 30 in Santa Fe Springs, May 6 in Pico Rivera, and May 7 in La Mirada.

The Final PEIR for SCH#2002041111 was completed in November of 2003. It was certified by Caltrans on November 29, 2003. The Final PEIR consisted of the Draft

PEIR document, comments and recommendations received on the Draft PEIR, as well as responses, and some attachments. Attachments included the NOP responses, drawings for Valley View, a Summary of Property Acquisition Procedures, and a Mitigation Monitoring and Reporting Program.

The proposed Project will be undertaken as a joint effort of the Cities of Santa Fe Springs and La Mirada. The Cities of Santa Fe Springs and La Mirada are the Responsible Agencies for this Project. An Environmental Assessment (EA) was prepared to determine if further environmental analyses was needed in order to fulfill NEPA requirements. The EA evaluated the potential effects on the environment from construction and operation of the Valley View grade separation. The EA considered several project alternatives, but ultimately concluded that the Project, as proposed, was the best and most cost-effective alternative.

After careful review, Caltrans concluded that the proposed Project was exempt from CEQA and issued Categorical Exemption number CE 200508014. The Categorical Exclusion found that the Project did not individually or cumulatively have a significant environmental effect and was excluded from the requirement to prepare an Environmental Impact Report. This determination was executed by Caltrans on August 31, 2005. It further required FHWA determination that the Project met the criteria of and was properly classified as a Categorical Exclusion. The FHWA determination was made on September 12, 2005.

The proposed Project will not result in any population increase, nor will it generate any new on-road traffic that would cause increased regional mobile source emissions. In addition, the proposed grade separation at Valley View Avenue will allow for increased operational efficiency and speeds of trains and will improve traffic flow by eliminating the existing at-grade crossing. The elimination of the at-grade crossing will increase the average train speed, reduce train delays, idling inside tracks and surface street queuing. This will reduce the potential for CO "hot spots". A short-term increase in dust and equipment exhaust will occur during construction of the proposed improvements. However, the direct air quality implication of project implementation will be minimal. Creation of a third track and the grade separation are considered air quality positive, because trains are more "pollution efficient" per ton-mile or passenger-mile than on-road transportation. This results in positive cumulative Project impacts.

Caltrans also considered a "No Project" alternative as part of its environmental analysis. All other alternatives were rejected as being infeasible or unreasonable to meet the Project's objectives, which is a grade separation at the current at-grade crossing of Valley View Avenue and the BNSF main line tracks in the Cities of Santa Fe Springs and La Mirada. The "No Project" alternative would not meet the Project's objectives for obvious reasons. It would, however, eliminate all of the short-term construction impacts identified in the Environmental Assessment and the PEIR, none of which were identified as being significant and adverse as long as mitigation measures are implemented.

Caltrans also recognized that the "No Project" alternative would result in the at-grade crossing being retained at Valley View and the BNSF railroad tracks. The

"operational" effects of the continued at-grade crossing when compared to the alternative of a grade separation would result in more adverse environmental effects than a grade separated project. Specifically, traffic delays would continue to be substantial relative to the grade separated project, up to an estimated 150 minutes per day. These delays would be contrasted to the continuous flow of traffic with the grade separation. An indirect consequence of maintaining the at-grade separation would be continued delays or longer response times for emergency vehicles which would not have a grade separated crossing on Valley View as one option for responding south of Stage Road. Perhaps, more important, the traffic safety hazards inherent in an at-grade crossing would not be eliminated if the "No Project" alternative were selected for implementation.

A second negative impact is that the local noise environment would experience higher background sound levels with the "No Project" alternative. This occurs for two reasons: first, train horns that must still be blown at locations with at-grade crossings; and secondly, the traffic on Valley View would not be reduced due to placing the traffic below grade with an underpass.

By retaining the at-grade crossing under the "No Project" alternative, air emissions from local traffic on Valley View will be greater relative to the continuous flow of traffic under the proposed project. It is not possible to calculate the difference in emissions because it is not possible to know how many of the 20,000+ trips on Valley View actually get stopped during the estimated 150 minutes of delays on the roadway. However, a substantial amount of vehicle idling emissions would continue if the "No Project" alternative were selected for implementation.

Other longer-term effects, such as improved protection for utilities, better functioning of the drainage system, and improved water quality due to better treatment systems in the roadway, would be eliminated if the "No Project" alternative was selected for implementation instead of the proposed Project. Ultimately, Caltrans determined that the primary adverse effects of the proposed Project are the result of construction activities. All construction activities have either less than significant impacts with no mitigation or less than significant impacts with the implementation of mitigation measures. For those reasons, Caltrans rejected the "No Project" alternative.

All of the environmental documentation prepared in connection with the PEIR, the Environmental Assessment and the Categorical Exemption, have been reviewed by City staff in connection with the proposed Resolutions of Necessity to be considered on October 22, 2009, pursuant to the criteria of Section 15162 of the CEQA Guidelines and Section 21166 of the Public Resources Code. Staff has concluded that no substantial changes have occurred in the Project and its related applications, and that the City has not obtained any new information of substantial importance that would require the City to undertake further environmental analysis. These environmental findings in connection with the Project and related applications, are the appropriate findings with respect to the proposed acquisition of the Subject Property Interests.

The City of Santa Fe Spring's General Plan, the PEIR, the staff report in connection with the PEIR, the Environmental Assessment, the staff report in connection with the

Environmental Assessment, the Categorical Exemption, exhibits to these documents and all documents referenced therein, the City's proposed construction plans, and aerial maps of the Subject Property Interests are on file in the City's Public Works Department, and are incorporated in this Report by this reference.

The proposed project will require the relocation of several utilities that are located on the Subject Property Interests. The City has consulted with the impacted utility companies and has reached an agreement as to the proposed relocation sites for the utilities impacted by the Project.

City's Actions Pursuant to Government Code Section 7262 et seq.

As more fully described below, the City of Santa Fe Springs, pursuant to California Government Code Section 7262 *et seq.*, obtained appraisals of the fair market value of the Subject Property Interests, set just compensation in accordance with the appraised fair market value and extended written offers in September 2008, to the owners of record.

In October 2008, the City determined that the proposed plans would need to be revised with regards to the location of the above ground utilities, resulting in a change to the easements required on most of the parcels impacted by the Project. Accordingly, the City engaged the same appraiser to update the initial appraisals based on the revised legal descriptions. The City set just compensation in accordance with the updated appraised value and extended revised written offers in August 2009 to the owners of record of the Subject Property Interests.

Following is a brief summary of the City's actions with respect to each of the Subject Property Interests pursuant to Government Code Section 7262 *et seq.*

- **14515 – 14565 Valley View Avenue – APN 8069-006-042**

Pursuant to Government Code Section 7262 *et seq.*, the City obtained an initial fair market value appraisal of this subject real property based on a June 5, 2008 date of value. The City set just compensation in accordance with the appraised fair market value, and in September 2008 extended a written offer letter to the owner of record of 14515 –14565 Valley View Avenue. In October 2008, the City revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. Accordingly, the City engaged the same appraiser to update the appraisal report based on the revised legal description. In August 2009, the City reset just compensation in accordance with the updated appraisal, and extended a revised written offer letter to the owner of record. The City has received no acceptance or agreement from the record owner.

- **Portions of 3 contiguous parcels on Borate Street, identified as follows:**

- **14027 Borate Street – APN 8069-008-031**

Pursuant to Government Code Section 7262 *et seq.*, the City obtained an initial fair market value appraisal of this subject real property based on a June 5, 2008 date of value. The City set just compensation in accordance with the appraised fair market value and in September 2008 extended a written offer letter to the owner of record of 14027 Borate Street. In October 2008, the City revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. Accordingly, the City engaged the same appraiser to update the appraisal report based on the revised legal description. In August 2009, the City reset just compensation in accordance with the updated appraisal, and extended a revised written offer letter to the owner of record. The City has received no acceptance or agreement from the record owner.

➤ **14103 Borate Street – APN 8069-008-032**

Pursuant to Government Code Section 7262 *et seq.*, the City obtained an initial fair market value appraisal of this subject real property based on a June 5, 2008 date of value. The City set just compensation in accordance with the appraised fair market value, and in September 2008 extended a written offer letter to the owner of record of 14103 Borate Street. In October 2008, the City revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. Accordingly, the City engaged the same appraiser to update the appraisal report based on the revised legal description. In August 2009, the City reset just compensation in accordance with the updated appraisal, and extended a revised written offer letter to the owner of record. The City has received no acceptance or agreement from the record owner.

➤ **14100 Borate Street – APN 8069-008-033**

Pursuant to Government Code Section 7262 *et seq.*, the City obtained an initial fair market value appraisal of this subject real property based on a June 5, 2008 date of value. The City set just compensation in accordance with the appraised fair market value, and in September 2008 extended a written offer letter to the owner of record of 14100 Borate Street. In October 2008, the City revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. Accordingly, the City engaged the same appraiser to update the appraisal report based on the revised legal description. In August 2009, the City reset just compensation in accordance with the updated appraisal, and extended a revised written offer letter to the owner of record. The City has received no acceptance or agreement from the record owner.

● **15015 Valley View Avenue – APNs 8069-008-025 and 8069-008-035**

Pursuant to Government Code Section 7262 *et seq.*, the City obtained an initial fair market value appraisal of this subject real property based on a June 5, 2009 date of value. The City set just compensation in accordance with the appraised fair market value and in September, 2008 extended a written offer letter to the owner of record of

15015 Valley View Avenue. In October, 2008, the City revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. Accordingly, the City engaged the same appraiser to update the appraisal report based on the revised legal description. In August, 2009, the City reset just compensation in accordance with the updated appraisal, and extended a revised written offer letter to the owner of record. The City has received no acceptance or agreement from the record owner.

True and correct copies of the initial and revised offer letters are on file in the City's Public Works Department. These offer letters are incorporated in this Report by this reference. To date, however, no negotiated purchase of the Subject Property Interests has been consummated, and the schedule for the proposed Project requires that the City Council consider the proposed Resolutions of Necessity at this time. City staff is continuing its negotiations with the record owners.

A. The Public Interest and Necessity Require the Proposed Project

As shown above, the proposed Project requires a grade separation along Valley View Avenue and the construction of a new railroad bridge with three tracks across the Valley View Avenue right-of-way in order to eliminate an existing at-grade crossing. The proposed Project will substantially enhance safety and traffic flow on surface streets along this segment of the rail corridor by increasing the separation between trains and motor vehicle traffic. In addition, the proposed Project will reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through at-grade crossings and to reduce noise pollution created by air horn and warning signals.

Specifically, the proposed Project would improve the intersection of Valley View Avenue, Stage Road and the BNSF Railroad by allowing for increased operational efficiency and speeds of trains, as well as replace at-grade signals. The grade separation will result in uninterrupted traffic flow and will eliminate the safety hazards inherent in an at-grade crossing. The proposed Project will also result in fewer delays and shorter response times for emergency vehicles which would now have a grade separated crossing on Valley View as one option for responding south of Stage Road. The elimination of the existing at-grade railroad crossing will increase the average train speed, reduce train delays, idling inside tracks and surface street queuing. This will reduce the potential for CO "hot spots".

These improvements would ensure safer traffic circulation on Valley View Avenue and, prevent unacceptable congestion and unsafe conditions that would result absent the proposed Project. Further, the proposed Project is consistent with the City's General Plan and is required for the public health and safety because it will alleviate existing traffic delays and maintain traffic circulation at the standard set forth in the Circulation Element of the General Plan. The proposed Project would ensure that trains and motor vehicles are separated and can circulate in a safe manner, including emergency vehicles vital to the public health and safety.

The proposed Project is necessary to reduce the existing transportation and traffic congestion impacts on Valley View Avenue, Stage Road and within the BNSF Railroad corridor. This is the second busiest intercity passenger rail corridor in the nation. The corridor serves not only BNSF freight traffic; it is also a key artery for Metrolink commuter service and Amtrak intercity services to and from Orange, San Diego and Riverside counties. The grade separation proposed is necessary to achieve the traffic and circulation goals identified above, including improving the flow of traffic. Thus, the proposed Project benefits the City as a whole.

The proposed Project also ensures that other goals of the Circulation Element and Land Use Element are met, including the goal of constructing a grade separation crossing to increase public safety and improve traffic circulation within the City.

The proposed Project will require the relocation of several utilities that are located in the Subject Property Interests. The public use for which the City seeks to acquire the Subject Property Interests, namely for grade separation purposes and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders have appropriated those utility easements, which are located in the Subject Property Interests and are affected by the proposed Project.

B. The Proposed Project is Located in the Manner that will be Compatible with the Greatest Public Good and Least Private Injury

As shown in detail above, the proposed Project would create a grade separation at the intersection of Valley View Avenue and Stage Road. The proposed Project would improve safety and traffic flow along Valley View Avenue that is interrupted by the existing BNSF railroad crossing. The proposed Projects involves the construction of a railroad bridge with three tracks across the Valley View Avenue right-of-way. In addition, the proposed Project will reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through at-grade crossings and to reduce noise pollution created by air horn and warning signals.

The proposed Project would require a partial fee take, permanent street easements, permanent utility easements and temporary construction easements from the Subject Property Interests, which are located immediately adjacent to Valley View Avenue, Stage Road, and the BNSF railroad tracks. The proposed Project cannot be constructed without the acquisition of portions of the following properties for the right-of-way improvements:

- **14515-14565 Valley View Avenue (Assessor's Parcel Number 8069-006-042):**

This property is located within the northwest quadrant of the Project. The proposed grade separation project will require a partial fee take, permanent street easement, permanent utility easement and temporary construction easements from this property. Specifically, the City will require the acquisition of a 1,902 square foot partial fee area, a 12,211 permanent underground pile anchor and utility easement area, a 9,335 square foot permanent subsurface utility easement area, a 2,034 square foot

permanent retaining wall easement and a 2,160 square foot permanent slope easement. In order to construct the necessary improvements, the following temporary construction easements have been established to facilitate the installation of permanent improvements, minimize the disruption to traffic, and minimize impacts to the existing businesses on the site: 10,171 square foot temporary construction easement will be needed for 12 months; 8,704 square foot temporary construction easement will be needed for 36 months; 23,738 square foot temporary construction easement will be needed for 30 months; 7,002 square foot temporary construction easement will be needed for 12 months; 1,725 square foot temporary construction easement will be needed for 12 months. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as part of the project.

- **Portions of 3 contiguous parcels on Borate Street, identified as follows:**

The following three (3) properties are located within the southwest quadrant of the Project.

- **14027 Borate Street (Assessor's Parcel Number 8069-008-031)**

The proposed Project requires a permanent utility easement from this property. Specifically, the City needs to acquire a 4,046 square foot permanent subsurface utility easement from the larger parcel. The proposed acquisition area is located adjacent and southwest of an existing sewer easement that runs along a portion of the northeastern property boundary of the larger parcel site. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the project.

- **14103 Borate Street (Assessor's Parcel Number 8069-008-032)**

The proposed Project requires two permanent subsurface utility easements from this property. Specifically, the City needs to acquire a 3,100 and 3,950 square foot permanent subsurface utility easement areas from the subject larger parcel site. The first permanent subsurface utility easement is located approximately 10 feet southwest of the northeastern property boundary and is generally rectangular in shape. It will be used for the maintenance, repair and replacement of sanitary sewer. The second permanent subsurface utility easement is located adjacent and southwest of the first permanent subsurface utility easement. It is irregular in shape. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the project.

- **14100 Borate Street (Assessor's Parcel Number 8069-008-033)**

The proposed Project requires the acquisition of permanent utility easements and a temporary construction easement. Specifically, the City needs to acquire a 6,285 square foot permanent subsurface utility easement area that will be used for the maintenance, repair and replacement of sanitary sewer. In addition, a 9,708 square foot permanent subsurface utility easement area will be acquired for the maintenance, repair and replacement of utilities as part of the proposed Project. Finally, the City

will require the acquisition of a 46,415 square foot temporary construction easement on the subject property. This area will be needed for a period of 30 months for a detour road to reroute Valley View Avenue during the construction of the grade separation. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the project.

- **15015 Valley View Avenue (Assessor's Parcel Numbers 8069-008-025 and 8069-008-035)**

This property is located within the southwest quadrant of the Project. The proposed Project requires the acquisition of a permanent subsurface utility easement. Specifically, the City needs to acquire a 368 square foot permanent subsurface utility easement area for the maintenance, repair and replacement of public utilities as part of the proposed Project. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the Project.

The proposed Project, as planned and located, would ensure safe traffic circulation on Valley View Avenue by the construction of a grade separated intersection. The proposed Project will allow the uninterrupted flow of traffic along Valley View by increasing the separation between trains and motor vehicle traffic. During the construction of the railroad bridges and grade separation, Valley View Avenue will be detoured, proximate to Stage Road, to the west through adjacent private property for a period of 30 months.

Further, the proposed Project is consistent with the City's General Plan and is required for the public health and safety because it will alleviate unacceptable levels of traffic congestion, maintain traffic circulation at the standard set forth in the Circulation Element of the General Plan, and provide for the separation of trains and motor vehicle traffic. The proposed Project would ensure that vehicles are able to circulate in a safe manner, including emergency vehicles vital to the public health and safety.

The proposed Project is necessary to reduce the existing transportation and traffic congestion impacts on Valley View Avenue caused by the current at-grade railroad crossing. A large number of trains use this congested corridor, often causing blocking delays to traffic traveling on Valley View Avenue and Stage Road. The proposed Project will also reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through the at-grade crossing. It is anticipated that the proposed Project will also reduce noise pollution created by air horn and warning signals. These concerns are identified in both the Land Use and Circulation Elements of the City.

The proposed Project will require the relocation of a number of utilities that are located in the Subject Property Interests. The public use for which the City seeks to acquire the Subject Property Interest, namely for the construction of a grade separation, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which the public utility easement holders have appropriated those utility easements.

C. The Subject Property Interests Described in the Resolutions of Necessity are Necessary for the Proposed Project.

As explained above, the proposed Project involves the construction of a grade separation along Valley View Avenue and the construction of a railroad bridge with three tracks across the Valley View Avenue right-of-way in order to eliminate the existing at-grade crossing. All four quadrants adjacent to this intersection will be impacted.

The proposed Project would require additional right-of-way for a partial fee take, permanent easements, utility easements, and temporary construction easements. The proposed Project requires the acquisition of the Subject Property Interests, which are located immediately adjacent to Valley View Avenue, at the intersection of Valley View Avenue, Stage Road and the BNSF railroad. The proposed Project cannot be constructed without the acquisition of portions of the following properties, which are described more particularly in the Exhibits that are attached to the Resolutions of Necessity, for the right-of-way improvements:

- **14515-14565 Valley View Avenue (Assessor's Parcel Number 8069-006-042):**

The proposed grade separation project require a partial fee take, permanent street easement, permanent utility easement and a temporary construction easement from this property. Specifically, the City will require the acquisition of a 1,902 square foot partial fee area, a 12,211 permanent roadway easement area, a 9,335 square foot permanent subsurface utility easement area, a 2,034 square foot retaining wall easement, and a 2,160 square foot permanent slope easement. In order to construct the necessary improvements, the following temporary construction easements have been established to facilitate the installation of permanent improvements, minimize the disruption to traffic, and minimize impacts to the existing businesses on the site: 10,171 square foot temporary construction easement will be needed for 12 months; 8,704 square foot temporary construction easement will be needed for 36 months; 23,738 square foot temporary construction easement will be needed for 30 months; 7,002 square foot temporary construction easement will be needed for 12 months; 1,725 square foot temporary construction easement will be needed for 12 months. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as part of the project.

- **Portions of 3 contiguous parcels on Borate Street, identified as follows:**

- **14027 Borate Street (Assessor's Parcel Number 8069-008-031)**

The proposed Project requires a permanent utility easement from this property. Specifically, the City needs to acquire a 4,046 square foot permanent subsurface utility easement from the larger parcel. The proposed acquisition area is located adjacent and southwest of an existing sewer easement that runs along a portion of the northeastern property boundary of the larger parcel site. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the project.

➤ **14103 Borate Street (Assessor's Parcel Number 8069-008-032)**

The proposed Project requires two permanent subsurface utility easements from this property. Specifically, the City will require the acquisition of a 3,100 and 3,950 square foot permanent subsurface utility easement areas from the subject larger parcel site. The first permanent subsurface utility easement is located approximately 10 feet southwest of the northeastern property boundary and is generally rectangular in shape. It will be used for the maintenance, repair and replacement of sanitary sewer. The second permanent subsurface utility easement is located adjacent and southwest of the first permanent subsurface utility easement. It is irregular in shape, with a varying length and width. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the project.

➤ **14100 Borate Street (Assessor's Parcel Number 8069-008-033)**

The proposed Project requires the acquisition of permanent utility easements and a temporary construction easement. Specifically, the City will require the acquisition of a 6,285 square foot permanent subsurface utility easement area that will be used for the maintenance, repair and replacement of sanitary sewer. In addition, a 9,708 square foot permanent subsurface utility easement area will be acquired for the maintenance, repair and replacement of utilities as part of the proposed Project. Finally, the City will require the acquisition of a 46,415 square foot temporary construction easement on the subject property. This area will be needed for a period of 30 months for a detour road to reroute Valley View Avenue during the construction of the grade separation. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the project.

● **15015 Valley View Avenue (Assessor's Parcel Numbers 8069-008-025 and 8069-008-035)**

The proposed Project requires the acquisition of a permanent subsurface utility easement. Specifically, the City needs to acquire a 368 square foot permanent subsurface utility easement area that will be used for the maintenance, repair and replacement of public utilities as part of the proposed Project. All damaged improvements and landscaping located within the proposed acquisition area will be replaced in kind as a part of the Project.

The proposed Project will require the relocation of several utilities that are located in the Subject Property Interests. The public use for which the City seeks to acquire the Subject Property Interests, namely grade separation purposes, and all uses necessary or convenient thereto, is a more necessary public use within the meaning of Code of Civil Procedure Section 1240.650 than the uses to which public utility easement holders have appropriated those utility easements.

D. The City has Made the Offer Required by Section 7267.2 of the Government Code to the Owners of Record of the Real Property the City Seeks to Acquire.

As explained more fully above, the City, pursuant to Government Code Section 7262 *et seq.*, obtained fair market value appraisals of the Subject Property Interests, set just compensation in accordance with the appraised fair market value, and extended written offers to the following record owners of the Subject Property Interests.

True and correct copies of the offer letters and revised offer letters are on file in the City's Public Works Department, and are incorporated into this Report by this reference. As explained more fully above, the City received no acceptance or agreement from certain property owners. The City has engaged in negotiations with the owners that responded to the City's offers. To date, however, no negotiated purchase has been consummated and the schedule for the proposed Project requires that the City Council consider the proposed Resolutions of Necessity at this time.

Adoption of each Resolution of Necessity requires a separate vote of at least four-fifths (4/5) of the City Council.

FISCAL IMPACT

Project costs, including the cost of property acquisition, will be reimbursed from Federal, State and County funds that have been allocated to the project. Local funds will be needed only to make initial payments.

INFRASTRUCTURE IMPACT

This action does not have a direct impact on City infrastructure. However, any delays in securing the easements referenced herein will have a significant impact on the City's ability to complete, and the current schedule for completing, the Project.



Frederick W. Latham
City Manager

Attachment(s):

1. Resolution No. 9224
2. Resolution No. 9225
3. Resolution No. 9226

RESOLUTION NO. 9224

A RESOLUTION OF NECESSITY OF THE CITY OF SANTA FE SPRINGS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE VALLEY VIEW GRADE SEPARATION PROJECT

THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City of Santa Fe Springs is a municipal corporation, in the County of Los Angeles, State of California.

SECTION 2. The real property interests described in Section 3 of this Resolution are to be taken for a public use, namely for the construction and maintenance of a grade separation, also known as the Valley View Grade Separation Project, and all purposes necessary and convenient thereto. The real property interests will be taken from property located at 14515 – 14565 Valley View Avenue (Assessor's Parcel Number 8069-006-042), (referred to below as "Subject Property") in connection with the construction and maintenance of the Valley View Grade Separation Project ("proposed Project"). The City has the authority to acquire the property interests for the proposed Project pursuant to the authority conferred upon the City of Santa Fe Springs to acquire real property by eminent domain by California Constitution, Article I, Section 19, California Government Code Sections 37350, 37350.5, 37351, 40401, and 40404, California Code of Civil Procedure Section 1230.010 *et seq.* (Eminent Domain Law), including, but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.510, 1240.610, 1240.650, 1245.250, and other provisions of law.

SECTION 3. The City seeks to acquire the following property interests from the Subject Property:

- The acquisition of a 1,902 square foot partial fee area and all uses necessary or convenient thereto;
- The acquisition of a 12,211 square foot permanent subsurface pile anchor and utility easement and all uses necessary or convenient thereto;
- The acquisition of a 9,335 square foot permanent subsurface utility easement and all uses necessary or convenient thereto;
- The acquisition of a 2,034 square foot retaining wall easement and all uses necessary or convenient thereto;

- The acquisition of a 2,160 square foot permanent slope easement and all uses necessary or convenient thereto;
- The acquisition of a 10,171 square foot temporary construction easement for a period of 12 months for construction, maintenance, repair and replacement purposes during the construction of the grade separation and all uses necessary or convenient thereto;
- The acquisition of an 8,704 square foot temporary construction easement for a period of 36 months for construction, maintenance, repair and replacement purposes during the construction of the grade separation and all uses necessary or convenient thereto;
- The acquisition of a 23,738 square foot temporary construction easement for a period of 30 months for construction, maintenance, repair and replacement purposes during the construction of the grade separation and all uses necessary or convenient thereto;
- The acquisition of a 7,002 square foot temporary construction easement for a period of 12 months for construction, maintenance, repair and replacement purposes during the construction of the grade separation and all uses necessary or convenient thereto; and
- The acquisition of a 1,725 square foot temporary construction easement for a period of 12 months for construction, maintenance, repair and replacement purposes during the construction of the grade separation and all uses necessary or convenient thereto.

The 1,902 square foot partial take area is legally described in Exhibit "1A" and depicted in Exhibit "1B" to the Resolution of Necessity. The 12,211 square foot permanent subsurface pile anchor and utility easement is legally described in Exhibit "2A" and depicted in Exhibit "2B" to the Resolution of Necessity. The 9,335 square foot permanent subsurface utility easement is legally described in Exhibit "3A" and depicted in Exhibit "3B" to the Resolution of Necessity. The 2,034 foot retaining wall easement is legally described in Exhibit "4A" and depicted in Exhibit "4B" to the Resolution of Necessity. The 2,160 foot permanent slope easement is legally described in Exhibit "5A" and depicted in Exhibit "5B" to the Resolution of Necessity. The 10,171 square foot temporary construction easement is legally described in Exhibit "6A" and depicted in Exhibit "6B" to the Resolution of Necessity. The 8,704 square foot temporary construction easement is legally described in Exhibit "7A" and depicted in Exhibit "7B" to the Resolution of Necessity. The 23,738 square foot temporary construction easement is legally described in Exhibit "8A" and depicted in Exhibit "8B" to the Resolution of Necessity. The 7,002 square foot temporary construction easement is

legally described in Exhibit "9A" and depicted in Exhibit "9B" to the Resolution of Necessity. The 1,725 square foot temporary construction easement is legally described in Exhibit "10A" and depicted in Exhibit "10B" to the Resolution of Necessity. Said exhibits are attached hereto and incorporated herein by this reference. The aforementioned property interests will be referred to collectively as Subject Property Interests.

SECTION 4. The Valley View Avenue Grade Separation Project ("Project") is a joint project between the Cities of Santa Fe Springs and La Mirada in cooperation with Caltrans, Division of Rail and the BNSF railroad. The purpose of the Project is to improve safety and traffic flow along Valley View Avenue that is interrupted by the existing BNSF railroad crossing.

The proposed Project requires a grade separation along Valley View Avenue and construction of a new railroad bridge with three tracks across the Valley View Avenue right-of-way in order to eliminate the existing at-grade crossing. The primary element of the Project will involve lowering the intersection of Valley View Avenue and Stage Road by approximately 21 feet so that Valley View traffic will be able to drive under the railroad bridge. However, while all four quadrants adjacent to this intersection will be impacted, no buildings will need to be acquired or modified, nor does the proposed project require any existing businesses to be relocated in order to complete construction. Additionally, appropriate mitigation measures will be implemented to address impacts on affected parking areas, access to private property and disruption of private utility services.

The widths of Valley View Avenue and Stage Road will be unchanged. However, to allow for the lowering of the intersection of Valley View Avenue and Stage Road, temporary sheeting and permanent retaining walls will be constructed within the adjacent properties via permanent road and slope easements. The limits on Valley View Avenue where work will be done are approximately 750 feet north of Stage Road and extend to 900 feet south of Stage Road. The lowest point of elevation on Valley View Avenue will be 21 feet below before condition street grade and 16 feet below the bottom of the steel bridge of the railroad at the BNSF railroad crossing. The project will necessitate the modification and, in some cases, the relocation of driveways along Valley View Avenue and the north side of Stage Road west of Valley View that are within the limits of the Project, to meet the new street grade. The Project will also require extensive relocation, removal and reconstruction of all affected utility lines, including public water, sewer and drainage lines.

The existing at-grade crossing will need to be isolated in order to construct the new railroad bridge and grade separation. After evaluating various options, the Cities concluded that the most feasible solution was to construct the detour road to the west of the existing crossing. There will be two lanes for each direction in order to accommodate current traffic volumes on Valley View Avenue. The detour road will

impact adjacent private property on both the northwest and southwest quadrants of the Project; however no structures will be affected. This detour road will be needed for a period of 30 months. All damaged site improvements within the temporary construction easement areas will be repaired or replaced in kind as part of the construction in the manner proposed.

The Los Angeles-San Diego Rail Corridor is the second busiest intercity passenger rail corridor in the nation. The corridor serves not only BNSF freight traffic; it is also a key artery for Metrolink commuter service and Amtrak intercity services to and from Orange, San Diego and Riverside counties. Approximately 100 trains per day use this congested corridor, often causing blocking delays to traffic traveling on surface streets with the existing at-grade crossings, which in turn translate into significant economic losses. Additionally, the projected increases in the frequency of freight services, as well as future increases of commuter rail services and intercity train services as an alternative mode of transportation, indicate that there will be more blocking delays to traffic traveling on streets with at-grade crossings.

The proposed Project is being implemented to achieve one immediate objective. The grade separation will substantially enhance safety and traffic flow on surface streets along this segment of the rail corridor by eliminating the existing at-grade intersection of trains and motor vehicle traffic. In addition, it is anticipated that the proposed Project will reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through the existing at grade crossings and will reduce noise pollution created by air horn and warning signals. These concerns are identified in both the Land Use and Circulation Elements of the Cities of Santa Fe Springs and La Mirada. The proposed Project is identified as a means of enhancing public safety and traffic flow. It is further identified as a means of reducing air and noise pollution within the City.

SECTION 5. After careful review, Caltrans concluded that the proposed Project was exempt from CEQA and issued Categorical Exemption number CE 200508014. The Categorical Exclusion found that the Project did not individually or cumulatively have a significant environmental effect and was excluded from the requirement to prepare an Environmental Impact Report. This determination was executed by Caltrans on August 31, 2005. It further required FHWA determination that the Project met the criteria of and was properly classified as a Categorical Exclusion. The FHWA determination was made on September 12, 2005.

SECTION 6. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interests that used a date of value of June 5, 2008. The City set just compensation in accordance with the appraised fair market value and in September 2008 extended a written offer to the owner of record to purchase the Subject Property Interests pursuant to Govern Code Section 7267.2. In October 2008, the city revised its proposed plans for the relocation

of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. The City had the appraisal reports updated and in August 2009, the City reset just compensation in accordance with the updated appraisal and extended a revised written offer to the owner of record. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

SECTION 7. On October 14, 2009 the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its November 9, 2009 meeting as required by Code of Civil Procedure Section 1245.235.

SECTION 8. The City Council of the City of Santa Fe Springs hereby finds and determines that:

- A. The public interest and necessity require the proposed Project;
- B. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- C. The property interests described in Exhibits "1A through 10A" hereto and depicted on Exhibits "1B through 10B" hereto are necessary for the proposed Project; and
- D. The City made the offer required by section 7267.2 of the Government Code to the owner of record.

SECTION 9. The findings and declarations contained in this Resolution are based upon the record before the City Council on November 9, 2009, including the Agenda Report dated November 9, 2009 and all documents referenced therein, all of which are incorporated herein by this reference. These documents include the Notice of Determination, the General Plan, and all the file documents relating to the Project. The findings and declarations in this Resolution are also based upon any testimony, records and documents produced at the hearing, all of which are incorporated herein by this reference.

SECTION 10. The City Council of the City of Santa Fe Springs hereby authorizes and directs the law firm of Richards, Watson & Gershon, to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the Subject Property Interests legally described in Exhibits "1A through 10A" and depicted on Exhibits "1B through 10B" to this Resolution.

SECTION 11. The City Council of the City of Santa Fe Springs hereby authorizes the City Manager to execute all necessary documents in connection with the eminent domain proceeding.

SECTION 12. This Resolution shall take effect upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Santa Fe Springs this 9th day of November, 2009.

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Luis M. González
Mayor

ATTEST:

Barbara Earl, CMC
City Clerk

EXHIBIT 1A

VALLEY VIEW AVENUE GRADE SEPARATION

Partial Take

01-PT-1

Owner: Valley View -- Santa Fe Springs, LLC
AIN: 8069-006-042

06/12/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way - 30 feet south, 40 feet north); thence, N.55°53'51"W., a distance of 181.35 feet along said centerline of Stage Road to a point; thence, N.34°06'09"E., a distance of 40.00 feet to the TRUE POINT OF BEGINNING, same being a point on a curve to the left, concave northwesterly; thence

97.02 feet along the arc of said curve having a Radius of 58.10 feet, a Central Angle of 96°16'19" subtended by a Chord of 86.53 feet which bears N.61°17'09"E. to a point on the Westerly right of way line of Valley View Avenue; thence

S.00°35'59"E. along said Westerly right of way line a distance of 45.91 feet to a point on a curve to the right, concave northwesterly; thence

54.40 feet along the arc of said curve having a Radius of 25.00 feet, a Central Angle of 124°41'05" subtended by a Chord of 44.29 feet which bears S.61°44'37"W.; thence

N.55°53'51"W. a distance of 45.12 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 1,902 Square Feet or (0.0437 Acres), more or less.

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6-12-09

Date

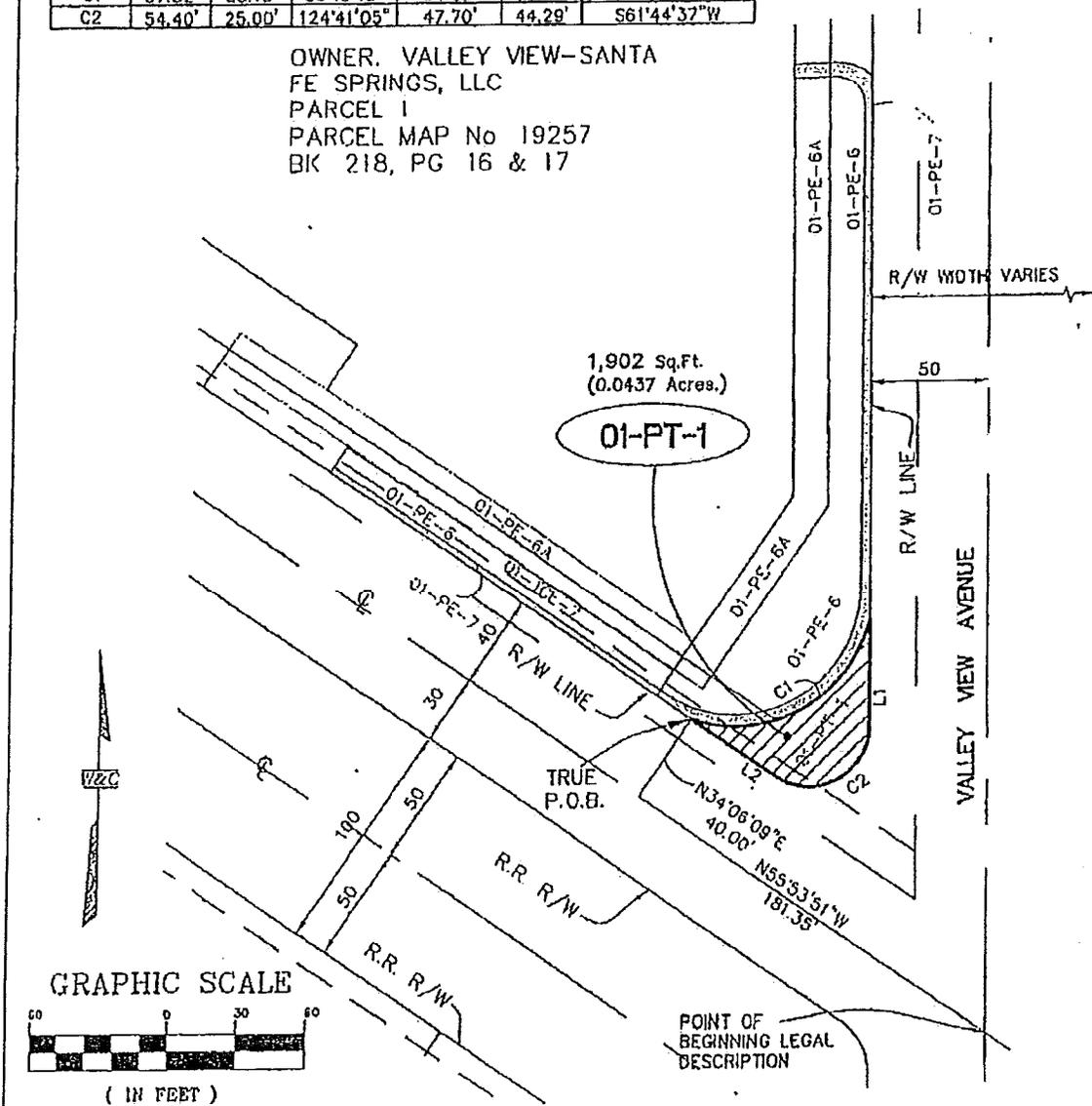
EXHIBIT 1B

EXHIBIT "A"

PARTIAL TAKE

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	97.62'	58.10'	96°16'19"	64.63'	86.53'	N81°17'09"E
C2	54.40'	25.00'	124°41'05"	47.70'	44.29'	S61°44'37"W

OWNER, VALLEY VIEW-SANTA
FE SPRINGS, LLC
PARCEL 1
PARCEL MAP No 19257
BK 218, PG 16 & 17



1,902 Sq.Ft.
(0.0437 Acres.)

01-PT-1

GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft

NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

LINE TABLE		
LINE	LENGTH	BEARING
L1	45.91'	S00°35'59"E
L2	45.12'	N55°53'51"W

LAYOUT NAME: 01-PT-1
DRAWING NAME: 08-400-189-00_Exhibits.dwg
NETWORK ADDRESS: M:\R\03-400-189-00\CADD\EXHIBITS\

WILSON
& COMPANY

026 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 806-8000

EXHIBIT 2A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

01-PE-6

Owner: Valley View – Santa Fe Springs, LLC
AIN: 8069-006-042

06/12/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way – 30 feet south, 40 feet north); thence, N.55°53'51"W., a distance of 181.35 feet along said centerline of Stage Road to a point; thence, N 34°06'09"E., a distance of 40.00 feet to the TRUE POINT OF BEGINNING; thence

N.55°53'51"W. a distance of 258.10 feet to a point; thence

N.34°06'09"E. a distance of 13.50 feet to a point; thence

S.55°53'51"E. a distance of 254.52 feet to a point; thence

N.34°22'43"E. a distance of 93.47 feet to a point; thence

N.00°35'56"W. a distance of 263.74 feet to a point; thence

N.89°24'04"E. a distance of 18.00 feet to a point on the Westerly right of way line of Valley View Avenue; thence

S.00°35'56"E. a distance of 312.68 feet to point of curvature to the right leaving said westerly right of way line; thence

97.63 feet along the arc of said curve having a Radius of 58.10 feet, a Central Angle of 96°16'29" subtended by a Chord of 86.53 feet which bears S.61°17'04"W. to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 12,211 Square Feet or (0.2803 Acres), more or less.

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



8-7-09
Date

EXHIBIT 2B

EXHIBIT "A" PERMANENT EASEMENT

AREA OF 01-PE-6 OVERLAPS
01-PE-7 IS 1,940 Sq.Ft.
(0.0445 Acres.)

AREA OF 01-PE-8A OVERLAPS
01-PE-6 IS 455 Sq.Ft.
(0.0104 Acres.)

AREA OF 01-TCE-6 OVERLAPS
01-PE-6 IS 8,778 Sq.Ft.
(0.2015 Acres.)

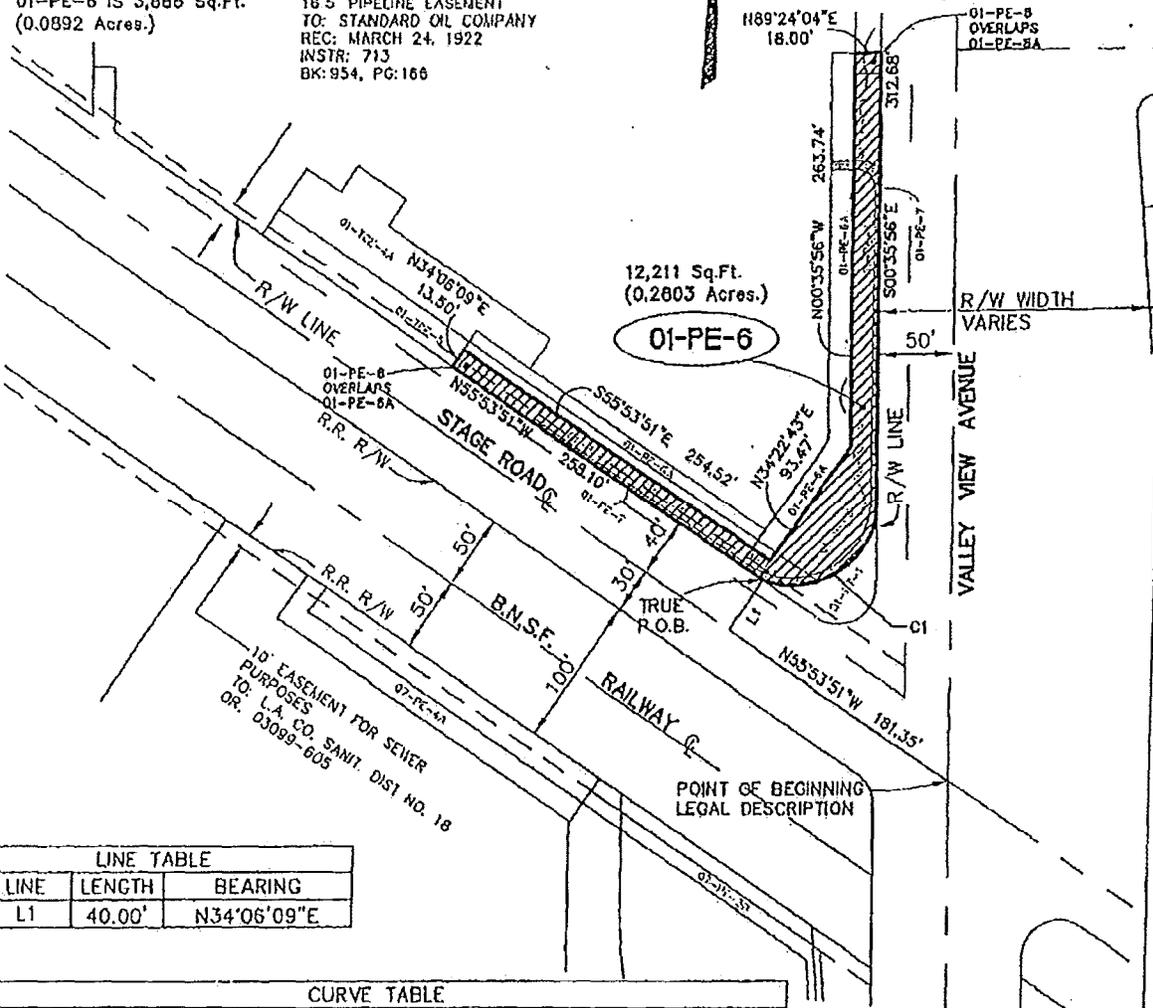
AREA OF 01-TCE-5 OVERLAPS
01-PE-6 IS 3,888 Sq.Ft.
(0.0892 Acres.)

16.5' PIPELINE EASEMENT
TO: STANDARD OIL COMPANY
REC: MARCH 24, 1922
INSTR: 713
BK: 954, PG: 166

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft



LINE TABLE		
LINE	LENGTH	BEARING
L1	40.00'	N34°06'09"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
CI	97.63'	58.10'	96°16'29"	64.83'	86.53	S61°17'04"W

- NOTES:
1. BEARINGS ARE GRID BEARINGS
 2. ALL DISTANCES ARE GROUND DISTANCES

LAYOUT NAME: 01-PE-8
DRAWING NAME: 08-400-189-00_Exhibits.dwg
NETWORK ADDRESS: H:\RR\08-400-189-00\CADD\EXHIBITS\

**WILSON
& COMPANY**

625 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 806-8000

EXHIBIT 3A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

01-PE-6A

Owner: Valley View – Santa Fe Springs, LLC
AIN: 8069-006-042

06/15/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way – 30 feet south, 40 feet north); thence, N.55°53'51"W., a distance of 184.93 feet along said centerline of Stage Road to a point; thence, N.34°06'09"E., a distance of 53.50 feet to the TRUE POINT OF BEGINNING; thence

N.55°53'51"W. a distance of 239.52 feet to a point; thence

S.34°06'09"W. a distance of 13.50 feet to a point; thence

N.55°53'51"W. a distance of 15.00 feet to a point; thence

N.34°06'09"E. a distance of 28.50 feet to a point; thence

S.55°53'51"E. a distance of 239.59 feet to a point; thence

N.34°22'43"E. a distance of 73.82 feet to a point; thence

N.00°35'56"W. a distance of 259.01 feet to a point; thence

N.89°24'04"E. a distance of 33.00 feet to a point on the Westerly right of way line of Valley View Avenue; thence

S.00°35'56"E. along said Westerly right of way line a distance of 14.00 feet; thence

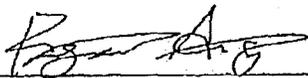
S.89°24'04"W. a distance of 18.00 feet to a point; thence

S.00°35'56"E. a distance of 249.73 feet to a point; thence

S.34°22'43"W. a distance of 93.47 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 9,335 Square Feet or (0.2143 Acres), more or less.

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



8-7-09
Date

EXHIBIT 3B

EXHIBIT "A"

PERMANENT EASEMENT

AREA OF 01-TCE-5
OVERLAPS 01-PE-6A IS 1,857
Sq.Ft. (0.0426 Acres.)

AREA OF 01-PE-7 OVERLAPS
01-PE-6A IS 92 Sq.Ft.
(0.0021 Acres.)

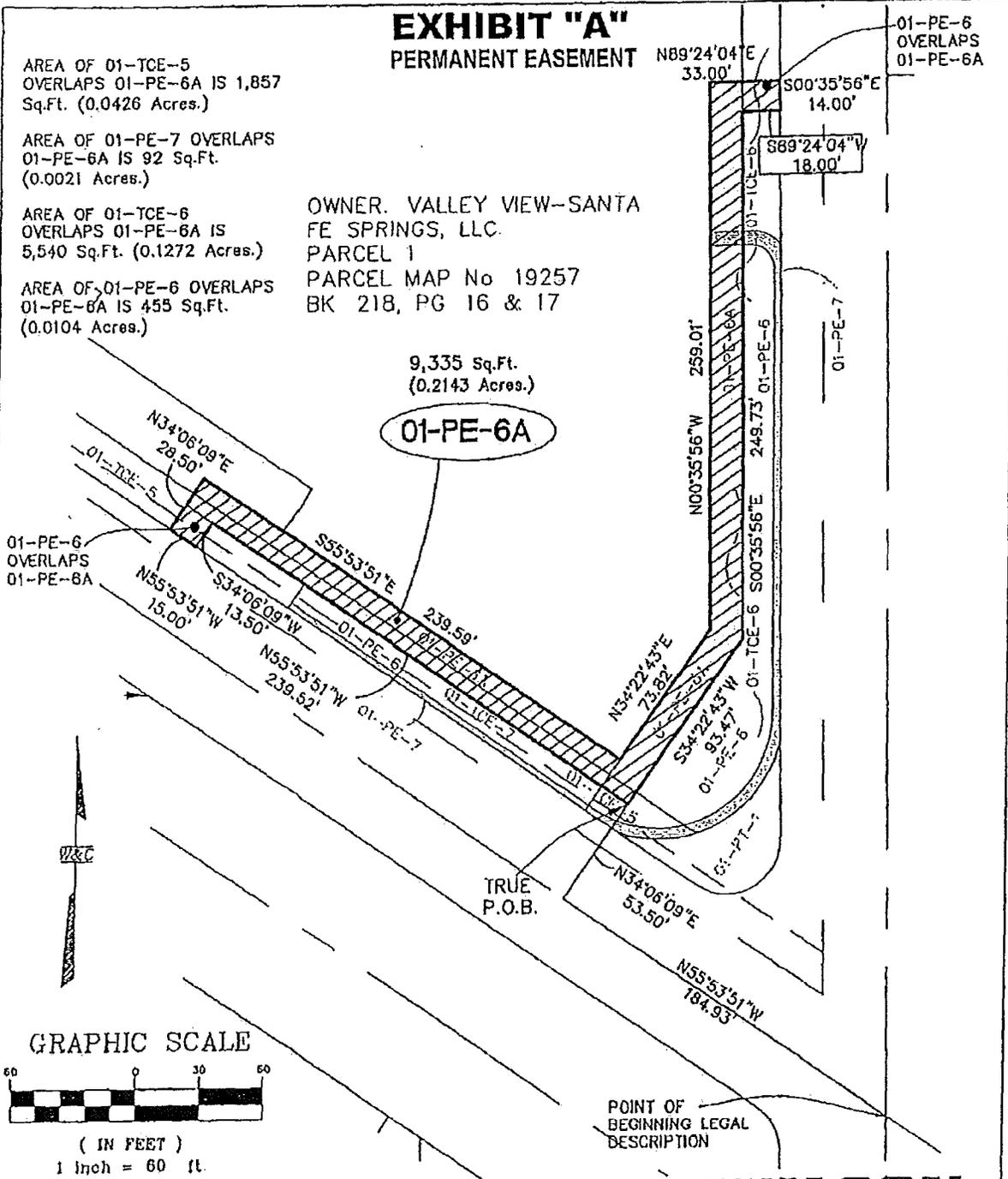
AREA OF 01-TCE-6
OVERLAPS 01-PE-6A IS
5,540 Sq.Ft. (0.1272 Acres.)

AREA OF 01-PE-6 OVERLAPS
01-PE-6A IS 455 Sq.Ft.
(0.0104 Acres.)

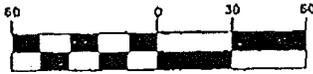
OWNER, VALLEY VIEW-SANTA
FE SPRINGS, LLC.
PARCEL 1
PARCEL MAP No 19257
BK 218, PG 16 & 17

9,335 Sq.Ft.
(0.2143 Acres.)

01-PE-6A



GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

LAYOUT NAME: 01-PE-6A
DRAWING NAME: 08-400-189-00_Exp811a.dwg
NETWORK ADDRESS: M:\RR\08-400-189-00\CADD\EXHIBITS\

WILSON
& COMPANY

626 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92400
(909) 806-8000

EXHIBIT 4A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

01-PE-7

Owner: Valley View – Santa Fe Springs, LLC
AIN: 8069-006-042

05/06/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way – 30 feet south, 40 feet north); thence, N.55°53'51"W., a distance of 372.50 feet along said centerline of Stage Road to a point; thence, N.34°06'09"E., a distance of 40.00 feet to the TRUE POINT OF BEGINNING, same being on the existing (2009) Northerly Right of Way line of Stage Road; thence continuing

N.34°03'54"E. a distance of 2.71 feet to a point; thence

S.55°56'06"E. a distance of 176.55 feet to a point on a curve to the left; thence

116.32 feet along the arc of said curve concave Northwesterly having a Radius of 53.24 feet, a Central Angle of 125°10'44" subtended by a Chord of 94.52 feet which bears N.60°49'24"E.; thence

N.00°24'47"W. a distance of 206.69 feet to a point on a curve to the left; thence

19.92 feet along the arc of said curve concave Southwesterly having a Radius of 12.06 feet, a Central Angle of 94°37'36" subtended by a Chord of 17.73 feet which bears N.43°37'50"W.; thence

S.88°56'36"W. a distance of 18.19 feet to a point; thence

N.01°03'17"W. a distance of 6.14 feet to a point; thence

N.88°52'27"E. a distance of 19.45 feet to a point on a curve to the right; thence

15.53 feet along the arc of said curve concave Southwesterly having a Radius of 19.19 feet, a Central Angle of 46°22'43" subtended by a Chord of 15.11 feet which bears S.67°51'56"E. to a point on the existing (2009) Westerly Right of Way line of Valley View Avenue; thence

S.00°35'56"E. along said existing (2009) Right of Way line of Valley View Avenue a distance of 235.06 feet to a point on a curve to the right and leaving said existing (2009) Right of Way line; thence

97.63 feet along the arc of said curve concave Northwesterly having a Radius of 58.10 feet, a Central Angle of 96°16'29" subtended by a Chord of 86.53 feet which bears S.61°17'04"W. to a point on said existing (2009) Northerly Right of Way line of Stage Road; thence

N.55°53'51"W. along said existing (2009) Northerly Right of Way line a distance of 191.15 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 2,034 Square Feet or (0.0467 Acres), more or less.

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

01-PE-7

Owner: Valley View - Santa Fe Springs, LLC
AIN: 8069-006-042

05/06/09

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.



Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6-5-09

Date

EXHIBIT 4B

EXHIBIT "A" PERMANENT EASEMENT

NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

16.5' PIPELINE EASEMENT
TO: STANDARD OIL
COMPANY
REC: MARCH 24, 1922
INSTR: 713
BK: 954, PG: 166

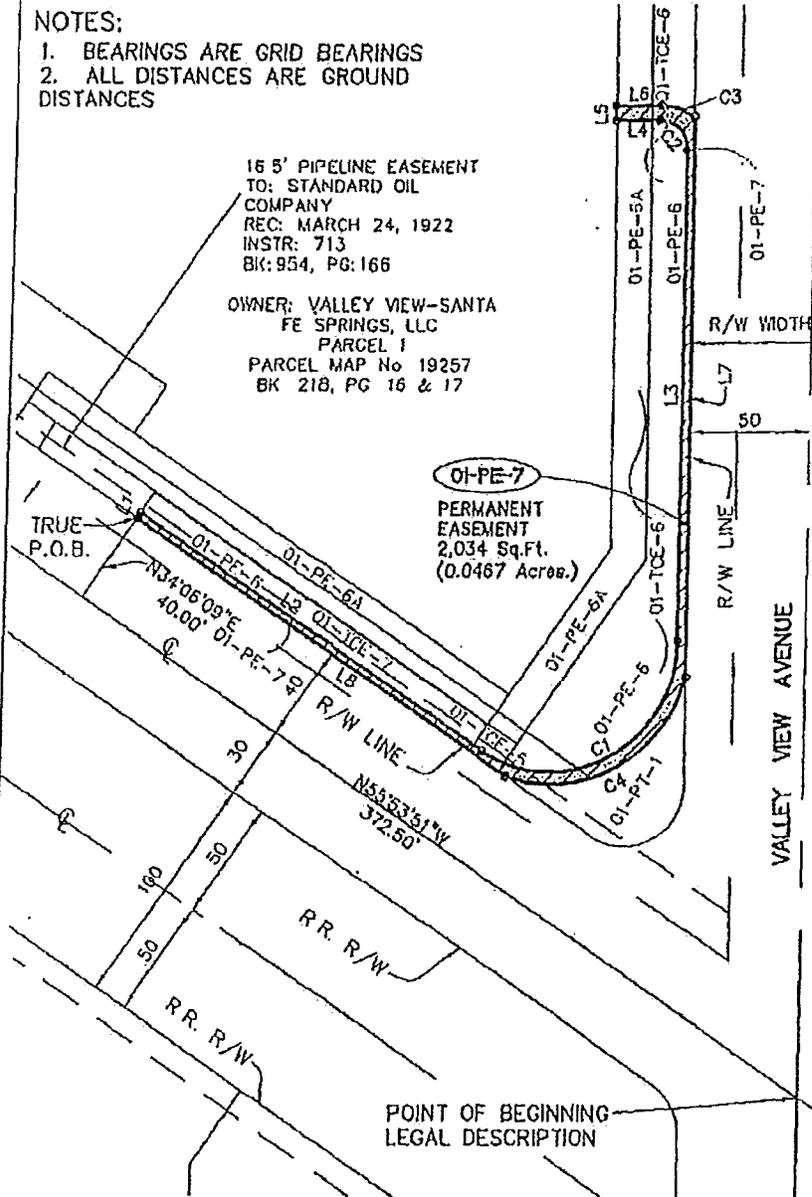
OWNER: VALLEY VIEW-SANTA
FE SPRINGS, LLC
PARCEL 1
PARCEL MAP No 19257
BK 218, PG 16 & 17

AREA OF 01-PE-6
OVERLAPS 01-PE-7
IS 1,940 Sq.Ft.
(0.0445 Acres.)

AREA OF 01-PE-6A
OVERLAPS 01-PE-7
IS 92 Sq.Ft.
(0.0021 Acres.)

AREA OF 01-TCE-6
OVERLAPS 01-PE-7
IS 1,554 Sq.Ft.
(0.0357 Acres.)

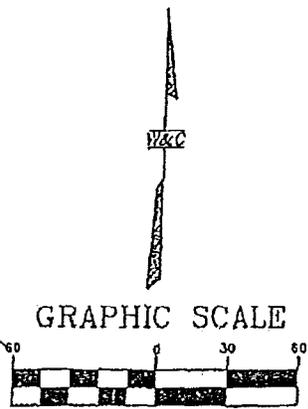
AREA OF 01-TCE-5
OVERLAPS 01-PE-7
IS 707 Sq.Ft. (0.0162
Acres.)



01-PE-7

 PERMANENT
EASEMENT
2,034 Sq.Ft.
(0.0467 Acres.)

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.71'	N34°03'54"E
L2	176.55'	S55°56'06"E
L3	206.69'	N00°24'47"W
L4	18.19'	S88°56'36"W
L5	6.14'	N01°03'17"W
L6	10.45'	N88°52'27"E
L7	235.08'	S00°35'56"E
L8	191.15'	N55°53'51"W



GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	116.32'	53.24'	125°10'44"	102.66'	94.52'	N60°49'24"E
C2	19.92'	12.06'	94°37'36"	13.08'	17.73'	N43°37'50"W
C3	15.53'	19.19'	46°22'43"	8.22'	15.11'	S67°51'58"E
C4	87.63'	58.10'	96°16'29"	64.83'	86.53'	S61°17'04"W

LAYOUT NAME: 01-PE-7
DRAWING NAME: 08-400-189-00_Database-2 (Exhibit Base) dwg
NETWORK ADDRESS: \\RR\08-400-189-00\CADD\EXHIBITS\

**WILSON
& COMPANY**

025 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 800-8000

EXHIBIT 5A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

01-PE-8

Owner: Valley View - Santa Fe Springs, LLC
AIN: 8069-006-042

06/11409

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way - 30 feet south, 40 feet north); thence, N.00°35'56"W., a distance of 489.59 feet along said centerline of Valley View Avenue to a point; thence, S.89°24'04"W., a distance of 50.00 feet to the TRUE POINT OF BEGINNING; thence

S.89°24'04"W. a distance of 18.00 feet to a point; thence

N.00°35'56"W. a distance of 120.00 feet to a point; thence

N.89°24'04"E. a distance of 18.00 feet to a point; thence

S.00°35'56"E. a distance of 120.00 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 2,160 Square Feet or (0.0496 Acres), more or less.

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6-12-09
Date

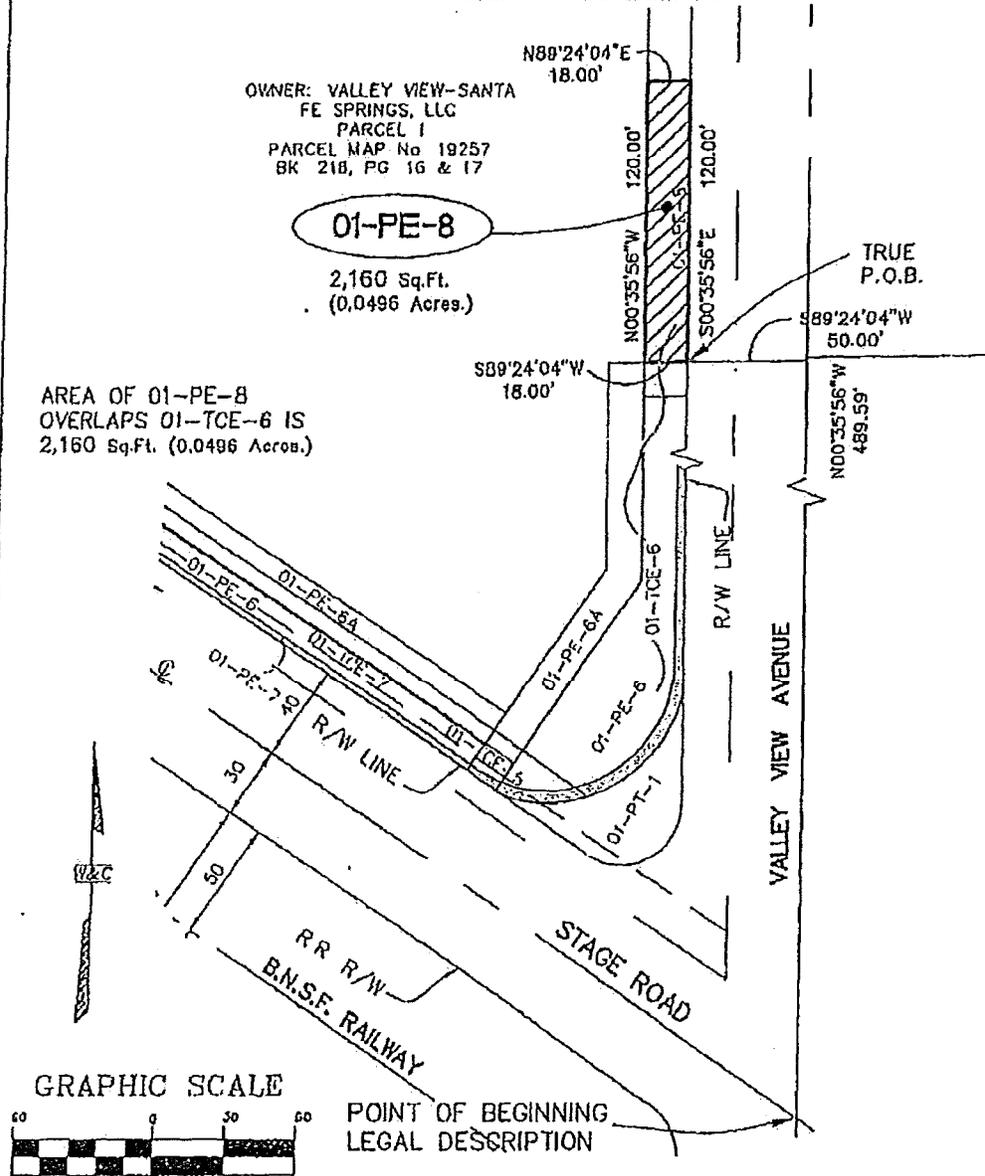
EXHIBIT 5B

EXHIBIT "A" PERMANENT EASEMENT

OWNER: VALLEY VIEW-SANTA
FE SPRINGS, LLC
PARCEL 1
PARCEL MAP No 19257
BK 218, PG 16 & 17

01-PE-8
2,160 Sq.Ft.
(0.0496 Acres.)

AREA OF 01-PE-8
OVERLAPS 01-TCE-6 IS
2,160 Sq.Ft. (0.0496 Acres.)



NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

LAYOUT NAME: 01-PE-8
DRAWING NAME: 08-400-183-00_ExhibitA.dwg
NETWORK ADDRESS: \\s1\08-400-183-00\CADD\EXHIBITS\

**WILSON
& COMPANY**

826 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92400
(909) 806-8000

EXHIBIT 6A

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

Parcel: 01-TCE-4A

Owner: Valley View - Santa Fe Springs, LLC
APN: 8069-006-042

06/04/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way - 30 feet south, 40 feet north); thence, N 55° 53' 51" W, a distance of 439.45 feet along said centerline of Stage Road to a point; thence, N 34° 06' 09" E, a distance of 40.00 feet to a point on the northerly right-of-way line of Stage Road, being the TRUE POINT OF BEGINNING; thence,

N 55° 53' 51" W, a distance of 158.05 feet along the said northerly right-of-way line of Stage Road to a point; thence,

N 34° 06' 09" E, a distance of 52.28 feet to a point; thence,

S 55° 53' 51" E, a distance of 27.32 feet to a point; thence,

N 34° 06' 09" E, a distance of 21.00 feet to a point; thence,

S 55° 53' 51" E, a distance of 39.99 feet to a point; thence,

S 34° 06' 09" W, a distance of 21.00 feet to a point; thence,

S 55° 53' 51" E, a distance of 135.69 feet to a point; thence,

S 34° 06' 09" W, a distance of 23.78 feet to a point; thence,

N 55° 53' 51" W, a distance of 44.95 feet to a point; thence,

S 34° 06' 09" W, a distance of 28.50 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 10,171 square feet (0.2335 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6-5-09
Date

EXHIBIT 6B

EXHIBIT "A"

TEMPORARY CONSTRUCTION EASEMENT

AREA OF 01-TCE-5 OVERLAPS
01-TCE-4A IS 3,182 SqFt
(0.0728 Acres)

165' PIPELINE EASEMENT
TO: STANDARD OIL COMPANY
REC: MARCH 24, 1922
INST: 713
BK: 954, PG: 166

OWNER: VALLEY VIEW-SANTA
FE SPRINGS, LLC
PARCEL 1
PARCEL MAP No 19257
BK 218, PG 18 & 17

10,171 Sq.Ft.
(0.2335 Acres.)

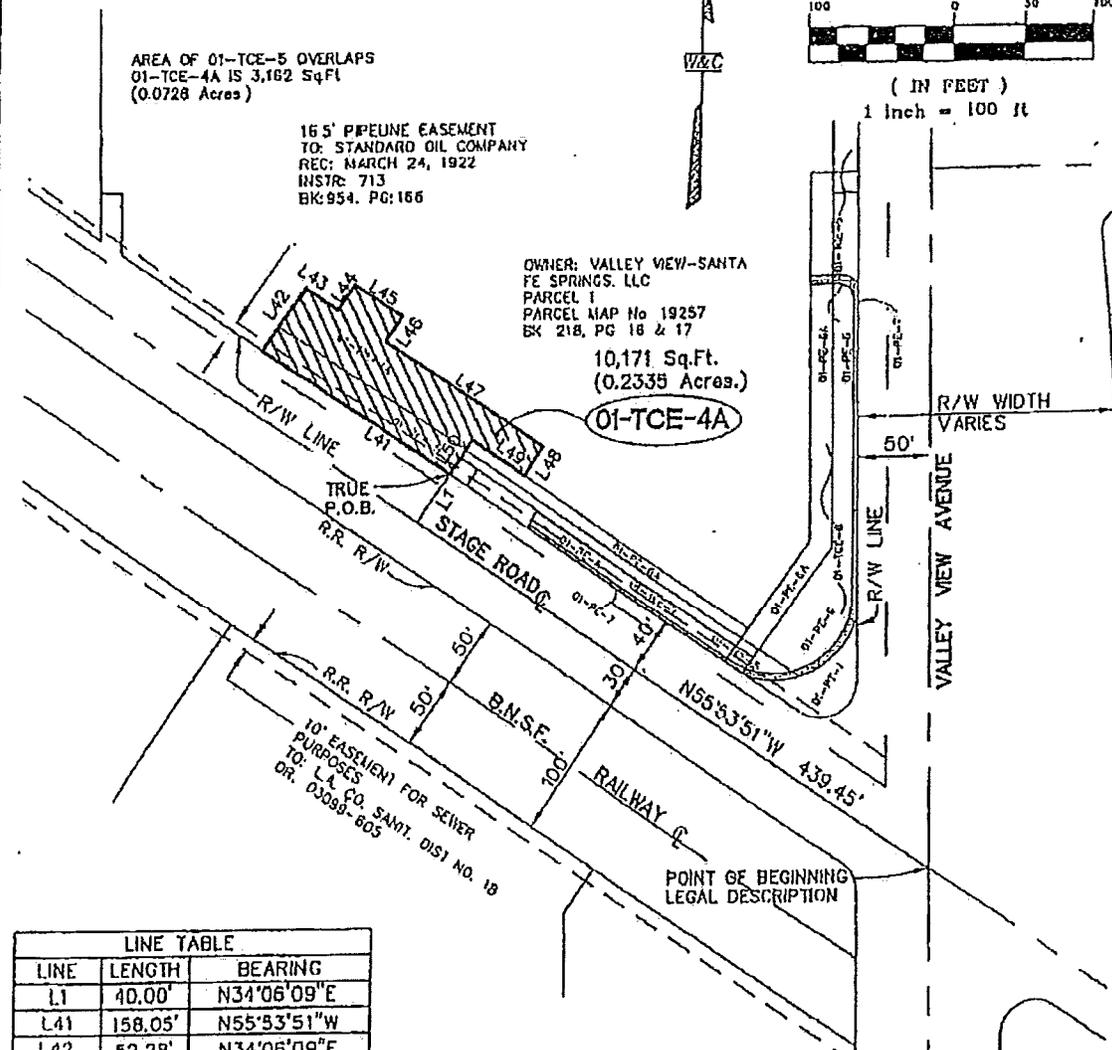
01-TCE-4A

GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft



LINE TABLE

LINE	LENGTH	BEARING
L1	40.00'	N34°06'09"E
L41	158.05'	N55°53'51"W
L42	52.28'	N34°06'09"E
L43	27.32'	S55°53'51"E
L44	21.00'	N34°06'09"E
L45	39.99'	S55°53'51"E
L46	21.00'	S34°06'09"W
L47	135.69'	S55°53'51"E
L48	23.78'	S34°06'09"W
L49	44.95'	N55°53'51"W
L50	28.50'	S34°06'09"W

NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

**WILSON
& COMPANY**

625 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92409
(009) 808-8000

LAYOUT NAME: 01-TCE-4A
DRAWING NAME: 03-400-189-00_ExtB1a.dwg
NETWORK ADDRESS: J:\RR\03-400-189-00\CA00\EXHIBITS\

EXHIBIT 7A

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

Parcel: 01-TCE-5

Owner: Valley View -- Santa Fe Springs, LLC
APN: 8069-006-042

06/01/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way - 30 feet south, 40 feet north); thence, N 55° 53' 51" W, a distance of 181.35 feet along said centerline of Stage Road to a point; thence, N 34° 06' 09" E, a distance of 40.00 feet to a point on the northerly right-of-way line of Stage Road, being the TRUE POINT OF BEGINNING; thence,

N 55° 53' 51" W, a distance of 416.20 feet along the said northerly right-of-way line of Stage Road to a point; thence,

N 34° 06' 09" E, a distance of 20.00 feet to a point; thence,

S 55° 53' 51" E, a distance of 446.92 feet to a point on a curve to the Right; thence,

37.29 feet along the arc of said curve having a Radius of 58.02 feet, a Central Angle of 36°49'39" and a Chord of 36.65 feet which bears N.88°58'00"W. to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 8,704 square feet (0.1998 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.



Benjamin M. Aragon

Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.

6-5-09

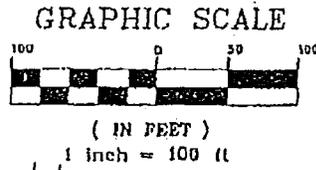
Date

EXHIBIT 7B

EXHIBIT "A"

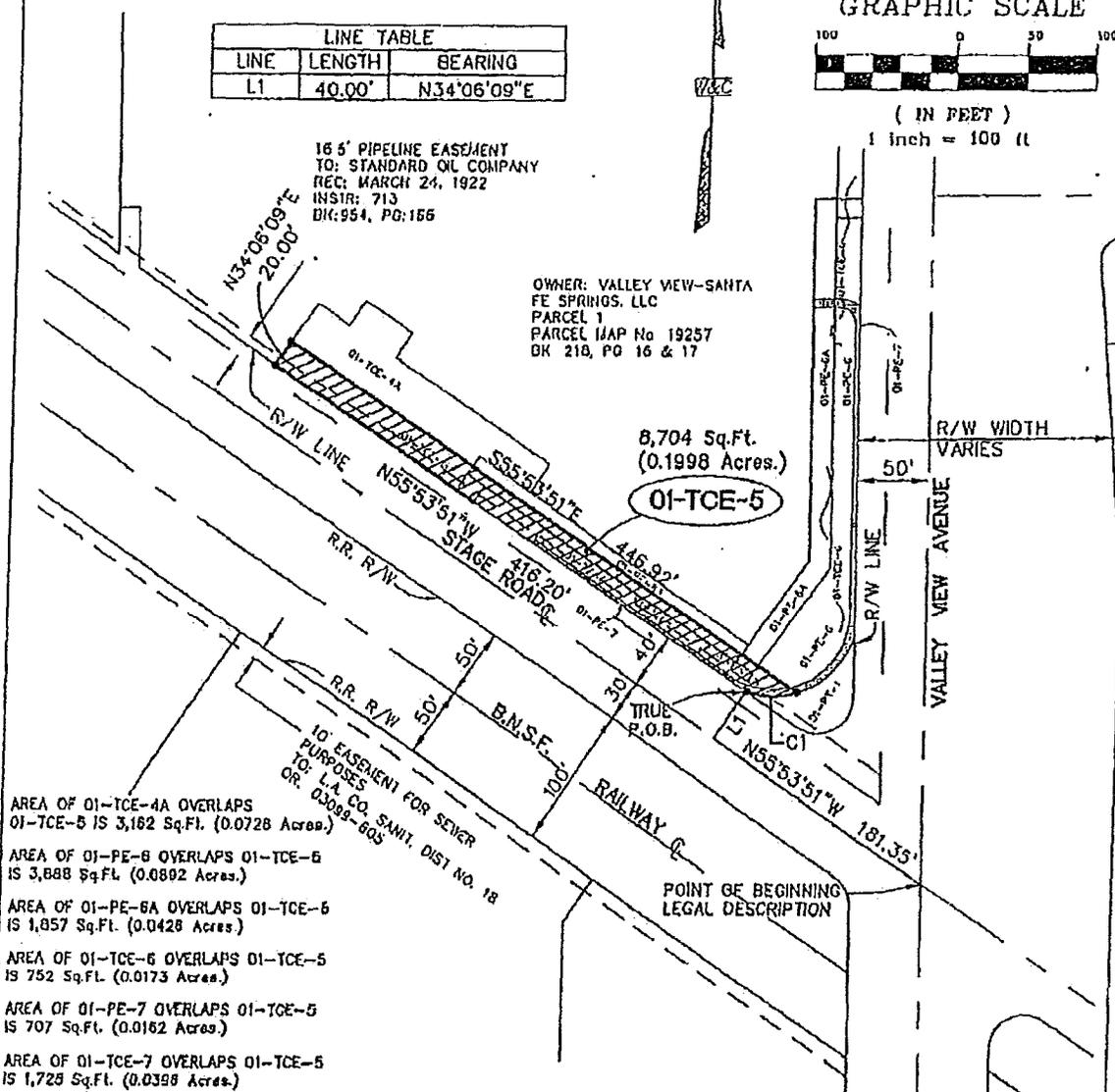
TEMPORARY CONSTRUCTION EASEMENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.00'	N34°06'09"E



16 5' PIPELINE EASEMENT
TO: STANDARD OIL COMPANY
REC: MARCH 24, 1922
INSR: 713
BK: 954, PG: 155

OWNER: VALLEY VIEW-SANTA
FE SPRINGS, LLC
PARCEL 1
PARCEL MAP No 19257
BK 210, PG 16 & 17



- AREA OF OI-TCE-4A OVERLAPS OI-TCE-5 IS 3,182 Sq.Ft. (0.0728 Acres.)
- AREA OF OI-PE-6 OVERLAPS OI-TCE-5 IS 3,888 Sq.Ft. (0.0892 Acres.)
- AREA OF OI-PE-6A OVERLAPS OI-TCE-5 IS 1,857 Sq.Ft. (0.0428 Acres.)
- AREA OF OI-TCE-6 OVERLAPS OI-TCE-5 IS 752 Sq.Ft. (0.0173 Acres.)
- AREA OF OI-PE-7 OVERLAPS OI-TCE-5 IS 707 Sq.Ft. (0.0162 Acres.)
- AREA OF OI-TCE-7 OVERLAPS OI-TCE-5 IS 1,729 Sq.Ft. (0.0398 Acres.)

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	37.29'	58.02'	36°49'39"	19.32'	36.65	N88°58'00"W

- NOTES:**
1. BEARINGS ARE GRID BEARINGS
 2. ALL DISTANCES ARE GROUND DISTANCES

LAYOUT NAME: OI-TCE-6
DRAWING NAME: 08-400-189-00_Exhibit.dwg
NETWORK ADDRESS: H:\RR\08-400-189-00\CADD\EXHIBITS\

**WILSON
& COMPANY**

625 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 806-8000

EXHIBIT 8A

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

01-TCE-6

Owner: Valley View -- Santa Fe Springs, LLC
AIN: 8069-006-042

06/01/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way -- 30 feet south, 40 feet north); thence, N.55°53'51"W., a distance of 199.99 feet along said centerline of Stage Road to a point; thence, N.34°06'09"E., a distance of 40.00 feet to the TRUE POINT OF BEGINNING; thence

N.34°22'14"E. a distance of 102.32 feet to a point; thence

N.00°35'56"W. a distance of 259.01 feet to a point; thence

N.89°24'04"E. a distance of 15.00 feet to a point; thence

N.00°35'56"W. a distance of 212.21 feet to a point; thence

S.89°24'04"W. a distance of 32.00 feet to a point; thence

N.00°35'56"W. a distance of 70.00 feet to a point; thence

N.89°24'04"E. a distance of 12.00 feet to a point; thence

N.00°35'56"W. a distance of 51.92 feet to a point; thence

N.89°24'04"E. a distance of 20.00 feet to a point; thence

N.00°35'56"W. a distance of 10.00 feet to a point; thence

N.89°24'04"E. a distance of 18.00 feet to a point on the westerly right of way line of Valley View Avenue; thence

S.00°35'56"E. a distance of 656.81 feet to point of curvature to the right leaving said westerly right of way line; thence

97.63 feet along the arc of said curve having a Radius of 58.10, a Central Angle of 96°16'29" subtended by a Chord of 86.53 feet which bears S.61°17'04"W. to a point; thence

N.55°53'51"W. a distance of 18.64 to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 23,738 Square Feet or (0.5450 Acres), more or less.

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

01-TCE-6

Owner: Valley View - Santa Fe Springs, LLC
ATN: 8069-006-042

06/01/09

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6-5-09

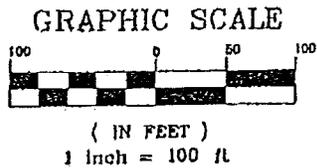
Date

EXHIBIT 8B

EXHIBIT "A"

TEMPORARY CONSTRUCTION EASEMENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	40.00'	N34°06'09"E
L2	32.00'	S89°24'04"W
L3	51.92'	N00°35'56"W
L4	20.00'	N89°24'04"E
L5	10.00'	N00°35'56"W
L6	18.00'	N89°24'04"E
L7	18.64'	N55°53'51"W
L8	70.00'	N00°35'56"W
L9	12.00'	N89°24'04"E

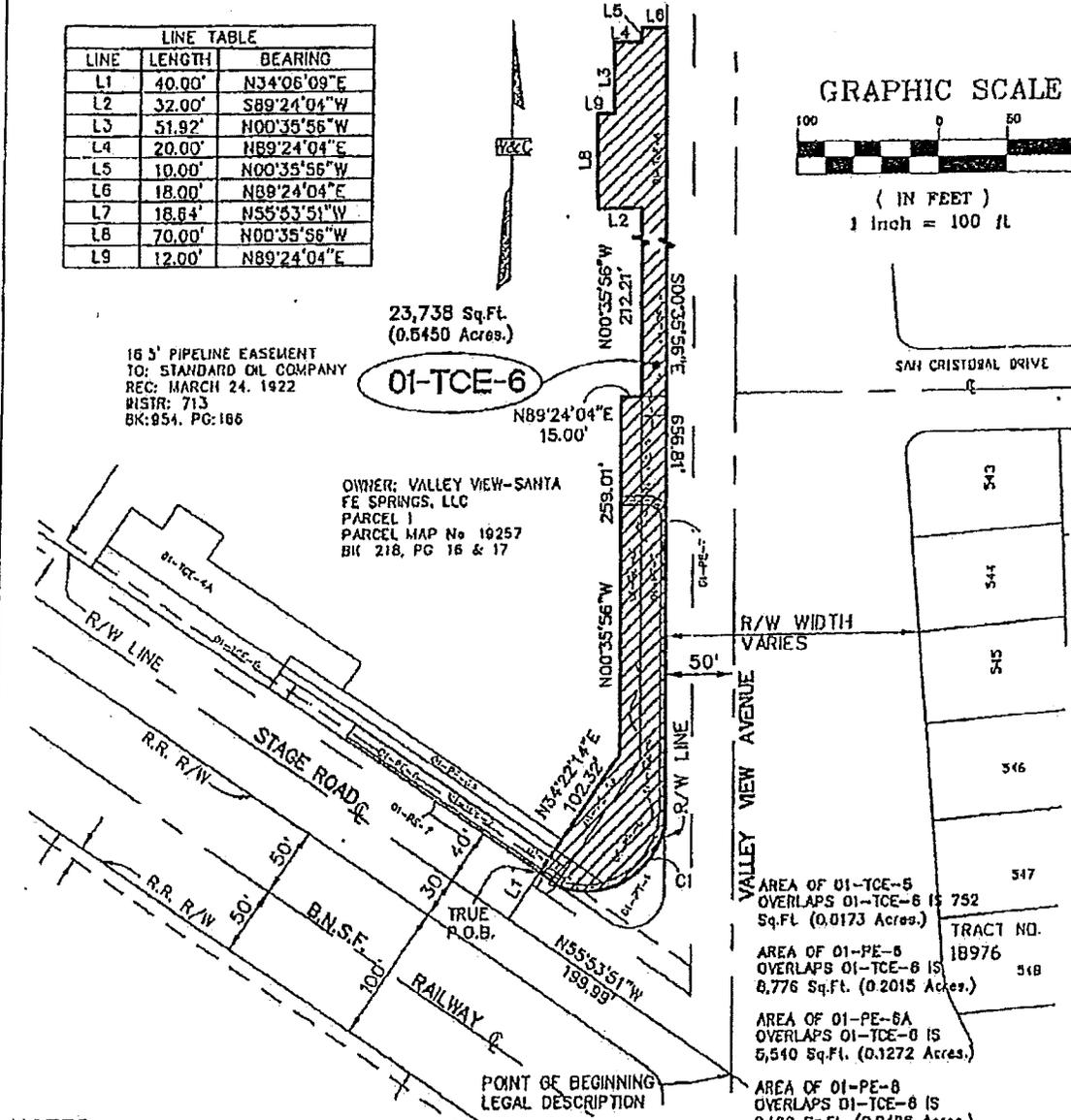


23,738 Sq.Ft.
(0.5450 Acres.)

16.5' PIPELINE EASEMENT
TO: STANDARD OIL COMPANY
REC: MARCH 24, 1922
BISR: 713
BK: 954, PG: 166

01-TCE-6

OWNER: VALLEY VIEW-SANTA
FE SPRINGS, LLC
PARCEL 1
PARCEL MAP No 19257
BK 218, PG 16 & 17



AREA OF 01-TCE-6 OVERLAPS 01-TCE-5 IS 752 Sq.Ft. (0.0173 Acres.)

AREA OF 01-PE-6 OVERLAPS 01-TCE-6 IS 8,776 Sq.Ft. (0.2015 Acres.)

AREA OF 01-PE-6A OVERLAPS 01-TCE-6 IS 5,540 Sq.Ft. (0.1272 Acres.)

AREA OF 01-PE-8 OVERLAPS 01-TCE-6 IS 2,160 Sq.Ft. (0.0496 Acres.)

AREA OF 01-PE-7 OVERLAPS 01-TCE-6 IS 1,554 Sq.Ft. (0.0357 Acres.)

NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	97.63'	58.10'	96°16'29"	64.83'	66.53'	S61°17'04"W

LAYOUT NAME: 01-TCE-6
DRAWING NAME: 00-400-189-00_Exhibits_6E_Quad.dwg
NETWORK ADDRESS: \\R\08-400-189-00\CADD\EXHIBITS\

WILSON & COMPANY
626 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 808-8000

EXHIBIT 9A

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

01-TCE-6A

Owner: Valley View - Santa Fe Springs, LLC
AIN: 8069-006-042

06/0409

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way - 30 feet south, 40 feet north); thence, N.00°35'56"W., a distance of 337.37 feet along said centerline of Valley View Avenue to a point; thence, S.89°24'04"W., a distance of 83.00 feet to the TRUE POINT OF BEGINNING; thence

S.89°24'04"W. a distance of 46.00 feet to a point; thence

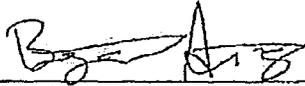
N.00°35'56"W. a distance of 152.22 feet to a point; thence

N.89°24'04"E. a distance of 46.00 feet to a point; thence

S.00°35'56"E. a distance of 152.22 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 7,002 Square Feet or (0.1607 Acres), more or less.

Surveyor's Certification

This real property description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyor's Act.



Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6-5-09

Date

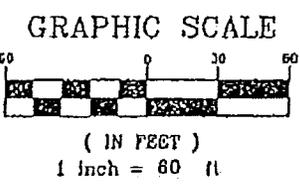
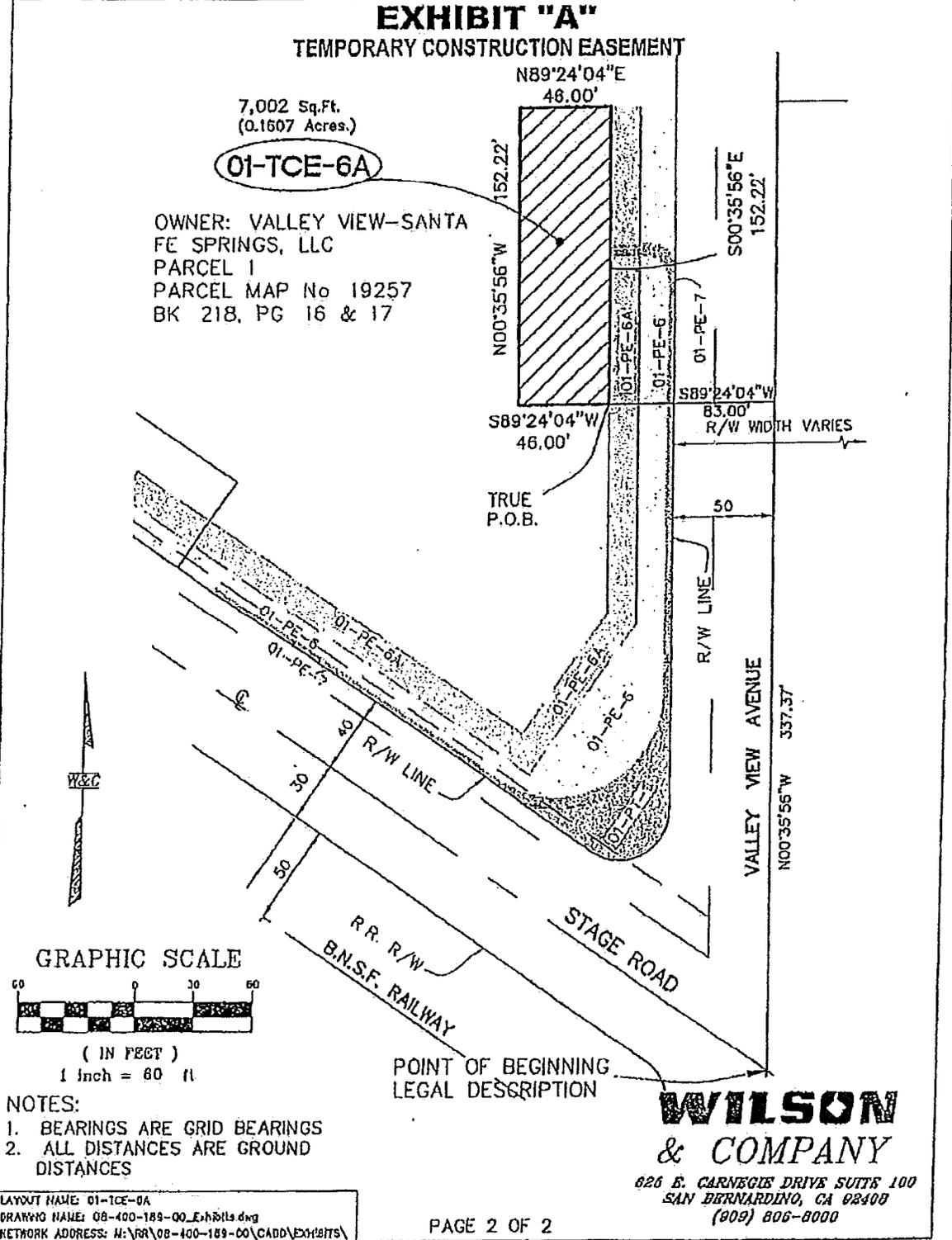
EXHIBIT 9B

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT

7,002 Sq.Ft.
 (0.1607 Acres.)

01-TCE-6A

OWNER: VALLEY VIEW-SANTA
 FE SPRINGS, LLC
 PARCEL 1
 PARCEL MAP No 19257
 BK 218, PG 16 & 17



- NOTES:**
1. BEARINGS ARE GRID BEARINGS
 2. ALL DISTANCES ARE GROUND DISTANCES

LAYOUT NAME: 01-TCE-0A
 DRAWING NAME: 08-400-189-00_Exhibits.dwg
 NETWORK ADDRESS: H:\RR\08-400-189-00\CADD\Exhibits

POINT OF BEGINNING
 LEGAL DESCRIPTION

WILSON
& COMPANY
 626 E. CARNEGIE DRIVE SUITE 100
 SAN BERNARDINO, CA 92408
 (909) 806-8000

EXHIBIT 10A

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

Parcel: 01-TCE-7

Owner: Valley View - Santa Fe Springs, LLC
APN: 8069-006-042

05/29/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 19257, in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 218, Pages 16 and 17 of Parcel Maps, in the office of the County Recorder of said County and described as follows:

Beginning at the centerline intersection of Valley View Avenue (100-foot right-of-way) and an offset centerline for Stage Road (70-foot right-of-way - 30 feet south, 40 feet north); thence, N 55° 53' 51" W, a distance of 199.99 feet along said centerline of Stage Road to a point; thence, N 34° 06' 09" E, a distance of 42.83 feet to a point on the northerly right-of-way line of Stage Road, being the TRUE POINT OF BEGINNING; thence,

N 55° 56' 06" W, a distance of 172.52 feet along the said northerly right-of-way line of Stage Road to a point; thence,

N 34° 03' 54" E, a distance of 10.00 feet to a point; thence,

S 55° 56' 06" E, a distance of 172.52 feet to a point; thence,

S 34° 03' 54" W, a distance of 10.00 feet to a point to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 1,725 square feet (0.0396 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.



Benjamin M. Aragon

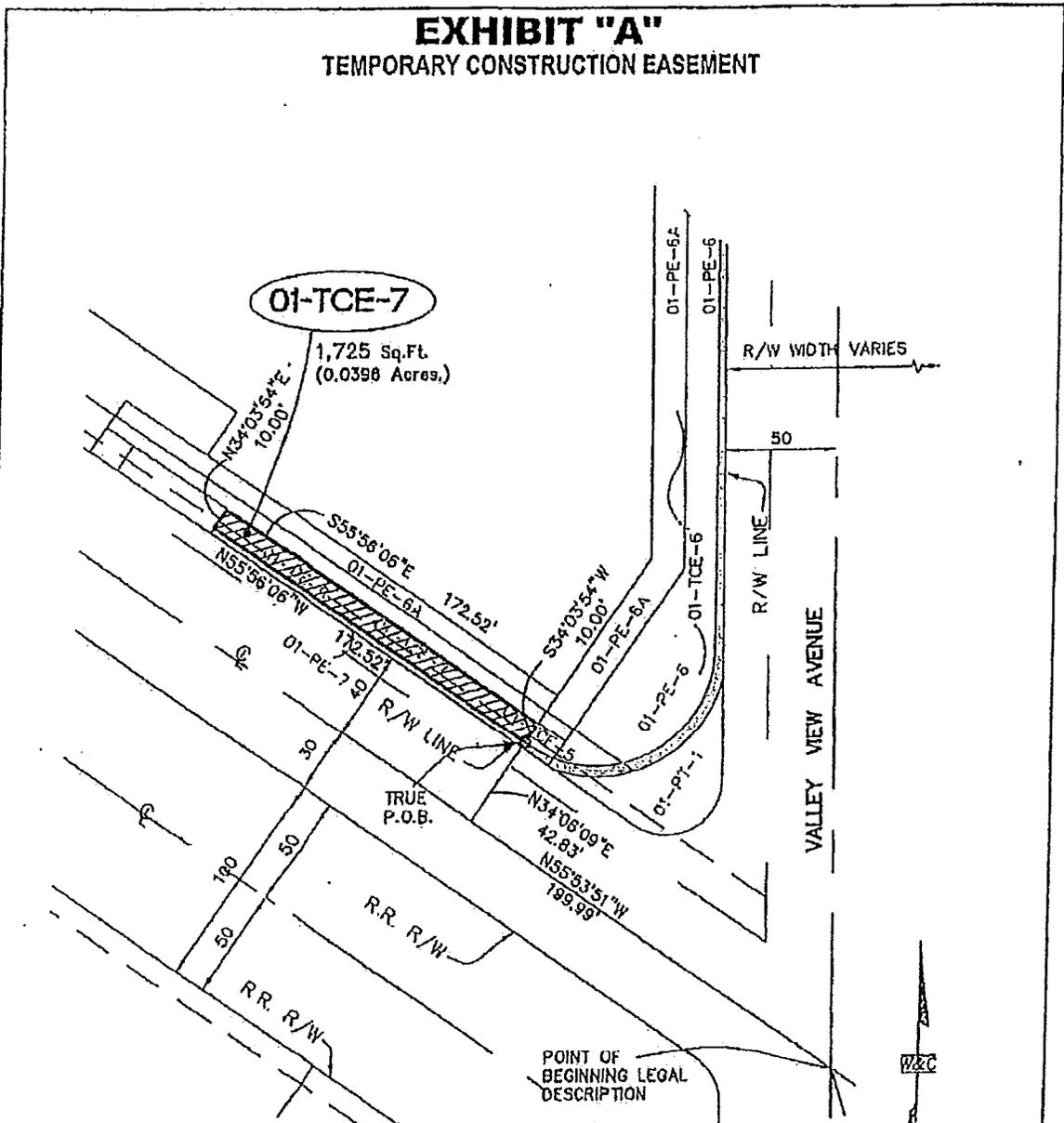
Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.

6-5-09

Date

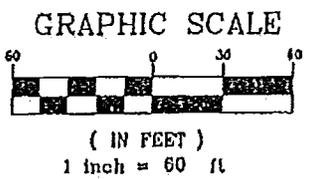
EXHIBIT 10B

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT



AREA OF 01-TCE-5 OVERLAPS
 01-TCE-7 IS 1,725 Sq.Ft.
 (0.0398 Acres.)

- NOTES:
1. BEARINGS ARE GRID BEARINGS
 2. ALL DISTANCES ARE GROUND DISTANCES



WILSON
& COMPANY
 825 E. CARNEGIE DRIVE SUITE 100
 SAN BERNARDINO, CA 92408
 (909) 806-8000

LAYOUT NAME: 01-TCE-7
 DRAWING NAME: 08-400-189-00_ExhB(1).dwg
 NETWORK ADDRESS: M:\RR\08-400-189-00\CADD\EXHIBITS\

RESOLUTION NO. 9225

A RESOLUTION OF NECESSITY OF THE CITY OF SANTA FE SPRINGS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE VALLEY VIEW GRADE SEPARATION PROJECT

THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City of Santa Fe Springs is a municipal corporation, in the County of Los Angeles, State of California.

SECTION 2. The real property interests described in Section 3 of this Resolution are to be taken for a public use, namely for the construction and maintenance of a grade separation, also known as the Valley View Grade Separation Project, and all purposes necessary and convenient thereto. The real property interests will be taken from property located at 14027 Borate Street (Assessor's Parcel Number 8069-008-031), 14103 Borate Street (Assessor's Parcel Number 8069-008-032), and 14100 Borate Street (Assessor's Parcel Number 8069-008-033) (referred to below as "Subject Property") in connection with the construction and maintenance of the Valley View Grade Separation Project ("proposed Project"). The City has the authority to acquire the property interests for the proposed Project pursuant to the authority conferred upon the City of Santa Fe Springs to acquire real property by eminent domain by California Constitution, Article I, Section 19, California Government Code Sections 37350, 37350.5, 37351, 40401, and 40404, California Code of Civil Procedure Section 1230.010 *et seq.* (Eminent Domain Law), including, but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.510, 1240.610, 1240.650, 1245.250, and other provisions of law.

SECTION 3. The City seeks to acquire the following property interests from the Subject Property:

- The acquisition of a 4,046 square foot permanent subsurface utility easement and all uses necessary or convenient thereto, from 14027 Borate Street;
- The acquisition of a 3,100 square foot permanent subsurface utility easement and all uses necessary or convenient thereto, from 14103 Borate Street;
- The acquisition of a 3,950 square foot permanent subsurface utility easement and all uses necessary or convenient thereto, from 14103 Borate Street;

- The acquisition of a 6,285 square foot permanent subsurface utility easement and all uses necessary or convenient thereto, from 14100 Borate Street;
- The acquisition of a 9,708 square foot permanent subsurface utility easement and all uses necessary or convenient thereto, from 14100 Borate Street; and
- The acquisition of a 46,415 square foot temporary construction easement for a period of 30 months for a detour road to reroute Valley View Avenue during the construction of the grade separation and all uses necessary or convenient thereto, from 14100 Borate Street:

The 4,046 square foot permanent subsurface utility easement is legally described in Exhibit "1A" and depicted in Exhibit "1B" to the Resolution of Necessity. The 3,100 square foot permanent subsurface utility easement is legally described in Exhibit "2A" and depicted in Exhibit "2B" to the Resolution of Necessity. The 3,950 square foot permanent subsurface utility easement is legally described in Exhibit "3A" and depicted in Exhibit "3B" to the Resolution of Necessity. The 6,285 foot permanent subsurface utility easement is legally described in Exhibit "4A" and depicted in Exhibit "4B" to the Resolution of Necessity. The 9,708 foot permanent subsurface utility easement is legally described in Exhibit "5A" and depicted in Exhibit "5B" to the Resolution of Necessity. The 46,415 square foot temporary construction easement is legally described in Exhibit "6A" and depicted in Exhibit "6B" to the Resolution of Necessity. Said exhibits are attached hereto and incorporated herein by this reference. The aforementioned property interests will be referred to collectively as Subject Property Interests.

SECTION 4. The Valley View Avenue Grade Separation Project ("Project") is a joint project between the Cities of Santa Fe Springs and La Mirada in cooperation with Caltrans, Division of Rail and the BNSF railroad. The purpose of the Project is to improve safety and traffic flow along Valley View Avenue that is interrupted by the existing BNSF railroad crossing.

The proposed Project requires a grade separation along Valley View Avenue and construction of a new railroad bridge with three tracks across the Valley View Avenue right-of-way in order to eliminate the existing at-grade crossing. The primary element of the Project will involve lowering the intersection of Valley View Avenue and Stage Road by approximately 21 feet so that Valley View traffic will be able to drive under the railroad bridge. However, while all four quadrants adjacent to this intersection will be impacted, no buildings will need to be acquired or modified, nor does the proposed project require any existing businesses to be relocated in order to complete construction. Additionally, appropriate mitigation measures will be implemented to address impacts on affected parking areas, access to private property and disruption of private utility services.

The widths of Valley View Avenue and Stage Road will be unchanged. However, to allow for the lowering of the intersection of Valley View Avenue and Stage Road, temporary sheeting and permanent retaining walls will be constructed within the adjacent properties via permanent road and slope easements. The limits on Valley View Avenue where work will be done are approximately 750 feet north of Stage Road and extend to 900 feet south of Stage Road. The lowest point of elevation on Valley View Avenue will be 21 feet below before condition street grade and 16 feet below the bottom of the steel bridge of the railroad at the BNSF railroad crossing. The project will necessitate the modification and, in some cases, the relocation of driveways along Valley View Avenue and the north side of Stage Road west of Valley View that are within the limits of the Project, to meet the new street grade. The Project will also require extensive relocation, removal and reconstruction of all affected utility lines, including public water, sewer and drainage lines.

The existing at-grade crossing will need to be isolated in order to construct the new railroad bridge and grade separation. After evaluating various options, the Cities concluded that the most feasible solution was to construct the detour road to the west of the existing crossing. There will be two lanes for each direction in order to accommodate current traffic volumes on Valley View Avenue. The detour road will impact adjacent private property on both the northwest and southwest quadrants of the Project, however no structures will be affected. This detour road will be needed for a period of 30 months. All damaged site improvements within the temporary construction easement areas will be repaired or replaced in kind as part of the construction in the manner proposed.

The Los Angeles-San Diego Rail Corridor is the second busiest intercity passenger rail corridor in the nation. The corridor serves not only BNSF freight traffic; it is also a key artery for Metrolink commuter service and Amtrak intercity services to and from Orange, San Diego and Riverside counties. Approximately 100 trains per day use this congested corridor, often causing blocking delays to traffic traveling on surface streets with the existing at-grade crossings, which in turn translate into significant economic losses. Additionally, the projected increases in the frequency of freight services, as well as future increases of commuter rail services and intercity train services as an alternative mode of transportation, indicate that there will be more blocking delays to traffic traveling on streets with at-grade crossings.

The proposed Project is being implemented to achieve one immediate objective. The grade separation will substantially enhance safety and traffic flow on surface streets along this segment of the rail corridor by eliminating the existing at-grade intersection of trains and motor vehicle traffic. In addition, it is anticipated that the proposed Project will reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through the existing at-grade crossings and will reduce noise pollution created by air horn and warning signals. These concerns are identified in both the Land Use and Circulation Elements of the Cities of Santa Fe Springs and La

Mirada. The proposed Project is identified as a means of enhancing public safety and traffic flow. It is further identified as a means of reducing air and noise pollution within the City.

SECTION 5. After careful review, Caltrans concluded that the proposed Project was exempt from CEQA and issued Categorical Exemption number CE 200508014. The Categorical Exclusion found that the Project did not individually or cumulatively have a significant environmental effect and was excluded from the requirement to prepare an Environmental Impact Report. This determination was executed by Caltrans on August 31, 2005. It further required FHWA determination that the Project met the criteria of and was properly classified as a Categorical Exclusion. The FHWA determination was made on September 12, 2005.

SECTION 6. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interests that used a date of value of June 5, 2008. The City set just compensation in accordance with the appraised fair market value, and in September 2008 extended a written offer to the owner of record to purchase the Subject Property Interests pursuant to Govern Code Section 7267.2. In October 2008, the city revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. The City had the appraisal reports updated and in August 2009, the City reset just compensation in accordance with the updated appraisal and extended a revised written offer to the owner of record. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

SECTION 7. On October 14, 2009 the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its November 9, 2009 meeting as required by Code of Civil Procedure Section 1245.235.

SECTION 8. The City Council of the City of Santa Fe Springs hereby finds and determines that:

- A. The public interest and necessity require the proposed Project;
- B. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- C. The property interests described in Exhibits "1A through 6A" hereto and depicted on Exhibits "1B through 6B" hereto are necessary for the proposed Project; and

- D. The City made the offer required by section 7267.2 of the Government Code to the owner of record.

SECTION 9. The findings and declarations contained in this Resolution are based upon the record before the City Council on November 9, 2009, including the Agenda Report dated November 9, 2009 and all documents referenced therein, all of which are incorporated herein by this reference. These documents include the Notice of Determination, the General Plan, and all the file documents relating to the Project. The findings and declarations in this Resolution are also based upon any testimony, records and documents produced at the hearing, all of which are incorporated herein by this reference.

SECTION 10. The City Council of the City of Santa Fe Springs hereby authorizes and directs the law firm of Richards, Watson & Gershon, to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the Subject Property Interests legally described in Exhibits "1A through 6A" and depicted on Exhibits "1B through 6B" to this Resolution.

SECTION 11. The City Council of the City of Santa Fe Springs hereby authorizes the City Manager to execute all necessary documents in connection with the eminent domain proceeding.

SECTION 12. This Resolution shall take effect upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Santa Fe Springs
this 9th day of November, 2009.

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Luis M. González
Mayor

ATTEST:

Barbara Earl, CMC
City Clerk

EXHIBIT 1A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

Parcel: 07-PE-5

Owner: PPF Industrial Valley View, LP

2/12/07

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 1, Parcel Map 15437 in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 160, Page 30 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at a point being the northeast corner of said Parcel 1, which lies on the southerly right-of-way line of the Burlington Northern Santa Fe Railroad (BNSF); thence,

S 34° 06' 09" W, a distance of 10.00 feet to the TRUE POINT OF BEGINNING; and lying on the southerly line of a 10-foot sewer easement as shown on said P.M. 15437; thence,

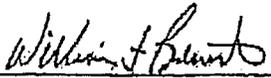
N 55° 53' 51" W, a distance of 404.61 feet along said easement line to a point on said BNSF right-of-way; thence,

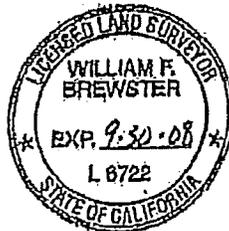
S 34° 06' 09" W, a distance of 10.00 feet to a point; thence,

S 55° 53' 51" E, a distance of 404.61 feet to a point; thence,

N 34° 06' 09" E, a distance of 10.00 feet to the TRUE POINT OF BEGINNING of the parcel land herein described and containing 4046 square feet (0.0929 acre), more or less.

I, William F. Brewster, am a Licensed Professional Land Surveyor in the State of California and do hereby certify that this legal description, with attached exhibit, was prepared under my direct supervision and is true and accurate to the best of my knowledge and belief.


William F. Brewster L.S. #6722



2/12/07
Date

EXHIBIT 1B

EXHIBIT 2A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

Parcel: 07-PE-4

Owner: PPF Industrial Valley View, LP

2/12/07

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 2, Parcel Map 15437 in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 160, Page 30 of Parcel Maps, in the Office of the County Recorder of said County and described as follows:

Beginning at a point being the northeast corner of said Parcel 2, which lies on the southerly right-of-way line of the Burlington Northern Santa Fe Railroad; thence,

S 34° 06' 09" W, a distance of 10.00 feet to the TRUE POINT OF BEGINNING and lying on the southerly line of a 10-foot sewer easement as shown on said P.M. 15437; thence,

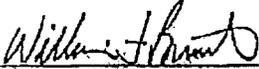
N 55° 53' 51" W, a distance of 310.00 feet along said easement line to a point on the westerly property line of said Parcel 2; thence,

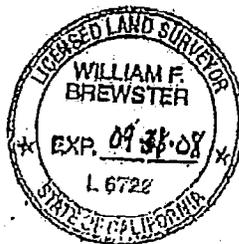
S 34° 06' 09" W, a distance of 10.00 feet along said westerly line to a point; thence,

S 55° 53' 51" E, a distance of 310.00 feet to a point; thence,

N 34° 06' 09" E, a distance of 10.00 feet to the TRUE POINT OF BEGINNING of the parcel land herein described and containing 3100 square feet (0.0712 acre), more or less.

I, William F. Brewster am a Licensed Professional Land Surveyor in the State of California and do hereby certify that this legal description, with attached exhibit, was prepared under my direct supervision and is true and accurate to the best of my knowledge and belief.


William F. Brewster, L.S. #6722
Accurate Survey
730 San Mateo S.E.
Albuquerque, NM 87108
(505) 256-7364



2/12/07

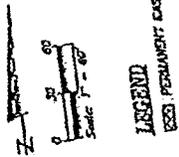
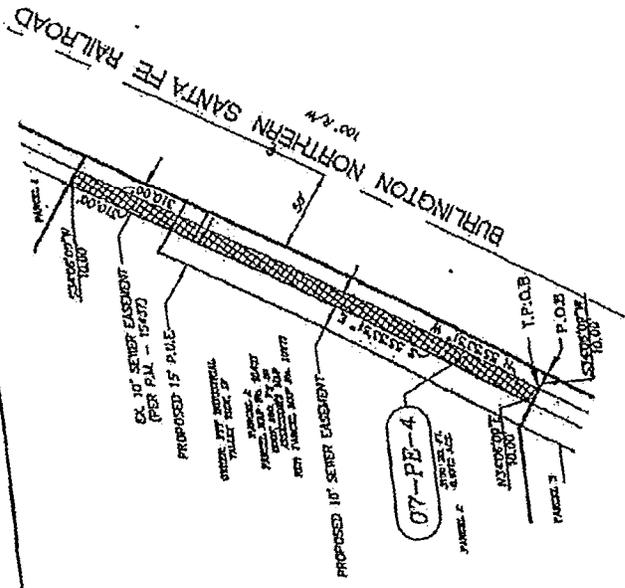
Date

EXHIBIT 2B

PARCEL 07-PE-4
 APC: 069-004-02
 PROPERTY ADDRESS: 1410 BRYANE ST.
 SANTA FE SPRINGS, CA

ACCURATE SURVEY
 CONSULTING ENGINEERS & SURVEYORS
 750 S. MARKET S.E.
 ALBUQUERQUE, NEW MEXICO 87102
 TELEPHONE: 505-263-7100 FAX: 505-263-7100 EMAIL: info@accurate-survey.com

PROJECT NAME	VALLEY VIEW GRADE SEPARATION EXHIBIT		
SCALE	1"=60'	DRAWN BY:	JKM
DATE:	07/05/06	PROJECT NO.:	00040
ESTATED:	07/12/07	SHEET	1 OF 1



X:\SURVEY\DATA\0804490\BRO\0604490-EASEMENTS\1112.DWG 02-15-07

EXHIBIT 3A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

Parcel: 07-PB-4A

Owner: PPF Industrial Valley View, LP

08/12/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel J, Parcel Map No. 15437 filed on 21 March 1983 in Book 160, Page 30 and described in Document Number 83-309599 in the Official Records in the Office of the County Recorder of said County, and being more particularly described as follows:

Beginning at the intersection of the centerline of Stage Road and the centerline of Valley View Avenue; thence, N 55° 53' 51" W a distance of 196.19 feet along the centerline of Stage Road to a point on the centerline of Stage Road; thence, S. 34° 06' 09" W., a distance of 150.00 feet to the TRUE POINT OF BEGINNING; thence,

S 34° 06' 09" W, a distance of 15.00 feet to a point; thence,

N 55° 53' 51" W, a distance of 243.31 feet to a point; thence,

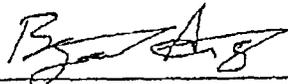
N 34° 06' 09" E, a distance of 35.00 feet to a point on the southerly right of way line of Stage Road; thence,

S 55° 53' 51" E, a distance of 15.00 along the southerly right of way line of Stage Road to a point; thence,

S 35° 54' 15" W, a distance of 20.01 feet to a point leaving said southerly right of way line of Stage Road; thence,

S 55° 53' 51" E, a distance of 228.93 feet to the TRUE POINT OF BEGINNING of the parcel herein described and containing 3,943 square feet (0.0905 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.



Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



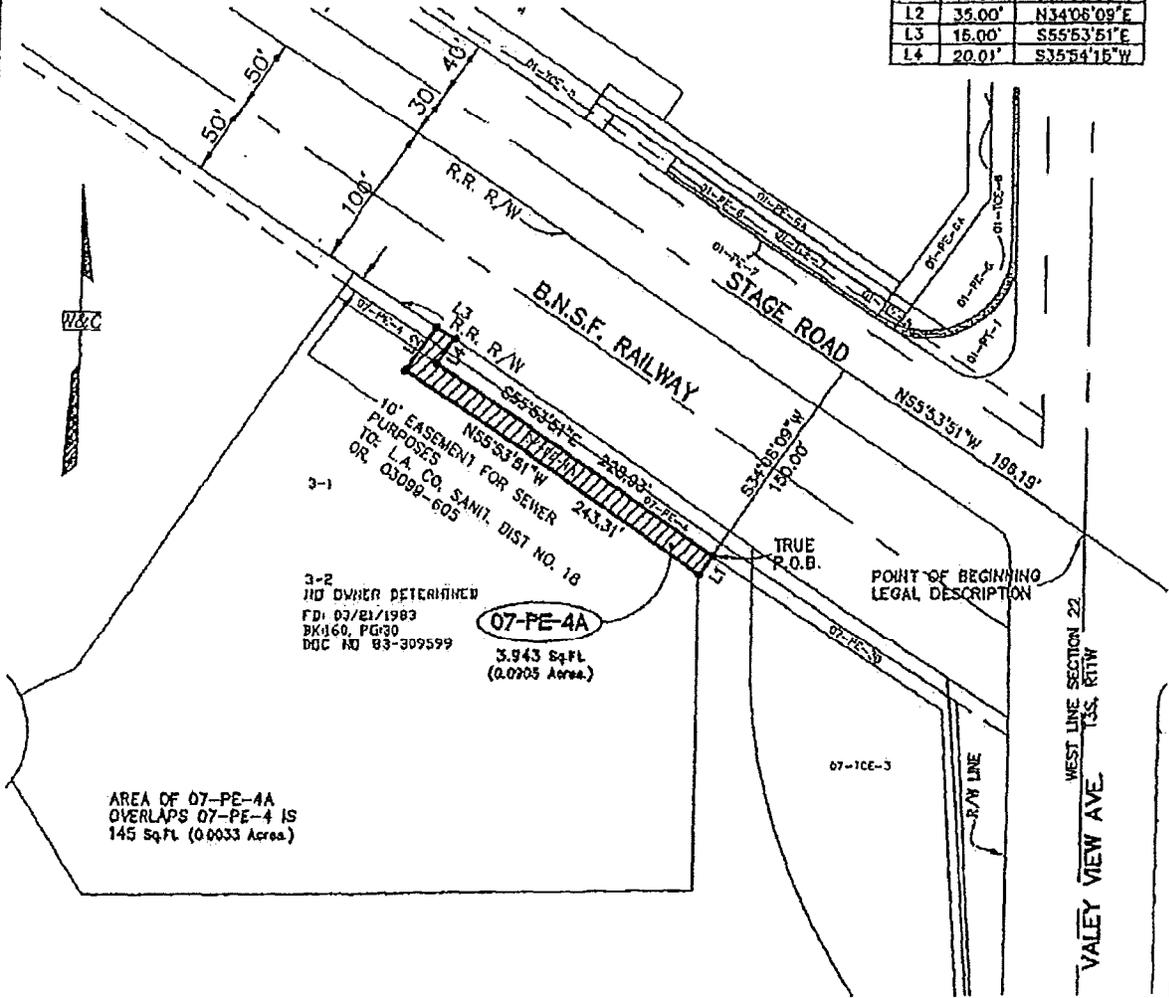
8-7-09

Date

EXHIBIT 3B

EXHIBIT "A" PERMANENT EASEMENT

LINE	LENGTH	BEARING
L1	15.00'	S34°06'09"W
L2	35.00'	N34°06'09"E
L3	15.00'	S55°53'51"E
L4	20.01'	S35°54'16"W



10' EASEMENT FOR SEWER PURPOSES TO: L.A. CO. SANIT. DIST NO. 18 OR: 03099-605

3-2
JOB OWNER DETERMINED
FD: 03/21/1993
PK160, PG30
DGC NO 83-309599

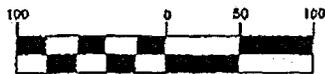
07-PE-4A
3,943 Sq. Ft.
(0.0905 Acres)

AREA OF 07-PE-4A
OVERLAPS 07-PE-4 IS
145 Sq. Ft. (0.0033 Acres)

NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft

WILSON & COMPANY

625 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 808-8000

LAYOUT NAME: 07-PE-4A
DRAWING NAME: 08-400-189-00_Exhibits-NW & SW_Quod.dwg
NETWORK ADDRESS: M:\RR\08-400-189-00\CADD\EXHIBITS\

EXHIBIT 4A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

Parcel: 07-PE-3B

Owner: PPF Industrial Valley View, LP

07/24/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 3, Parcel Map No. 15437 filed on 21 March 1983 in Book 160, Page 30 and described in Document Number 83-309599 in the Official Records in the Office of the County Recorder of said County, and being more particularly described as follows:

Beginning at the intersection of the centerline of Stage Road and the centerline of Valley View Avenue; thence, N 55° 53' 51" W a distance of 196.19 feet along the centerline of Stage Road to a point on the centerline of Stage Road; thence, S. 34° 06' 09" W., a distance of 140.00 feet to the TRUE POINT OF BEGINNING; thence,

S 55° 53' 51" E, a distance of 190.78 feet to a point; thence,

S 04° 15' 00" E, a distance of 426.14 feet to a point; thence,

N 89° 24' 04" E, a distance of 7.02 feet to a point on the westerly right of way line of Valley View Avenue; thence,

S 00° 36' 04" E, a distance of 10.00 along the westerly right of way line of Valley View Avenue to a point; thence,

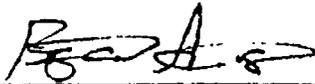
S 89° 24' 04" W, a distance of 16.41 feet to a point leaving said westerly right of way line of Valley View Avenue; thence,

N 04° 15' 00" W, a distance of 430.68 feet to a point; thence,

N 55° 53' 51" W, a distance of 185.94 feet to a point; thence,

N 34° 06' 09" E, a distance of 10.00 feet to the TRUE POINT OF BEGINNING of the parcel herein described and containing 6,285 square feet (0.1443 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



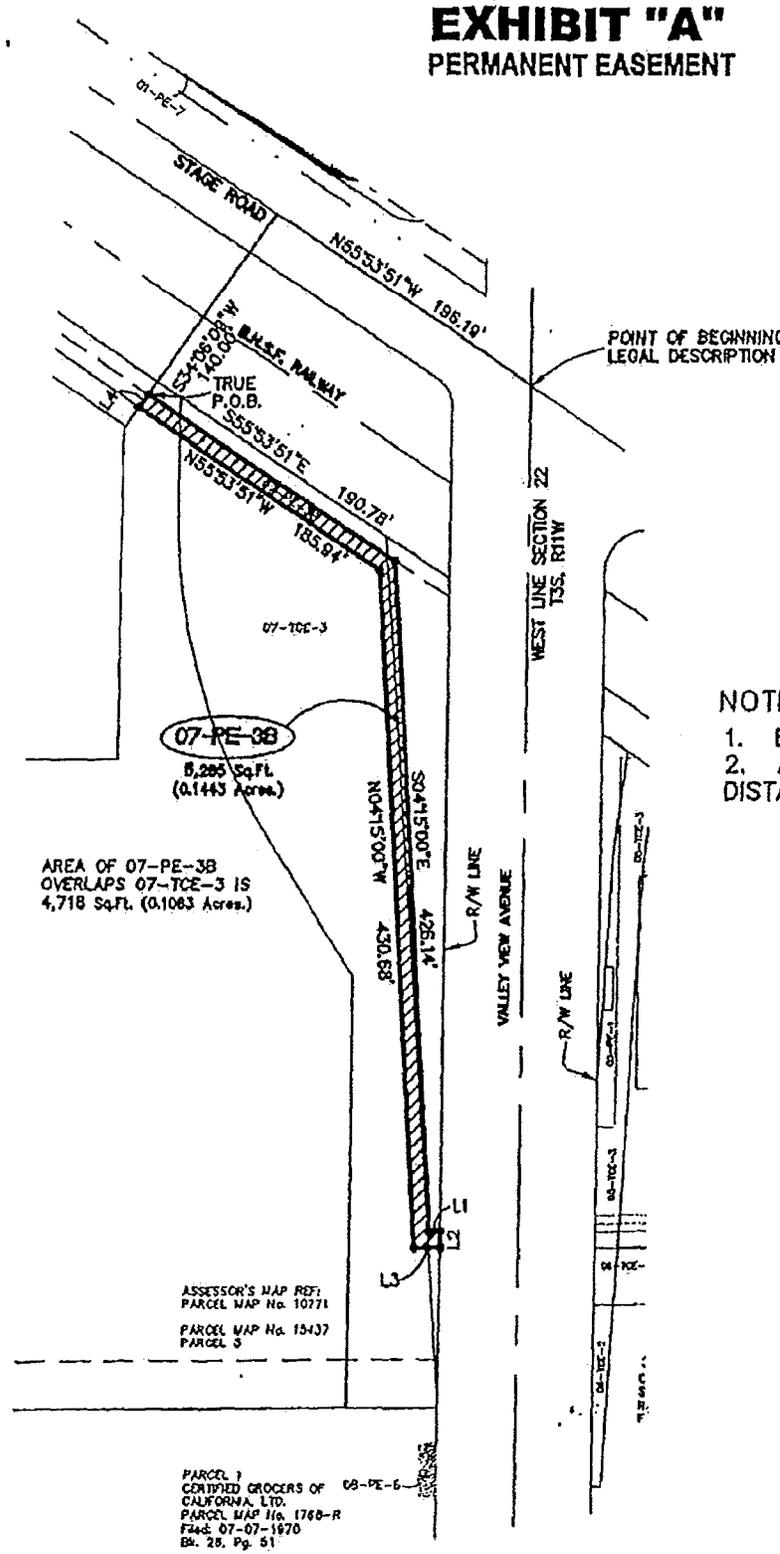
7-24-09
Date

EXHIBIT 4B

EXHIBIT "A"

PERMANENT EASEMENT

LINE TABLE		
LINE	LENGTH	BEARING
L1	7.02'	N89°24'04"E
L2	10.00'	S00°36'04"E
L3	16.41'	S89°24'04"W
L4	10.00'	N34°08'09"E



- NOTES:
1. BEARINGS ARE GRID BEARINGS
 2. ALL DISTANCES ARE GROUND DISTANCES



(IN FEET)
1 inch = 100 ft.

WILSON & COMPANY

885 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(800) 808-8000

LAYOUT NAME: 07-PE-38
DRAWING NAME: 08-400-189-00_Exhibits-NW & SW_Quad.dwg
NETWORK ADDRESS: M:\RR\08-400-189-00\CADD\EQ48175\

EXHIBIT 5A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

Parcel: 07- PE-3C

Owner: PPF Industrial Valley View, LP

4/19/07

LEGAL DESCRIPTION

A certain parcel of land being a portion of Parcel 3, Parcel Map 15437 in the City of Santa Fe Springs, County of Los Angeles, State of California, filed in Book 160, Page 30 of Parcel Maps, in the Office of the County Recorder of said County, and being more particularly described as follows:

Beginning at a point being the northwest corner of said Parcel 3, which lies on the southerly right-of-way line of Burlington Santa Fe railroad; thence,

S 34° 06' 09" W, a distance of 20.00 feet to the TRUE POINT OF BEGINNING of the parcel herein described; thence

S 55° 53' 51" E, a distance of 185.94 feet to a point; thence,

S 04° 15' 00" E, a distance of 430.68 feet to a point; thence,

N 89° 24' 04" E, a distance of 16.41 feet to a point on the west right-of-way line of Valley View Avenue; thence,

S 00° 36' 04" E, a distance of 34.01 feet to a point; thence,

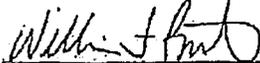
N 45° 35' 47" W, a distance of 44.22 feet to a point; thence,

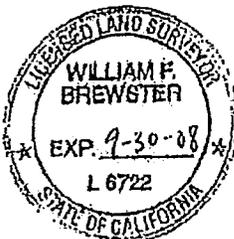
N 04° 15' 00" W, a distance of 425.21 feet to a point; thence,

N 55° 53' 51" W, a distance of 178.69 feet to a point; thence,

N 34° 06' 09" E, a distance of 15.00 feet to the TRUE POINT OF BEGINNING of the parcel of land herein described and containing 9708 square feet (0.2228 acre), more or less.

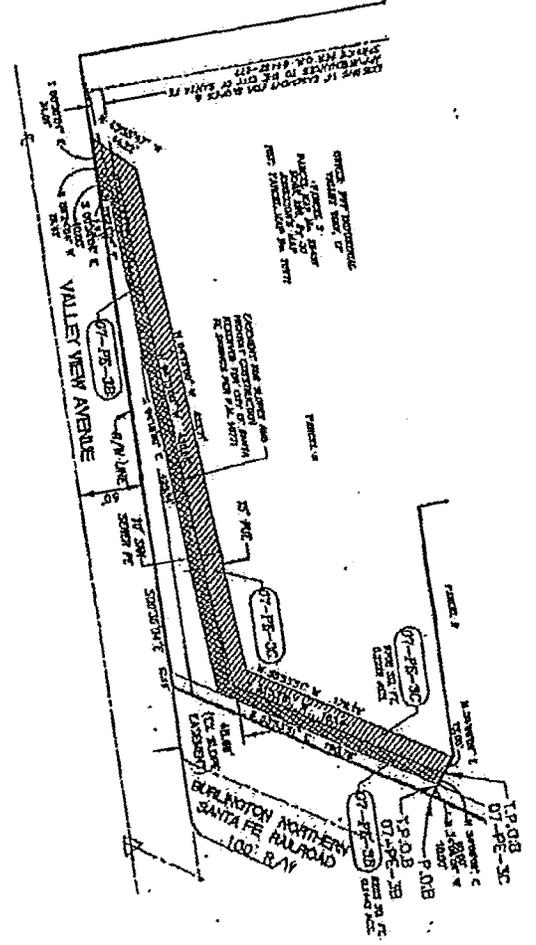
I, William F. Brewster, am a Licensed Professional Land Surveyor in the State of California and do hereby certify that this legal description, with attached exhibit, was prepared under my direct supervision and is true and accurate to the best of my knowledge and belief.


William F. Brewster, L.S. #6722
Accurate Survey
730 San Mateo S.E.
Albuquerque, NM 87108



4/19/07
Date

EXHIBIT 5B



LEGEND
 PERMANENT EASEMENT-PUBLIC UTILTY EASEMENT
 PERMANENT EASEMENT-SANITARY SEWER EASEMENT



ACCURATE SURVEY

TELEPHONE: 909.387.7200 FAX: 909.387.7200 EMAIL: kober@accuratesurvey.com

PROJECT: 17 VALLEY VIEW/0016800/DUM/0604410-CASPER/17.DWG.04-19-07

PROJECT NAME: VALLEY VIEW
 GRADE SEPARATION
 EXHIBIT: 07-PE-3A, 07-PE-3B, 07-PE-3C

DATE: 12/05/06
 DATE: 02/19/07

SCALE: 1"=80'
 DATE: 12/05/06
 DATE: 02/19/07

PROJECT: 17 VALLEY VIEW/0016800/DUM/0604410-CASPER/17.DWG.04-19-07

PROJECT: 17 VALLEY VIEW/0016800/DUM/0604410-CASPER/17.DWG.04-19-07
 PROJECT ADDRESS: 4100 BURBANK ST,
 SANDY BE SPRINGS, CA

EXHIBIT 6A

VALLEY VIEW AVENUE GRADE SEPARATION

Temporary Construction Easement

Parcel: 07-TCE-3

Owner: PFF Industrial Valley View, LP

06/4/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Section 21, Township 3 South, Range 11 West, in the Rancho Los Coyotes in the City of La Mirada, County of Los Angeles, State of California, as shown upon a map filed as Book 41819, Page 141, et seq. and Parcel Number 3, Parcel Map No. 15437 filed on 21 March 1983 in Book 160, Page 30 and described in Document Number 83-309599 in the Official Records in the Office of the County Recorder of said County, and being more particularly described as follows:

Beginning at the intersection of the centerline of Stage Road and the centerline of Valley View Avenue; thence, S 00° 35' 56" E a distance of 95.80 feet along the centerline of Valley View Avenue to a point on the centerline of Valley View Avenue; thence, N. 89° 24' 04" E, a distance of 90.00 feet to the northeast corner of said Parcel 1 to the TRUE POINT OF BEGINNING; thence,

S 04° 45' 07" E, a distance of 552.74 feet along said parcel line to a point on the westerly right of way line of Valley View Avenue; thence,

S 89° 39' 58" W, a distance of 57.00 feet to a point; thence,

N 00° 36' 15" W, a distance of 271.86 feet to a point; thence,

N 32° 21' 13" W, a distance of 102.21 feet to a point of curvature; thence,

223.54 feet along the arc of said curve having a Radius of 400.00 feet, a Central Angle of 32° 01' 12" and a Chord of 220.64' which bears N 16° 20' 37" W to a point; thence,

N 00° 20' 01" W, a distance of 70.14 feet to a point on the southerly right of way line of the BNSF Railway; thence,

S 55° 53' 51" E, a distance of 158.53 feet along said southerly right of way line to the TRUE POINT OF BEGINNING of the parcel herein described and containing 46,415 square feet (1.0655 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.


Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.



6.5.09

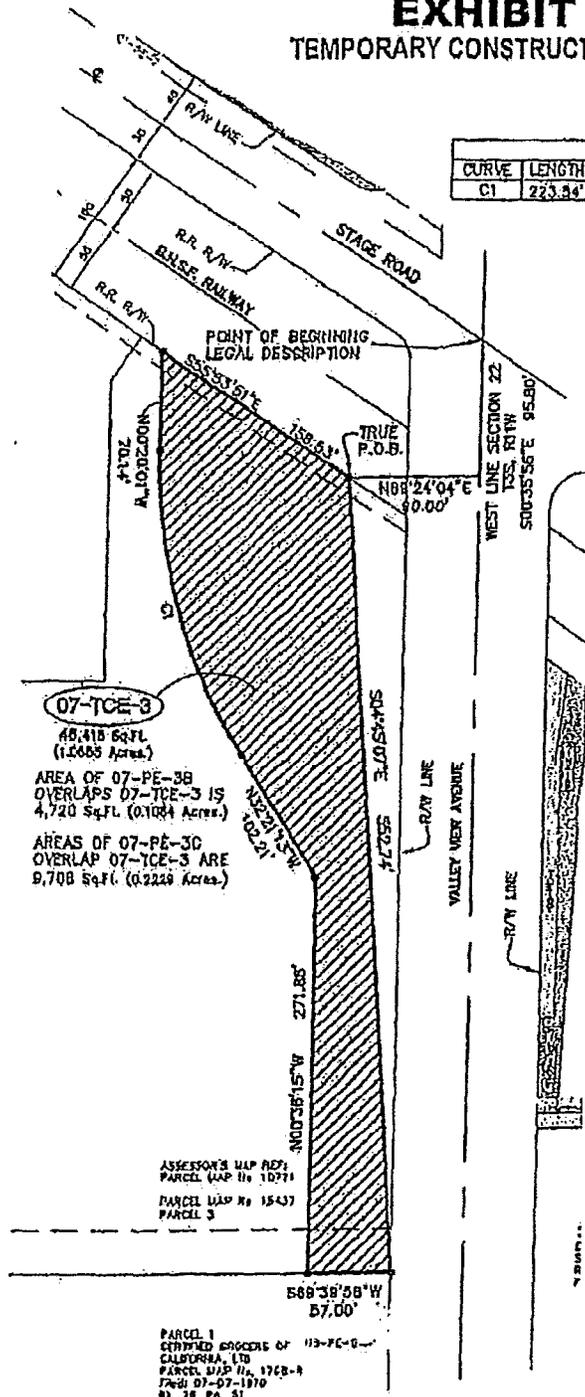
Date

EXHIBIT 6B

EXHIBIT "A"

TEMPORARY CONSTRUCTION EASEMENT

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	223.84'	400.00'	32°01'12"	114.77'	220.64'	N16°30'37"W



NOTES:

1. BEARINGS ARE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES



GRAPHIC SCALE



(IN FEET)

1 inch = 100 ft

WILSON & COMPANY

625 E. CARNEGIE DRIVE SUITE 100
SAN BERNARDINO, CA 92408
(909) 806-8000

LAYOUT NAME: 07-TCE-3
DRAWING NAME: 08-400-(88-00_Exp)(K-NH & SW_Quad.dwg
NETWORK ADDRESS: K:\RR\08-400-189-00\CADD\EXHIBITS

RESOLUTION NO. 9226

A RESOLUTION OF NECESSITY OF THE CITY OF SANTA FE SPRINGS DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF, IN CONNECTION WITH THE VALLEY VIEW GRADE SEPARATION PROJECT

THE CITY OF SANTA FE SPRINGS DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City of Santa Fe Springs is a municipal corporation, in the County of Los Angeles, State of California.

SECTION 2. The real property interests described in Section 3 of this Resolution are to be taken for a public use, namely for the construction and maintenance of a grade separation, also known as the Valley View Grade Separation Project, and all purposes necessary and convenient thereto. The real property interests will be taken from property located at 15015 Valley View Avenue (Assessor's Parcel Number 8069-008-025 and 035), (referred to below as "Subject Property") in connection with the construction and maintenance of the Valley View Grade Separation Project ("proposed Project"). The City has the authority to acquire the property interests for the proposed Project pursuant to the authority conferred upon the City of Santa Fe Springs to acquire real property by eminent domain by California Constitution, Article I, Section 19, California Government Code Sections 37350, 37350.5, 37351, 40401, and 40404, California Code of Civil Procedure Section 1230.010 *et seq.* (Eminent Domain Law), including, but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, 1240.510, 1240.610, 1240.650, 1245.250, and other provisions of law.

SECTION 3. The City seeks to acquire the following property interests from the Subject Property:

- The acquisition of a 368 square foot permanent subsurface utility easement and all uses necessary or convenient thereto.

The 368 square foot permanent subsurface utility easement is legally described in Exhibit "1A" and depicted in Exhibit "1B" to the Resolution of Necessity. Said exhibits are attached hereto and incorporated herein by this reference. The aforementioned property interests will be referred to collectively as Subject Property Interests.

SECTION 4. The Valley View Avenue Grade Separation Project ("Project") is a joint project between the Cities of Santa Fe Springs and La Mirada in cooperation with Caltrans, Division of Rail and the BNSF railroad. The purpose of the Project is to

improve safety and traffic flow along Valley View Avenue that is interrupted by the existing BNSF railroad crossing.

The proposed Project requires a grade separation along Valley View Avenue and construction of a new railroad bridge with three tracks across the Valley View Avenue right-of-way in order to eliminate the existing at-grade crossing. The primary element of the Project will involve lowering the intersection of Valley View Avenue and Stage Road by approximately 21 feet so that Valley View traffic will be able to drive under the railroad bridge. However, while all four quadrants adjacent to this intersection will be impacted, no buildings will need to be acquired or modified, nor does the proposed project require any existing businesses to be relocated in order to complete construction. Additionally, appropriate mitigation measures will be implemented to address impacts on affected parking areas, access to private property and disruption of private utility services.

The widths of Valley View Avenue and Stage Road will be unchanged. However, to allow for the lowering of the intersection of Valley View Avenue and Stage Road, temporary sheeting and permanent retaining walls will be constructed within the adjacent properties via permanent road and slope easements. The limits on Valley View Avenue where work will be done are approximately 750 feet north of Stage Road and extend to 900 feet south of Stage Road. The lowest point of elevation on Valley View Avenue will be 21 feet below before condition street grade and 16 feet below the bottom of the steel bridge of the railroad at the BNSF railroad crossing. The project will necessitate the modification and, in some cases, the relocation of driveways along Valley View Avenue and the north side of Stage Road west of Valley View that are within the limits of the Project, to meet the new street grade. The Project will also require extensive relocation, removal and reconstruction of all affected utility lines, including public water, sewer and drainage lines.

The existing at-grade crossing will need to be isolated in order to construct the new railroad bridge and grade separation. After evaluating various options, the Cities concluded that the most feasible solution was to construct the detour road to the west of the existing crossing. There will be two lanes for each direction in order to accommodate current traffic volumes on Valley View Avenue. The detour road will impact adjacent private property on both the northwest and southwest quadrants of the Project, however no structures will be affected. This detour road will be needed for a period of 30 months. All damaged site improvements within the temporary construction easement areas will be repaired or replaced in kind as part of the construction in the manner proposed.

The Los Angeles-San Diego Rail Corridor is the second busiest intercity passenger rail corridor in the nation. The corridor serves not only BNSF freight traffic; it is also a key artery for Metrolink commuter service and Amtrak intercity services to and from Orange, San Diego and Riverside counties. Approximately 100 trains per day use

this congested corridor, often causing blocking delays to traffic traveling on surface streets with the existing at-grade crossings, which in turn translate into significant economic losses. Additionally, the projected increases in the frequency of freight services, as well as future increases of commuter rail services and intercity train services as an alternative mode of transportation, indicate that there will be more blocking delays to traffic traveling on streets with at-grade crossings.

The proposed Project is being implemented to achieve one immediate objective. The grade separation will substantially enhance safety and traffic flow on surface streets along this segment of the rail corridor by eliminating the existing at-grade intersection of trains and motor vehicle traffic. In addition, it is anticipated that the proposed Project will reduce air and noise pollution emanating from idling vehicles waiting for trains to pass through the existing at-grade crossings and will reduce noise pollution created by air horn and warning signals. These concerns are identified in both the Land Use and Circulation Elements of the Cities of Santa Fe Springs and La Mirada. The proposed Project is identified as a means of enhancing public safety and traffic flow. It is further identified as a means of reducing air and noise pollution within the City.

SECTION 5. After careful review, Caltrans concluded that the proposed Project was exempt from CEQA and issued Categorical Exemption number CE 200508014. The Categorical Exclusion found that the Project did not individually or cumulatively have a significant environmental effect and was excluded from the requirement to prepare an Environmental Impact Report. This determination was executed by Caltrans on August 31, 2005. It further required FHWA determination that the Project met the criteria of and was properly classified as a Categorical Exclusion. The FHWA determination was made on September 12, 2005.

SECTION 6. Pursuant to California Government Code Section 7262 *et seq.*, the City obtained a fair market value appraisal of the Subject Property Interests that used a date of value of June 5, 2008. The City set just compensation in accordance with the appraised fair market value, and in September 2008 extended a written offer to the owner of record to purchase the Subject Property Interests pursuant to Govern Code Section 7267.2. In October 2008, the city revised its proposed plans for the relocation of various above-ground utilities for the proposed Project. The City determined that additional easements were needed for the proposed Project. The City had the appraisal reports updated and in August 2009, the City reset just compensation in accordance with the updated appraisal and extended a revised written offer to the owner of record. The City's offer letter included an informational pamphlet describing the eminent domain process and the owner's rights. The City further offered to pay the property owner the reasonable costs, up to \$5,000.00, for an independent appraisal of the Subject Property Interest pursuant to Code of Civil Procedure Section 1263.025.

SECTION 7. On October 14, 2009 the City provided written notice to the record owner of the City Council's intent to consider the adoption of the proposed Resolution of Necessity at its November 9, 2009 meeting as required by Code of Civil Procedure Section 1245.235.

SECTION 8. The City Council of the City of Santa Fe Springs hereby finds and determines that:

- A. The public interest and necessity require the proposed Project;
- B. The proposed Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- C. The property interests described in Exhibit "1A" hereto and depicted on Exhibit "1B" hereto are necessary for the proposed Project; and
- D. The City made the offer required by section 7267.2 of the Government Code to the owner of record.

SECTION 9. The findings and declarations contained in this Resolution are based upon the record before the City Council on November 9, 2009, including the Agenda Report dated November 9, 2009 and all documents referenced therein, all of which are incorporated herein by this reference. These documents include the Notice of Determination, the General Plan, and all the file documents relating to the Project. The findings and declarations in this Resolution are also based upon any testimony, records and documents produced at the hearing, all of which are incorporated herein by this reference.

SECTION 10. The City Council of the City of Santa Fe Springs hereby authorizes and directs the law firm of Richards, Watson & Gershon, to take all steps necessary to commence and prosecute legal proceedings in a court of competent jurisdiction to acquire by eminent domain the Subject Property Interests legally described in Exhibit "1A" and depicted on Exhibit "1B" to this Resolution.

SECTION 11. The City Council of the City of Santa Fe Springs hereby authorizes the City Manager to execute all necessary documents in connection with the eminent domain proceeding.

SECTION 12. This Resolution shall take effect upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Santa Fe Springs
this 9th day of November, 2009.

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

Luis M. González
Mayor

ATTEST:

Barbara Earl, CMC
City Clerk

EXHIBIT 1A

VALLEY VIEW AVENUE GRADE SEPARATION

Permanent Easement

Parcel: 08-PE-6

Owner: Certified Grocers of California, Ltd.
APN: 8069-008-035

10/5/09

LEGAL DESCRIPTION

A certain parcel of land being a portion of Section 21, Township 3 South, Range 11 West, in the Rancho Los Coyotes in the City of Santa Fe Spring, County of Los Angeles, State of California, as shown upon a map filed as Book 41819, Page 141, et seq. and Parcel Map No. 1768-R filed on 7 July 1970 in Book 26, Page 51, in the Office of the County Recorder of said County, and being more particularly described as follows:

Beginning at the intersection of the southerly Burlington Northern Santa Fe Railroad right-of-way and the westerly right-of-way of Valley View Avenue; thence, S 00° 36' 04" E a distance of 523.59 feet along the westerly right-of-way of Valley View Avenue to the northeast corner of said Parcel 1; thence, S 00° 36' 04" E, a distance of 22.00 feet along said westerly right-of-way line to the TRUE POINT OF BEGINNING; thence,

S 00° 36' 04" E, a distance of 35.00 feet along said parcel line to a point; thence,

S 89° 39' 58" W, a distance of 10.50 feet to a point; thence,

N 00° 36' 04" W, a distance of 35.00 feet to a point; thence,

N 89° 39' 58" E, a distance of 10.50 feet to the TRUE POINT OF BEGINNING of the parcel herein described and containing 368 square feet (0.0084 acre), more or less.

This real property Description was prepared by me or under my direction, in conformance with the requirements of the Professional Land Surveyors Act.



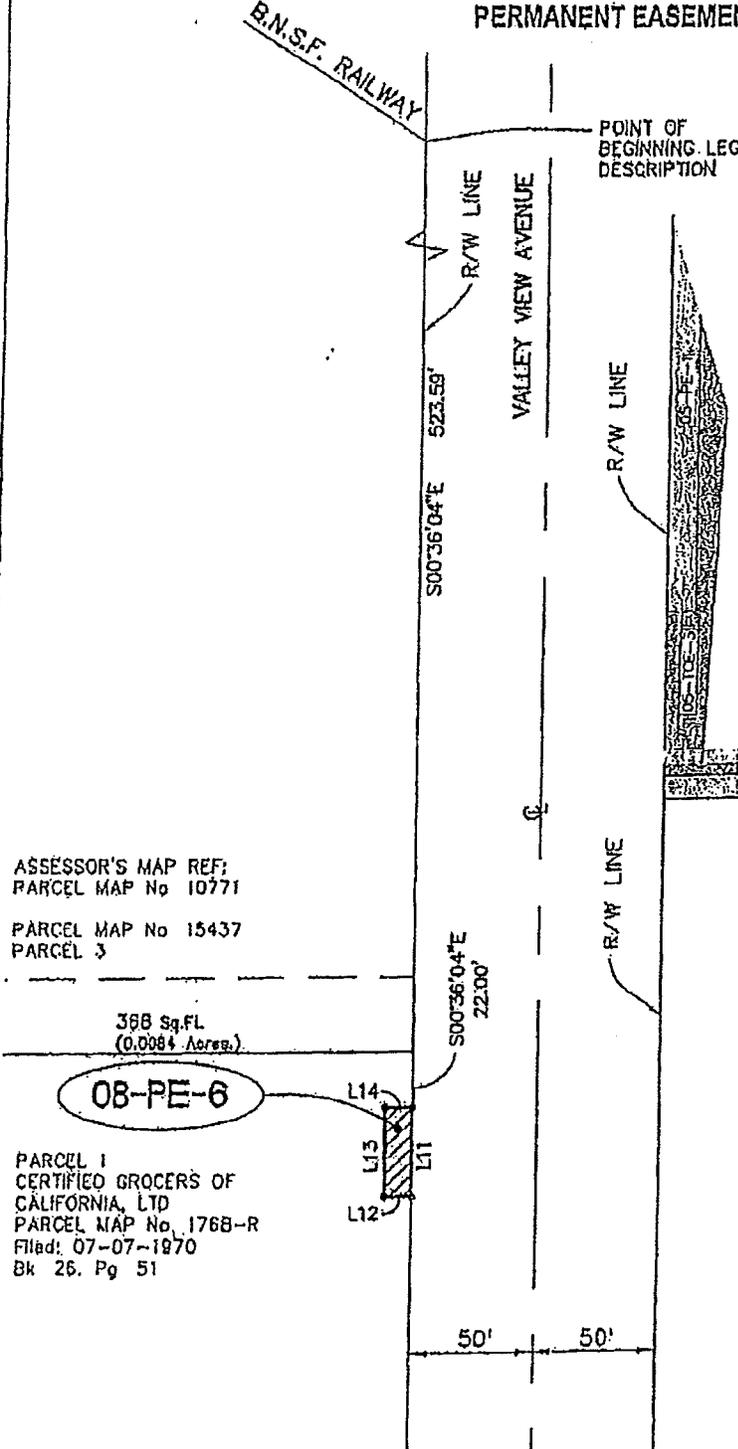

Benjamin M. Aragon, L.S. No. 8016
Wilson & Company, Inc.

10-5-09

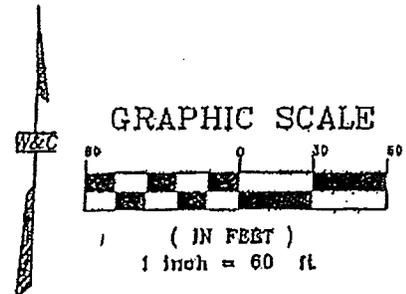
Date

EXHIBIT 1B

EXHIBIT "A"
PERMANENT EASEMENT



POINT OF BEGINNING LEGAL DESCRIPTION



LINE TABLE		
LINE	LENGTH	BEARING
L11	35.00'	S00°36'04\"E
L12	10.50'	S89°39'58\"W
L13	35.00'	N00°36'04\"W
L14	10.50'	N89°39'58\"E

ASSESSOR'S MAP REF;
 PARCEL MAP No 10771

PARCEL MAP No 15437
 PARCEL 3

388 Sq.Ft.
 (0.0084 Acres.)

OB-PE-6

PARCEL 1
 CERTIFIED GROCERS OF
 CALIFORNIA, LTD
 PARCEL MAP No. 1768-R
 Filed: 07-07-1970
 Bk 26, Pg 51

- NOTES:
1. BEARINGS ARE GRID BEARINGS
 2. ALL DISTANCES ARE GROUND DISTANCES

WILSON
& COMPANY

626 E. CARNEGIE DRIVE SUITE 100
 SAN BERNARDINO, CA 92408
 (909) 808-8000

LAYOUT NAME: 08-PE-8
 DRAWING NAME: 08-400-189-00_Exhibit.dwg
 NETWORK ADDRESS: \\RR\08-400-189-00\CAD\EXHIBIT9\



City of Santa Fe

City Council Meeting

November 9, 2009

PUBLIC HEARING

Resolution No. 9228 - Approval of the I-5 (Valley View Avenue to San Gabriel River) Freeway Agreement

RECOMMENDATION

That the City Council take the following actions:

1. Conduct the public hearing and
2. Adopt Resolution No. 9228 approving the I-5 (Valley View Avenue to San Gabriel River) Freeway Agreement and authorize the Mayor to sign the Agreement.

BACKGROUND

At the City Council meeting of August 23, 2007, the Council approved the Carmenita/I-5 Freeway Agreement which included the section of the I-5 Freeway between Shoemaker Avenue and Alondra Boulevard. The upcoming widening projects along the I-5 Freeway will be located on freeway sections in Santa Fe Springs between Valley View Avenue and the San Gabriel River excluding the section between Shoemaker Avenue and Alondra Boulevard. The attached resolution approves the Freeway Agreement for the section between Valley View Avenue and Shoemaker Avenue. Section 100.22 of the Streets and Highway Code requires a public hearing be held in conjunction with the approval of the Freeway Agreement. The attached resolution should be adopted at this time to approve the Agreement and authorize the Mayor to sign the Agreement.

FISCAL IMPACT

Approving the Resolution is a procedural step and does not have any direct fiscal impact on the City.

INFRASTRUCTURE IMPACT

The project will dramatically improve the I-5 Freeway, as well as the general circulation of the area and will result in improved access to and from the I-5 Freeway.

Frederick W. Latham
City Manager

Attachment(s)

Resolution No. 9228
Freeway Agreement

RESOLUTION NO. 9228

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA FE SPRINGS AUTHORIZING AND APPROVING
THE EXECUTION OF A REVISED FREEWAY AGREEMENT BETWEEN THE STATE
OF CALIFORNIA (HEREIN REFERRED TO AS "STATE"), AND THE CITY OF
SANTA FE SPRINGS (HEREIN REFERRED TO AS "CITY") FOR THAT PORTION
OF ROUTE 5 FROM VALLEY VIEW AVENUE TO WESTERLY CITY LIMIT AT SAN
GABRIEL RIVER (PM 1.2/7.1)**

WHEREAS, the highway described above has been declared to be a freeway by Resolutions of the California Highway Commission on October 28, 1939, for the portion from Rosecrans Avenue to Los Angeles – Orange County Line, and on September 17, 1941, for the portion from Lakewood Boulevard to Rosecrans Avenue; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated July 27, 1959, relating to that portion of the Santa Ana Freeway (Route 5) from Valley View Avenue to Florence Avenue; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated May 16, 1966 relating to that portion of the Santa Ana Freeway (Route 5) from Florence Avenue and the westerly city limit at San Gabriel River; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated August 23, 2007, relating to that portion of the Santa Ana Freeway (Route 5) from Alondra Boulevard to Shoemaker Avenue; and

WHEREAS, STATE proposes to improve that portion of Route 5 between Valley View Avenue and the westerly city limit at San Gabriel River; and

WHEREAS, STATE has prepared a revised plan map for such freeway improvements that shows how the proposed plan of the STATE will affect streets of the CITY; and

WHEREAS, it is the mutual desire of the parties hereto to enter into a new Freeway Agreement in accordance with the revised plan of said freeway with respect to that portion of Route 5 between Valley View Avenue and the westerly city limit at San Gabriel River;

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

1. That said Freeway Agreement supercedes the Freeway Agreements dated July 27, 1959, May 16, 1966, and August 23, 2007.
2. That said Freeway Agreement was duly considered on November 9, 2009 in compliance with Section 100.22 of the Streets and Highways Code.
3. That said Freeway Agreement is hereby approved and can be authorized by the Mayor on behalf of the City of Santa Fe Springs.

APPROVED AND ADOPTED this 9th day of November, 2009.

MAYOR

ATTEST:

CITY CLERK

07 - LA - 5, PM 1.2/7.1
From Valley View Avenue to
Santa Fe Springs Westerly
City Limit at San Gabriel
River

FREEWAY AGREEMENT

THIS AGREEMENT, made and entered into on this ____ day of _____, 2009, by and between the STATE OF CALIFORNIA acting by and through the Department of Transportation (herein referred to as "STATE"), and the CITY of Santa Fe Springs (herein referred to as "CITY"),

WITNESSETH:

WHEREAS, the highway described above has been declared to be a freeway by Resolutions of the California Highway Commission on October 28, 1939, for the portion from Rosecrans Avenue to Los Angeles - Orange County Line, and on September 17, 1941, for the portion from Lakewood Boulevard to Rosecrans Avenue; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated July 27, 1959, relating to that portion of Route 5 between Florence Avenue and the City Limit at Valley View Avenue; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated May 16, 1966, relating to that portion of Route 5 between Florence Avenue and the westerly city limit at San Gabriel River; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated August 23, 2007, relating to that portion of Route 5 from Alondra Boulevard to Shoemaker Avenue; and

WHEREAS, a revised plan map for such freeway has been prepared showing the proposed plan of the STATE as it affects streets of the CITY; and

WHEREAS, it is the mutual desire of the parties here to enter into a new Freeway Agreement in accordance with the revised plan of said freeway;

NOW, THEREFORE, IT IS AGREED:

1. This Agreement supersedes in its entirety said Freeway Agreements dated July 27, 1959, May 16, 1966, and August 23, 2007.

2. CITY agrees and consents to the closing of CITY streets, relocation of CITY streets, construction of frontage roads and other local streets, and other construction affecting CITY streets, all as shown on the plan map attached hereto marked Exhibit A and made a part hereof by this reference.

3. STATE shall, in construction of the freeway and at STATE'S expense, make such changes affecting CITY streets in accordance with the plan map attached hereto marked Exhibit A.

4. STATE agrees to acquire all necessary right of way as may be required for construction, reconstruction, or alteration of CITY streets, frontage roads, and other local streets, and CITY hereby authorizes STATE to acquire in its behalf all such necessary right of way.

5. It is understood between the parties that the right of way may be acquired in sections or units, and that both as to the acquisition of right of way and the construction of the freeway projects, the obligations of STATE hereunder shall be carried out at such time and for such unit or units of the projects as funds are budgeted and made lawfully available for such expenditures.

6. CITY will accept control and maintenance over each of the relocated or reconstructed CITY streets, and the frontage roads, and other STATE constructed local streets on receipt of written notice to CITY from STATE that the work thereon has been completed, except for any portion which is adopted by STATE as a part of the freeway proper. CITY will accept title to the portions of such streets lying outside the freeway limits upon relinquishment by STATE.

7. This Agreement may be modified at any time by the mutual consent of the parties hereto, as may become necessary for the best accomplishment, through STATE and CITY cooperation, of the whole freeway project for the benefit of the people of the STATE and of the CITY.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers.

STATE OF CALIFORNIA
Department of Transportation

RANDALL H. IWASAKI, Director
Department of Transportation
By

TERRY L. ABBOTT
Chief Design Engineer

APPROVED AS TO FORM:

Attorney (State)

THE CITY OF SANTA FE SPRINGS
By

APPROVED AS TO FORM:

Attorney (CITY)



NEW BUSINESS

PUBLIC HEARING

General Plan Amendment No. 23

Resolution No. 9229

Request to amend the Land Use Map of the City's General Plan from the existing land use designation of "Business Park" to "Multi-Family Residential" on three existing parcels at 9830 Jersey Avenue (APN: 8005-002-059), 9841 Alburdis Avenue (APN: 8005-002-016) and 9851 Alburdis Avenue (APN: 8005-002-058). (Keana Development, LLC)

RECOMMENDATIONS

Staff recommends that the City Council take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding General Plan Amendment Case No. 23 and, after receiving all public comments, thereafter close the Public Hearing.
2. Adopt Resolution No. 9229, approving General Plan Amendment Case No. 23, a request to amend the Land Use Map of the City's General Plan from the existing land use designation of "Business Park" to "Multi-Family Residential" on three existing parcels at 9830 Jersey Avenue (APN: 8005-002-059), 9841 Alburdis Avenue (APN: 8005-002-016) and 9851 Alburdis Avenue (APN: 8005-002-058).

BACKGROUND

The subject site is made up of three (3) separate parcels measuring approximately 2.67 acres and is located east of Jersey Avenue, north of Telegraph Road, and west of Alburdis Avenue at 9830 Jersey Avenue and 9841-51 Alburdis Avenue (APNs: 8005-002-059, 8005-002-016, 8005-002-058), in the ML (Limited Manufacturing Administration and Research) Zone and within the Consolidated Redevelopment Project Area. The subject site is currently developed with six (6), one-story buildings (approximately 65,000 sq. ft.) consisting of eighteen (18) separate rentable units that are currently used for various light manufacturing/warehouse uses. All of the leases are either month-to-month or will be expiring within the near future and will automatically convert to month-to-month tenancies.

The applicant, Keana Development LLC, is proposing to demolish the entire site and develop a new 50-unit residential condominium project. The site, however, currently does not have the zoning or the land use designation for residential development. The entire 2.67± acres is currently zoned ML, Limited Manufacturing Administration and Research, with a General Plan Land Use Map designation of "Business Park."

The General Plan Guidelines published by the State Office of Planning and Research require all projects, actions or programs to be consistent with the General Plan; thus for residential development to occur, the zoning and land designation of the Project Area must be changed.

As a result, the applicant is requesting approval to change the existing zoning designation from ML, Limited Manufacturing Administration and Research to R-3-PD, Multiple-Family Residential-Planned Development. Concurrent with the Zone Change request, the applicant is also requesting approval the following three entitlements: a Zone Change (ZC), a Conditional Use Permit (CUP), and a Vesting Tentative Tract Map (VTTM).

PREVIOUS ACTIONS BY PLANNING COMMISSION

On October 26, 2009, the Planning Commission held a Public Hearing on General Plan Amendment Case No. 23, Zone Change Case No. 131, Conditional Use Permit Case No. 694, Vesting Tentative Tract Map Case No. 070726, and also considered the proposed environmental documents (Initial Study/Mitigated Negative Declaration).

General Plan Amendment Case No. 23

A request for approval of a General Plan Amendment to change the General Plan land use designation for properties located at 9830 Jersey Avenue and 9841-51 Albutis Avenue from "Business Park" to "Multi-Family Residential".

Zone Change Case No. 131

A request for approval to change the zone designation for properties located at 9830 Jersey Avenue and 9841-51 Albutis Avenue from "ML" (Limited Manufacturing Administration and Research) to "R-3-PD" (Multi-Family Residential – Planned Development).

Conditional Use Permit Case No. 694

A request for approval of a Conditional Use Permit to allow the construction of a new 50-unit residential condominium project (approximately 107,384 sq. ft) with a pool, clubhouse (approximately 1,099 sq. ft.), parking (100 covered resident parking spaces and 19 open guest parking stalls) on a 2.67± acre property located at 9830 Jersey Avenue and 9841-51 Albutis Avenue.

Vesting Tentative Tract Map Case No. 070726

A request for approval of a Vesting Tentative Tract Map to consolidate three existing parcels measuring approximately 2.67± acres into one parcel and create an airspace subdivision of 50 residential condominium units for 12 buildings.

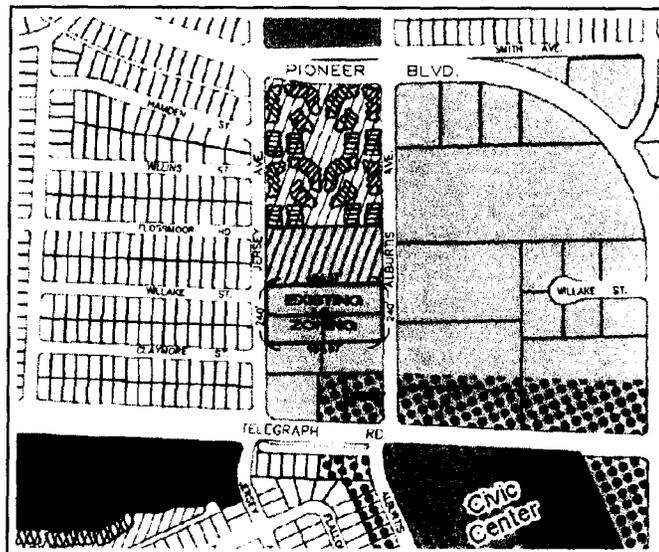
After opening the public hearing and receiving comments, the Planning Commission approved and adopted the Environmental documents for the proposed project, and thereafter made a recommendation that the Community Development Commission approve the Conditional Use Permit and the City Council approve the General Plan Amendment and Zone Change.

STREETS AND HIGHWAYS

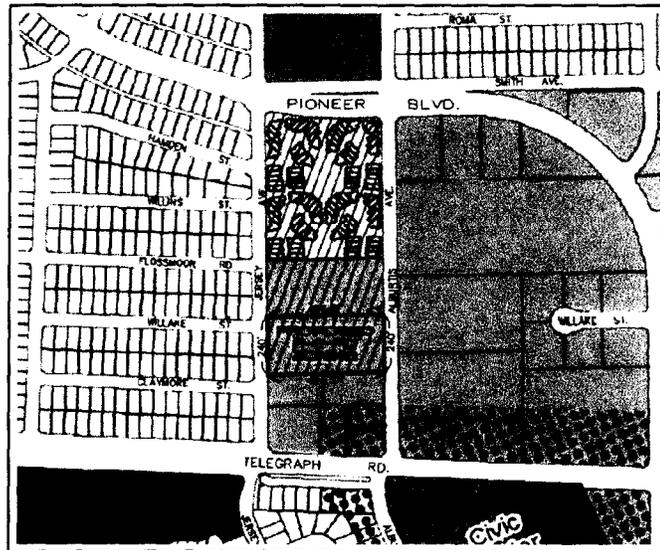
The subject property fronts onto both Jersey Avenue and Alburdis Avenue. The main entrance to the condominium development would be from Jersey Avenue. A secondary entrance and an additional emergency access point would be from Alburdis Avenue. Both Jersey Avenue and Alburdis Avenue are designated as a "Local Street" within the Circulation Element of the City's General Plan.

ZONING DESIGNATION

The subject property, as well as the adjoining properties to the south and east are zoned ML, Limited Manufacturing Administration and Research, and are currently used for various light manufacturing/warehouse uses. The property to the north is zoned R-3-PD, Multi-Family Residential – Planned Development Overlay, and is currently developed with a condominium development. The properties to the west, across from Jersey Avenue, are zoned R-1, Single-Family Residential, and are developed with single-family homes.



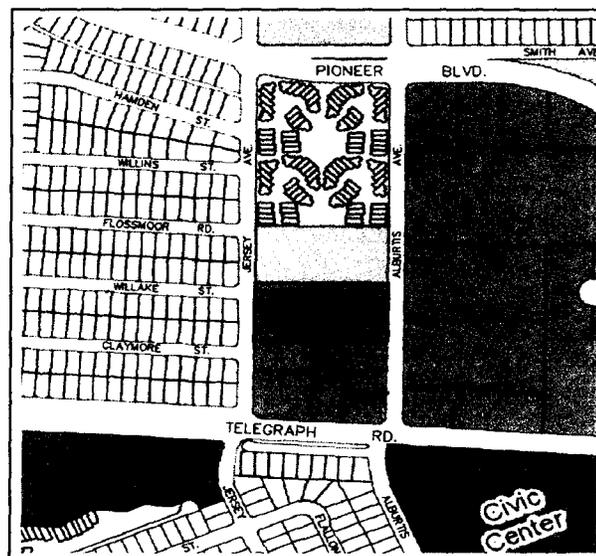
Existing Zoning Map



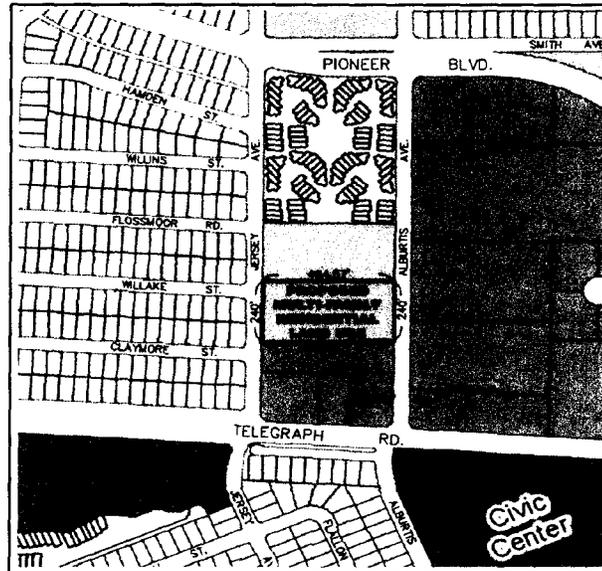
Proposed Zoning Map

GENERAL PLAN LAND USE DESIGNATION

The general plan land use designation for the site is "Business Park." Properties to the south and east, also have a general plan land use designation of "Business Park." The property to the north has a general plan land use designation of "Multi-Family Residential." The properties to the west, across Jersey Avenue, have a general plan land use designation of "Single-Family Residential."



Existing General Plan Map



Proposed General Plan Map

LEGAL NOTICE OF PUBLIC HEARING

In accordance with the requirements of 65351, 65353, 65355 and 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.866 of the City's Municipal Code, the proposed General Plan Amendment (GPA Case No. 23) was set for Public Hearing. Legal Notice of a Public Hearing for the proposed General Plan Amendment was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessors Roll within 500 feet of the exterior boundaries of the property. The Legal Notice of the Public Hearing was also published in a newspaper of general circulation (Whittier Daily News) and posted in Santa Fe Springs City Hall, the City Library and Town Center Hall on October 30, 2009, as required by the State Zoning and Development Laws and by the City's Zoning Ordinance.

CRITERIA FOR AMENDING THE GENERAL PLAN

Section 65353-65356 of the State Planning, Zoning and Development Laws set forth the procedures for amending the City's General Plan. Specifically, the State Planning Laws dictate that at least one Public Hearing shall be conducted on the proposed General Plan Amendment. Other than the Public Hearing requirement, there are no mandatory findings that the Planning Commission must make before recommending approval or denial of a request to amend the City's General Plan.

However, in previous considerations of proposed General Plan Amendments, the Planning Commission has reviewed the request based on the following criteria:

1. That the Amendment will not distort or disturb the harmonious relationships of land use designations shown on the General Plan Map and would not disturb the relationship of the various elements of the General Plan and/or be inconsistent with the goals and policies of the General Plan
2. That the property involved in the requested Amendment is suitable for the uses permitted in the proposed land use designation.
3. That the proposed land use designation would not be detrimental to persons or properties in the surrounding area nor to the community in general.

FINDINGS

1. *That the Amendment will not distort or disturb the harmonious relationships of land use designations shown on the General Plan Map and would not disturb the relationship of the various elements of the General Plan.*

The current General Plan land use designation and zoning designation for the subject site is ML, Limited Manufacturing Administration and Research. If the proposed General Plan Amendment and Zone Change are approved, the General Plan land use designation will be "Multiple-Family Residential" and the zoning designation will be R-3-PD, Multiple-Family Residential-Planned Development. This will be consistent with the properties to the north which also have the same zoning and General Plan land use designation.

2. *That the Amendment would not disturb the relationship of the various elements of the General Plan.*

The General Plan is the *master plan of the city*. The General Plan provides the overall direction for the future development of the City. It is a comprehensive planning document that addresses the many aspects of community life in the City of Santa Fe Springs. It is a long range plan in that it seeks to provide for the needs of the community into the future. The General Plan is also flexible enough to respond to the changing needs and concerns of those who live, work and frequent Santa Fe Springs.

The General Plan consists of seven mandatory elements, including: 1) Land Use; 2) Housing; 3) Open Space; 4) Conservation; 5) Safety; 6) Circulation and 7) Noise. There is no evidence to suggest that the proposed General Plan Amendment and associated Zone Change will disturb the relationship between these elements and/or be inconsistent with the goals and policies of the General Plan.

**Table 1
General Plan Consistency Analysis**

General Plan Element	Policy	Project Consistency
Land Use	<u>15.1</u> Encourage and promote owner-occupancy of homes.	Consistent: 50 new condominium units will be constructed.
	<u>9.4</u> Encourage the grouping of adjoining small or odd shaped parcels in order to create more viable development.	Consistent: Three Assessor's Parcels (APNs: 8005-002-059, 8005-002-016 and 8005-002-058) will be combined to form the project site.
Housing	<u>2.3</u> Continue to provide for flexibility in the density and mix of land uses through the Planned Development overlay, and encourage the development of higher density, affordable housing in this zone.	Consistent: The proposed condominium project involves a zone change request to change the zone designation of the site from "ML" (Limited Manufacturing Administration and Research) to "R-3-PD" (Multi-Family Residential – Planned Development). The applicant is also planning to offer/designate a few units for affordable housing.
Open Space/ Conservation	<u>2.3</u> Promote the development of open space and recreational facilities within commercial, industrial, and residential developments.	Consistent: In addition to approx. 100 to 170 sq. ft. of private open space (patio/balcony), approx. 5,000 square feet of public open space (community area with clubhouse, pool and spa) will be provided throughout the development.
Safety	<u>5.3</u> Review all new developments with regards to urban fire risks.	Consistent: In addition to meeting current Fire Code regulations for the construction of the proposed buildings, the project has been designed to provide adequate emergency access throughout the site.
Circulation	<u>3.7</u> Minimize pedestrian and vehicular conflicts.	Consistent: Sidewalks setback from the curb face will be provided along both Jersey Avenue and Alburdis Avenue. In addition, on-site walkways will be placed away from proposed driveways.
Noise	<u>3.2</u> Continue to minimize the impacts of construction noise on adjacent land uses through limiting the permitted hours of activity.	Consistent: During construction, all construction activities will be consistent with the permitted hours established in the City's noise ordinance.

3. *That the property involved in the requested Amendment is suitable for the uses permitted in the proposed land use designation.*

Feasibility studies have been performed by potential developers/buyers to determine the type of development that would be most favorable for the site. The studies concluded that the highest and best use of the site is a multi-family residential

development. A multi-family residential development would be compatible with the surrounding land uses. A multi-family residential development would provide a less intensive land use to the site. Given the close proximity of other single and multiple family units, a less intensive land use would be considered more desirable. Additionally, the infrastructure already exists to support a residential development. Moreover, the City's Housing Element has identified the need for additional residential housing based on the long term demand for residential development in the City.

4. *That the proposed land use designation would not be detrimental to persons or properties in the surrounding area nor to the community in general.*

Changing the land use designation on the subject site would not be detrimental to persons or property in the surrounding area. In fact, the general plan amendment and related project will result in the following benefits: (1) Encourage and promote owner-occupancy of homes; (2) Fulfill regional housing needs as identified by SCAG; (3) Address the housing shortage in the City by adding an additional 50 condominium units; (4) Promote a job/housing balance by locating attractive housing in proximity to employment centers and to convenient freeway access; and (5) Provide a project that incorporates high-quality landscaping and aesthetics, creating a more beautiful and livable neighborhood environment.

STAFF REMARKS

Based on the reasons presented above, Staff believes that General Plan Amendment No. 23, which will change the General Plan land use designation of the 2.67-acre site from the existing "Business Park" land use to "Multiple-Family Residential" land use designation, meets and satisfies the criteria for amending a general plan. Additionally, with the associated Zone Change, the land use designation "Multiple-Family Residential" will be consistent with the zone designation of R-3-PD "Multiple-Family Residential-Planned Development."



Frederick W. Latham
City Manager

Attachments:

1. Vicinity Map
2. Aerial Photograph
3. General Plan Map – Existing
4. General Plan Map – Proposed
5. Application
6. Resolution No. 9229

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VICINITY MAP

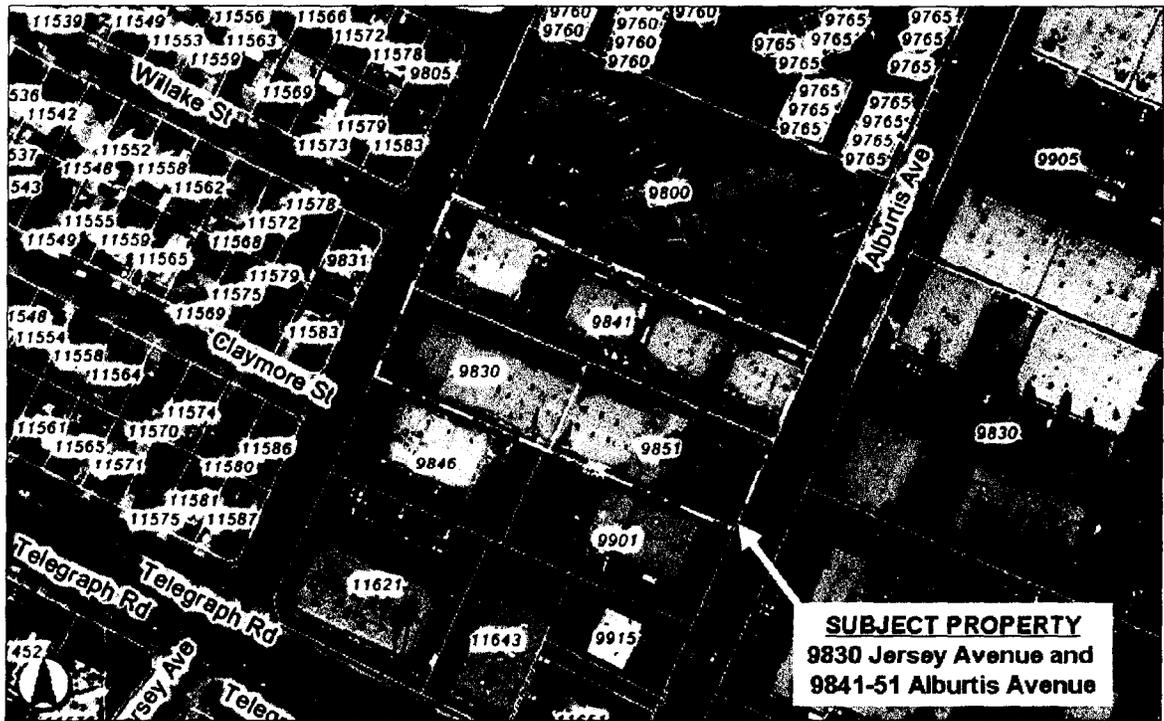


CITY OF SANTA FE SPRINGS

Jersey / Albutris Condominium Development



AERIAL PHOTOGRAPH



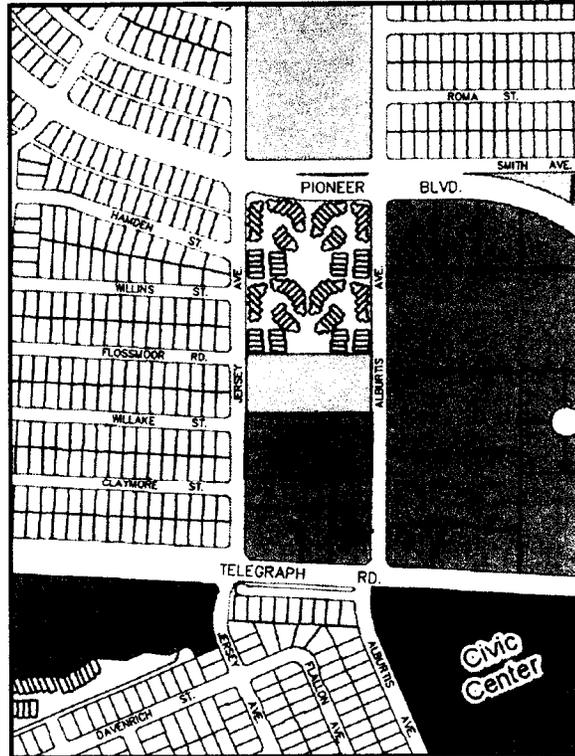
CITY OF SANTA FE SPRINGS

Jersey / Alburis Condominium Development



GENERAL PLAN MAP – EXISTING

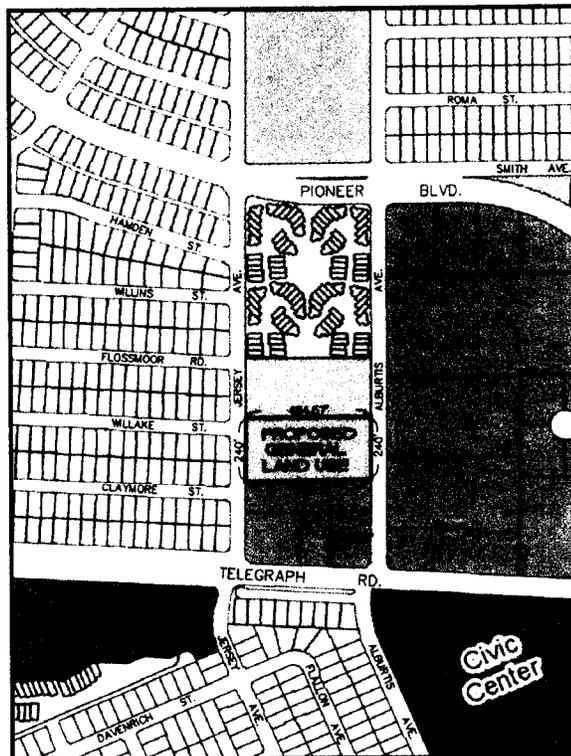
GENERAL PLAN AMENDMENT CASE NO. 23



LAND USE DESIGNATION:

-  SINGLE FAMILY RESIDENTIAL
-  MULTIPLE FAMILY RESIDENTIAL
-  COMMERCIAL
-  BUSINESS PARK
-  PUBLIC FACILITIES
-  OPEN SPACE

GENERAL PLAN MAP – PROPOSED
GENERAL PLAN AMENDMENT CASE NO. 23



LAND USE DESIGNATION:

-  SINGLE FAMILY RESIDENTIAL
-  MULTIPLE FAMILY RESIDENTIAL
-  COMMERCIAL
-  BUSINESS PARK
-  PUBLIC FACILITIES
-  OPEN SPACE

GENERAL PLAN ADMENDMENT APPLICATION



City of Santa Fe Springs
Application for
GENERAL PLAN AMENDMENT

The undersigned hereby petitions that the General Plan be amended by changing the land use designation on the General Plan Map as outlined in this application.

Location of property involved (include a map showing the location and dimensions of the property involved):
EAST OF JERSEY AVE, NORTH OF TELEGRAPH ROAD, & WEST OF ALBURTIS AVE.

Legal description of property (Attach supplemental sheet if necessary):
SEE ATTACHED

Land use designation requested from BUSINESS PARK to RESIDENTIAL

THE APPLICATION IS BEING FILED BY:

- Record Owner of the Property
- Authorized Agent of the Owner (Written authorization must be attached to application.
- City Initiated
- Other _____

Describe any easements, covenants or deed restrictions controlling the use of the property:
SEE ATTACHED

Present zoning of property: ML
Present use of property: COMMERCIAL/LIGHT MANUFACTURING

NOTE
This application must be accompanied by the filing fee, General Plan Map and other data specified in "Information on General Plan Amendments"

RECEIVED
OCT 27 2008
Planning Dept.

GENERAL PLAN ADMENDMENT APPLICATION (Cont.)

GPA Application
Page 2 of 3

Purpose for which the General Plan Map Amendment is requested. Explain the following:

1. The reason for the General Plan Amendment

- THE PROPOSED REDEVELOPMENT OF THIS SITE IS TO REPLACE THE EXISTING COMMERCIAL/ INDUSTRIAL PLAN WITH RESIDENTIAL HOUSING. THE SITE IS CURRENTLY CLASSIFIED AS A BUSINESS PARK ON THE EXISTING GENERAL PLAN AND IS PROPOSED TO BE CHANGED TO A RESIDENTIAL AREA.

2. Why the proposed General Plan Amendment would be in the public interest

- THE PROPOSED GENERAL PLAN AMENDMENT WOULD BE OF INTEREST TO THE PUBLIC BECAUSE THE REDEVELOPMENT OF THIS SITE WILL PROVIDE NEW HOUSING OPPORTUNITIES WITHIN THIS TRANSITIONAL AREA OF SANTA FE SPRINGS.

3. How the proposed General Plan Amendment will be compatible with surrounding zoning and land use

- THE PROPOSED GENERAL PLAN AMENDMENT WILL BE COMPATIBLE WITH THE SURROUNDING ZONING AND LAND USE BY IMPLEMENTING ADDITIONAL HOUSING TO THE CURRENT MIXED USE OF THIS AREA. CURRENTLY THERE ARE RESIDENTIAL USES THE SOUTH OF THE PROPOSED SITE.

4. The intended use of the property if the General Plan Amendment is granted

- THE INDENED USE OF THE PROPERTY, IF THE GENERAL PLAN AMENDMENT IS GRANTED, WILL BE 50 UNIT TWO-STORY RESIDENTIAL CONDOMINIUMS.

RECEIVED

OCT 27 2008

Planning Dept.

GENERAL PLAN ADMENDMENT APPLICATION (Cont.)

GPA Application
Page 3 of 3

We, the undersigned, state that we are the owners of all of the property involved in this petition: (Attach a supplemental sheet if necessary)

Name (please print): KEANA DEVELOPMENT, LLC
Mailing Address: 9595 WILSHIRE BLVD., BEVERLY HILLS CA 90212 Ste 1010
Phone No: (310) 273-2999
Signature: _____

Name (please print): _____
Mailing Address: _____
Phone No: _____
Signature: _____

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I, SHANE ASTANI, being duly sworn, depose and say that I am the petitioner in this application for a General Plan Amendment, and I hereby certify under penalty of law that the foregoing statements and all statements, maps, plans, drawings and other data made a part of this application are in all respects true and correct to the best of my knowledge and belief.

Signed: _____
(If signed by other than the Record Owner, written authorization must be attached to this application)

On October 23, 2008 before me, M. Beene, Notary Public, personally appeared Shane Astani who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he is the one who executed the same in his own authorized capacity, and that by his own signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

(seal)



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

M. Beene
Notary Public

RECEIVED

Oct 27 2008

Planning Dept.

FOR DEPARTMENT USE ONLY
CASE NO: _____
DATE FILED: _____
FILING FEE: _____
RECEIPT NO: _____
APPLICATION COMPLETE? _____

CITY OF SANTA FE SPRINGS

RESOLUTION NO. 9229

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS REGARDING AN AMENDMENT TO THE LAND USE MAP TO GENERAL PLAN OF THE CITY OF SANTA FE SPRINGS (GENERAL PLAN AMENDMENT CASE NO. 23)

WHEREAS, an application was filed by the applicant, Keana Development, LLC, for a general plan amendment from Business Park to Multiple-Family Residential on an approximately 2.67-acre property located at 9830 Jersey Avenue (APN: 8005-002-059), 9841 Alburdis Avenue (APN: 8005-002-016) and 9851 Alburdis Avenue (APN: 8005-002-058), and

WHEREAS, the general plan amendment request was filed concurrently with Conditional Use Permit Case No. 694, Zone Change Case No. 131, and a Vesting Tentative Tract Map Case No. 70726, and

WHEREAS, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000, et seq.) and the State CEQA Guidelines to consider and analyze the environmental impacts related to the development of the 2.67-acre site with proposed 50-unit residential condominium project; and

WHEREAS, the subject Initial Study/Mitigated Negative Declaration considered all four entitlements necessary to permit the proposed residential housing project, and

WHEREAS, the Initial Study/Mitigated Negative Declaration contained substantial evidence supporting the conclusion that the proposed residential project will not have a significant adverse effect on the environment within the meaning as defined in the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission, at its meeting of October 26, 2009, held a Public Hearing and studied the matter; and

WHEREAS, notice of the Public Hearing was given as required by law, and

WHEREAS, the Planning Commission considered the testimony received at said Public Hearing and studied the facts and circumstances involved in the request for said General Plan Amendment, and

WHEREAS, the Planning Commission at said Public Hearing made a recommendation that the City Council approve General Plan Amendment No. 23.

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

SECTION I. The City Council hereby adopts General Plan Amendment No. 23, an amendment to the Land Use Map of the City's adopted General Plan, changing the land use designation on the General Plan Map from "Business Park" to "Multiple-Family Residential" land use as shown on the map labeled "Exhibit A – Summary of Changes" attached hereto and made part of this Resolution, and hereby instructs the Mayor and City Clerk to certify that said map has been properly adopted by the City Council of the City of Santa Fe Springs.

PASSED and ADOPTED this 9th day of November, 2009 by the following roll call vote.

AYES:

NOES:

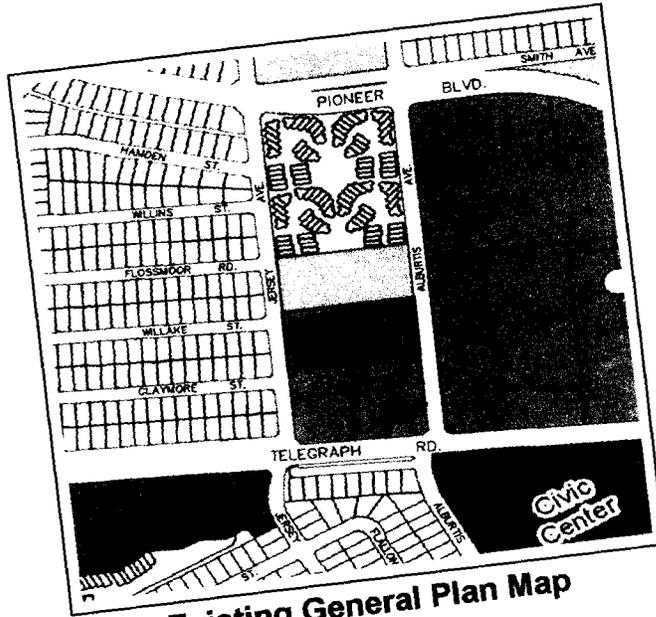
ABSENT:

MAYOR

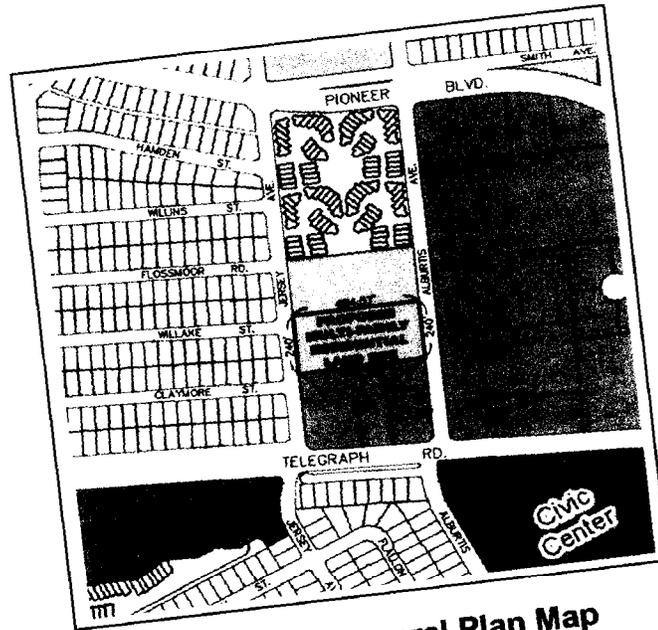
ATTEST:

CITY CLERK

Exhibit A Summary of Changes



Existing General Plan Map



Proposed General Plan Map



NEW BUSINESS

PUBLIC HEARING

Zone Change Case No. 131

Ordinance No. 1005

Request for approval to change the zoning designation for three existing parcels at 9830 Jersey Avenue (APN: 8005-002-059), 9841 Alburdis Avenue (APN: 8005-002-016) and 9851 Alburdis Avenue (APN: 8005-002-058) from ML, Limited Manufacturing Administration and Research, Zone to R-3-PD, Multiple-Family Residential - Planned Development, Zone. (Keana Development, LLC)

RECOMMENDATIONS

Staff recommends that the City Council take the following actions:

1. Open the Public Hearing and receive any comments from the public regarding Zone Change Case No. 131 and, after receiving all public comments, thereafter close the Public Hearing.
2. Find that Zone Change Case No. 131 satisfies the criteria and conditions set forth in Section 155.825 et seq of the City Code for the granting of a Change of Zone.
3. Find that Zone Change Case No. 131 involving the proposed Change of Zone from ML, Limited Manufacturing Administration and Research, Zone to R-3-PD, Multiple-Family Residential - Planned Development, Zone is consistent with the City's General Plan as amended by General Plan Amendment Case No. 23.
4. Find that the 2.67± acres property is suitable for the requested Change of Zone from ML, Limited Manufacturing Administration and Research to R-3-PD, Multiple-Family Residential - Planned Development.
5. Introduce Ordinance No. 1005 and pass its first reading on Zone Change Case No. 23.

BACKGROUND

The subject site is made up of three (3) separate parcels measuring approximately 2.67 acres and is located east of Jersey Avenue, north of Telegraph Road, and west of Alburdis Avenue at 9830 Jersey Avenue and 9841-51 Alburdis Avenue (APNs: 8005-002-059, 8005-002-016, 8005-002-058), in the ML (Limited Manufacturing Administration and Research) Zone and within the Consolidated Redevelopment

Project Area. The subject site is currently developed with six (6), one-story buildings (approximately 65,000 sq. ft.) consisting of eighteen (18) separate rentable units that are currently used for various light manufacturing/warehouse uses. All of the leases are either month-to-month or will be expiring within the near future and will automatically convert to month-to-month tenancies.

The applicant, Keana Development LLC, is proposing to demolish the entire site and develop a new 50-unit residential condominium project. The site, however, currently does not have the zoning or the land use designation for residential development. The entire 2.67± acres is currently zoned ML, Limited Manufacturing Administration and Research, with a General Plan Land Use Map designation of "Business Park." The General Plan Guidelines published by the State Office of Planning and Research require all projects, actions or programs to be consistent with the General Plan; thus for residential development to occur, the zoning and land designation of the Project Area must be changed.

As a result, the applicant is requesting approval to change the existing zoning designation from ML, Limited Manufacturing Administration and Research to R-3-PD, Multiple-Family Residential-Planned Development. Concurrent with the Zone Change request, the applicant is also requesting approval the following three entitlements: a Zone Change (ZC), a Conditional Use Permit (CUP), and a Vesting Tentative Tract Map (VTTM).

PREVIOUS ACTIONS BY PLANNING COMMISSION

On October 26, 2009, the Planning Commission held a Public Hearing on General Plan Amendment Case No. 23, Zone Change Case No. 131, Conditional Use Permit Case No. 694, Vesting Tentative Tract Map Case No. 070726, and also considered the proposed environmental documents (Initial Study/Mitigated Negative Declaration).

General Plan Amendment Case No. 23

A request for approval of a General Plan Amendment to change the General Plan land use designation for properties located at 9830 Jersey Avenue and 9841-51 Albutis Avenue from "Business Park" to "Multi-Family Residential".

Zone Change Case No. 131

A request for approval to change the zone designation for properties located at 9830 Jersey Avenue and 9841-51 Albutis Avenue from "ML" (Limited Manufacturing Administration and Research) to "R-3-PD" (Multi-Family Residential – Planned Development).

Conditional Use Permit Case No. 694

A request for approval of a Conditional Use Permit to allow the construction of a new 50-unit residential condominium project (approximately 107,384 sq. ft) with a pool,

clubhouse (approximately 1,099 sq. ft.), parking (100 covered resident parking spaces and 19 open guest parking stalls) on a 2.67± acre property located at 9830 Jersey Avenue and 9841-51 Alburdis Avenue.

Vesting Tentative Tract Map Case No. 070726

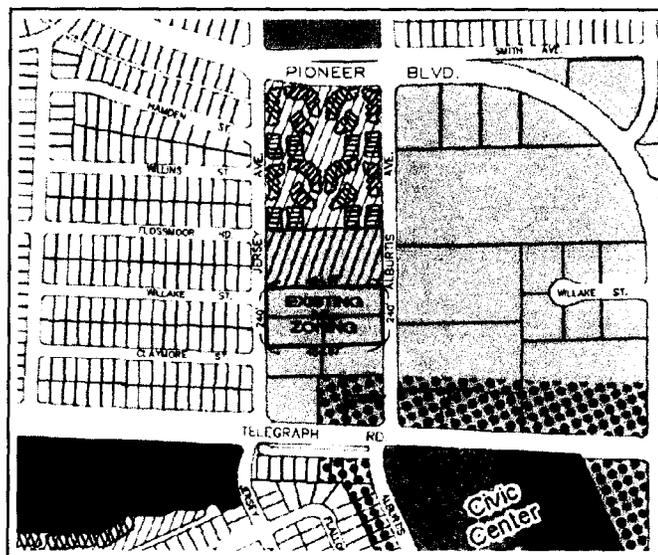
A request for approval of a Vesting Tentative Tract Map to consolidate three existing parcels measuring approximately 2.67± acres into one parcel and create an airspace subdivision of 50 residential condominium units for 12 buildings.

STREETS AND HIGHWAYS

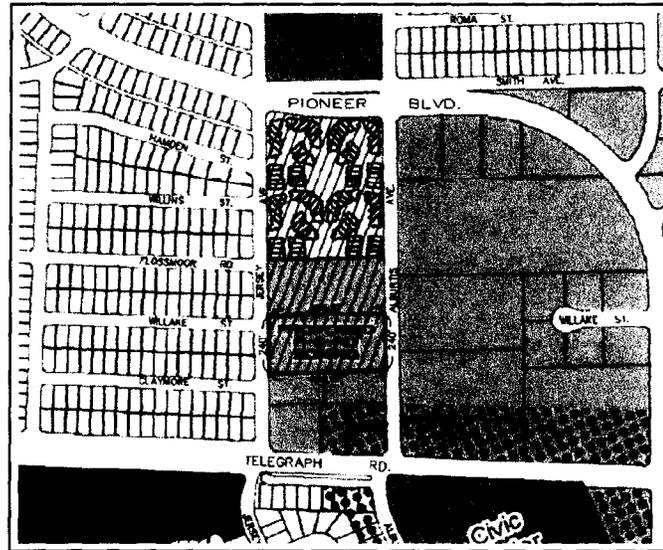
The subject property fronts onto both Jersey Avenue and Alburdis Avenue. The main entrance to the condominium development would be off Jersey Avenue. A secondary entrance and an additional emergency access point would be off Alburdis Avenue. Both Jersey Avenue and Alburdis Avenue are designated as a "Local Street" within the Circulation Element of the City's General Plan.

ZONING DESIGNATION

The subject property, as well as the adjoining properties to the south and east are zoned ML, Limited Manufacturing Administration and Research, and are currently used for various light manufacturing/warehouse uses. The property to the north is zoned R-3-PD, Multi-Family Residential – Planned Development, and is currently developed with a condominium development. The properties to the west, across from Jersey Avenue, are zoned R-1, Single-Family Residential, and are developed with single-family homes.



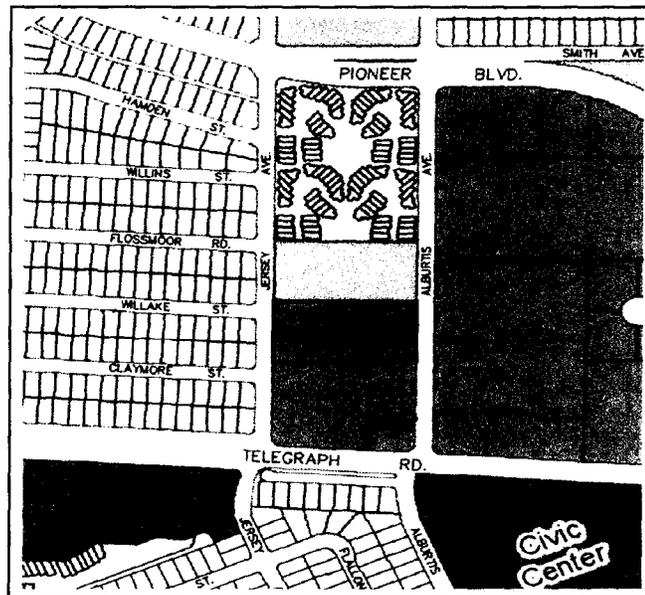
Existing Zoning Map



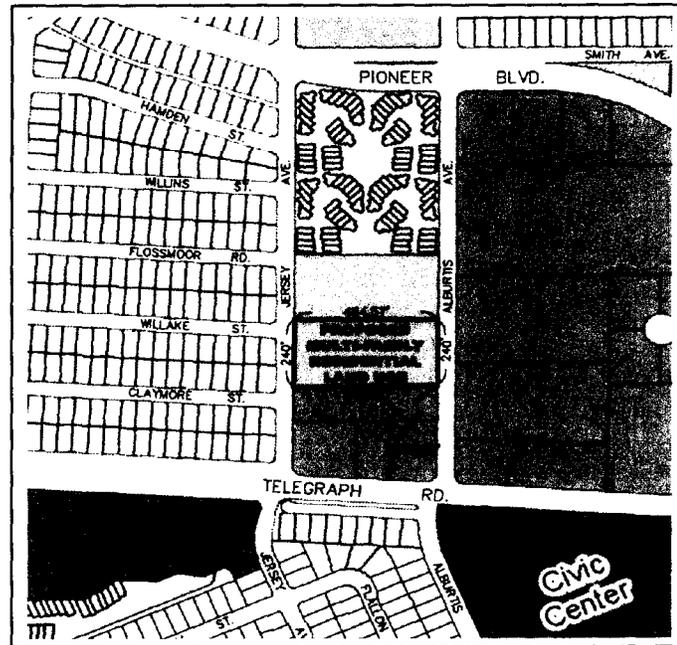
Proposed Zoning Map

GENERAL PLAN LAND USE DESIGNATION

The general plan land use designation for the site is "Business Park." Properties to the south and east, also have a general plan land use designation of "Business Park." The property to the north has a general plan land use designation of "Multi-Family Residential." The properties to the west, across Jersey Avenue, have a general plan land use designation of "Single-Family Residential."



Existing General Plan Map



Proposed General Plan Map

LEGAL NOTICE OF PUBLIC HEARING

In accordance with the requirements of Sections 65090 et seq and 65854 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.866 of the City's Municipal Code, the proposed Zone Change (ZC Case No. 131) was set for Public Hearing. Legal Notice of a Public Hearing for the proposed zone change, general plan amendment, vesting tentative parcel map and development plan was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessors Roll within 500 feet of the exterior boundaries of the property. The Legal Notice of the Public Hearing was mailed to said property owner(s), published in a newspaper of general circulation (Whittier Daily News) and posted in Santa Fe Springs City Hall, the City Library and Town Center Hall on October 30, 2009, as required by the State Zoning and Development Laws and by the City's Zoning Ordinance.

ZONING ORDINANCE REQUIREMENTS

Section 155.825 of the Zoning Regulations stipulates that, in considering any request for a change of zone, the Commission shall satisfy itself that the following conditions prevail before recommending that the change be granted:

1. That there is a real need in the community for more of the types of uses permitted by the zone requested than can be accommodated in the areas already zoned for such use.
2. That the property involved in the proposed change of zone is more suitable for the uses permitted in the proposed zone than for the uses permitted in the present zone classification.
3. That the proposed change of zone would not be detrimental in any way to persons or property in the surrounding area, nor to the community in general.
4. That the proposed change of zone will not adversely affect the master plan of the city.

FINDINGS

1. *That there is a real need in the community for more of the types of uses permitted by the zone requested than can be accommodated in the areas already zoned for such use.*

There is a need in the community for additional housing, particularly housing for single wage earners and first-time homebuyers. Santa Fe Springs is a predominantly industrial community, with most of its residential neighborhoods built out in the 1950's. Approximately ten percent of the City's 5,500 acres is zoned for residential uses, and virtually all of those areas are now fully developed.

The City is also expected to experience future growth in population and employment; thus necessitating the need for the additional dwelling units which would be permitted by the zone change request. Table 1 outlines The Southern California Association of Government, (SCAG), population, housing and employment forecast for the City.

**Table 1
City of Santa Fe Springs
Population, Housing and Employment Forecast**

Year	Population	Housing Units	Employment
2005	17,547	4,995	60,833
2010	18,263	5,201	64,732
2015	19,113	5,451	65,703
2020	19,949	5,702	66,617

Source: SCAG 2004 RTP Growth Forecast, website:
http://www.scag.ca.gov/forecast/downloads/excel/RTP07_CityLevel.xls

As seen in the table, between 2005 and 2020, the population is projected to increase by populations, housing is projected to increase by 206 units, and employment is projected to increase by 3,900 jobs. Between 2010 and 2015, the population is projected to increase by 850 individuals and housing is projected to increase by 250 units, and employment is projected to increase by 971 jobs. Moreover, between 2015 and 2020, the population is projected to increase by 836 individuals; housing is projected to increase by 251 units and employment is projected to increase by 914 jobs.

With projected increase in population and employment, coupled with the residentially zoned areas of the City being fully developed, there is a definite need for additional residential development in the City.

2. *That the property involved in the proposed change of zone is more suitable for the uses permitted in the proposed zone than for the uses permitted in the present zone classification.*

Feasibility studies have been performed by potential developers/buyers to determine the type of development that would be most favorable for the site. The studies concluded that the highest and best use of the site is a multi-family residential development. A multi-family residential development would be compatible with the surrounding land uses. A multi-family residential development would provide a less intensive land use on the site. Given the close proximity of other single and multiple family units, a less intensive land use would be considered more desirable. Additionally, the infrastructure already exists to support a residential development. Moreover, the City's Housing Element has identified the need for additional residential housing based on the long term demand for residential development in the City.

3. *That the proposed change of zone would not be detrimental in any way to persons or property in the surrounding area, nor to the community in general.*

The proposed Zone Change would not be detrimental to persons or property in the surrounding area. In fact, the zone change and related project will result in the following benefits: (1) Encourage and promote owner-occupancy of homes; (2) Fulfill regional housing needs as identified by SCAG; (3) Address the housing shortage in the City by adding an additional 50 condominium units; (4) promote a job/housing balance by locating attractive housing in proximity to employment centers and to convenient freeway access; and (5) provide a project that incorporates high-quality landscaping and aesthetics, creating a more beautiful and livable neighborhood environment.

4. *That the proposed change of zone will not adversely affect the master plan of the city.*

The General Plan is the *master plan of the city*. The General Plan provides the overall direction for the future development of the City. It is a comprehensive planning document that addresses the many aspects of community life in the City of Santa Fe Springs. It is a long range plan in that it seeks to provide for the needs of the community into the future. The General Plan is also flexible enough to respond to the changing needs and concerns of those who live, work and frequent Santa Fe Springs.

The General Plan consists of seven mandatory elements, including: 1) Land Use; 2) Housing; 3) Open Space; 4) Conservation; 5) Safety; 6) Circulation and 7) Noise. There is no evidence to suggest that the proposed Zone Change will *adversely affect the master plan of the city*.

The following table (Table 2) illustrates how the proposed Change of Zone will be consistent with the goals and policies of the General Plan.

**Table 2
General Plan Consistency Analysis**

General Plan Element	Policy	Project Consistency
Land Use	<u>15.1</u> Encourage and promote owner-occupancy of homes.	Consistent: 50 new condominium units will be constructed.
	<u>9.4</u> Encourage the grouping of adjoining small or odd shaped parcels in order to create more viable development.	Consistent: Three Assessor's Parcels (APNs: 8005-002-059, 8005-002-016 and 8005-002-058) will be combined to form the project site.
Housing	<u>2.3</u> Continue to provide for flexibility in the density and mix of land uses through the Planned Development overlay, and encourage the development of higher density, affordable housing in this zone.	Consistent: The proposed condominium project involves a zone change request to change the zone designation of the site from "ML" (Limited Manufacturing Administration and Research) to "R-3-PD" (Multi-Family Residential - Planned Development). The applicant is also planning to offer/designate a few units for affordable housing.
Open Space/ Conservation	<u>2.3</u> Promote the development of open space and recreational facilities within commercial, industrial, and residential developments.	Consistent: In addition to approx. 100 to 170 sq. ft. of private open space (patio/balcony), approx. 5,000 square feet of public open space (community area with clubhouse, pool and spa) will be provided throughout the development.

**Table 2
General Plan Consistency Analysis**

Safety	5.3 Review all new developments with regards to urban fire risks.	Consistent: In addition to meeting current Fire Code regulations for the construction of the proposed buildings, the project has been designed to provide adequate emergency access throughout the site.
Circulation	3.7 Minimize pedestrian and vehicular conflicts.	Consistent: Sidewalks setback from the curb face will be provided along both Jersey Avenue and Albutis Avenue. In addition, on-site walkways will be placed away from proposed driveways.
Noise	3.2 Continue to minimize the impacts of construction noise on adjacent land uses through limiting the permitted hours of activity.	Consistent: During construction, all construction activities will be consistent with the permitted hours established in the City's noise ordinance.

STAFF REMARKS

Based on the reasons enumerated above, Staff believes that Zone Change Case No. 131 meets and satisfies the criteria for the subject change of zone request.



Frederick W. Latham
City Manager

Attachments:

1. Vicinity Map
2. Aerial Photograph
3. Zoning Map – Existing
4. Zoning Map – Proposed
5. Zone Change Application
6. Ordinance No. 1005

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VICINITY MAP



SUBJECT PROPERTY
9830 Jersey Avenue and
9841-51 Alburdis Avenue

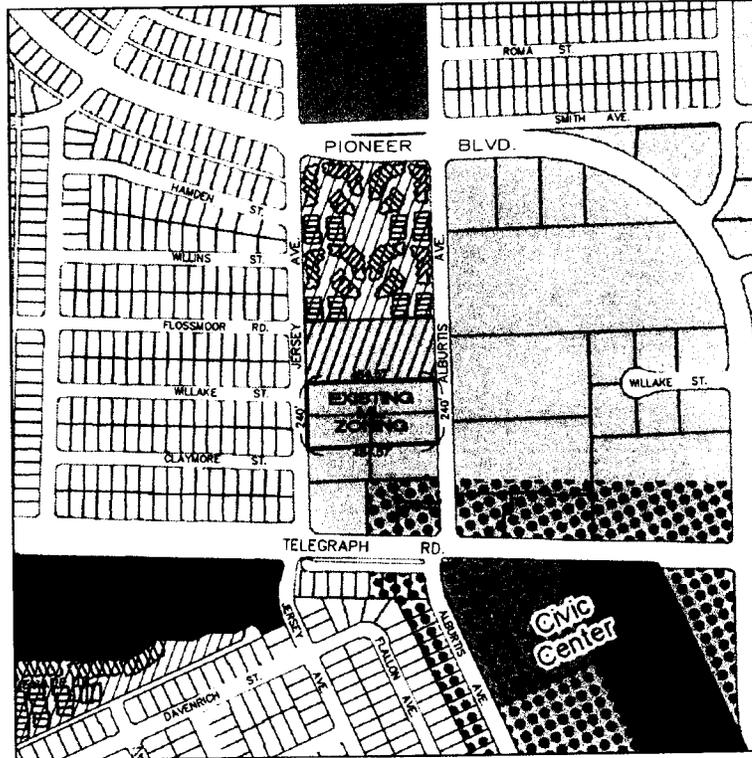
CITY OF SANTA FE SPRINGS

Jersey / Alburdis Condominium Development



ZONING MAP – EXISTING

ZONE CHANGE CASE NO. 131



ZONING DESIGNATION

RESIDENTIAL

-  R-1 SINGLE FAMILY
-  R-1-D SINGLE FAMILY – DESIGN OVERLAY ZONE
-  R-3-PD MULTIPLE FAMILY – PLANNED DEVELOPMENT OVERLAY ZONE

COMMERCIAL

-  C-4-PD COMMUNITY – PLANNED DEVELOPMENT OVERLAY ZONE
-  C-4-D COMMUNITY – DESIGN OVERLAY ZONE

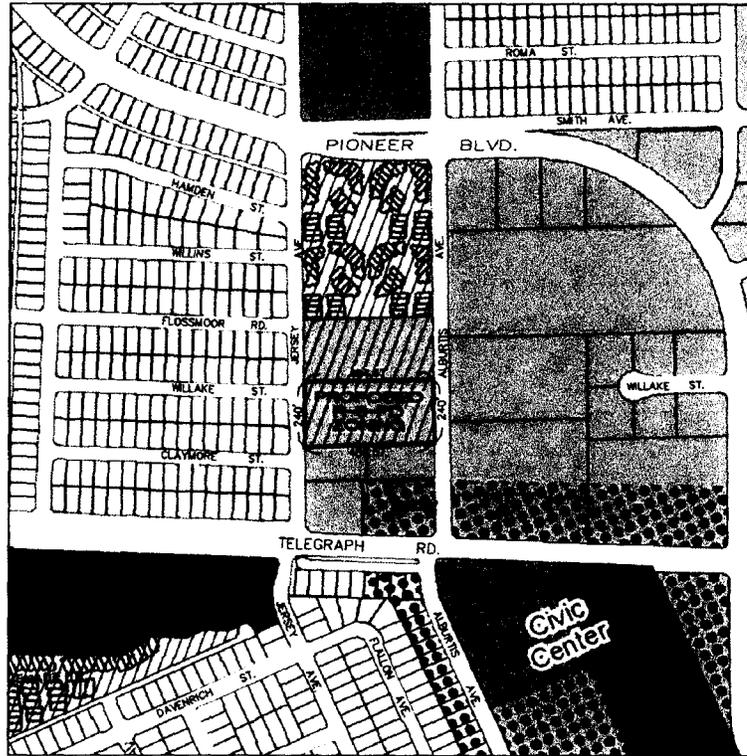
MANUFACTURING

-  ML LIMITED
-  ML-D LIMITED – DESIGN OVERLAY ZONE
-  PF PUBLIC FACILITIES
-  PF-D PUBLIC FACILITIES – DESIGN OVERLAY ZONE



ZONING MAP – PROPOSED

ZONE CHANGE CASE NO. 131



ZONING DESIGNATION

RESIDENTIAL

-  R-1 SINGLE FAMILY
-  R-1-D SINGLE FAMILY - DESIGN OVERLAY ZONE
-  R-3-PD MULTIPLE FAMILY - PLANNED DEVELOPMENT OVERLAY ZONE

COMMERCIAL

-  C-4-PD COMMUNITY - PLANNED DEVELOPMENT OVERLAY ZONE
-  C-4-D COMMUNITY - DESIGN OVERLAY ZONE

MANUFACTURING

-  ML LIMITED
-  ML-D LIMITED - DESIGN OVERLAY ZONE
-  PF PUBLIC FACILITIES
-  PF-D PUBLIC FACILITIES - DESIGN OVERLAY ZONE



ZONE CHANGE APPLICATION



City of Santa Fe Springs
Application for
ZONE CHANGE

The undersigned hereby petitions that the Zoning Ordinance be amended by changing the Zoning Map as outlined in this application.

Location of property involved (give street address or distance from nearest cross streets): EAST OF JERSEY AVE., NORTH OF TELEGRAPH, & WEST OF ALBURTIS AVE.

Legal description of property (attach supplemental sheet if necessary):
SEE ATTACHED

Change Requested: From Zone ML to Zone R3PD

The application is being filed by:

- Record Owner of the Property
 - Authorized Agent of the Owner
- (Written authorization must be attached to application.)

Status of Authorized Agent (engineer, attorney, purchaser, lessee, etc.):
ALLIANCE LAND PLANNING & ENGINEERING, INC.

Describe any easements, covenants or deed restrictions controlling the use of the property:
SEE ATTACHED

Present use of property: COMMERCIAL/LIGHT MANUFACTURING

Purpose for which the Change of Zone is requested (Explain fully the intended use of the property if the Change of Zone is granted):
PROJECT PROPOSES 50 TWO-STORY RESIDENTIAL CONDOMINIUMS WITH POOL/CLUBHOUSE, PRIVATE DRIVES, PARKING AND LANDSCAPING.

NOTE
This application must be accompanied by the filing fee, map and other data specified in "Information on Zone Changes"

ZONE CHANGE APPLICATION (Cont.)

ZC Application
Page 2 of 3

ANSWERS TO THE FOLLOWING QUESTIONS MUST BE CLEAR AND COMPLETE. THE ANSWERS SHOULD JUSTIFY YOUR REQUEST FOR A CHANGE OF ZONE.

1. Demonstrate how the proposed Change of Zone would be in accordance with the principles of good land use planning. (For example, would the proposed use serve a desirable function in the area, harmonize with adjoining zoning, promote sound development and not impose undue traffic burdens or cause traffic hazards, etc.)

- THE PROPOSED REDEVELOPMENT OF THIS SITE TO A RESIDENTIAL USE WOULD COMPLIMENT THE EXISTING RESIDENTIAL USE TO THE SOUTH AND EAST AS WELL AS HARMONIZING WITHIN THE MIXED USE ASPECT OF THE AREA. THE PROJECT WILL ENHANCE THE AREA AND NOT CAUSE ANY UNDUE BURDENS ON SURROUNDING USES OR INFRASTRUCTURE.

2. Is there a justifiable need in the community for more of the types of uses permitted in the zone requested than can be accommodated in the areas already zoned for such uses? (The justification for a Zone Change must be community need. The fact that the requested zone would be financially beneficial to the property owner is not sufficient grounds for granting the change.)

- THERE IS A JUSTIFIABLE NEED FOR NEW HOUSING WITHIN SANTA FE SPRINGS. THE REDEVELOPMENT OF THIS SITE WILL HELP MEET THOSE NEEDS ALONG WITH IMPROVING THE MIXED USE COMPONENT OF THIS AREA OF THE CITY.

3. Why is this particular property more suitable for the use permitted in the proposed zone than for the use permitted in the present zone?

- RESIDENTIAL HOUSING EXISTS TO THE SOUTH AND EAST OF THIS SITE. THE PROPOSED PROJECT WILL COMPLIMENT THOSE EXISTING USES AND REPLACE THE EXISTING COMMERCIAL/ INDUSTRIAL USE, WHICH IS OFTEN VACANT.

4. Indicate how the use permitted in the proposed zone would be compatible to existing permitted uses in the same neighborhood. Show that they would not in any way be detrimental to persons and property in the same general area.

- THE PROPOSED ZONE WOULD BE COMPATIBLE TO THE EXISTING USE BY SERVING AS A DESIRABLE FUNCTION WITHIN THE SAME NEIGHBORHOOD. THERE CURRENTLY IS RESIDENTIAL USE SURROUNDING THE SOUTH AND EAST AREA, WHICH WOULD SHOW THAT THIS PROPOSED ZONE WOULD NOT BE IN ANY WAY DETRIMENTAL TO PERSONS AND PROPERTY IN THE SAME GENERAL AREA.

ZONE CHANGE APPLICATION (Cont.)

ZC Application
Page 3 of 3

We, the undersigned, state that we are the owners of all of the property involved in this petition: (Attach a supplemental sheet if necessary)

Name (please print): KEANA DEVELOPMENT, LLC *Ste. 1010*
Mailing Address: 9595 WILSHIRE BLVD., BEVERLY HILLS CA 90212
Phone No: (310) 273-2999
Signature: _____

Name (please print): _____
Mailing Address: _____
Phone No: _____
Signature: _____

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

I, SHANE AETANI, being duly sworn, depose and say that I am the petitioner in this application for a Change of Zone, and I hereby certify under penalty of law that the foregoing statements and all statements, maps, plans, drawings and other data made a part of this application are in all respects true and correct to the best of my knowledge and belief.

Signed: _____
(If signed by other than the Record Owner, written authorization must be attached to this application)

On October 23, 2009 before me, M. Beene, Notary Public personally appeared Shane Aetani

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



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

M. Beene
Notary Public

FOR DEPARTMENT USE ONLY
CASE NO: _____
DATE FILED: _____
FILING FEE: _____
RECEIPT NO: _____
APPLICATION COMPLETE? _____

CITY OF SANTA FE SPRINGS

RESOLUTION NO. 9229

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA FE
SPRINGS REGARDING AN AMENDMENT TO THE LAND USE MAP TO
GENERAL PLAN OF THE CITY OF SANTA FE SPRINGS
(GENERAL PLAN AMENDMENT CASE NO. 23)**

WHEREAS, an application was filed by the applicant, Keana Development, LLC, for a general plan amendment from Business Park to Multiple-Family Residential on an approximately 2.67-acre property located at 9830 Jersey Avenue (APN: 8005-002-059), 9841 Alburdis Avenue (APN: 8005-002-016) and 9851 Alburdis Avenue (APN: 8005-002-058), and

WHEREAS, the general plan amendment request was filed concurrently with Conditional Use Permit Case No. 694, Zone Change Case No. 131, and a Vesting Tentative Tract Map Case No. 70726, and

WHEREAS, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resource Code Section 21000, et seq.) and the State CEQA Guidelines to consider and analyze the environmental impacts related to the development of the 2.67-acre site with proposed 50-unit residential condominium project; and

WHEREAS, the subject Initial Study/Mitigated Negative Declaration considered all four entitlements necessary to permit the proposed residential housing project, and

WHEREAS, the Initial Study/Mitigated Negative Declaration contained substantial evidence supporting the conclusion that the proposed residential project will not have a significant adverse effect on the environment within the meaning as defined in the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission, at its meeting of October 26, 2009, held a Public Hearing and studied the matter; and

WHEREAS, notice of the Public Hearing was given as required by law, and

WHEREAS, the Planning Commission considered the testimony received at said Public Hearing and studied the facts and circumstances involved in the request for said General Plan Amendment, and

WHEREAS, the Planning Commission at said Public Hearing made a recommendation that the City Council approve General Plan Amendment No. 23.

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

SECTION I. The City Council hereby adopts General Plan Amendment No. 23, an amendment to the Land Use Map of the City's adopted General Plan, changing the land use designation on the General Plan Map from "Business Park" to "Multiple-Family Residential" land use as shown on the map labeled "Exhibit A – Summary of Changes" attached hereto and made part of this Resolution, and hereby instructs the Mayor and City Clerk to certify that said map has been properly adopted by the City Council of the City of Santa Fe Springs.

PASSED and ADOPTED this 9th day of November, 2009 by the following roll call vote.

AYES:

NOES:

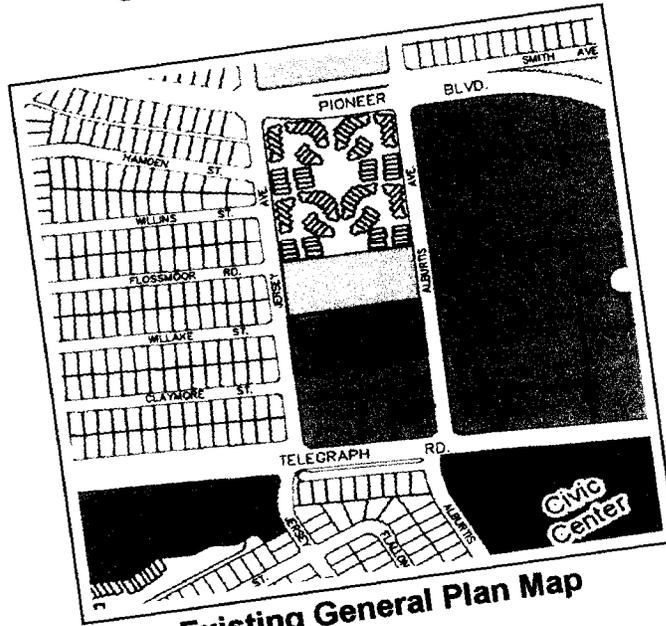
ABSENT:

MAYOR

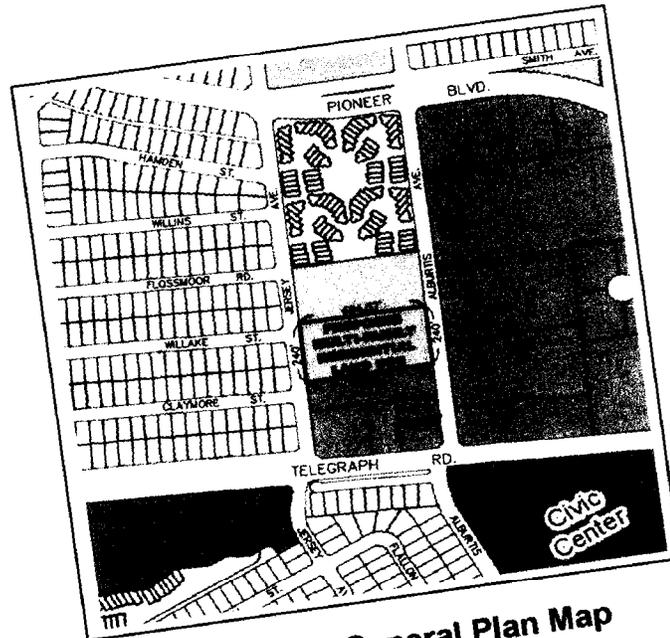
ATTEST:

CITY CLERK

Exhibit A Summary of Changes



Existing General Plan Map



Proposed General Plan Map

ORDINANCE NO. 1005

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS AMENDING TITLE 5 OF THE CODE OF ORDINANCES OF THE CITY, "THE ZONING ORDINANCE" OF THE CITY, BY PLACING CERTAIN PROPERTIES WITHIN THE CITY INTO THE R-3-PD, "MULTI-FAMILY RESIDENTIAL-PLANNED DEVELOPMENT" ZONE (ZONE CHANGE CASE NO. 131).

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

Section 1. Attached hereto and, by this reference, made a part hereof, is a map entitled "Exhibit A – Summary of Changes." The property which is the subject of this Ordinance is shown on said map as currently being in the M-L, Limited Manufacturing, zone.

Section 2. Title 15 of the Code of Ordinances of the City of the City of Santa Fe Springs, which chapter is the Zoning Ordinance of the City, is amended by placing the property shown upon Exhibit A as being in the R-3-PD, Multi-Family Residential – Planned Development, zone.

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

PASSED AND ADOPTED THIS _____ DAY OF NOVEMBER, 2009 BY THE FOLLOWING ROLL CALL VOTE:

AYES:

NOES:

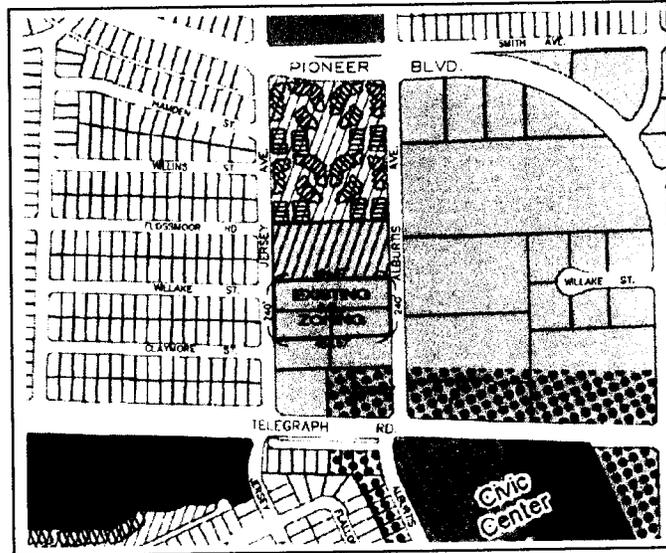
ABSENT:

MAYOR

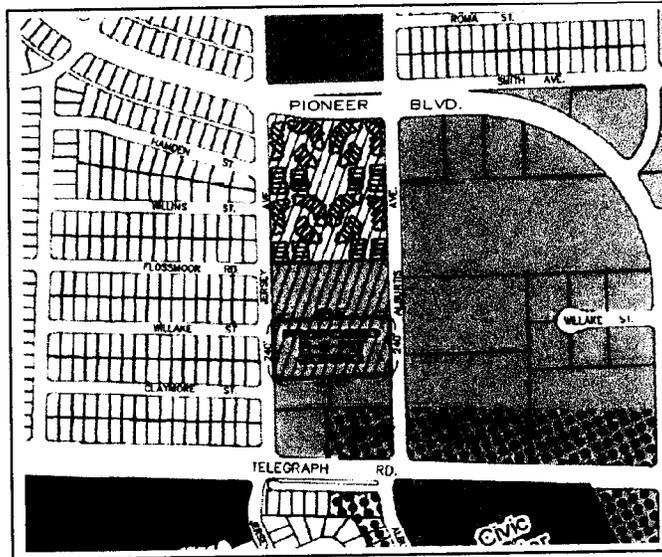
ATTEST:

CITY CLERK

**Exhibit A
Summary of Changes**



Existing Zoning Map



Proposed Zoning Map



City of Santa Fe Springs

City Council Meeting

November 9, 2009

ORDINANCE FOR INTRODUCTION

Ordinance No. 1006- Amending Section 130.04 of the City Code Banning Smoking Within Public Parks

RECOMMENDATION

That the City Council waive further reading and introduce Ordinance No. 1006, an ordinance amending Section 130.04 of the City Code to make it unlawful to smoke within Public Parks.

BACKGROUND

The negative impacts of smoking in public places have been well documented, as have the intent and efforts of the City Council to protect the public's safety, health and welfare. The dangers posed by the inhalation of second-hand smoke, the risk of children ingesting discarded cigarette butts and other smoking materials, and the degradation to the aesthetics caused by improper disposal of smoking waste justify the consideration of a ban on smoking in Public Parks.

Numerous studies have shown that secondhand smoke is a significant public health hazard, particularly to those with chronic health problems, the elderly and young people. The U.S. Environmental Protection Agency has classified second-hand smoke as a group A carcinogen, the most dangerous class of carcinogen. The U.S. Centers for Disease Control and Prevention estimates that secondhand smoke causes 3,000 lung cancer deaths per year among adult non-smokers in the U.S. Additionally, the California Environmental Protection Agency has concluded that secondhand smoke causes 35,000 coronary heart disease deaths a year.

Children are particularly sensitive to the harmful effects of environmental tobacco smoke. Evidence supports the following:

- Children who are exposed to secondhand smoke have higher rates of illness than children who are not exposed.
- When a pregnant woman is exposed to secondhand smoke, her unborn baby is also exposed. It has been shown that babies of mothers exposed to secondhand smoke have nicotine in their hair at birth.
- Secondhand smoke exposure is a known cause of Sudden Infant Death Syndrome (SIDS).



City of Santa Fe Springs

City Council Meeting

November 9, 2009

- Between 150,000 and 300,000 annual cases of lower respiratory tract infections in infants and young children up to 18 months of age are attributable to secondhand smoke exposure
- Secondhand smoke is a known preventable cause of low birth weight, which contributes to infant mortality and health complications into adulthood.

Nationally, the State of California has been on the leading edge in terms of criminalizing smoking in public places. Since 1995, smoking has been banned in most enclosed workplaces in California, including public facilities. Local jurisdictions may further regulate smoking more strictly than the state, which a number of municipalities have done, including, but not limited to: Belmont, Berkeley, Beverly Hills, Burbank, Calabasas, Cerritos, El Cajon, Glendale, Loma Linda, Los Angeles, Pasadena, San Diego, San Jose, San Luis Obispo, and Santa Monica.

For these reasons, Staff is recommending that the City of Santa Fe Springs join the list of cities above by banning smoking in City Parks.

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

Frederick W. Latham
City Manager

Attachment(s)

Ordinance No. 1006

ORDINANCE NO. 1006

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS
AMENDING SECTION 130.04 OF THE CITY CODE
BANNING SMOKING WITHIN PUBLIC PARKS

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

Section I: Section 130.04 (B)(22) is hereby added to the City Code to read as follows:

130.04 UNLAWFUL CONDUCT WITHIN PUBLIC PARK.

(B) It shall be unlawful for any person within any public park to:

(22) *Smoke or possess any lit cigar, cigarette or pipe, unless the City has designated a specific temporary smoking area.*

Section 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or of Chapter 130, 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 2: The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted in at least three (3) places in the City, such posting to be completed not later than fifteen (15) days after passage thereof.

PASSED, APPROVED and ADOPTED THIS _____ day of _____,
2009, by the following called vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

November 9, 2009

CITY ENGINEER'S REPORT

Resolution No. 9230 – Approving the Use of Community Development Commission Funds for the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard

RECOMMENDATION

That the City Council adopt Resolution No. 9230 finding that the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the Community.

BACKGROUND

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

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

MODIFICATION OF THE TRAFFIC SIGNAL AT SLAUSON AVENUE AND NORWALK BOULEVARD

This project involves the installation of protected/permissive left turn phasing for northbound traffic at the intersection of Slauson Avenue and Norwalk Boulevard. This intersection is jointly owned by the County of Los Angeles (93%) and the City of Santa Fe Springs (7%). The County completed a traffic study that indicated that left turn phasing was warranted for northbound traffic due to the delays to northbound left turning vehicles.

Since the County owns 93% of the intersection, they would be responsible for the design and construction of the improvements. The total estimated cost of the project including engineering, inspection, and contingency is \$122,250. Based on 7% ownership, the City's share of the cost would be \$8,560.

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

Date of Report: October 29, 2009

FISCAL IMPACT

This project will not adversely affect the current maintenance costs for this signal.

INFRASTRUCTURE IMPACT

This project will reduce the delay to northbound left turning motorists.

FINDINGS

1. That the modification of the traffic signal at Slauson Avenue and Norwalk Boulevard is of benefit both within and outside the Consolidated Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from the Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager

Attachment(s)
Resolution No. 9230

RESOLUTION NO. 9230

A RESOLUTION OF THE
CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE MODIFICATION OF THE TRAFFIC SIGNAL AT SLAUSON
AVENUE AND NORWALK BOULEVARD

WHEREAS, the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard will be of benefit to the community within the Consolidated Redevelopment Project Area; and

WHEREAS, the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard will improve and eliminate blighting influences within the City; and

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

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

Section 1: The Adopted Capital Improvement Program for FY 2006-07 through FY 2011-12 is amended to include the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard.

Section 2: The expenditure of funds from the Community Development Commission is hereby authorized for the Modification of the Traffic Signal at Slauson Avenue and Norwalk Boulevard; and

Section 3: The City Clerk shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 9th day of November 2009.

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

November 9, 2009

NEW BUSINESS

Resolution No. 9231 – Request for Parking Restriction on Arctic Circle

RECOMMENDATION

That the City Council adopt Resolution No. 9231, which would prohibit parking of vehicles weighing over 6,000 pounds on the south side of Arctic Circle beginning at a point 1,600 feet east of the centerline of Shoemaker Avenue to a point 2,000 feet east of the centerline of Shoemaker Avenue and implement a tow-away zone for vehicles that violate the restriction.

BACKGROUND

The Traffic Commission at their meeting of October 15, 2009 reviewed the attached report for the parking restriction. The Commission voted 5 to 0 to recommend to the City Council for consideration and approval of the proposed parking restriction and a provision for a tow-away zone as stated herein.

Staff recommends implementation of the requested parking restriction and the tow-away zone provision as such will facilitate enforcement and deter the disregard for the parking restriction.

Handwritten signature of Frederick W. Latham in cursive.

Frederick W. Latham
City Manager

Attachment(s)

Resolution No. 9231

Traffic Commission Report

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

Date of Report: November 3, 2009

RESOLUTION NO. 9231

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA
RESTRICTING PARKING AND STOPPING OF VEHICLES AND ESTABLISHMENT OF
A TOW-AWAY ZONE ON PORTIONS OF ARCTIC CIRCLE

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY
RESOLVE AND ORDER AS FOLLOWS:

Section 1: Pursuant to the provisions of Chapter 75, Schedule II of the City Code, the following locations are designated as places where no person shall stop, stand or park a vehicle weighing in excess of 6,000 pounds at any time and is hereby established as a tow-away zone:

South side of Arctic Circle beginning at a point 1,600 feet east of the centerline of Shoemaker Avenue to a point 2,000 feet east of the centerline of Shoemaker Avenue

When signs are posted giving notice thereof, any vehicle which is parked or left standing in violation of the provisions of this Resolution, shall be removed pursuant to the provisions of Vehicle Code Section 22651 (n).

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

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

Traffic Commission Meeting

October 15, 2009

TRAFFIC ENGINEER'S REPORT

Request for Parking Restrictions on Arctic Circle

RECOMMENDATION

That the Commission recommend to the City Council that a parking restriction for vehicles weighing over 6,000 pounds be implemented along with a provision for the towing of vehicles that violate the restriction on the south side of Arctic Circle beginning at a point 1,600 feet east of the centerline of Shoemaker Avenue to a point 2,000 feet east of the centerline of Shoemaker Avenue.

BACKGROUND

The Public Works Department received a request for a parking restriction along Arctic Circle, signed by Mr. Larry D. Long, General Manager of the businesses that have street frontage within the given area. The area is experiencing problems with large trucks parking adjacent to their driveways making it difficult for their employees, visitors and delivery trucks to enter or exit the businesses. The request is for the implementation of a restriction on the south side of Arctic Circle that would prohibit vehicles over 6,000 pounds from parking on the street frontage.

Arctic Circle is classified as a minor arterial street with a curb to curb width of fifty-two feet. It is unstriped with two lanes of traffic in each direction. Parking is permitted on both sides of the street, and is posted with a speed limit of thirty-five miles per hour. The area is zoned for Heavy Manufacturing (M2), on both sides of the street.

The Public Works Department generally receives these types of request from local businesses for some type of parking restriction in front of their business, especially adjacent to their driveways. Typically, it is an issue of restricted sight distance caused by the parking of semi-trucks with trailers or even pick-up trucks or minivans.

Staff reviewed the existing conditions at the location and recommends that a parking restriction prohibiting the parking of vehicles over 6,000 pounds be implemented on the south side of Arctic Circle beginning at a point 1,600 feet east of the centerline of Shoemaker Avenue to a point 2,000 feet east of the centerline of Shoemaker Avenue.

Also, a provision for the towing of vehicles that violate the restriction will be included with the parking restriction.

Tom R. Lopez

Tom R. Lopez
Assistant Director of Public Works

Rafael O. Casillas

Rafael O. Casillas
Principal Civil Engineer

Attachment(s):

Letter from the General Manager



FRY STEEL COMPANY

REGISTERED ISO 9001
Stainless, Super Alloys, Electrical Steel,
Aluminum, Aircraft Alloy, Brass, NI-AL-BRZ
and Cold Finish Carbon Bars

August 19, 2009

Mr. Tom Lopez
Assistant Director of Public Works
11710 Telegraph Rd.
Santa Fe Springs, Ca. 90670

Regarding: Request to investigate safety parking issue

Subject: Sight visibility issues

Dear Mr. Lopez,

Fry Steel would like to request an investigation into the unsafe parking of large trucks, on the south side of the street, between 13250 and 13208 Arctic Circle. Our delivery trucks and customers vehicles visibility exiting our building is blocked, making it difficult to see if traffic is clear coming from the westerly direction.

I have attached several pictures to help explain the difficulty in exiting from our building, at 13250 Arctic, onto Arctic Circle.

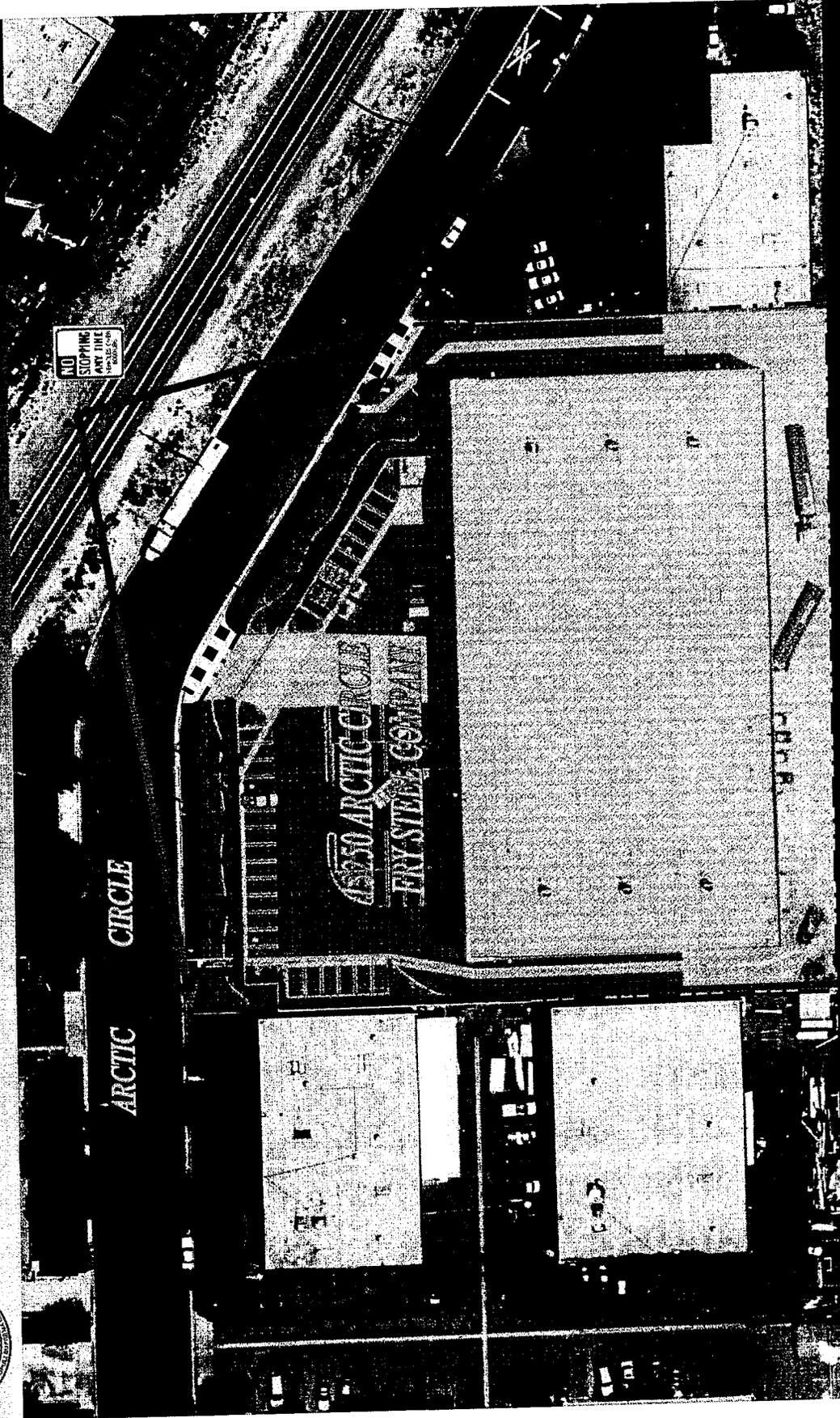
We are aware of the fees involved for this investigation and, if warranted, the installation of parking weight restriction signs. Fry Steel feels these fees are warranted to make exiting from our building safe.

Sincerely,

Larry D. Long
General Manager

attachments

PARKING RESTRICTION ON
ARCTIC CIRCLE



OCTOBER 15, 2009

PUBLIC WORKS - ENGINEERING



City of Santa Fe Springs

City Council Meeting

November 9, 2009

APPROPRIATION OF FUNDS

Resolution No. 9232 – Approving the Use of Community Development Commission Funds for the Acquisition of Certain Real Property Interests for the Valley View Grade Separation Project

RECOMMENDATION

1. It is recommended that the City Council adopt Resolution No. 9232 finding that the Valley View Grade Separation Project benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of the project is available within the community.

BACKGROUND

Under a separate item on the agenda for November 9, 2009 the City Council will consider adoption of three (3) proposed Resolutions of Necessity for the acquisition of a partial fee interest, permanent street easements, permanent utility easements and temporary construction easements in connection with the Valley View Avenue Grade Separation Project ("Project").

The real property interests sought to be acquired for the Project are for a public use, namely for the construction and maintenance of the Valley View Avenue Grade Separation Project ("Project") which is a joint project of the Cities of Santa Fe Springs and La Mirada in cooperation with Caltrans, Division of Rail and the BNSF Railroad. The purpose of the Project is to improve safety and traffic flow along Valley View Avenue that is interrupted by the existing at-grade BNSF railroad crossing.

As required by applicable State and Federal laws, the City of Santa Fe Springs, pursuant to California Government Code Section 7262 *et seq.*, obtained appraisals of the fair market value of the Real Property Interests needed to complete the Project, set just compensation in accordance with the appraised fair market value and has extended written offers to the owners of record. To date, offers made by the City of Santa Fe Springs have not been accepted.

A breakdown of the total amount is provided below.

Northwest Quadrant of the Project

One property in the northwest quadrant will be affected by the Project. It is located within the City of Santa Fe Springs and is identified as follows:

- 14515 – 14565 Valley View Avenue (APN 8069-006-042)

Report Submitted By:

Don Jensen, Director
Department of Public Works

Date of Report: November 3, 2009

The amount of Just Compensation for the right-of-way that needs to be acquired from this property has been determined by the City Council to be \$1,021,959.00.

Southwest Quadrant of the Project

Two properties within the southwest quadrant of the Project will be affected by the proposed Project. Both are located within the City of Santa Fe Springs.

Property No. 1 includes the following parcels:

- 14027 Borate Street (APN 8069-008-031)
- 14100 Borate Street (APN 8069-008-033)
- 14103 Borate Street (APN 8069-008-032)

The amount of Just Compensation for the right-of-way that needs to be acquired from this property has been determined by the City Council to be \$516,162.00.

Property No. 2 includes the following parcels:

- 15015 Valley View Avenue (APN 8069-008-025)
- 15015 Valley View Avenue (APN 8069-008-035)

The amount of Just Compensation for the right-of-way that needs to be acquired from this property has been determined by the City Council to be \$6,358.00.

Appropriation of CDC Funds

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

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

FISCAL IMPACT

Project costs, including the cost of property acquisition, will be reimbursed from Federal, State and County funds that have been allocated to the project. Local funds will be needed only to make initial payments. Once the City acquires possession of the properties described above, the City will be able to request reimbursement from the State and Federal funding sources and will then be able to repay the CDC. Staff believes reimbursement will be completed within the next twelve months.

INFRASTRUCTURE IMPACT

This action does not have a direct impact on City infrastructure. However, any delays in securing the real property interests referenced herein will have a significant impact on the City's ability to complete, and the current schedule for completing, the Project.

FINDINGS

1. That the Valley View Grade Separation Project is of benefit both within and outside the Consolidated Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from the Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager

Attachment(s):
Resolution No. 9232

RESOLUTION NO. 9232

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE VALLEY VIEW GRADE SEPARATION PROJECT

WHEREAS, the Valley View Grade Separation Project will be of benefit to the community within the Consolidated Redevelopment Project Area; and

WHEREAS, the Valley View Grade Separation Project will improve and eliminate blighting influences within the City by converting the existing at-grade crossing of Valley View Avenue and the BNSF track into a grade separated intersection; and

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

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

Section 1: The expenditure of funds from the Community Development Commission is hereby authorized for the Valley View Grade Separation Project; and

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

APPROVED and ADOPTED this 9th day of November 2009.

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

November 9, 2009

NEW BUSINESS

Resolution No. 9233 – Approving the Use of Community Development Commission Funds for the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road)

RECOMMENDATION

That the City Council adopt Resolution No. 9233 finding that the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) benefits the Consolidated Redevelopment Project Area and that no other reasonable means to complete the financing of this project is available within the Community.

BACKGROUND

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

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

FOUR CORNERS LANDSCAPING (TELEGRAPH RD./SANTA FE SPRINGS RD.)

Staff was tasked with developing a design to provide landscaping, irrigation and screening for the northwest corner of Telegraph Road and Santa Fe Springs Road. Upon completion of design, staff was directed to seek informal bids on the project construction.

The City has an easement on the northwest corner of Telegraph Road and Santa Fe Springs Road which was originally granted for a fountain to be constructed at this location. The proposed improvements include the placement of imported top soil to create a berm on the north side of the corner. At the top of the berm, landscape materials (trees and shrubs) consistent with the planting pallet of the Telegraph Road Corridor Master Plan will be installed along with a corresponding irrigation system.

Report Submitted By:

Don Jensen, Director
Department of Public Works

Date of Report: November 4, 2009

18

Adjacent hardscape improvements (sidewalk, access ramp and mow strip) will accompany the landscape improvements. Temporary fencing with wind screen will be installed along Telegraph Road and Santa Fe Springs Road to limit the view of the oil fields in the background.

Bids were opened on October 27, 2009, and a total of four (4) bids were received. The low bidder for the project was Belaire West Landscape, Inc. of Buena Park, California, in the amount of \$78,286.00. The Department of Public Works has reviewed the bids and found the low bid submitted by Belaire West Landscape, Inc. to be satisfactory. The following represents the bids received and the amount of each bid:

<u>Company</u>	<u>Bid Amount</u>
Belaire West Landscape, Inc.	\$78,286.00
Hondo Company, Inc.	\$86,713.40
Marina Landscape	\$97,705.18
Yakar	\$99,020.50

The low bid of \$78,286.00 is 21.71% below the Engineer's Estimate of \$100,000.00.

Staff requests an appropriation in the amount of \$160,000.00 from unallocated 2006 CDC Bond Funds to fund this project. The appropriation will cover the construction, design, inspection, contingency, fencing and three-year maintenance for the project.

FISCAL IMPACT

The on-going maintenance for this project is covered for a three-year term.

INFRASTRUCTURE IMPACT

This project will reduce blighting influences at the northwest corner of Telegraph Road and Santa Fe Springs Road.

FINDINGS

1. That the four corners landscaping project at Telegraph Road/Bloomfield Avenue is of benefit both within and outside the Consolidated Redevelopment Project Area and to the City; and
2. The only available funds to complete funding for this project are from the Community Development Commission (Community Development Commission Bond Funds).



Frederick W. Latham
City Manager

Attachment(s)
Resolution No. 9233

RESOLUTION NO. 9233

A RESOLUTION OF THE
CITY OF SANTA FE SPRINGS, CALIFORNIA
APPROVING THE USE OF COMMUNITY DEVELOPMENT COMMISSION
FUNDS FOR THE FOUR CORNERS LANDSCAPING (TELEGRAPH ROAD/SANTA FE
SPRINGS ROAD) PROJECT

WHEREAS, the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project will be of benefit to the community within the Consolidated Redevelopment Project Area; and

WHEREAS, the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project will improve and reduce blighting influences within the City; and

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

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

Section 1: The Adopted Capital Improvement Program for FY 2006-07 through FY 2011-12 is amended to include the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project.

Section 2: The expenditure of funds from the Community Development Commission is hereby authorized for the Four Corners Landscaping (Telegraph Road/Santa Fe Springs Road) project; and

Section 3: The City Clerk shall certify to the adoption of this Resolution.

APPROVED and ADOPTED this 9th day of November 2009.

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

November 9, 2009

NEW BUSINESS

Renewal of Concession Agreement with Ebrahim Ghaneian

RECOMMENDATION

That the City Council renew the concession agreement with Ebrahim (Ebie) Ghaneian to operate the kitchen at Heritage Park and grant him exclusive catering rights for weddings and large picnics at Heritage Park. This agreement shall be for a five-year period, October 1, 2009 through October 1, 2014.

BACKGROUND

The concessionaire began operating the kitchen at Heritage Park in 2004. The kitchen provides amenities for residents and businesses alike. They prepare special lunches for school tours, art camp and small groups that call the Park for a tour. They offer daily specials which are increasing in popularity.

Mr. Ghaneian agrees to pay the City \$500 per month and will be the exclusive caterer for weddings and large picnics at Heritage Park.

Please see attached Concession Agreement.

INFRASTRUCTURE IMPACT STATEMENT

The appliances are beginning to age and a number of repair calls were placed this past year. Public Works has the refrigerator from Café Libro in storage and can use that if the existing one in the HP Kitchen can no longer be repaired.

FISCAL IMPACT

The City pays for the maintenance of the building, utilities, and equipment repair. The gas and electric cost is approximately \$200 per month.

Attachment(s):

Concession Agreement

A handwritten signature in black ink, appearing to read 'F. Latham'.

Frederick W. Latham
City Manager

CONCESSION AGREEMENT

This Concession Agreement, made and entered into this 9th day of November, 2009, retroactive to October 1, 2009 by and between the CITY OF SANTA FE SRPIGNS, a body corporate and politic, hereinafter referred to as the "City," and **Ebrahim (Ebie) Ghaneian**, hereinafter referred to as the "Concessionaire."

WITNESSETH THAT:

WHEREAS, the City owns a food concession at Heritage Park at 12100 Mora Drive, Santa Fe Springs, California and

WHEREAS, the City has determined that the best interest and welfare of the City would be served by the granting of a concession to the Concessionaire for the purpose of operating a food service located in said Heritage Park, and

WHEREAS, the Concessionaire is desirous of receiving a grant of concession from the City upon the terms and conditions hereinafter contained.

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions hereinafter contained, the parties do hereby agree as follows:

1. The City hereby grants to the Concessionaire the right to the use and operation of a food service concession in the food service area at Heritage Park located at 12100 Mora Drive, Santa Fe Springs, California, including the use and operation of the City's facilities and equipment listed and described on Exhibit "A" attached hereto and by reference incorporated herein as a part hereof.
2. The Concessionaire shall have the privilege of operating a food and refreshment concession at said catering kitchen, conditional to compliance by Concessionaire with all rules and regulations of the City concerning the operation thereof and the provisions of this Agreement.
3. For the purpose of this Agreement, the "food and refreshment concession" shall be deemed to include sandwiches, soups, salads, candy, beverages and other items expressly approved by the City.
4. The Concessionaire agrees that the sale, use of or possession of beer or other alcoholic beverages during weekday lunch service hours on the premises is expressly prohibited.
5. The term of this Agreement shall be for a five-year period, **October 1, 2009 through October 1, 2014**. If the parties are agreeable, the term shall automatically be renewed from year to year unless notice is given by either party 60 days prior to the expiration of the term that they wish to terminate this Agreement or negotiate mutually acceptable changes.

6. If the parties wish to change the terms of this Agreement and no new terms of conditions have been mutually agreed upon by the expiration of this Agreement, but it is the intention of the parties to continue the association, then the agreement will continue on a month to month basis until a new agreement is reached. If either party desires to withdraw during negotiations, this Agreement will expire at the end of a 30 day notice.
7. In consideration of the exclusive concession hereby granted to the Concessionaire for the period herein stated, the Concessionaire agrees to pay the City five hundred dollars per month. Beginning with **October 1, 2010**, the City may, at its sole option, begin charging rent based on a percentage of the receipts. The percentage will be negotiated by both parties. In the event that the parties cannot reach an agreement, the City may, as its sole option, terminate the agreement by giving the Concessionaire a 30 day notice of termination.
8. Upon agreement of lease terms, the Concessionaire hereby agrees that not later than the sixth day of each and every calendar month, he will transmit to the City \$500 per month from the operation of the concession herein granted during the preceding calendar month.
9. If any payment of rent as specified in Clause 8 is not received by the City by the due date, a late charge of \$25.00 for every five days the rent remains and the total sum shall become immediately due and payable to the City. An additional charge of one and one-half percent (1.5%) of said payment, excluding late charges, shall be added for each additional month that said payment remains unpaid.
10. The Concessionaire hereby agrees that all items offered for sale by the Concessionaire shall first be approved by the City or its Director of Library and Cultural Services or other duly authorized representatives, and that thereafter the Concessionaire shall not alter the price of any item sold without the prior approval of the City or its Director of Library and Cultural Services.
11. The Concessionaire agrees to keep said concession open during the dates and hours of opening and closing specified by the City and its Director of Library and Cultural Services.
12. The Concessionaire agrees to pay the cost of a phone line necessary to the operation of the concession.
13. The Concessionaire will market and promote the business at his own expense.
14. The Concessionaire agrees he will maintain the premises in a neat, clean and sanitary condition, in accordance with guidelines specified in Exhibit "B" attached hereto and by reference incorporated herein as a party hereof. The Concessionaire further agrees that said premises shall at all times be open to inspection by the proper public authorities and the Director of Library and Cultural Services or other duly authorized representatives of the City. The City retains the right to close the concession if the Concessionaire receives less than an "A" rating from the Los Angeles Health Department in its annual inspection

or if the City or its Director of Library and Cultural Services determines that the Concessionaire has not maintained the premises as stipulated in Exhibit "B."

15. The use of profane or indecent language is strictly prohibited, and boisterous, loud or unsuitable conduct on the part of the Concessionaire, his agents or employees, is likewise strictly prohibited. Any violation of the rules and regulations of the City of its Director of Library and Cultural Services shall be sufficient cause for termination of this Agreement without compensation or payment of damages to the Concessionaire.
16. The Concessionaire agrees to comply with all City and county ordinances, laws of the State of California, and laws of the United States of America, insofar as the same or any of them are applicable hereto.
17. The Concessionaire agrees that competent persons will be in attendance on the premises operated by him at all times, and that one person will at all times be in charge of the concession, and the Director of Library and Cultural Services shall be notified of the person in charge of the concession.
18. The Concessionaire agrees that he will not, in the operation of said concession, interfere in any way with the general use of the park or other recreational facilities provided by the City for park and recreation purposes, and the Concessionaire agrees that neither he nor his employees or agents will interfere with the public use and enjoyment of the City's park and recreational facilities.
19. The Concessionaire agrees that he will not permit disorderly persons to loiter about the premises used by him in the operation of this concession.
20. The City shall maintain the premises as set forth and described in Exhibit "A."
21. The Concessionaire agrees to provide all necessary equipment needed in the operation of said concession not otherwise furnished by the City as set forth and described in Exhibit "A."
22. The Concessionaire acknowledges that he has thoroughly examined the premises to be operated by him under this Agreement, and that he knows the conditions thereof. The Concessionaire further agrees to accept said premises in the condition in which they are upon the commencement of the term hereof, hereby waiving any claim or right on account thereof, and agrees that the City shall not be required at any time to make any improvements, alterations, changes, repairs or replacements of any of the structures or facilities to be used by the Concessionaire, except as provided in Exhibit "A." The Concessionaire further agrees that he will not make any changes, additions, or alterations of any kind in the premises used or occupied by him without the written consent of the City or its Director of Library and Cultural Services. The Concessionaire further waives any right to require the City to make repairs at the cost of the City, which the Concessionaire might otherwise have under the laws of the State of California, or otherwise, except as provided in Exhibit "A."

23. If the premises operated by the Concessionaire shall be so damaged by fire, earthquake, casualty, war, insurrection, riot or public disorder, or any other cause or happening, as to be substantially destroyed to such an extent that the same cannot be used or operated by the Concessionaire, then this Agreement, at the option of either party, shall immediately cease and terminate. However, at the option of the City, if the premises shall be only partially destroyed, the City may restore the premises to their prior condition, and the Concessionaire shall be obligated to continue operation of the concession upon completion of necessary repairs.
24. The Concessionaire shall, at his sole cost and expense, purchase and maintain throughout the term of this Agreement, the following insurance policies:
 - A. Automobile insurance covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include all vehicles used during the performance of this agreement whether or not owned by Concessionaire. The Concessionaire also agrees to name the City as a Certificate Holder on his auto insurance policy during the term of this Agreement.
 - B. Comprehensive general liability insurance, naming the City as “Additional Insured” with a certificate naming such forwarded to the City; the policy shall maintain minimum limits of \$2,000,000 general aggregate, and \$1,000,000 combined single limit per occurrence, covering all bodily injury and property damage arising out of its operation under this Agreement. Maintain a liquor liability policy of \$1,000,000 aggregate and \$500,000 per occurrence. Such insurance shall also protect against claims arising out of allegations of food poisoning and similar claims.
 - C. Workers’ compensation insurance covering the Concessionaire and all his employees as required by the State of California.

The aforesaid policies shall constitute primary insurance as to the City, its officers, employees, and volunteers, so that any other policies held by the City shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior written notice to the City of cancellation or material change.

Any aggregate insurance limits must apply solely to this Agreement.

Insurance shall be written with only California admitted companies which hold a current policy holder’s alphabetic and financial size category rating of not less than A VIII according to the current Best’s Key Rating Guide, or a company with equal financial stability that is approved by the City’s Risk Manager.

This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with and approved by the City’s Risk Manager. If the Concessionaire does not keep all of such insurance policies in full

force and effect at all times during the terms of this Agreement, the City may elect to treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.

25. The Concessionaire agrees to save, keep and hold harmless the City and all of its officers, agents and employees, from all damage, costs or expense in law or in equity (including costs of suit and expenses for legal services), that may at any time arise or be set up because of damage to property or death or injury to persons received or suffered by reason of the operations of the Concessionaire hereunder, or which may be occasioned by any negligent act or omission to act which amounts to negligence on the part of the Concessionaire, or any of his agents or employees, or any act of omission to act on the part of said Concessionaire, his agents or employees, including breach of implied warranties of fitness or merchantability or food and beverages sold by the Concessionaire, and including the maintenance by the Concessionaire of any defective or dangerous condition of the premises.
26. The Concessionaire agrees to pay all taxes, including sales taxes, excise taxes, personal property taxes, business operations tax certificate, and taxes on the Concessionaire's property or facilities use upon and located upon the premises of the City, and the Concessionaire shall pay any and all taxes which may be levied on the Concessionaire in said real property upon which the concession facilities are located.
27. The Concessionaire agrees that no sign or advertising matter of any kind shall be displayed on or near the outside of the building used and occupied by the Concessionaire, unless first approved by the Director of Library and Cultural Services. Signs or advertising matter displayed at other places at the Heritage Park catering kitchen indicating where food and refreshments are available shall be erected by the City at its sole cost and expense, and at such places and to such extent as the City may deem necessary.
28. The Concessionaire agrees that upon the expiration of the term hereof, he will peaceably vacate the premises occupied by his operations, and deliver up the same to the City in good condition, ordinary wear and tear, damage by disaster and the element excepted.
29. The Concessionaire agrees that he will not, without the prior written consent of the City, sublet the premises, or any part thereof, nor assign, hypothecate or mortgage this Agreement.
30. This Agreement shall terminate immediately upon the occurrence of any of the following conditions:
 - (a) Upon the death of the Concessionaire
 - (b) Upon nonpayment of the whole or any part of the amounts agreed upon to be paid to the City by the Concessionaire, and upon receipt of written notice from the City of said termination for said cause;

- (c) Upon the filing of a voluntary petition in bankruptcy by the Concessionaire;
 - (d) Upon any court taking jurisdiction of the Concessionaire and his assets pursuant to proceedings brought under any Federal reorganization act or any receiver of the Concessionaire's assets who may be appointed for said purpose;
 - (e) Upon the Concessionaire's making any general assignment of his assets for the benefit of creditors;
 - (f) Upon the nonperformance by the Concessionaire of any of the covenants, conditions or agreements herein above contained, and after written notice of the grounds for said termination has been delivered by the City to the Concessionaire.
31. In the event the City wishes to terminate this Agreement because of breach of any of the obligations, covenants, conditions or agreement herein contained, the City will give the Concessionaire 30 days notice to correct the deficiency. If such corrections are not satisfactorily made within 30 days then the City may take possession of the premises at the end of 30 days.
32. The parties hereby agree that in the event the Concessionaire shall be prevented from occupying or using the said premises, or shall be prevented from conduction or operating his business or said premises by any final action, order of ruling of Federal or State authorities, then the Concessionaire may, at his option, cancel this agreement by written notice to the City, and said agreement shall become canceled and terminated 30 days after the mailing or delivery thereof.
33. Notice desired or required to be given hereunder or under any law now or hereafter in effect may, at the option of the party giving the same, be given by enclosing the same in a sealed envelope addressed to the party for whom intended, and by depositing such envelope, with postage prepaid, in the United States Post Office, or any substation thereof, or any public letter box and any such notice and the envelope containing the same shall be addressed to the Concessionaire at 12100 Mora Drive, Santa Fe Springs, CA 90670 or such other place as may here after be designated in writing by the Concessionaire, and notices and the envelope containing the same to the City shall be addressed or delivered to the Director of Library and Cultural Services, City of Santa Fe Springs, 11710 East Telegraph Road, Santa Fe Springs, CA 90670. All such notices so given shall have the same force and effect as if delivered personally, and shall be deemed to have been given on the date when the same are delivered or are so deposited in a post office, substation, or public letter box, as aforesaid.
34. The contents of Exhibits "A" and "B" are incorporated by reference as though fully set forth herein.

IN WITNESS WHEREOF, the parties have executed this Agreement, below, as of the date first set forth above.

CITY OF SANTA FE SPRINGS

By _____
MAYOR

CONCESSIONAIRE

By _____
Ebrahim Ghaneian

ATTEST:

City Clerk

EXHIBIT "A"

HERITAGE PARK FOOD CONCESSION TERMS SUMMARY OF CITY RESPONSIBILITIES

The City will:

1. Maintain the plumbing, electrical system, roof, exterior wall, interior walls, exterior doors, exterior door hardware and kitchen appliances owned by the City. Said appliances include:

- Amana Microwave oven
- Traulson Refrigerator
- Delfield Refrigerator
- Delfield Freezer
- Manitowic Series 200 Ice Machine
- Steam Table
- Beverage Air Refrigerated Prep Table
- Set of three lockers
- Three aluminum storage shelf units
- Two rolling stainless steel prep tables
- Four stationary stainless steel prep tables of various sizes
- Two-basin stainless steel sinks
- An aluminum wall hung shelf unit with two shelves
- Twelve round glass-top tables
- Forty eight matching chairs

2. Provide weekday access to the kitchen and its equipment, as well as overnight and weekend storage.
3. Provide Concessionaire periodic use of the electronic sign board.
4. Provide utilities except for phone.
5. Provide use of the Heritage Park logo and a page on the City's web site under Library Services
6. Provide exclusive right to cater all of the Park's weddings and corporate picnics

EXHIBIT "B"

SUMMARY OF CONCESSIONAIRE'S RESPONSIBILITIES

1. Offer daily specials, holiday-themed specials and special event menus.
2. Maintain a membership in the Santa Fe Springs Chamber of Commerce and take advantage of opportunities to promote the concession where possible.
3. Use of high quality breads, salads and meats. Have all sandwiches made fresh when ordered. Maintain kitchen facility and its appliances at the highest level of cleanliness, and in accordance with County of Los Angeles Health Dept. Codes. Strive for fast and friendly service.
4. Submit to the City a menu plan and prices for approval.
5. Provide a telephone line, separate from the park's phone service, for use in the concession by Concessionaire's representatives.
6. Operate a food service concession from the hours of 10 a.m. to 3 p.m., Monday through Friday.
7. Pay to the City \$500 per month for the use of the kitchen space for year one of the contract.
8. Submit to the City for approval all plans for graphics, advertisements or signs that relate to the Heritage Park food concession.
9. Provide and supervise employees in the concession who are acceptable to the Director of Library and Cultural Services or her designated representatives.
10. Keep the kitchen area and eating area (tables and chairs) clean and in compliance with City and County sanitation and safety regulations. Remove trash from the area when maintenance staff is on duty.
11. Provide the City with County inspection notices and rating information.



City of Santa Fe Springs

City Council Meeting

November 9, 2009

NEW BUSINESS

Request for Transfer of Trucking Use Time Extension Entitlement

Consideration of a request for transfer of the Trucking Use Time Extension rights originally granted to Yellow Freight Systems, Inc. to Crown Enterprises, Inc. involving the 6.3 acre property at 12250 Clark Street, within the Consolidated Redevelopment Project.
(Yellow Freight Systems, Inc. for Crown Enterprises, Inc.)

RECOMMENDATION

That the City Council approve the transfer of the rights and privileges granted by the Trucking Use Time Extension issued to Yellow Freight Systems, Inc. to Crown Enterprises, Inc. subject to the same terms and conditions set forth in the original Memorandum of Understanding.

CURRENT REQUEST

In 1989 the City Council approved a Trucking Use Time Extension request by Yellow Freight Systems, Inc. ("Yellow Freight") to allow the operation and maintenance of a nonconforming truck facility on the 6.3 acre property at 12250 Clark Street. Yellow Freight recently discontinued operations from the site and has entered into a contract with Crown Enterprises, Inc. ("Crown Enterprises") to purchase the property. Crown Enterprises, through its wholly-owned subsidiary Central Transport, intends to be the sole operator on the property using the cross dock facility to distribute commodities for its many LTL customers throughout the greater Los Angeles region. Sale of the property is contingent upon the rights and privileges originally granted to Yellow Freight being transferred to Crown Enterprises.

BACKGROUND

The subject 6.3 acre property is located on the south side of Clark Street, between Norwalk Boulevard and Springdale Avenue. Because the site exceeds two acres in size, the trucking facility is in violation of the lot size limitation set forth in Section 155.656 of the City Zoning Ordinance concerning Trucking, Transit and Transportation Facilities. As a result, the Trucking Use Time Extension allows the continued use of the subject cross-dock freight transfer facility subject to those conditions of approval set forth in the attached Memorandum of Understanding ("MOU").



City of Santa Fe Springs

City Council Meeting

November 9, 2009

The MOU was granted by the City Council in 1989 for a period of thirty (30) years, until September 28, 2019. In addition to requiring substantial site improvements, the MOU states that, "The entitlement granted herein may not be transferred without the City's written consent." Accordingly, Yellow Freight is requesting the City's written consent to transfer this TUTE entitlement to Crown Enterprises for the term remaining under the current MOU.

The City Council will note that Yellow Freight was approved to operate 41 tractors and up to 160 trailers on the site, generating up to 75 trips from the property each day. Crown Enterprises proposes to use only nineteen (19) tractors and fifty (50) trailers, generating approximately sixty (60) trips daily trips from the property. Crown Enterprises, which currently leases a site in Compton, desires to own the subject property as its "flagship company owned terminal in the Los Angeles Area". The company also owns an attractive, relatively new terminal in Rialto, and another in Oxnard.

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

Frederick W. Latham
City Manager

Attachment(s):

Memorandum of Understanding (Yellow Freight Systems, Inc.)
Letter to City from Crown Enterprises, Inc.

RECORDING REQUESTED BY AND MAIL TO

90 438469

NAME.....Dept. of Planning and Development

STREET.....City Hall

11710 Telegraph Road

CITY.....Santa Fe Springs, Ca 90670-3658

RECORDED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA

31 MIN. 8 A.M. MAR 19 1990
PAST.

MEMORANDUM OF UNDERSTANDING

FEE \$17.00

This Memorandum of Understanding ("MOU"), dated 10/20/89, is entered into by and between the City of Santa Fe Springs, a body corporate and politic of the State of California ("City"), and Yellow Freight System, Inc., a motor freight shipping company located at 12250 Clark Street, within the City of Santa Fe Springs ("Applicant").

1. Purpose of MOU.

The purpose of this MOU is to set forth the conditions under which the Applicant may continue the operation and maintenance of a nonconforming motor freight shipping and cross-dock commodities transfer facility in the City of Santa Fe Springs. Section 51.17 of the City Zoning Ordinance allows for an extension of time for nonconforming uses if the City Council finds that circumstances so warrant.

On March 23, 1989, the City Council passed Resolution No. 5325 adopting the Development Standards for Trucking Uses. The Development Standards set forth certain site improvements which must be complied with in connection with a Trucking Use Time Extension. Recognizing that many trucking uses in the City have already become or will soon become nonconforming uses, it is the intent of the Development Standards to upgrade the appearance and operation of these nonconforming uses in consideration for an extension of the termination date.

2. Responsibility of City.

The City of Santa Fe Springs hereby agrees to grant an extension of the required termination date for the nonconforming motor freight transfer facility, thereby allowing the lawful operation of the Applicant's freight shipping use on the subject site for a period of thirty (30) years, until September 28, 2019.

3. Responsibility of Applicant.

The Applicant agrees to fully comply with all of the conditions of approval as set forth in No. 4 below within the prescribed time periods as set forth below. Failure to comply with any of the conditions of approval will be considered a breach of this MOU.

4. Conditions of Approval.

The City Council hereby grants to Yellow Freight System, Inc. a Trucking Use Time Extension to allow the operation and maintenance of a nonconforming motor freight shipping and commodities transfer facility on property located at 12250 Clark Street subject to the following conditions:

- a. That the Applicant shall submit for approval a detailed landscape and automatic sprinkler system for all onsite and parkway landscape areas located along Norwalk Boulevard and Clark Street. Said landscape plan shall indicate the location and type of all plant materials to be used, and shall include 3 ft berms, 24" box trees, and an automatic sprinkler system to provide full coverage for all landscape areas. Said landscape and irrigation plan shall be submitted for approval within sixty (60) days, by November 28, 1989, and shall be installed by the applicant and approved by the City's Director of Planning and Development prior to occupancy and use of the subject site.
- b. That the subject property shall be continuously maintained in a neat and orderly manner at all times; all trucks, tractors and trailers and related equipment shall, at all times, be parked/stored only within the interior of the subject site.
- c. That the Applicant shall provide a minimum 8 ft high decorative masonry block wall along both the Norwalk Blvd. and Clark Street frontages, exclusive of driveway access, setback from the street facing property lines 20 ft and 30 ft, respectively. In addition, an 8 ft high decorative masonry screen wall shall be provided along the entire 571 ft length of the east side property line. Said masonry block screen walls shall be completely installed, inspected and granted final approval by the City's Building Division prior to occupancy and use of the subject site. At such time as the adjoining properties along Norwalk Boulevard are redeveloped, the applicant shall comply with the 30 ft landscaped setback and 8 ft high block wall requirement along the Norwalk Blvd. frontage.
- d. That the City reserves the right for the term of this MOU to require the applicant to install additional decorative masonry block wall screening should the City's Director of Planning and Development determine that such additional screening is necessary.

90- 438469

- e. That the applicant shall pave the entire site area used for the parking, storage or maneuvering of trucks, tractors, trailers or related equipment in accordance with Division 5, Section 54.00 et. seq. of the City Zoning Ordinance. Said paving shall include a continuous curb or wheelstop around the interior perimeter of the site, or other such method of preventing trucks, tractors or trailers from backing into or otherwise hitting any fence, gate or wall. Said paving and curb or wheelstop shall be completely installed prior to occupancy and use of the subject site.
- f. That no wrecked, salvaged, abandoned or inoperative vehicles of any kind shall be parked or stored on the subject site at any time.
- g. That an approved trash enclosure shall be provided on the subject site prior to occupancy and use of the subject site.
- h. That all chain link fences and gates shall be provided with redwood slats, or other similar screening material.
- i. That the subject site shall not be used by tanker truck or any other such vehicle used for the bulk transport, shipping or storage of liquid material, except that fuel tankers may enter upon the site only as needed for the periodic refueling of the applicant's 10,000 gallon diesel fuel tank.
- j. That the applicant shall provide for the water main construction, with fire hydrants, on Clark Street.
- k. That the applicant shall agree to the dedication of parkway right-of-way for curb and gutter installation, and the paving of Clark Street.
- l. That the applicant shall install a storm drain on Clark Street.
- m. That the applicant shall install sewer service on Clark Street, if determined by a sewer study.
- n. That the applicant shall install street lights on the Clark Street and Norwalk Blvd. frontages.
- o. That the applicant shall submit to the City's Director of Public Works a site drainage plan for the subject site. Said drainage plan shall note that no drainage shall be allowed over driveways.

- p. That the applicant shall not, for the term of this MOU, allow truck access through the Norwalk Blvd. frontage.
- q. That the applicant shall pay to the City the water trunkline fee of \$2,000.00 per acre of land (\$12,600.00).
- r. That the applicant shall install all street improvements on Norwalk Blvd. required by the City's Director of Public Works.
- s. That the Applicant shall pay the Trucking Use Time Extension application fee in the amount of Two Thousand dollars (\$2,000.00), within 30 days of the effective date of this MOU, by October 14, 1989.
- t. That the motor freight and commodities transfer use conducted on the subject site shall otherwise comply with all applicable requirements of the City Fire Code, Building Code, Property Maintenance Ordinance, City Zoning Ordinance, and any other applicable local, state or federal regulations.

5. Assignment.

The entitlement granted herein may not be transferred without City's written consent.

6. Institution of Legal Actions.

In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or obtain any other remedy consistent with the purpose of this MOU. Such legal actions must be instituted in the Superior Court of the County of Los Angeles, State of California.

7. Applicable Law.

The laws of the State of California shall govern the interpretation and enforcement of this MOU.

10. Non-Liability of City or City Officials or Employees.

No member, official or employee of the City of Santa Fe Springs shall be personally liable to Applicant in the event of any default or breach by City or for any amount which may become due to Applicant on any obligations under the terms of this MOU.

IN WITNESS WHEREOF, City and Applicant have signed this Memorandum of Understanding as of the dates set below their signatures.

CITY OF SANTA FE SPRINGS

By: *Robert G. Orpin* Robert G. Orpin
Director of Planning and Development

Date: October 20, 1989

ATTEST: *Pauline F. Bjurstrom*
Secretary Pauline F. Bjurstrom

APPLICANT

YELLOW FREIGHT SYSTEM, INC.
By: *Richard A. Hemphill* Richard A. Hemphill

Title: SUPERVISOR OF FACILITY DESIGN

Date: 10/20/89

Approved As To Form

Legal Department

Yellow Freight System, Inc. Of Delaware

By: *[Signature]* Date 10/20/89

90- 438469

Crown Enterprises Inc.

12225 Stephens Road • Warren, MI 48089 • (586) 939-7000 • FAX (586) 755-9348

City of Santa Fe Springs

Mr. Paul Ashworth, Director of Planning and Development
11710 E. Telegraph Road
Santa Fe Springs, CA 90670

October 15, 2009

Re: 12250 Clark Street, Santa Fe Springs, CA

VIA Email & FedEx

Mr. Ashworth:

As we have previously discussed, Crown Enterprises, Inc. (or one of its affiliates) is in the process of purchasing the Yellow-Roadway freight terminal located at 12250 Clark Street in Santa Fe Springs (the "Property") and has the Property under contract. The Property is subject to a Memorandum of Understanding dated October 20, 1989 which states that any assignment of the MOU must be with the City's written consent. By this letter, Crown requests that the City transfer the MOU to Crown and its affiliated operating company Central Transport International, Inc. Enclosed, as discussed, is a check for \$1150.00 for the transfer fee.

Crown is, among other things, the real estate department and holding company for our affiliated LTL operating company Central Transport. Crown (or an affiliate) will purchase the Property and Central Transport will solely occupy it. It will, in essence, be an owner operated facility and will not be leased out in pieces to third parties.¹ Central Transport's operation consists of Less Than Truckload freight movement (exactly like YRC's previous operation at the Property) meaning trucks come in from multiple locations after picking up freight at each stop that takes up less than a full truckload. The freight is then brought to the terminal where it is cross-docked, *i.e.* unloaded, consolidated and immediately placed on outgoing trailers. Very little, if any, freight is stored on the premises.

Central Transport is currently operating in Southern California and will be moving its existing operation to the Property. That operation involves nineteen tractors on site, approximately fifty trailers parked on site at its peak, and approximately sixty trips daily in the Properties 24 hour cycle. Please note that these numbers are below those of YRC's previous operation at the Property per YRC's previous submission.

Central Transport is a large national LTL carrier operating in approximately 190 terminals nationwide, including several facilities in California. It is seeking a flagship,

¹ In that regard, it would make sense to transfer the MOU to Crown Enterprises, Inc. with an understanding Central Transport may operate out of the facility under that MOU as an affiliate of Crown.

Crown Enterprises ^{inc.}

12225 Stephens Road • Warren, MI 48089 • (586) 939-7000 • FAX (586) 755-9348

company owned terminal in the Los Angeles Area that Central Transport and the community will be proud of. Central Transport will maintain and improve the already excellent Property and create an operation and a facility consistent with the goals of Santa Fe Springs.

Please do not hesitate to call me with any questions and we remain ready and willing to meet with the Planning Department and/or City Council. We look forward to working with the City both now and in the future as responsible corporate citizens of Santa Fe Springs.

Sincerely,



Jake Howlett

Encl.



NEW BUSINESS

Request for approval of a Recyclable Materials Dealer Permit for Pivco Recycling Company. (Jack Pivovaroff, Applicant)

RECOMMENDATION

That the City Council approve the issuance of Recyclable Materials Dealer Permit No.18 to Pivco Recycling for an annual renewal period set to expire on June 30, 2010, subject to the conditions of approval as contained within this report.

BACKGROUND

City Ordinance No. 892 approved by the City Council on April 22, 1999, added section 119.02 to the code that requires all persons engaged in the business of purchasing or collecting recyclable materials within the city must first obtain from the City Council a permit as a "Recyclable Materials Dealer." The applicant is proposing to operate a recyclable materials collection facility at 13003 La Dana Court.

In accordance with section 119.02, the applicant, Jack Pivovaroff of Pivco Recycling Company, has applied for a Recyclable Materials Dealers Permit in order to purchase recyclable materials specifically, aluminum cans, plastic, and glass bottles, from walk in customers. The entire collection procedure will take place inside of the building. The materials are then sold off and transported to a main collection and recycling center. The applicant has worked closely with staff to address security, signage, parking, and lighting standards for the property.

STAFF CONSIDERATIONS

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

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

RECYCLABLE MATERIALS HAULING-PURCHASE OF MATERIAL

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

“Permitted recyclable materials dealers shall be allowed to purchase and haul recyclable materials, as defined under Section 119.01, from any business location within the city, provided not less than 90% of the materials removed is recycled, reused, or taken to a certified recycling center, except in the case of construction debris, where the requirements shall be 75% recyclable.”

CONDITIONS OF APPROVAL

1. That, in accordance with Section 119.08 of the City Code, the applicant will be required to complete a tracking form that will confirm the amount of recyclable material being recycled from the City. This tracking form will be submitted to the City on a monthly basis. Failure to submit the required tracking form may result in the permit being null and void.
2. That, in accordance with Section 119.09 of the City Code, the applicant understands that the Recyclable Materials Dealer Permit shall not be assigned or otherwise referred without the prior written approval of the City Council. Any transfer or assignment made without such approval shall be treated as null and void.
3. That any vehicles used in conjunction with the recycling operation shall not be stored or parked in the R-1, Single Family Residential Zone.
4. That any vehicles used in conjunction with the recycling operation must be inspected by the City Department of Public Works and Department of Police Services on an annual basis.
5. That all equipment used in the collection of recyclable materials shall conform to the highest industry standards, shall be maintained in a clean and efficient condition, and shall comply with all measures and procedures promulgated by all agencies with jurisdiction.
6. That all vehicles used by a Recyclable Materials Dealer shall be maintained in compliance with all applicable State and local laws, and shall abide by the following:
 - (a) The name of the dealer or firm name, together with the phone number of the company, shall be printed or painted in legible letters, not less than three inches in height, on both sides of all trucks and conveyances used to collect or transport recyclable materials within the city;
 - (b) Each vehicle shall be constructed and used so that no material will block, fall, or leak out of the vehicle. Any material dropped or spilled in collection or transfer shall immediately be cleaned up by the operator. A broom,

shovel, and spill kit shall be carried at all times on each vehicle for this purpose; and

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

7. All equipment used to collect recyclable materials, including vehicles and containers, shall be kept free of graffiti.
8. That in the event the owner(s) intend to sell, lease, or sublease the subject business operation or transfer the subject permit to another owner/applicant or licensee, both the Director of Police Services and Director of Planning and Development shall be notified in writing of said intention not less than 60 (sixty) days prior to signing of the agreement to sell, lease or sublease.
9. That this permit be valid through June 30, 2010, at which time the applicant shall request an annual extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.
10. That Recyclable Dealer Permit No.18 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose.
11. That prior to occupancy of the property/building, the applicant, and/or his tenant(s), shall obtain a valid business license (AKA Business Operation Tax Certificate), and submit a Statement of Intended Use. Both forms, and other required accompanying forms, may be obtained at City Hall by contacting Cecilia Pasos at (562) 868-0511, extension 7527, or through the City's web site (www.santafesprings.org).
12. That this permit shall not be effective for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating that he is aware of and accepts all the conditions of this permit. The signed affidavit shall be submitted to Phillip DeRousse, Department of Police Services (562-409-1850) within thirty (30) days of the approval of this permit.
13. It is hereby declared to the intent that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated the permit shall be void and the privileges granted hereunder shall lapse.

14. That the recycling goods shall only be picked up from the facility and bins supplied by Pivco Recycling Company.
15. That the vehicles used in picking up recycling goods shall be clearly marked with the "Pivco Recycling Company" company name. Should the Applicant sub-contract the pick-up services, written approval shall first be obtained by the Director of Police Services.
16. That all company drivers shall be fully licensed with the appropriate classification as required by the California Department of Motor Vehicles.
17. That the recycling bins shall not be located within required parking, loading, or driveway areas.
18. That all recycling activities shall comply with Section 155.420 of the City's Zoning Ordinance regarding the generation of objectionable odors. If there is a violation of this aforementioned Section, the property owner/applicant shall take whatever measures necessary to eliminate the objectionable odors from the operation in a timely manner.
19. That the applicant shall maintain a valid Conditional Use Permit for the continued operation and maintenance of the recycling activities on the subject property.
20. That the applicant shall ensure full compliance with the conditions of approval as set for in Conditional Use Permit (CUP) Case No. 700.
21. That the applicant and/or his employees shall be responsible for maintaining control of litter on the subject property on a daily basis.
22. That the owner, corporate officers and managers shall cooperate fully with all city officials, law enforcement personnel, and code enforcement officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties, and shall allow law enforcement personnel access to digital surveillance footage for investigative purposes.
23. That the applicant shall collect a copy of a valid id card or drivers license, thumbprint, a license plate number, if applicable, and phone number from individuals selling scrap metal, other than aluminum cans. The records shall be forwarded to the department of Police Services on a monthly basis. The records shall be kept of file by the applicant for a period of one year. Failure to submit records reports in a timely manner may result in the revocation of this permit.
24. That the applicant shall comply with all of the Federal, State, and local regulations, ordinances, and reporting requirements pertaining to recycling operations.

25. That the Director of Police Services, at his discretion, shall have the authority to include additional conditions of approval that he may deem necessary, prior to the termination of the licensing period.
26. That failure to comply with the foregoing conditions of approval shall be cause for procedures to suspend and/or revoke this permit.



Frederick W. Latham
City Manager



NEW BUSINESS

Review and Consideration of the San Gabriel Watershed and Mountains Special Resource Study Position Paper

RECOMMENDATION:

Approve the recommendations in the Position Paper and authorize the City Manager and staff to prepare and send comments to the National Park Service regarding the San Gabriel Watershed and Mountains Special Resource Study.

BACKGROUND

At the request of Congress the National Park Service U.S. Department of the Interior (NPS) initiated a major study of an area composed of the San Gabriel Mountains, the Puente-Chino Hills, the San Gabriel River, and all the tributaries of the San Gabriel River including San Jose Creek, Walnut Creek, and Santa Anita Wash (Study Area).

Originally, the NPS was asked by Congress to determine if the Study Area would lend itself to possibly being included in the national park system. The resource study has been conducted in partnership with the Rivers and Mountains Conservancy (RMC), the Angeles National Forest, and other federal, State, County, and local government entities. During the past four years the NPS held a series of public meetings and collected and analyzed public comments. At the same time the NPS performed a resource analysis whereby nationally significant resources in the Study Area were identified and recreation and conservation needs were explored.

In order to assess the possible impact of the Study on the City of Santa Fe Springs the staff developed the attached position paper. This paper has been prepared in order to advise the SFS City Council and Management Staff on the project and to recommend possible policy positions the City Council might wish to take on behalf of the citizens of the City of Santa Fe Springs.

Fiscal Impact

The Study is still in the preliminary stages so there is no known fiscal impact on the City of Santa Fe Springs.

Infrastructure Impact

The recommended actions will not have a fiscal impact on the City.



Frederick W. Latham
City Manager

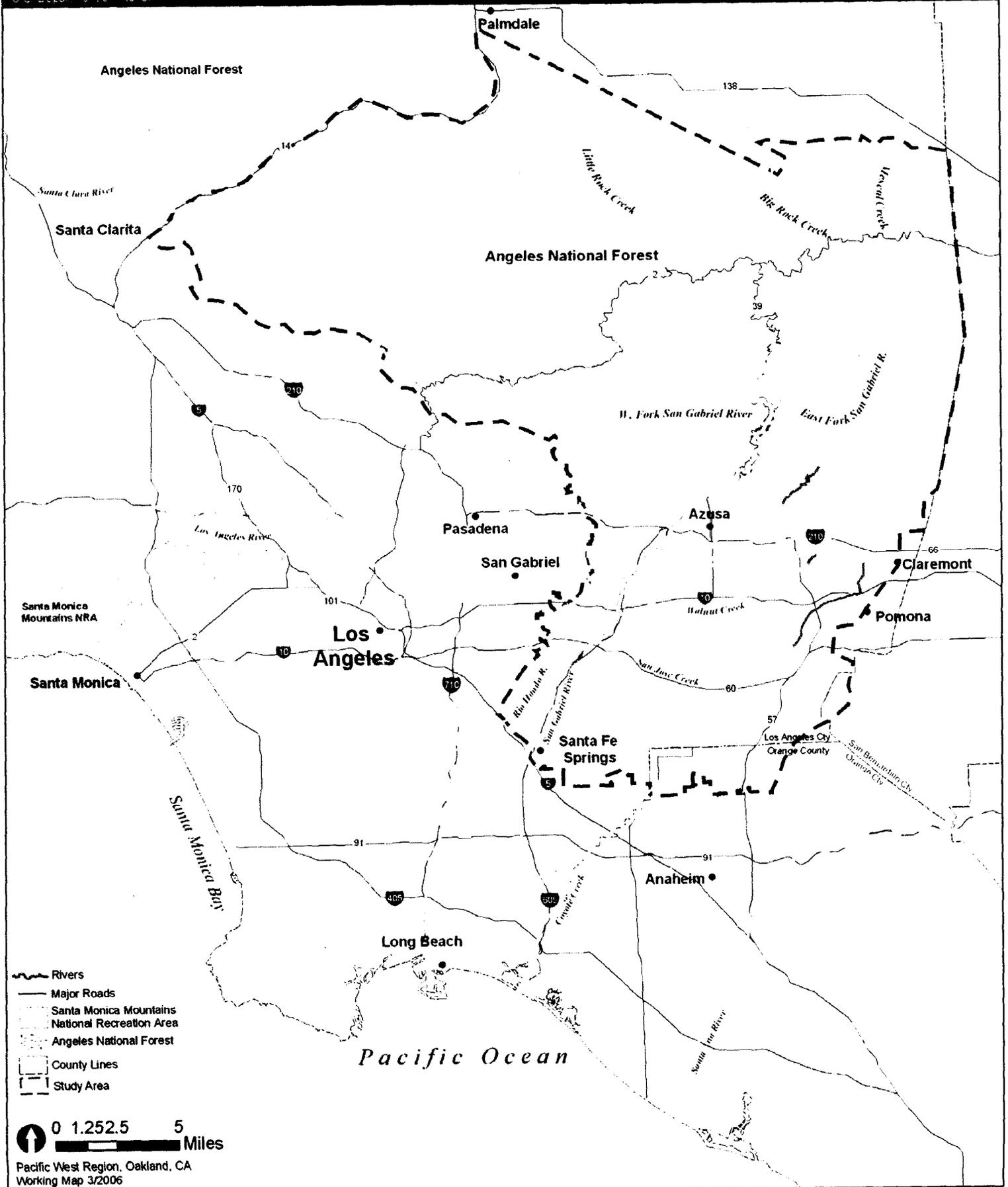
Attachment

San Gabriel Watershed and Mountains Special Resource Study Position Paper

Study Area

San Gabriel Watershed and Mountains Special Resource Study

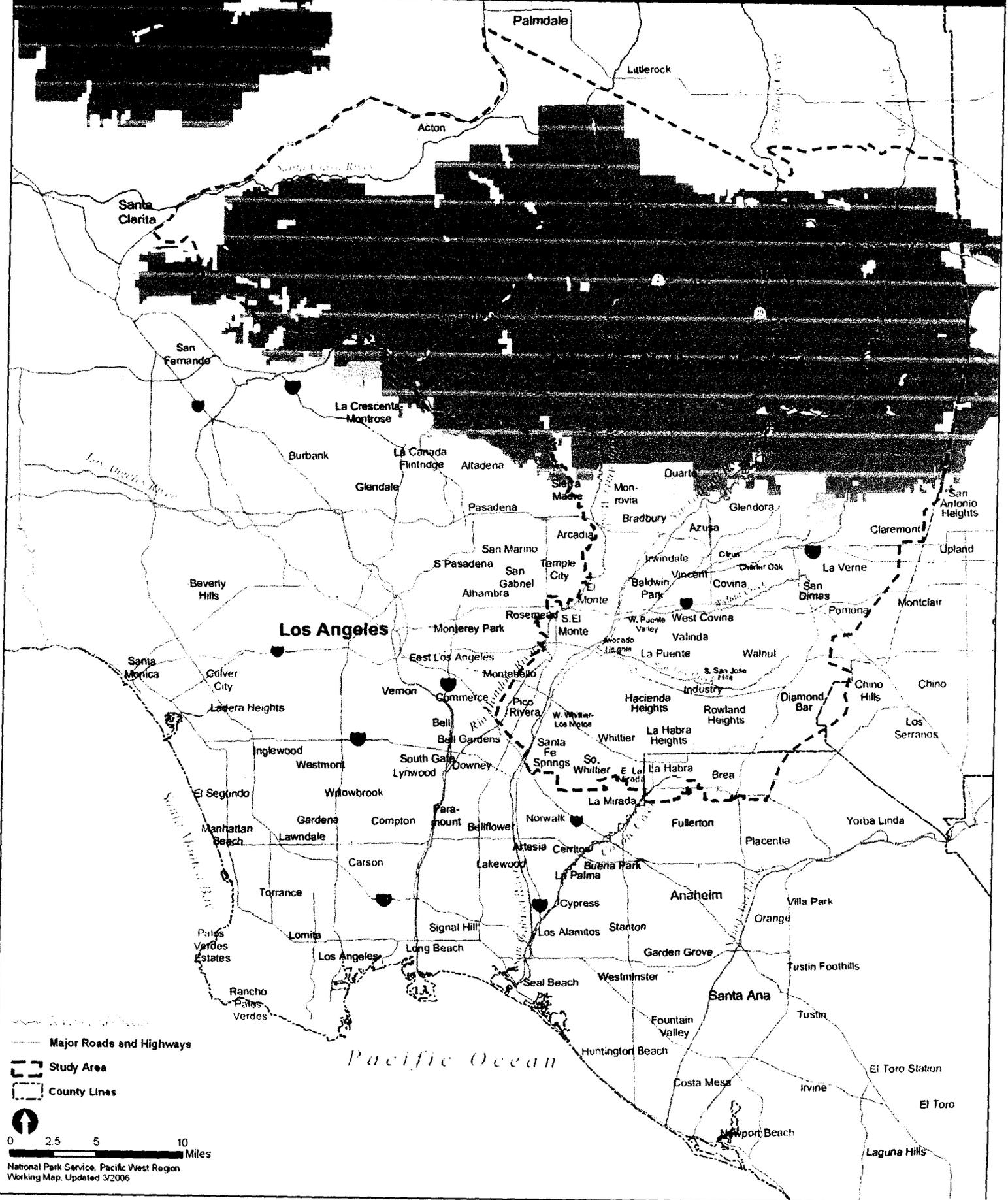
National Park Service
U.S. Department of Interior



Local Communities

San Gabriel Watershed and Mountains Special Resource Study

National Park Service
U.S. Department of the Interior



Major Roads and Highways
Study Area
County Lines

0 2.5 5 10 Miles

National Park Service, Pacific West Region
Working Map, Updated 3/2006

San Gabriel Watershed and Mountains Special Resource Study

City of Santa Fe Springs Draft Comments

At the request of Congress the National Park Service U.S. Department of the Interior (NPS) initiated a major study of an area composed of the San Gabriel Mountains, the Puente-Chino Hills, the San Gabriel River, and all the tributaries of the San Gabriel River including San Jose Creek, Walnut Creek, and Santa Anita Wash (Study Area). This paper has been prepared in order to advise the SFS City Council and Management Staff on the project and to recommend possible policy positions the City Council might wish to take on behalf of the citizens of the City of Santa Fe Springs.

Background

Originally, the NPS was asked by Congress to determine if the Study Area would lend itself to possibly being included in the national park system. The resource study has been conducted in partnership with the Rivers and Mountains Conservancy (RMC), the Angeles National Forest, and other federal, State, County, and local government entities. During the past four years the NPS held a series of public meetings and collected and analyzed public comments. At the same time the NPS performed a resource analysis whereby nationally significant resources in the Study Area were identified and recreation and conservation needs were explored.

Based upon evaluation of the Study Area resources and their relative quality, character, and rarity, the NPS has determined that the San Gabriel Mountains and Puente-Chino Hills portions of the area are suitable for inclusion in the National Park System. The two areas contain a combination of themes and resources not found in any national park unit or comparably managed area, including unique geology, habitats, and history of scientific advances in the San Gabriel Mountains, and coastal sage scrub habitat and walnut woodlands of the Puente-Chino Hills. **At the same time, the NPS determined management of the entire study area as a traditional national park unit is not feasible, based on its land use and ownership patterns.**

Proposed Alternative Concepts

In lieu of giving the Study Area designation as a national park, the NPS applied adopted Department policies along with public comments and proceeded to identify feasible roles for NPS. Through this exercise the NPS developed three alternative concepts and distributed them for public comment. Now that the alternatives have been released, the public has been invited to help refine and develop these concepts through written comments and participation at public meetings.

The three alternative concepts are not simple, but can be outlined in the following manner:

1. San Gabriel Mountains National Recreation Area – a national recreation area managed by the U.S. Forrest Service.

2. **San Gabriel Parks and Open Space Network** – a volunteer-driven public/private partnership of interconnected parks and open spaces, with the NPS having only an advisory role.
3. **San Gabriel Watershed National Recreation Area**– a national recreation area cooperatively managed by the NPS, U.S. Forrest Service, and other land management agencies.

Discussion of Concepts

The following offers a brief explanation of each alternative identified by the National Park Service Study:

1. **San Gabriel Mountains National Recreation Area – a national recreation area managed by the U.S. Forrest Service**

This alternative captures the eastern San Gabriel Mountains (currently within the Angeles National Forest). The NRA designation for the area would continue the Forest Service management of the area and bring increased attention and focus resulting from the special designation and may encourage additional or reprioritized funding for the Angeles National Forest.

This alternative does not address the issues of connecting the Forest to the ocean via the San Gabriel and Lower Los Angeles rivers. This alternative does not bring attention or funding to access, interpretation and education or additional open space to the region. This alternative does bring in the NPS with its deep resources that are focused on recreation and habitat restoration and protection projects.

2. **San Gabriel Parks and Open Space Network – a public/private partnership of interconnected parks and open spaces.**

This option creates a park and open space network whose focus is to connect urban neighborhoods, mountains and rivers within the broader watershed. It would form a loose collaboration of local, state, and federal entities that are focused on land management, recreation and conservation. It calls for the NPS to be active in an advisory capacity for a five year period.

This alternative would enable the current park, open space, and recreation service providers with a forum and a period of time to work together with a larger purpose; it would not provide structure or funding to continue the partnership into the future.

3. **San Gabriel Watershed National Recreation Area– a national recreation area cooperatively managed by the NPS, U.S. Forrest Service, and other land management agencies.**

The heart of this proposal is the creation of a National Recreation Area that would encompass the upper reaches of the San Gabriel River down to Santa Fe Springs; it would also include the Rio Hondo down to Downey. It takes in the riverbanks for a quarter mile on each side, the Whittier Narrows Regional Park, Santa Fe Dam Recreational Area, and a portion of the San Gabriel River within the Angeles National Forest.

This alternative does provide many protections and opportunities of the NPS Unit to part of the area including the National Recreation Area designation. The option does not include the Puente-Chino Hills, an area already recognized by the NPS as nationally significant with unique habitat and walnut woodlands. Leaving the Hills out will not provide the protection afforded by the NRA designation.

Next Step in Process

A Draft Report will be prepared in 2010 further detailing the proposed Alternatives and incorporating relevant comments received during this comment period. This Draft Report will also be subject to a public comment period. Thereafter, a Final Report will be submitted to Congress for its consideration.

Discussion of Pros and Cons

In order to assess the NPS alternatives staff representatives from the Planning, Public Works, Community Services Departments and the City Managers office have reviewed the three options and have generated a list of pro and cons to the Alternatives. Some of the potential benefits of having some sort of federal designation or protection identified by staff:

1. Improve and protect the environment and natural resources.
2. Preserve open space and protect water quality.
3. Possibility of greater availability of federal and State grants and other funds. Greater technical assistance and ranger resources could be made available.
4. Increase public understanding and appreciation for the mountains, rivers, and open space in the area.
5. Opportunity to partner with surrounding jurisdictions including the NPS to bring new recreation resources into the region.
6. Restore native plants and species and protect rare or endangered animals and plants.
7. Possibly provide greater access to recreational use of the designated area.

Some of the potential concerns identified by staff:

1. Loss of local control particularly in respect to local land use authority.
2. Possible impact on programs already in place at the local level. Will current programs and local parks be subject to some outside authority or entity such as the NPS, USFS, or other entity?
3. Although the NPS states they will respect and not interfere with local control(s) or private property rights, what happens 10, 15, 20 years in the future?
4. How will this study impact water quality in the region? How does this proposal interface with the already burdensome provisions of the Clean Water Act, NPDES, etc? Cities are already under orders of the RWQCB to take actions to clean-up local runoff, will this concept create more such mandates?
5. Congressional authorization is required, along with appropriation of funds for the various plans and programs. This uncertainty complicates planning efforts.
6. The recent Station Fire significantly damaged the forest. Due to the slow process of biodiversity regeneration, new forest use initiatives may seem unnecessary at this time.
7. As with any proposal, the other unmentioned alternative is "No Action". Considering the recent Station Fire and the current national economic recession, it is possible that Congress might consider the No Action alternative as the most reasonable until environmental and economic conditions recover.

RMC Board Actions

As mentioned above, the RMC in partnership with the NPS has closely monitored and participated in the San Gabriel River Area Study. After reviewing the three alternatives, the RMC staff proposed an alternative which is a hybrid of the three NPS alternatives. The RMC staff recommends establishing a National Recreation Area (NRA) which encompasses the entire SGR Study Area provided that it is consistent with the provisions which led to the formation of the RMC. According to the RMC, such an alternative would first and foremost mandate consistency with local land use, water conservation, flood control and water quality mandates as may currently exist and are updated in the future. This would include appropriate provisions for landfills, (there are currently two active landfills in the area), discharge facilities for reclaimed water, the flood control infrastructure, water conservation, water storage and others.

Following deliberation the RMC Board voted to delay taking a position on the NPS study until their November meeting. The RMC Executive Officer intends to convey Board comments to the NPS as soon as they are available.

Recommendations

In order for the City of Santa Fe Springs to remain abreast of the SGR Study, it is recommended that the City Council authorize the CM and staff to take the following actions:

1. Continue to monitor the progress of the Study and provide the City Council with periodic updates as appropriate.
2. Direct the staff to actively participate in the public meetings and remain part of the collaborative team for the Study Area.
3. Provide the NPS, RMC, and others with comments and feedback when appropriate, but particularly during the public comment period for the Draft Report which is due in 2010.
4. Track the actions and positions taken by the RMC Board and pay close attention to any changes in the Boards' approach which might be contrary to the interests of the City.
5. Take steps which will assure that the NPS study group keep their focus on the San Gabriel River and not get too far afield as far as the broader watershed is concerned.
6. Send a letter to the NPS recommending that there be an alternative that:
 - Creates a National Recreation Area (NRA) for the entire Study Area. This would encompass the San Gabriel Mountains and the Puente-Chino Hills as well as the City of Santa Fe Springs and the connecting area in between.
 - Assure that any plan developed for the Study Area must be consistent with local land use, water conservation, flood control and water quality provisions as they currently exist and as updated in the future.
 - The NRA designation would allow for future federal funding and technical assistance.
 - Permits the RMC, U.S. Forest Service, cities, County, and other agencies and organizations with land and facilities in the area would continue to manage and control their holdings.
 - Establishes an information sharing network led by the NPS to organize, consolidate, and distribute scientific information related to the region.



City of Santa Fe Springs

City Council Meeting

November 9, 2009

NEW BUSINESS

Authorization to Sign a Memorandum of Understanding (MOU) Between the City of Santa Fe Springs and the City of Norwalk to Provide Grant Administration Services for Federal Transit Administration Grant CA-04-0141

RECOMMENDATION:

Authorize the City Manager to execute a MOU between the City of Santa Fe Springs and the City of Norwalk to provide grant administration services for Federal Transit Administration Grant CA-04-0141 which provides \$475,000 to the City of Santa Fe Springs for the Transportation Center Parcel B Parking Expansion Project.

BACKGROUND

Pursuant to a request from Congresswoman Grace Napolitano, the City of Santa Fe Springs submitted a request for a Federal Earmark Appropriation for the Norwalk/Santa Fe Springs Transportation Center Parcel B Parking Expansion Project. As a result of the Congresswoman's efforts, the 2009 Omnibus Appropriations Bill included an earmark of \$475,000 for the Transportation Center Parcel B Parking Expansion Project.

Pursuant to Community Development Commission authorization, a 4.94 acre site (Parcel A and Parcel B) adjacent to the Transportation Center was purchased from Neville Chemical Company for construction of additional parking spaces for Transportation Center patrons. A combination of federal and local dollars totaling \$3.1 million was allocated to site acquisition and construction of 250 additional parking spaces on Parcel A.

A \$475,000 FTA grant has been allocated to Santa Fe Springs to fund site preparation work required for construction of parking spaces on Parcel B. As a designated recipient for FTA funds, the City of Norwalk Transit Agency will provide grant administration services on behalf of the City Santa Fe Springs. The City of Norwalk has acted in this capacity through a previous MOU. The City of Santa Fe Springs is not a designated recipient of FTA grant funds. Site preparation work on Parcel B is anticipated to begin on or about July 1, 2010

Report Submitted By: Al Fuentes
Planning and Development

Date of Report: October 28, 2009

23

Authorization to Sign and Memorandum of Understanding (MOU) Between the City of Norwalk and the City of Santa Fe Springs Regarding Grant Administration for Federal Transit Grant CA-04-0141

Page 2 of 2

Fiscal Impact

There is no fiscal impact on the City of Santa Fe Springs. The proposed MOU allows the City of Norwalk an administrative fee of 5% for the administrative services which will be performed by Norwalk Transit Agency staff.

Infrastructure Impact

The recommended action is part of the Transportation Center Parcel B Parking Expansion Project that will provide additional parking spaces for Transportation Center patrons.



Frederick W. Latham
City Manager

Attachment(s)

MOU between the City of Santa Fe Springs and the City of Norwalk for FTA Grant Administration Services.

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF NORWALK AND THE CITY OF SANTA FE SPRINGS
REGARDING FEDERAL TRANSIT ADMINISTRATION
GRANT NO. CA-04-0141**

This Memorandum of Understanding ("MOU") is made and entered into this ____ day of _____, 2009 by and between the City of Norwalk and the City of Santa Fe Springs.

RECITALS

A. The City of Norwalk is qualified as a designated recipient for Federal Transit Administration (hereinafter referred to as the "FTA") funds. Only designated recipients can apply and receive FTA funding for qualified projects.

B. The City of Santa Fe Springs is not a designated recipient for FTA funds and has requested that the City of Norwalk apply for and administer an FTA grant on behalf of Santa Fe Springs for qualified projects in the City of Santa Fe Springs. FTA regulations allow designated recipients to apply for and receive FTA grant funds and pass through grant monies to other entities for qualified projects.

C. The City of Norwalk wishes to assist the City of Santa Fe Springs and the City of Santa Fe Springs has procured an FTA appropriation for 49 U.S.C. Section 5309 funding in the amount of \$475,000 for Norwalk - Santa Fe Springs Transportation Center improvements. The Norwalk - Santa Fe Springs Transportation Center improvements in the City of Santa Fe Springs are hereinafter referred to as the "Project."

D. The FTA appropriation for 49 U.S.C. Section 5309 funding in the amount of \$ 475,000 for the Project has been secured by the City of Santa Fe Springs through a congressional appropriation. The FTA has designated the City of Norwalk ("Recipient") as the recipient on behalf of the City of Santa Fe Springs ("Subrecipient") as the subrecipient of those funds, as well as designating the allocation of those funds for the Project.

E. The Recipient will apply for FTA Grant No. CA-04-0141 (hereinafter referred to as the "Grant") on behalf of the Subrecipient.

F. The Recipient and Subrecipient desire that the Grant be administered and managed pursuant to all applicable federal regulations for grants of FTA funds.

NOW, THEREFORE, in consideration of performance by the Recipient and Subrecipient of the mutual promises, covenants, and conditions herein contained, the Recipient and Subrecipient hereto agree as follows:

1. Responsibilities of Recipient

A. In cooperation and consultation with the Subrecipient, the Recipient shall develop, submit and process the Grant application.

B. The Recipient shall ensure compliance with the terms of the Grant Project as set forth in FTA Master Grant Agreement, attached hereto and incorporated herein as Exhibit A; including but not limited to the following:

1. Provide Grant management and contract administration services;
2. Develop payment procedures including procedures for FTA drawdowns and payment of administrative services;
3. Comply with federal financial procedures and guidelines;
4. Comply with FTA procurement procedures including contract management and closeout procedures;
5. Comply with annual and triennial FTA audits including regulations regarding the retention and access of records.

C. The Recipient will work with the Subrecipient to develop procedures to monitor all activities related to the Grant on a quarterly and annual basis to ensure compliance with FTA grant and procurement regulations.

D. The Recipient will designate appropriate staff to administer the Grant and to act as a liaison between the Subrecipient and the FTA.

2. Responsibilities of Subrecipient

A. The Subrecipient shall construct the Project and shall comply with all requirements provided in Grant No. CA-04-0141 and the Master Grant Agreement.

B. The Subrecipient shall comply with all local, state and federal laws, regulations, directives, policies and related administrative practices applicable to the Project as of the date the authorized FTA official signed the Master Grant Agreement. The Subrecipient acknowledges that federal requirements may change and the changed requirements will apply to the Project as required, unless the FTA otherwise approves.

C. The Subrecipient will include appropriate clauses in any agreement entered into by and between the Subrecipient and a third party related to the Project to ensure compliance by that third party with the Subrecipient's responsibilities.

D. The Subrecipient shall notify the Recipient of any change in local law, conditions or any other event that may significantly affect the construction of the Project

in accordance with the terms of this Agreement and the Grant and the Master Grant Agreement.

E. The Subrecipient shall ensure compliance by its elected and appointed officials and employees with the Ethics rules and regulations as set forth in Section 3 of the Master Grant Agreement.

F. The Subrecipient shall be responsible for assembling the local financial share for the Project.

G. The Subrecipient shall maintain for the Project complete and accurate records in accordance with all federal requirements and any Recipient directives regarding said records related to all costs and expenses incurred in connection with the Grant. In addition, the Subrecipient shall maintain all records related to the Project including but not limited to data, documents, reports, and supporting materials, including all records required to be maintained as directed by the Recipient. To the extent feasible, all such records shall be separately maintained by the Subrecipient, be clearly identifiable and be maintained intact and readily accessible during the course of the Project and for three years subsequent to Project closeout or as otherwise directed by the Recipient.

H. Upon request, the Subrecipient shall allow representatives of the Recipient, the State of California or the United States Government (hereinafter referred as the "federal government"), to inspect and examine, audit and/or make transcripts or copies of any and all records relating to the Grant, the Project, the Master Grant Agreement and this MOU.

I. The Subrecipient shall promptly provide to the Recipient copies of any documents necessary for the Recipient to carry out its accounting, payment or other requirements for the Grant.

J. If the federal government makes a claim against the Recipient for return of any Grant funds, including but not limited to those instances in which the federal government determines that certain Project costs were not qualified for reimbursement, for funds recovered from third parties or elsewhere, for excess payments or for disallowed costs or if the federal government suspends or terminates the Master Grant Agreement and requires that Grant No. CA-04-0141 monies be refunded, the Subrecipient agrees to promptly pay all amounts owed to the federal government, including any interest due.

K. The Subrecipient shall comply with all applicable civil rights statutes and implementing regulations as set forth in Section 12 of the Master Grant Agreement.

L. The Subrecipient shall comply with Section 15(1) of the Master Grant Agreement, if applicable, relating to clean air and clean water.

M. The Subrecipient shall comply with the rules and regulations regarding the use and disposition of any property acquired by the Subrecipient with the Grant funds.

N. The Subrecipient shall comply with Section 24 of the Master Grant Agreement, if applicable, relating to employee protections and shall require compliance with the section by any third party who enters into an agreement with the Subrecipient related to the Project.

O. In coordination and consultation with the Recipient, the Subrecipient shall comply with the procedures set forth in Exhibit B pertaining to the procurement, scope of work writing, issuance of requests for proposals and/or invitation for bids, contract awards and other items deemed necessary by the Recipient. The parties may amend the procedures set forth in Exhibit B by written agreement signed by the City Manager of the Recipient and City Manager of the Subrecipient. Any amendment to the procedures in Exhibit B as set forth in the executed written agreement shall be automatically incorporated into this MOU and be subject to all of the terms and conditions of this MOU.

P. The Subrecipient shall cooperate with the Recipient in establishing federal asset inventory management procedures for the use life of any products purchased with Grant funds.

Q. The Subrecipient shall compensate the Recipient for Recipient's administrative services hereunder in an amount equal to five (5%) of the total amount of the Grant. The Subrecipient shall pay said amount to Recipient at the time of each FTA draw down of Grant funds.

R. The Subrecipient shall designate appropriate staff to administer the terms of this MOU.

3. Indemnification. The Subrecipient shall protect, indemnify, defend and hold harmless the Recipient, its elected officials, officers, employees, volunteers and agents from and against any and all losses, liabilities, fines, penalties, claims, damages, liabilities or judgments, attorney's fees and defense costs, of any nature whatsoever, including claims for reimbursement by the federal government, arising out of or resulting in any way from the Grant including the procurement of property or services by the Subrecipient and the use of said property paid for by Grant, including, but not limited to, the Subrecipient's failure to follow the Grant requirements.

4. Notices. Any notices, bills, invoices, or reports relating to this MOU, and any request, demand, statement or other communication required or permitted hereunder shall be in writing to the addresses set forth below and shall be deemed to have been received on (a) the day of delivery, if delivered by hand during regular business hours or by confirmed facsimile during regular business hours; or (b) on the third business day following deposit in the United States mail, postage prepaid:

If to Recipient: City Clerk
City of Norwalk
12700 Norwalk Boulevard
Norwalk, California 90650
Tel: (562) 929-5700
Fax: (562) 929-5773

If to Subrecipient: City Clerk
City of Santa Fe Springs
11710 Telegraph Rd.
Santa Fe Springs, California 90670
Tel: (562) 868-0511
Fax: (562) 868-7112

5. Entire Agreement. This MOU, and any other documents incorporated herein by specific reference, represents the entire and integrated agreement between the Subrecipient and the Recipient. This MOU supersedes all prior oral or written negotiations, representations or agreements. This MOU may not be amended, nor any provision or breach hereof waived, except in a writing signed by the parties which expressly refers to this MOU.

6. Non-Assignability; Subcontracting. The Subrecipient shall not assign, transfer, or subcontract any interest in this MOU. Any attempt by the Subrecipient to so assign, transfer, or subcontract any rights, duties, or obligations arising hereunder shall be null, void and of no effect.

7. Non-Waiver of Terms, Rights and Remedies. Waiver by either party of any one or more of the conditions of performance under this MOU shall not be a waiver of any other condition of performance under this MOU.

8. Attorney's Fees. In the event that either party to this MOU shall commence any legal action or proceeding to enforce or interpret the provisions of this MOU, the prevailing party in such action or proceeding shall be entitled to recover its costs of suit, including reasonable attorney's fees.

9. Exhibits; Precedence. All documents referenced as exhibits in this MOU are hereby incorporated in this MOU. In the event of any material discrepancy between the express provisions of this MOU and the provisions of any document incorporated herein by reference, this provisions of the MOU shall prevail.

10. independent Contractor. The Subrecipient shall have no power to incur any debt, obligation, or liability on behalf of the Recipient or otherwise act as an agent of the Recipient. The Subrecipient shall not, at any time, or in any manner, represent that it or any of its officers, agents or employees are in any manner employees of the Recipient.

11. Construction. The validity, interpretation, and performance of this MOU shall be controlled by and construed under the laws of the State of California. In the event of any

asserted ambiguity in, or dispute regarding the interpretation of any matter herein, the interpretation of this MOU shall not be resolved by any rules of interpretation providing for interpretation against the party that causes the uncertainty to exist or against the party who drafted the MOU or who drafted that portion of the MOU.

12. MOU Administration. The City Managers or their designees of the Recipient and the Subrecipient shall administer the terms and conditions of this MOU for their respective City.

13. Cooperation; Further Acts. The Parties shall cooperate fully with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this MOU.

IN WITNESS WHEREOF, the Recipient and Subrecipient, through their respective authorized representatives, have executed this Agreement as of the date first written above.

ATTEST:

CITY OF NORWALK

By: _____
Theresa Devoy, City Clerk

By: _____
Ernie V. Garcia, City Manager

ATTEST:

CITY OF SANTA FE SPRINGS

By: _____
Barbara E. Earl, City Clerk

By: _____
Frederick W. Latham, City Manager

EXHIBIT A

FTA Grant Agreement

[attach copy of grant agreement]

Exhibit B

PASS THROUGH GRANT AND PROCUREMENT MANAGEMENT

PROCESS FLOW

I. Grant Management

Invoice procedures:

- The Subrecipient will receive all the invoices for work completed, ensure receipt of all deliverables and sign off on the invoice
- Subrecipient will pay the contractor within 30 days after the receipt of the invoice
- (FAR Pa11 32.407-2, Prompt Payment)
- Subrecipient will invoice Recipient after the contractor's invoices have been approved for payment by the Subrecipient
- The Recipient will draw the grant funds and reimburse the Subrecipient within 30 days of the receipt of the Subrecipient's invoice, or such longer time as may be necessary due to the FTA's delay in providing funds to the Recipient.

Note: FTA does not authorize advance payments (Circular 4220.1 D: Third Party Contracting, section 12). All payments are made for costs incurred and once title to property, work performed or goods is passed to the grantee.

II. RFP/IFB Development

A. Pre-Award

- The Subrecipient will develop scope of work for all procurements
- The Subrecipient will forward scope of work to the Recipient
- The Recipient will provide boilerplate terms and conditions for the RFP/IFB based on applicable local, state and FTA requirements
- Both the Subrecipient and the Recipient will review the RFP and obtain legal as to form approval prior to issuance
- Both the Subrecipient and the Recipient will prepare an agenda report and obtain their City Council approval
- The Subrecipient will issue the RFP and ensure that all advertising requirements are met – The Recipient will advise the Subrecipient on the applicable advertising requirements

Pre-Award required documentation:

- The Subrecipient shall prepare a Cost/Price Analysis for the Project
- To the extents applicable, the Subrecipient shall prepare a memorandum reflecting all the facts that justify a sole source procurement explaining the methodology of how the Subrecipient arrived at the conclusion that adequate price competition is not

available (FTA Best Practices, Chapter 4.6, Non-Competitive Proposals)

B. Contract Negotiation and Award

- The parties will establish a joint evaluation committee for each procurement
- The parties will ensure that all evaluations are recorded on the evaluation forms and filed accordingly
- The Recipient will provide a suggested format for the evaluation forms
- The parties will negotiate and agree upon acceptable contract evaluation and award criteria prior to contract award. These criteria will be included in any RFPIFB prior to issuance

III. Post Award Contract Administration - Project Management

- Subrecipient will designate a project manager and/or project management staff as required by Scope of Work
- The Subrecipient will ensure adherence to schedule and timely receipt of all deliverables as specified in Scope of Work
- The Subrecipient will inform the Recipient about any anticipated change orders. All change orders must be approved by the parties' in writing prior to commencement of any additional work to ensure FTA and local compliance with the Grant terms.
- Change order notification and compliance procedures will be included into any RFPIFB prior to issuance

III. Required Certifications

- The Recipient will provide the Subrecipient with a list of all required certifications applicable to the Project and the Subrecipient will list them in each RFP/IFB prior to issuance.– The Subrecipient will ensure receipt of these documents and will forward originals to the Recipient.

V. Record Keeping and Inventory Management

- The Subrecipient will forward documentation related to the Project and the Grant.
- The Recipient will be the central record keeping office and will ensure that all files meet FTA compliance requirements
- The Subrecipient will retain any records as required by local, state and Federal regulations
- The Recipient will perform periodic documentation review 60-90 days prior to any Federally required audit
- The Subrecipient will keep a list of all federal assets acquired through the Pass Through Grant for the duration of their useful life, and The Subrecipient will provide said list to the Recipient prior to final reimbursement payment from the grant
- The Recipient will provide the Subrecipient with a suggested template of the Federal Assets Inventory Tracking Form



City of Santa Fe Springs

City Council Meeting

November 9, 2009

NEW BUSINESS

Amendment of Water Rates and Related Charges for FY 2009-2010

RECOMMENDATION

That the City Council direct staff to initiate proceedings in accordance with Proposition 218 to consider implementing a 12.0% increase in water rates and 7.0% increase in service charges as of February 1, 2010.

BACKGROUND

Potable water rates and service charges were last amended by 9% in November, 2008. During adoption of the FY 09-10 budget the City Manager advised the City Council that water rates and service charges would need to be increased in order to cover anticipated expenditures for FY 2009-10.

Overview of Water Usage

Actual water usage by City customers in FY 2008-09 was 9% below the previous year. This decrease can be attributed to efforts by residents and businesses to conserve water in response to the on-going drought. As the City's customer base has remained stable during the past two years, staff has assumed that water usage in FY 2009-10 will be the same as in FY 2008-09.

Anticipated Costs to Provide Water

In FY 2009-10 the City will have to pay \$627,000 more for water to meet the needs of City customers. This is due to rate increases by outside agencies that are beyond the City's control. An explanation of this is provided below:

Imported Water

About 50% of the water used by City customers is purchased from the Metropolitan Water District (MWD). This year the MWD increased rates by 19%. As a result of the MWD increase and increases implemented by Central Basin, the City's cost for imported water in FY 2009-10 will be \$540,000 higher than in FY 2008-09.

Pumped Water

The other 50% of water needed to supply City customers is pumped from underground aquifers. The Water Replenishment District (WRD) assesses a charge to all water the City pumps. For 2009-10 the WRD has increased this charge by 19%. As a result of this change, the City's cost for pumping water in FY 2009-10 will be \$87,000 higher than in FY 2008-09.

Anticipated Revenue

The positive effect of a decrease in water usage is that less water will need to be

Report Submitted By: Don Jensen, Director
Public Works Department

Date of Report: November 2, 2009

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purchased or pumped to meet the needs of City water customers. However, the decrease in water usage also means that less revenue will be generated if rates remain the same. After evaluating anticipated revenues and expenditures, staff has determined that \$477,000 in additional revenue will be needed to cover the cost increases described above for water, budgeted costs for personnel and maintenance, and to maintain the required debt service coverage on outstanding bonds.

Recommended Changes in Rates and Service Charges

After evaluating various options, staff has determined that water rates and service charges will need to be increased as follows in order to generate the additional revenue required to cover anticipated expenses:

- | | |
|--------------------------------|-------------------|
| • Potable Water Rates | Increase by 12.0% |
| • Reclaimed Water Rates | Increase by 12.0% |
| • Meter Service Charges | Increase by 7.0% |
| • Fire Service Charges | Increase by 7.0% |
| • City Facilities Rate | No Change |
| • Senior Citizen Lifeline Rate | No Change |
| • Late Payment Charge | No Change |
| • Reconnection Charges | No Change |
| • Unauthorized Turn-On Charge | No Change |

Existing Water Rate Structure

The City currently uses a three-tiered rate structure for billing purposes based on the quantity of water used. A tiered rate structure helps to encourage efficient water usage and also allows low water users, typically residential customers, to pay the lowest amount of any customers.

Current limits for each tier are as follows:

Tier 1 The rate assigned to this tier applies to the first 18 billing units (1,800 cubic feet) of water used by the customer.

Tier 2 This rate applies to all water used over 18 billing units (1,800 cubic feet) up to 36 billing units (3,600 cubic feet).

Tier 3 This rate currently applies to all water used over 36 billing units (3,600 cubic feet). There is no upper limit for this rate.

Water Use by Customer Type

The City has almost 5,100 water customers. Based on meter size, these customers can be classified as either "Residential" or "Business". Water usage for each type of customer is explained below:

Residential Customers

About 3,900 customers are served by residential-size meters. Over the past

three years, the average water use for these customers was as follows:

<u>Meter Size</u>	<u>Billing Units/Month</u>	<u>No. of Customers</u>
5/8 and 3/4 inch	14.5	3076 (60.9%)
1 inch	27.6	802(15.9%)

With very few exceptions, the water used by Residential customers is purchased at Tier 1 and Tier 2 rates.

Business Customers

The other 1,200 customers are considered "Business" customers and are served by several different meter sizes. The average water use for each size of meter over the past three years is as follows:

<u>Meter Size</u>	<u>Billing Units/Month</u>	<u>No. of Customers</u>
1.5 inch	71	580 (11.5%)
2 inch	105	499 (9.9%)
3 inch	440	58 (1.2%)
4 inch	1,512	28 (0.6%)
6 inch	4,556	5 (0.01%)

The majority of water used by Business customers is purchased at the rate assigned to Tier 3 of the City's rate structure. As indicated above, there is a substantial difference between the water used by small Business meters versus that used by larger Business meters.

Additionally, while large business meters (3, 4 and 6 inch meters) make up less than 2% of our total customers, these customers consume over 35% of the total amount of water used annually by the City.

Recommended Changes in the Rate Structure

For FY 2009-10 staff is recommending that a limit be established for Tier 3 and that two additional tiers be added to the water rate structure. Staff believes these changes are needed to differentiate between small and large Business meters. The changes recommended by staff are as follows:

Tier 3 (Revised): Staff is recommending that a limit of 100 billing units (10,000 cubic feet) be established for this rate.

Tier 4 (New): This rate would apply to all water used over 100 billing units (10,000 cubic feet) up to 400 billing units (40,000 cubic feet). The rate would be 2.5% higher than the rate assigned to Tier 3.

Tier 5 (New): This rate would apply to all water used over 400 billing units (40,000 cubic feet). The rate would be 2.5% higher than the rate assigned to Tier 4.

These changes will not affect residential customers, but will only affect Business customers that use more than 100 billing units per month.

Effective Date of Rate Adjustments

All adjustments would go into effect on February 1, 2010. The actual date of implementation would be subject to billing schedules and the new rates and charges would only be applied to billing periods after February 1, 2010.

Impact on Customers

If the proposed adjustments are implemented, the impact on residential and business customers would be as follows:

Residential Customers

The impact on residential customers would be as follows:

- The bill for a residential customer with a 5/8 or 3/4-inch meter that uses 14.5 billing units of water each month will increase from \$38.18 to \$42.26 for a net change of \$4.08 per month.
- The bill for a residential customer with a 1-inch meter that uses 27.6 billing units of water each month will increase from \$67.59 to \$75.20 for a net change of \$7.61 per month.

With this increase, residential water customers will still be approximately on average with surrounding water purveyors.

Business Customers

For commercial customers, the actual impact will depend on the quantity of water used and the size of the customer's water meter. In light of the recommendation from staff that two additional tiers be added, the following examples are provided to illustrate the impact on business customers:

- The bill for a customer that uses 71 billing units of water each month and has a 1.5" meter will increase by \$23.41 per month (11%).
- The bill for a customer that uses 105 billing units of water each month and has a 2" meter will increase by \$35.79 per month (11.23%).
- The bill for a customer that uses 440 billing units of water each month and has a 3" meter will increase by \$173.64 per month (13.73%).
- The bill for a customer that uses 1512 billing units of water each month and has a 4" meter will increase by \$679.88 per month (16.41%).
- The bill for a customer that uses 4556 billing units of water each month and has a 4" meter will increase by \$2,113.36 per month (17.25%).

Reclaimed Customers

With respect to consumers of reclaimed water, the monthly water bill for an average user would increase from \$141.08 to \$153.48 for a net change of \$12.40 per month.

Compliance with Proposition 218

Adjustments in water rates and service charges are subject to Proposition 218. This means the City must notify all water customers about the proposed adjustments and hold a Public Hearing to receive comments and protests before any changes can be approved. The City Council would be able to implement the proposed rate adjustments at that time unless written protests are received from a majority of water customers. With approximately 5,500 water customers, a majority protest would be about 2,750 customers.

FISCAL IMPACT

The proposal to amend water rates and related charges is needed to ensure that operating revenue will cover operating expenditures associated with water-funded operations is fiscally prudent.

INFRASTRUCTURE IMPACT

The proposed adjustments in rates and charges will provide the resources needed to maintain operation of the City water system and to meet water demands of residential and commercial customers for FY 2009/10.



Frederick W. Latham
City Manager

Attachment(s):

- Exhibit A: Schedule of Proposed Water Rates and Related Charges
Exhibit B: Water Rate Comparison

**Schedule of Proposed Water Rates
and Related Charges for FY 2009/10**

	<u>Current Fee</u>	<u>Proposed Fee</u>
<u>Quantity Rates*</u>		
Tier 1 (First 1,800 cubic feet per month)	\$2.04	\$2.28
Tier 2 (Over 1,800 and up to 3,600 cubic feet per month)	\$2.32	\$2.60
Tier 3 (Over 3,600 and up to 10,000 cubic feet per month)	\$2.65	\$2.97
Tier 4 (Over 10,000 and up to 40,000 cubic feet per month)	N/A	\$3.04
Tier 5 (Over 40,000 cubic feet per month)	N/A	\$3.12
<u>Reclaimed Water Rates*</u>		
First 1,800 cubic feet per month	\$1.96	\$2.20
Over 1,800 and up to 25 acre feet per month	\$2.21	\$2.48
Over 25 and up to 50 acre feet per month	\$2.13	\$2.39
Over 50 acre feet per month	\$2.04	\$2.28
<i>* The fees for quantity and reclaimed water are per 100 cubic feet.</i>		
<u>Meter Service Charge (Per Month)</u>		
5/8 x 3/4 inch meter	\$8.60	\$9.20
3/4 inch meter	\$8.60	\$9.20
1 inch meter	\$11.15	\$11.90
1-1/2 inch meter	\$41.15	\$44.00
2 inch meter	\$57.50	\$61.50
3 inch meter	\$115.50	\$123.50
4 inch meter	\$152.60	\$163.00
6 inch meter	\$191.80	\$205.00
8 inch meter	\$255.00	\$273.00
10 inch meter	\$383.60	\$410.00
<u>Fire Service Charge (Per Month)</u>		
4 inch fire service	\$57.50	\$61.00
6 inch fire service	\$71.10	\$76.00
8 inch fire service	\$96.45	\$103.00
10 inch fire service	\$121.80	\$130.00
<u>Late Payment Charge</u>	\$15.00	-No Change-
<u>Reconnection Charge</u>	\$30.00	-No Change-
<u>Unauthorized Turn-on Charge</u>		
1st occurrence in a six-month period	\$75.00	-No Change-
2nd and subsequent occurrence in a six-month period	\$150.00	-No Change-

Effective Date

Proposed rates and charges are recommended to go into effect on February 1, 2010.

EXHIBIT A

**MONTHLY WATER COST COMPARISON
WITH 12.0% PROPOSED RATE INCREASE
EFFECTIVE 2/1/10**

Water Purveyor	Average Residential Bill		
	Monthly Cost	Other Agency Cost Compared to City of Santa Fe Springs Proposed Rate	
Park Water Company	\$70.26	33.0%	higher
City of Southgate	\$69.51	32.0%	higher
Golden State Water Company	\$66.03	25.0%	higher
City of Norwalk	\$59.30	12.0%	higher
San Gabriel Valley Water	\$58.32	10.0%	higher
City of Santa Fe Springs (Proposed)	\$52.80		
City of Santa Fe Springs (Current)	\$45.32		
City of Cerritos	\$44.68	15.0%	lower
City of Whittier	\$39.82	24.0%	lower
City of Pico Rivera	\$39.07	26.0%	lower
City of Downey	\$24.47	53.0%	lower

Notes:

- (1) Monthly cost is for 1800 cubic feet (13,465 gallons) and includes the meter charge
- (2) Cities of Downey and Whittier are 100% well water



City of Santa Fe Springs

City Council Meeting

November 9, 2009

UNFINISHED BUSINESS

Designation of Waste Hauler to Provide Solid Waste Collection and Disposal Services for the Villages at Heritage Springs Housing Development

RECOMMENDATION

That the City Council:

- 1) Designate Serv-Wel Disposal as the provider of Solid Waste Collection and Disposal Services for the Villages at Heritage Springs Housing Development;
- 2) Authorize staff to prepare the requisite amendments to the Franchise Agreement between Serv-Wel and the City; and
- 3) Maintain service with the current provider of Waste Disposal Services at City Facilities.

BACKGROUND

At its meeting of February 12, 2009, the City Council authorized staff to move forward with the development of an RFP document for the Solid Waste Collection and Disposal Services for the Villages at Heritage Springs Housing Development in order to provide a fair and equitable way to award the service area resulting from the development of a new residential area that is not within an already existing designated service area. At its meeting of August 13, the City Council approved an RFP document and authorized its release to the three qualified vendors, all of whom ultimately submitted proposals.

Respondents were asked to address the following issues:

CORE AND ADDITIONAL SERVICES – Pertaining to vendor's ability to provide "core services" for residents of the Villages and identify additional services over and beyond the services currently provided to City residential accounts.

COST - Pertaining to the amount the vendor would charge for trash removal at various City Facilities.

DIVERSION RATE - Pertaining to the vendor's estimated annual diversion rate for residential trash pickup citywide, inclusive of the Villages, and identify its strategy to divert a sufficient amount to ensure that the City continues to meet the 50% AB 939 diversion mandate.

OVERALL ENHANCEMENT TO CITYWIDE SOLID WASTE & RECYCLING PROGRAMS

Pertaining to the vendor's commitment to providing additional financial and/or in-kind contributions to the City's Solid Waste and Recycling Programs.



City of Santa Fe Springs

City Council Meeting

November 9, 2009

ANALYSIS

An evaluation team ("the Team") comprising representatives from the City Manager's Office, Public Works/Engineering and the Planning Department reviewed the various proposals using the following evaluation criteria:

"The Evaluation Team will use a combination of qualitative and quantitative criteria to evaluate the proposals. Namely:

1. **Quality of Service within Villages** - Equal level and quality of service must be provided to Villages residents as is currently provided to all residents, as well as consideration for additional services.
2. **Enhancements to City Solid Waste and Recycling Programs** - The value of new financial and in-kind contributions made to the City's Solid Waste and Recycling Programs.
3. **Existing Commitments to City Solid Waste Recycling Programs** - Consideration may be given to existing commitment to City's Solid Waste Programs (Commitment to diversion rate)."

1. Quality of Service within Villages

It was the consensus of "the Team" that all three vendors met the threshold requirement of being able to provide the core services to the residents of the Villages at the same level of quality as is currently provided to residents elsewhere in the City. However, in terms of additional services, it was felt that Serv-Wel Disposal offered a significantly wider range of services, over and above the core services, compared with the other two vendors (see columns 5 & 6 of the summary comparison chart above). Accordingly, the Team ranked the proposals in the following order with regard to the first criterion: 1) Serv-Wel; 2) Consolidated; and 3) CR & R.

2. Enhancements to City Solid Waste and Recycling Programs

In terms of enhancements to the City's solid waste and recycling programs, it proved difficult to provide an across-the-board comparison of the three vendors due to the unique structuring of Serv-Wel's proposal, which tied various levels of contributions with the reinstatement of the "evergreen" provision of their Franchise Agreement at varying terms of length (i.e., 10 years, 7 years, 5 years). It should be noted that at the "pre-bid" meeting, the vendors were given an overall direction to be "creative" with their proposals, which Serv-Wel must be credited with doing.



City of Santa Fe Springs

City Council Meeting

November 9, 2009

In order to attempt to provide a comparative analysis, Consolidated Disposal and CR & R were both asked to clarify for the willingness to modify/negotiate their proposals should the City Council give staff the direction to introduce the notion of reinstating the evergreen. Both vendors indicated their willingness to do so, with the caveat that they would prefer that the evergreen reinstatement not be extended to the other haulers, should an agreement be struck between their respective company and the City as a part of the awarding of the Villages.

If asked, Staff would not recommend integrating the evergreen issue with this RFP process. Accordingly, the Team ranked the proposals in the following order with regard to the second criterion: 1) Consolidated; 2) CR & R; and 3) Serv-Wel (see column 9 of the summary comparison chart for proposed enhancements). It should be noted that the differences between all three vendors for this criterion was not deemed to be as significant as the variance in range amongst the vendors relating to the 1st criterion (level and quality of service).

3. Existing Commitments to City Solid Waste Recycling Programs

As it relates to the 3rd evaluation criterion, existing commitment to City's Solid Waste Programs, it was the consensus of the Team that all three vendors provide ongoing and meaningful contributions to City programs and services. While the City is very much appreciative of each of the vendors individual contributions, they do not provide a distinguishing factor for the purposes of assessing the various proposals.

Cost to Service City Facilities

A fourth factor that was taken into consideration was the amount that each vendor would charge the City to provide trash disposal service at a specified number of City facilities. Again, Serv-Wel's proposal included various tiers corresponding with the reinstatement of the "Evergreen" at various lengths of time. To reiterate, the other haulers are willing to re-submit a revised rate for the City facilities if the Evergreen were to be reinstated. However, given Staff's disinclination to do so, the Team's evaluation assessed Serv-Wel's proposal on the assumption that the Evergreen would not be re-instated at this time. Accordingly, the Team ranked the proposals in the following order with regard to cost of service to City facilities: 1) Consolidated; 2) CR & R; and 3) Serv-Wel.



City of Santa Fe Springs

City Council Meeting

November 9, 2009

Summary of Evaluation

As was stated in the RFP, Staff used a combination of qualitative and quantitative factors to evaluate the various proposals. The most clear-cut quantitative factor in the RFP was the cost to service City Facilities. The City Facilities were included in the RFP as a possible distinguishing factor, should the various proposals be indistinguishable from a qualitative point of view. Because this proved not to be the case, and because the overall difference between what the City currently pays for trash service at its facilities and what the various proposals offered was not dramatically different, this factor was set aside as part of the evaluation. That is to say, Staff is not recommending that the contract to service City facilities be tied to the awarding of the Villages' accounts. If the Cost to Service City Facilities is removed as a factor for consideration, there remain only three evaluation criteria (the three enumerated above and in the RFP).

In that all three vendors were deemed to be equal in their respective "Existing Commitment to City Solid Waste Program", there, in fact, are only two criteria; 1) Quality of Service within Villages; and 2) Enhancements to City Solid Waste and Recycling Programs. The vendors were rated as follows in these two criteria:

- Quality of Service within Villages:
 - 1) Serv-Wel; 2) Consolidated; and 3) CR & R

- Enhancements to City Solid Waste and Recycling Programs:
 - 1) Consolidated; 2) CR & R; and 3) Serv-Wel

Because there was not much variance amongst the various vendors on their proposals relating to Enhancements to City Solid Waste and Recycling Programs, greater weight was given to the Quality of Service factor. Accordingly, based on the above analysis, Staff is recommending that Serv-Wel be awarded the new route that encompasses the Villages at Heritage Springs Housing Development. Although the RFP originally contemplated coupling the awarding of the Villages with the provision of disposal services for City facilities, Staff is recommending that the City maintain service with the current provider, rather than contract with Serv-Wel at a rate higher than what is currently being charged.


Frederick W. Latham
City Manager



City of Santa Fe Springs

City Council Meeting

November 9, 2009

INTRODUCTIONS

Chamber of Commerce Citizens of the Year

BACKGROUND

The Chamber of Commerce has requested that they be given the opportunity to introduce this year's Citizens of the Year recipients. Mark Essensa, President of the Chamber, will be present to make these introductions.

The Citizens of the Year Luncheon will be held on Wednesday, November 18, 2009, at 11:15 a.m. at Town Center Hall.

A handwritten signature in black ink, appearing to read 'F. W. Latham'.

Frederick W. Latham
City Manager



City of Santa Fe Springs

City Council Meeting

November 9, 2009

PRESENTATION

Presentation to the City Council from the American Cancer Society

RECOMMENDATION

The Mayor may wish to call upon Police Services Director Fernando Tarin to assist with the presentation.

BACKGROUND

The American Cancer Society, in cooperation with the City of Santa Fe Springs, for the past 8 years has sponsored the Relay for Life cancer walk. This event has raised over one million dollars toward cancer research. The American Cancer Society and the Relay for Life Committee would like to formally thank the City Council for their support.

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

Frederick W. Latham
City Manager



PROCLAMATION

Proclaiming November 15, 2009, as "America Recycles Day in Santa Fe Springs"

BACKGROUND

In 1896, the first recycling center was established in New York City, and, by 1989, the Environmental Protection Agency had set a national waste reduction and recycling goal, and 26 States had enacted laws making recycling an integral part of their solid waste management plans.

Although great strides have been made in increasing the MSW diversion, a significant amount of the waste that is still incinerated or sent to landfills can be recovered for recycling or composting through source separation, mechanical separation, and community-based recycling programs.

The purpose of America Recycles Day is to continue to promote the social, environmental, and economic benefits of recycling and encourage more people to join the movement toward creating a better environment.

Celebrating its 12th year, America Recycles Day has helped millions of people become better informed about the importance of daily recycling and buying recycled products and has encouraged millions of Americans to pledge to increase their recycling habits at home and work.

In recognition of November 15, 2009, as America Recycles Day in Santa Fe Springs, a proclamation will be presented by the Council.

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

Frederick W. Latham
City Manager

Attachment: America Recycles Day Proclamation

Whereas America Recycles Day is an annual national awareness event, the mission of which is promoting the social, environmental, and economic benefits of recycling and buying recycled-content products; and

Whereas recycling saves energy, which in turn can prevent pollution associated with energy production; reduces the need to extract certain natural resources; can create more jobs than incineration and landfilling; can cost communities less than other waste disposal options; supplies valuable raw materials to industry; stimulates green technology development; and reduces the need for new landfills and combustors; and

Whereas a significant amount of the waste that is incinerated or sent to landfills can be recovered for recycling or composting through source separation, mechanical separation, and community-based recycling programs; and

Whereas there remains significant opportunity to increase recycling in the United States, and Americans should be encouraged to participate in educational, organizational, and legislative endeavors that promote waste separation methods, community-based recycling programs, and expanded utilization of recovered materials;

***NOW, THEREFORE** I, Luis M. González, Mayor of the City of Santa Fe Springs, on behalf of the entire City Council, do hereby proclaim November 15, 2009, as*

America Recycles Day

in the City of Santa Fe Springs and urge all its residents to participate in recycling programs and to purchase recycled-content products.

Dated this 9th day of November 2009.

Mayor

Attest:

City Clerk



City of Santa Fe Springs

City Council Meeting

November 9, 2009

APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS

Committee Appointments

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

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

To date, one application has been received from Richard Moore who would like to be appointed to the Historical Committee. Please direct any questions regarding this report to the City Clerk.

Frederick W. Latham
City Manager

Attachments:

- Active Committee Lists
- Moore Application

PROSPECTIVE MEMBERS FOR VARIOUS COMMITTEES/COMMISSIONS

Beautification

Community Program

Family & Human Services

A.J. Hayes
Jimmy Mendoza
Jose Avila

Heritage Arts

Marlene Vernava

Historical

Richard Moore

Personnel Advisory Board

Parks & Recreation

Planning Commission

Art Escobedo
Lynda Short
Hector Renteria

Senior Citizens Advisory

Sister City

Frank Carbajal, Sr.
Michele Carbajal

Traffic Commission

Art Escobedo
Jose Zamora
Hector Renteria

Youth Leadership

OCT 29 2009



City of Santa Fe Springs Application for Appointment

If you would like to be included in the Santa Fe Springs "Talent Bank" of persons interested in serving on a City Committee, Commission or Board, please complete this application and submit it to the City Clerk's Office.

Name: RICHARD MOORE

Address: 11219 JOSLIN ST

Home Phone: (562) 929 6067 Work Phone: — Cell Phone: (562) 688 2598

Occupation: RETIRED

I am willing to serve on an ad hoc committee for a specific short-term project. Yes No

Is there a specific night or time you would be *unable* to attend meetings? If so, please indicate:
TUES.

Please list in order of preference the committee(s) on which you would like to serve:

1. HISTORICAL COMMITTEE
2. _____
3. _____
4. _____
5. _____

Signature Richard Moore Date 10-29-09

<u>OFFICE USE ONLY</u>		
Date Application Received:	Action:	Date Applicant Notified:

BEAUTIFICATION COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name

Gonzalez

Juanita Montes (10)
Irene Pasillas (10)
May Sharp (11)
_____ (10)
Marlene Vernava (11)

Putnam

Lupe Lopez (11)
Guadalupe Placensia (11)
Juliet Ray (10)
Ruth Gray (11)
_____ (10)

Rounds

Annette Ledesma* (11)
_____ (11)
_____ (10)
_____ (10)
Paula Minnehan * (11)

Serrano

_____ (10)
Vada Conrad (11)
Martha Ohanesian (10)
_____ (11)
_____ (10)

Velasco

Rosalie Miller (11)
Sylvia Takata (10)
Eleanor Connelly (10)
Margaret Bustos* (10)
A. J. Hayes (11)

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

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

COMMUNITY PROGRAM COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name

Gonzalez

_____ (11)
_____ (11)
A.J. Hayes (10)
_____ (11)
_____ (10)

Putnam

Mary Jo Haller (11)
Rosalie Miller (10)
Lynda Short (11)
Jose Zamora (11)
Luigi Trujillo* (10)

Rounds

Mark Scoggins* (10)
Denise Vega (11)
Marlene Vernava (10)
Sylvia Takata (10)
Annette Rodriguez (11)

Serrano

_____ (11)
Mary Anderson (11)
Dolores H. Romero * (11)
_____ (11)
Ruth Gray (10)

Velasco

Eleanor Connelly(10)
_____ (11)
Hilda Zamora (10)
Lisa Sanchez (11)
Naomi Torres (10)

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

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

FAMILY & HUMAN SERVICES ADVISORY COMMITTEE

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

() indicates term expiration date

Appointed by:

Name:

González

Mercedes Diaz (10)
Toni Vallejo (11)
Josephine Santa-Anna (10)

Putnam

Laurie Rios* (11)
Arcelia Miranda (10)
Margaret Bustos* (11)

Rounds

Annette Rodriguez (10)
Janie Aguirre (11)
Michele Carbajal (11)

Serrano

Lydia Gonzales (10)
Francis Carbajal (11)
Modesta Viero (11)

Velasco

Alicia Mora (11)
Dolores Romero* (10)
Gloria Duran (10)

Organizational
Representatives:

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

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

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

HERITAGE ARTS ADVISORY COMMITTEE

Membership: 9 voting and 6 non-voting members

Appointed by:

Name:

Gonzalez

Laurie Rios *

Putnam

May Sharp

Rounds

Gustavo Velasco

Serrano

Paula Minnehan *

Velasco

Amparo Oblea

Beautification Committee
Historical Committee
Planning Commission
Chamber of Commerce

Sylvia Takata
Larry Oblea
Richard Moore
Tom Summerfield

Betty Putnam, Councilmember
Frederick W. Latham, City Manager
Hilary Keith, Director of Library & Cultural Services
Paul Ashworth, Director of Planning and Development

The Heritage Arts Advisory Committee meets the last Tuesday of the month, except in November and December, at 9:30 a.m. at the Train Depot.

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

HISTORICAL COMMITTEE

Membership: 20

() indicates term expiration date

Appointed by:

Name:

Gonzalez

Gilbert Aguirre (11)
Janie Aguirre (11)
Sally Gaitan* (11)
_____ (10)

Putnam

_____ (10)
_____ (10)
_____ (11)
_____ (11)

Rounds

Art Escobedo (10)
Mark Scoggins (11)
Janice Smith (11)
Paula Minnehan * (10)

Serrano

Gloria Duran (10)
_____ (10)
Larry Oblea (11)
_____ (10)

Velasco

Merrie Hathaway (11)
Marv Clegg (10)
Susan Johnston (11)
Alma Martinez (10)

The Historical Committee meets quarterly (the first Tuesday of the month in the months of April, July, October and January) at 5:30 p.m. at the Train Depot (during the library renovation, at the Carriage Barn).

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

PARKS & RECREATION ADVISORY COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name

Gonzalez

Ruben Madrid (11)
Jennie Carlos (10)
Frank Leader (10)
Michael Madrigal (11)
_____ (10)

Putnam

Frank Regalado (11)
Carlene Zamora (11)
Jimmy Mendoza (10)
Hilda Zamora (11)
Michele Carbajal (10)

Rounds

Kenneth Arnold (10)
Richard Legarreta, Sr. (10)
Don Mette (11)
Luigi Trujillo* (10)
Mark Scoggins* (11)

Serrano

Lynda Short (10)
Juanita Trujillo (11)
Joe Avila (10)
Sally Gaitan* (11)
Bernie Landin (10)

Velasco

Art Escobedo (11)
Hector Renteria (10)
Lillian Puentes (10)
Jose Zamora (11)
Arcelia Miranda (11)

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

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

PERSONNEL ADVISORY BOARD

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

Appointed by:

Name:

Personnel Advisory Board

Jim Contreras

Council

Angel Munoz

Council

Ron Biggs

Firemen's Association

Wayne Tomlinson

Employees' Association

Donn Ramirez

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

PLANNING COMMISSION

Membership: 5 residents appointed by Council

Appointed by:

Name:

Gonzalez

Laurie Rios

Putnam

Larry Oblea

Rounds

Richard Moore

Serrano

Michael Madrigal

Velasco

Lillian Puentes

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

SENIOR CITIZENS ADVISORY COMMITTEE

Membership: 25

() indicates term expiration date

Appointed by:

Name:

González

_____ (11)
Gloria Duran* (10)
Toni Vallejo (11)
Josephine Santa-Anna (10)
Janie Aguirre (11)

Putnam

_____ (10)
Pete Vallejo (11)
Jennie Valli (10)
_____ (10)
Martha Ohanesian (10)

Rounds

_____ (10)
Josephine G. Ramirez (10)
Gloria Vasquez (11)
_____ (11)
Lorena Huitron (11)

Serrano

Gusta Vicuna(10)
Amelia Acosta (11)
Louis Serrano (10)
Mary Bravo (10)
Jessie Serrano (11)

Velasco

Modesta Viero (11)
Gilbert Aguirre (11)
Julia Butler (10)
Margaret Bustos* (11)
James Hogan (10)

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

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

SISTER CITY COMMITTEE

Membership: 25 appointed by Council

() indicates year term expires year

<u>Appointed By:</u>	<u>Name</u>		<u>Expiration</u>	
González	Luigi	Trujillo*	(10)	
	Hank	Hanh Ly	(11)	
	Jimmy	Mendoza	(11)	
	Kimberly	Mette	(10)	
			(10)	
Putnam	Mary K.	Reed	(11)	
	Peggy Jo	Radoumis	(11)	
	Jeannette	Wolfe	(11)	
	Martha	Villanueva	(10)	
	Gloria	Duran	(10)	
Rounds	Manny	Zevallos	(10)	
	Ted	Radoumis	(11)	
	Jose	Avila	(11)	
	Susan	Johnston	(10)	
	Francis	Carbajal	(10)	
Serrano	Laurie	Rios*	(11)	
	Doris	Yarwood	(11)	
	Charlotte	Zevallos	(10)	
	Juanita	Trujillo	(11)	
		(10)		
Velasco	Hector	Renteria	(11)	
	Dolores	Romero*	(11)	
	Alicia	Mora*	(10)	
			(10)	
		Marcella	Obregon	(11)

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

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

TRAFFIC COMMISSION

Membership: 5 residents appointed by Council

Appointed by:

Name:

Gonzalez

Arcelia Valenzuela

Putnam

Manny Zevallos

Rounds

Ted Radoumis

Serrano

Sally Gaitan

Velasco

Sarah Garcia

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

YOUTH LEADERSHIP COMMITTEE

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

Appointed by:

Name:

Gonzalez

Marilyn Llanos (2012)
Victor Becerra (2011)
Jessica Aguilar (2011)
Jeanneth Guerrero (2011)

Putnam

Ashley Ortiz (2010)
Wendy Pasillas (2013)
Lupe Pasillas (2010)

Rounds

Carina Gonzalez (2011)
Lisa Baeza (2013)
Stephanie Gilbert (2011)
Karina Saucedo (2012)

Serrano

Kimberly Romero (2011)
Alyssa Trujillo (2011)
Alyssa Berg (2011)
Ariana Gonzalez (2013)

Velasco

Omar Rodriguez (2012)
Madalin Marquez (2011)
Martin Guerrero (2013)
Jose Rocha (2012)

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