

CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200 • FACSIMILE: 962-4209



NOTICE AND AGENDA FOR THE SPECIAL AND REGULAR MEETING OF THE

CITY COUNCIL

SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY

HOUSING AUTHORITY

LARRY G. BURROLA
MAYOR

ALBERT F. AMBRIZ
MAYOR PRO TEM

MARK A. BRECEDA
COUNCILMEMBER

MANUEL R. GARCIA
COUNCILMEMBER

H. MANUEL ORTIZ
COUNCILMEMBER

SEPTEMBER 28, 2022

SPECIAL MEETING – 5:30 P.M.

REGULAR MEETING - 6:30 P.M.

IRWINDALE CITY COUNCIL CHAMBER

CLOSED SESSION / OPEN SESSION – CITY COUNCIL CHAMBER

Pursuant to Irwindale Resolution No. Resolution No. 2022-90-3340

The Irwindale City Council has authorized the conduct of hybrid meetings of the City Council, including all City Commissions and committee meetings, and all regularly scheduled meetings that would normally take place in the City Council Chambers, under the provisions of Government Code Section 54956 § E, as authorized by AB 361.

The public's health and well-being are the top priority for the City, and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting and opportunities to participate are available through the following:

In-Person at the City Council Chambers

Via Zoom Webinar at <https://us02web.zoom.us/j/87104592389>

Webinar ID: 871 0459 2389



Spontaneous Communications: The public is encouraged to address the City Council on any matter listed on the agenda or on any other matter within its jurisdiction. The City Council will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The City Council will hear public comments on matters not listed on the agenda during the Spontaneous 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 this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the office of the Chief Deputy City Clerk, City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday).

Code of Ethics

As City of Irwindale Council Members, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Council Member.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE CITY COUNCIL



SPECIAL MEETING – 5:30 P.M.

A. CALL TO ORDER

**B. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia; H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola**

SPONTANEOUS COMMUNICATIONS

Spontaneous communications are limited to the special meeting agenda items only.

C. RECESS TO CLOSED SESSION

A. Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

A) Name of Case: Five Points, LP vs. City of Irwindale
Case Number: 22STCV01394

B. Conference with Real Property Negotiator

Pursuant to California Government Code Section 54956.8

A) Property: Olive Pit (APN 8415-001-906, 908)
Agency negotiators: Julian A. Miranda, City Manager and Arsanious Hanna,
Director of Engineering / Building Official
Negotiating Parties: United Rock Products Corp.
Under negotiation: Sublease Price and Terms

B) Property: South Manning Pit (APNs 8417-034-905; 8417-034-907, 8417-007-908)
Agency Negotiators: Julian A. Miranda, City Manager and Arsanious Hanna,
Director of Engineering / Building Official
Negotiating Parties: Los Angeles County Flood Control District
Under Negotiation: Price and Terms

C. Liability Claims

Pursuant to Government Code Section 54956.95:

- 1) Claimant: Maggie Guzman
Agency claimed against: City of Irwindale, Irwindale Housing Authority
- 2) Claimants: Fred & Becky Barbosa
Agency claimed against: City of Irwindale, Irwindale Housing Authority

D. RECONVENE IN OPEN SESSION

E. REPORT FROM CLOSED SESSION

F. ADJOURNMENT

OPEN SESSION – 6:30 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia; H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

E. CHANGES TO THE AGENDA

F. COUNCIL MEMBER TRAVEL REPORTS

G. COUNCILMEMBER COMMENTS

H. INTRODUCTION OF NEW EMPLOYEES/PROMOTIONS

I. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS

1. Recognition of Irwindale Sergeant Rudy Gatto, Los Angeles Regional Crime Stoppers Law Enforcement Partner of the Year
2. Chamber of Commerce Business of the Month – Yellow Iron
3. Chamber of Commerce Quarterly Update

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Council discussion or action on such communications unless 1) the Council by majority vote finds that a catastrophe or emergency exists; or 2) the Council by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Council cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes unless such time limits are extended. In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

1. **CONSENT CALENDAR**

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the City Council requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Department: Administration / City Clerk

Recommendation: Approve the following minutes:

1. Special Joint Meeting held September 14, 2022
2. Regular meeting held September 14, 2022
3. Special Joint Meeting held September 19, 2022

B. Warrants/Demands/Payroll

Department: Finance

Recommendation: Approve

C. Acceptance of Alfred F. Herrera Softball Field Lighting Improvement Project

Department: Public Services

Recommendation: (1) Ratify changes in the work and accept the improvements and maintenance responsibility for the Alfred F. Herrera Softball Field Lighting Improvement Project located in Irwindale Park; (2) approve the final construction amount of \$555,277.93; and (3) authorize the City Clerk to record the Notice of Completion.

2. **NEW BUSINESS**

At this time, members of the audience may ask to be heard regarding an item on New Business.

3. **PUBLIC HEARINGS**

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

4. **CITY MANAGER'S REPORT**

5. AGENDA ITEMS REQUESTED BY COUNCIL MEMBERS

- A. Discussion regarding the installation of military flags near Veterans Monument (requested by Mayor Burrola)
- B. Discussion regarding a Founding Mothers monument in the Memorial Garden (Mayor Burrola)
- C. Discussion regarding parking concerns along Allen Drive (Mayor Pro Tem Ambriz)
- D. Discussion regarding the parkway at Irwindale Avenue and Calle de Paseo Parkway (Councilmember Ortiz)

6. ADJOURN

**SUCCESSOR AGENCY TO THE IRWINDALE
COMMUNITY REDEVELOPMENT AGENCY**

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. Spontaneous Communications for the Successor Agency are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. CONSENT CALENDAR

A. Minutes

Department: Administration / City Clerk

Recommendation: Approve the following minutes:

- 1. Special Joint Meeting held September 14, 2022
- 2. Regular meeting held September 14, 2022

B. Warrants

Department: Finance

None for approval

2. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

3. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

4. ADJOURN

HOUSING AUTHORITY

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. Spontaneous Communications for the Housing Authority are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. CONSENT CALENDAR

A. Minutes

Department: Administration / City Clerk

Recommendation: Approve the following minutes:

1. Special Joint Meeting held September 14, 2022
2. Regular meeting held September 14, 2022
3. Special Joint Meeting held September 19, 2022

B. Release of Construction Covenants – 16203-16233 Arrow Highway

Department: Community Development

Recommendation: Approve the release of Construction Covenants for the completion of construction and development of the business park development at 16203-16233 Arrow Highway.

2. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

A. Las Casitas RFP – Verbal Update

3. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

4. ADJOURN

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused the agenda for the regular meeting of the City Council, Irwindale Successor Agency to the Irwindale Community Redevelopment Agency, and Housing Authority, to be held on September 28, 2022, be posted at the City Hall, Library, and Post Office on September 22, 2022.

Laura M. Nieto, MMC

Laura M. Nieto, MMC
Chief Deputy City Clerk

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

CC, SA & HA
Item 1A1

SEPTEMBER 14, 2022
WEDNESDAY
5:01 P.M.

The Irwindale **CITY COUNCIL, SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY, and HOUSING AUTHORITY** met in special joint session at the above time and place.

ROLL CALL:

Present: Councilmembers / Board Members Manuel R. Garcia,
H. Manuel Ortiz; Mayor Pro Tem / Vice Chair Albert F. Ambriz;
Mayor / Chair Larry G. Burrola

Absent: Councilmember/ Board Member Mark A. Breceda

Also Present: Julian A. Miranda, City Manager / Executive Director;
Adrian Guerra, City Attorney / General Counsel

SPONTANEOUS COMMUNICATIONS

There were no speakers.

MOTION

A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to approve the Consent Calendar. The motion was unanimously approved; Councilmember Breceda absent.

ITEM NO. C1
A RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZE REMOTE MEETINGS FOR THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING SEPTEMBER 14, 2022 THROUGH OCTOBER 14, 2022

A RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZE REMOTE MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING SEPTEMBER 14, 2022 THROUGH OCTOBER 14, 2022

RESOLUTIONS ADOPTED

Joint Resolution Nos. 2022-90-3340, SA 2022-91-3341, and HA 2022-18-128, entitled:

"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING SEPTEMBER 14, 2022, THROUGH OCTOBER 14, 2022,

PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361," was adopted.

**RECESS TO
CLOSED SESSION**

At 5:05 p.m., the City Council, Successor Agency to the Irwindale Community Redevelopment Agency, and Housing Authority met in Closed Session to discuss the following:

Conference with Legal Counsel – Existing Litigation
Pursuant to California Government Code Section 54956.9

- A) Name of Case: Five Points, LP vs. City of Irwindale
Case Number: 22STCV01394

ACTION: Discussion held, updated provided; direction provided to staff. No reportable action taken.

- B) Case Name: City of Irwindale as Successor Agency to the Irwindale Community Redevelopment Agency, et al. v. County of Los Angeles
Case Number: Ventura County Superior Court Case No. 56-2015-00464100-CU-WM-VTA

ACTION: Update provided, no direction or action taken

- C) Case Name: Jane Doe C.M.A. vs. the City of Irwindale
Case Number: LASC Case No. 21STCV26652

ACTION: Update provided, no discussion, direction, or action taken

Conference with Real Property Negotiator
Pursuant to California Government Code Section 54956.8

- A) Property: Olive Pit (APN 8415-001-906, 908)
Agency Negotiators: Julian A. Miranda, City Manager and Arsanious Hanna, Director of Engineering / Building Official
Negotiating Parties: United Rock Products Corp.
Under Negotiation: Sublease Price and Terms

ACTION: Update provided, discussion held; direction provided to staff. No reportable action taken.

- B) Property: South Manning Pit (APNs 8417-034-905; 8417-034, 907, 8417-007-908)
Agency Negotiators: Julian A. Miranda, City Manager and Arsanious Hanna, Director of Engineering / Building Official
Negotiating Parties: Los Angeles County Flood Control District
Under Negotiation: Price and Terms

ACTION: Update provided, no discussion, direction, or action

taken

Liability Claims

Pursuant to Government Code Section 54956.95

- A) Claimants: Fred & Becky Barbosa
Agency Claimed Against: City of Irwindale, Irwindale Housing Authority

ACTION: Update provided, direction provided to staff; no reportable action taken

- B) Claimant: Maggie Guzman
Agency Claimed Against: City of Irwindale, Irwindale Housing Authority

ACTION: Update provided, direction provided to staff; no reportable action taken

**RECONVENE IN
OPEN SESSION**

At 6:50 p.m., the City Council reconvened in Open Session.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 6:52 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

CC Item 1A2

SEPTEMBER 14, 2022
WEDNESDAY
6:43 P.M.

The Irwindale **CITY COUNCIL** met in regular session, beginning at the above time and place.

ROLL CALL:

Present: Councilmembers Manuel R. Garcia, H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmember Mark A. Breceda

Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Robert Castro, Interim Chief of Police; Kambiz Borhani, Director of Finance / City Treasurer; Arsanious Hanna, Director of Engineering / Building Official; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; and Laura Nieto, Chief Deputy City Clerk

CHANGES TO THE
AGENDA

CITY MANAGER
MIRANDA

City Manager Miranda noted that the agreement included with Item No. 1L had pages missing. Full copies of the agreement have been distributed to all the Councilmembers and is available to the public for review. Regarding Item No. 1M, City Manager Miranda noted corrections to the project account number and costs.

COUNCILMEMBER
TRAVEL REPORTS

COUNCILMEMBER
GARCIA

Councilmember Garcia spoke on his attendance at the recent League of California Cities conference held in Long Beach, noted the large amount of attendees, spoke on his networking opportunities with NALEO partners, and indicated that the conference offered information regarding various subjects.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz also spoke on his attendance at the conference, noted the large amount of attendees, spoke on his networking opportunities, and indicated that many issues were discussed, including development impact fees and employees' CALPERS pension plan.

MAYOR BURROLA

Mayor Burrola also mentioned his attendance at the conference, noted that many issues were discussed, including the use of electric vehicles, and agreed that he had an opportunity to network with peers.

COUNCILMEMBER
COMMENTS

MAYOR BURROLA

Mayor Burrola requested that: 1) the flags of the four branches of the military be installed at the Veterans Memorial, and 2) to recognize the city's "Founding Mothers" at the Memorial Garden, to which the Council provided its consensus to add both requests to the agenda for consideration at the next Council meeting.

Mayor Burrola also requested that the meeting be adjourned in memory of James William Ysaïs and Lydia Ann Gomez.

**COUNCILMEMBER
ORTIZ**

Councilmember Ortiz spoke very highly of the recent MariachiFest events.

**MAYOR PRO TEM
AMBRIZ**

Mayor Pro Tem Ambriz agreed with Councilmember Ortiz's comments regarding MariachiFest, and advised that he has received wonderful feedback from the patrons of the extended pool programs. He also thanked Police Department staff for their ongoing enforcement efforts along Alpha Street. He also requested that the Council consider at a future meeting the concerns being raised regarding parking along Allen Drive.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

There were none.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

**RECOGNITION OF
TONY GONZALEZ,
RECREATION DONOR**

RECOGNITION OF TONY GONZALEZ, RECREATION DONOR

The recognition was made, though Mr. Gonzalez was not in attendance.

**CITY MANAGER
MIRANDA, DIRECTOR
HANNA, AND THE
CITY COUNCIL**

City Manager Miranda and Director Hanna noted that Assistant City Engineer Daniel Co has resigned his position to accept another position at a different city. Mr. Co was recognized for his contributions to the success of various city projects.

**SPONTANEOUS
COMMUNICATIONS**

ROMAN RODRIGUEZ

Roman Rodriguez spoke on his candidacy for the Upper San Gabriel Valley Municipal Water District Division 5, which covers Irwindale.

CONSENT CALENDAR

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve the Consent Calendar, with the exception of Item No. 1K, which was removed from the agenda for separate consideration. The motion was unanimously approved;

Councilmember Breceda absent and Councilmember Garcia abstaining on Item No. 1H.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting held August 24, 2022

ITEM NO. 1B
WARRANTS /
DEMANDS / PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1C
REJECTION OF CLAIM:
RAMIRO LOPEZ VS.
CITY OF IRWINDALE

REJECTION OF CLAIM: RAMIRO LOPEZ VS. CITY OF IRWINDALE

The claim of Ramiro Lopez vs. City of Irwindale was rejected and staff was directed to send a standard letter of rejection.

ITEM NO. 1D
REJECTION OF CLAIM:
HEIRS OF ISAAC
LEFEBRE VS. CITY OF
IRWINDALE

REJECTION OF CLAIM: HEIRS OF ISAAC LEFEBRE II VS. CITY OF IRWINDALE

The claim of the Heirs of Isaac Lefebvre II vs. City of Irwindale was rejected and staff was directed to send a standard letter of rejection.

ITEM NO. 1E
REJECTION OF CLAIM:
BENJAMIN LEFEBRE,
A MINOR, VS. CITY OF
IRWINDALE

REJECTION OF CLAIM: BENJAMIN LEFEBRE, A MINOR VS. CITY OF IRWINDALE

The claim of Benjamin Lefebvre, a minor, vs. City of Irwindale was rejected and staff was directed to send a standard letter of rejection.

ITEM NO. 1F
AUTHORIZATION TO
INVEST MONIES INTO
THE LOCAL AGENCY
INVESTMENT FUND
ACCOUNT

AUTHORIZATION TO INVEST MONIES INTO THE LOCAL AGENCY INVESTMENT FUND ACCOUNT (Joint Successor Agency and Housing Authority item)

RESOLUTION NO.
2022-84-3334
ADOPTED

Joint Resolution No. 2022-84-3334, entitled:

"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND," was adopted.

ITEM NO. 1G
A RESOLUTION TO
EXTEND THE

A RESOLUTION TO EXTEND THE EXISTENCE OF A LOCAL EMERGENCY REGARDING THE COVID-19 PANDEMIC

EXISTENCE OF A
LOCAL EMERGENCY
REGARDING THE
COVID-19 PANDEMIC

RESOLUTION NO.
2022-92-3342
ADOPTED

Resolution No. 2022-92-3342, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC WITHIN THE CITY OF IRWINDALE PURSUANT TO IRWINDALE MUNICIPAL CODE CHAPTER 2.44," was adopted.

ITEM NO. 1H
APPROVAL OF PLANS
AND SPECIFICATIONS
FOR THE IRWINDALE
PARK IMPROVEMENTS
PROJECT PHASES 4
AND 5; P-1011

APPROVAL OF PLANS AND SPECIFICATIONS FOR THE IRWINDALE PARK IMPROVEMENTS PROJECT PHASES 4 AND 5; P-1011

The plans and specifications for the Irwindale Park Improvement Project Phase 4 and 5 were approved and staff was authorized to solicit bids for construction of the project; Councilmember Garcia abstaining.

ITEM NO. 1I
AWARD OF
CONTRACTS FOR
AS-NEEDED
CONSTRUCTION
INSPECTION SERVICES

AWARD OF CONTRACTS FOR AS-NEEDED CONSTRUCTION INSPECTION SERVICES

The City Manager was authorized to enter into an agreement with Z&K Consultants, Dudek, and FCG Consultants for as-needed construction inspection services in the amount of \$100,000 per contract, subject to approval as to form by the City Attorney.

ITEM NO. 1J
AWARD OF CONTRACT
FOR 2022
TOPOGRAPHIC AND
HYDROGRAPHIC
SURVEY PROJECT

AWARD OF CONTRACT FOR 2022 TOPOGRAPHIC AND HYDROGRAPHIC SURVEY PROJECT; P-1048

A professional contract in the amount of \$135,400.00 was awarded to Johnson-Frank and Associates for the Topographic and/or Hydrographic survey of eight (8) sand and gravel mines and the City Manager was authorized to execute the contract on behalf of the City, subject to approval as to form by the City Attorney.

ITEM NO. 1L
APPROVAL OF CA
AUTOMATED PERMIT
PROCESSING GRANT
AGREEMENT BETWEEN
CITY OF IRWINDALE
AND CALIFORNIA
ENERGY COMMISSION

APPROVAL OF CALIFORNIA AUTOMATED PERMIT PROCESSING (CALAPP) GRANT AGREEMENT BETWEEN CITY OF IRWINDALE AND CALIFORNIA ENERGY COMMISSION

The grant agreement with the California Energy Commission (CEC) for the California Automated Permit Processing (CalAPP) Grant Award was approved, the City Manager was authorized to execute the same upon approval as to form by the City Attorney, and:

RESOLUTION NO.
2022-86-3336

Resolution No. 2022-86-3336, entitled:

ADOPTED

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING A GRANT AGREEMENT WITH THE CALIFORNIA ENERGY COMMISSION FOR THE CALAPP GRANT AWARD AND AUTHORIZING THE APPROPRIATION OF \$40,000 TO A NEW ACCOUNT WITHIN FUND 35 (CALIFORNIA STATE GRANT FUND), WHICH WILL BE REIMBURSED UP TO \$40,000 BY THE CALIFORNIA ENERGY COMMISSION WITH THE CALIFORNIA AUTOMATED PERMIT PROCESSING GRANT," was adopted

ITEM NO. 1M
AWARD OF CONTRACT TO PROVIDE PROFESSIONAL ENVIRONMENTAL SERVICES FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND OTHER RELATED SERVICES

AWARD OF CONTRACT TO PROVIDE PROFESSIONAL ENVIRONMENTAL SERVICES FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) AND OTHER RELATED SERVICES

The award of contract was approved and the City Manager was authorized to execute an agreement, subject to City Attorney approval as to form, with CWE in the amount of \$132,122 for professional environmental services for the management of the National Pollutant Discharge Elimination System (NPDES) permit and other related services, a 15% contingency in the amount of \$19,818.30 was approved to cover any unforeseen services required, and:

RESOLUTION NO.
2022-87-3337
ADOPTED

Resolution No. 2022-87-3337, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING THE TRANSFER AND APPROPRIATION OF \$44,515.30 FROM THE MEASURE W FUND TRANSFER OUT ACCOUNT TO THE MEASURE W FUND CONTRACTUAL SERVICES ACCOUNT," was adopted.

END OF CONSENT CALENDAR

ITEM NO. 1K
REQUEST TO EXTEND THE HOURS OF OPERATION FOR TRANSPORTATION OF EXCAVATED AGGREGATES FROM THE OLIVE PIT TO UNITED ROCK PRODUCTS' PIT NO. 2 UNTIL DECEMBER 31, 2022

REQUEST TO EXTEND THE HOURS OF OPERATION FOR TRANSPORTATION OF EXCAVATED AGGREGATES FROM THE OLIVE PIT TO UNITED ROCK PRODUCTS' PIT NO. 2 UNTIL DECEMBER 31, 2022

CITY MANAGER
MIRANDA

City Manager Miranda presented the staff report.

COUNCILMEMBER ORTIZ	Responding to several questions by Councilmember Ortiz, Mark Pachura, General Manager of United Rock Products, advised that: 1) the estimated installation date for the traffic signal is February 2023. The materials have been ordered; they are just waiting for the materials to be manufactured and delivered. Their staff continue negotiating with Metrolink on the design of the signal at the intersection of Azusa Canyon Road and Los Angeles Street; 2) traffic will be controlled with flag men and additional traffic control measures in the area; and 3) United Rock would work to address any traffic issues that arise.
DIRECTOR HANNA	Director Hanna added that staff proposed allowing the change of hours for a period of three to four months, and reevaluating the results at a future Council meeting to determine whether the arrangement should continue. If traffic is highly impacted, the request would be evaluated again before December.
COUNCILMEMBER ORTIZ	Councilmember Ortiz also requested that the street sweeper be operated more frequently from Azusa Canyon Road through to Arrow Highway to offset the increased dust, to which Mr. Pachura advised that United Rock agrees to run the path, with water, more frequently. Councilmember Ortiz also suggested that United Rock traffic not be present on Azusa Canyon road earlier than 7:00 a.m. in consideration of the nearby residences, to which Mr. Pachura agreed.
MAYOR BURROLA	Responding to a question by Mayor Burrola, Mr. Pachura advised that United Rock has secured permits for the construction of the first traffic signal, but not the second one, and noted that workers are ready to install the signal as soon as the materials are received.
COUNCILMEMBER ORTIZ	Councilmember Ortiz expressed worry over speeding trucks, to which Mr. Pachura indicated that they have quarterly meetings with all truck drivers and operators where they are reminded about speed limits. However, if they notice a driver speeding, they write down the license plate number and inform the broker that the driver is not to return.
CITY ATTORNEY GUERRA	City Attorney Guerra suggested extending the hours effective through the end of the year, as long as they comply with the requests made tonight by the Council, and that if they fail to comply, the Council should not consider another extension of hours, to which Councilmember Ortiz suggested reminding United Rock of the Council's requests.
MOTION	A motion was made by Mayor Burrola, seconded by Mayor Pro Tem Ambriz, to approve the request from United Rock Products (United) to extend the hours of operation for transportation of excavated aggregates from the Olive Pit to United Rock Products Pit No. 2 until December 31, 2022, and reevaluate United's request before granting another extension period, with the extended hours of operation to be:

Monday to Friday, 7 a.m. to 3 p.m. and Saturday, 7 a.m. to 5 p.m. (only 2nd and 4th Saturday of each month), including the requests made by tonight by the City Council. The motion was unanimously approved; Councilmember Breceda absent.

NEW BUSINESS

None.

PUBLIC HEARINGS

None.

**CITY MANAGER'S
REPORT**

CITY MANAGER
MIRANDA

City Manager Miranda reported the following:

- 1) A Community Workshop regarding Morada Street issues will take place on September 19 at 6:00 p.m.
- 2) He also provided updates on programs and activities from the Recreation and Senior Center departments.

**AGENDA ITEMS
REQUESTED BY
COUNCILMEMBERS**

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:39 p.m., in memory of James William Ysais and Lydia Ann Gomez.

Laura M. Nieto, MMC
Chief Deputy City Clerk

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

CC & HA Item 1A3

SEPTEMBER 19, 2022
MONDAY
6:00 P.M.

The Irwindale **CITY COUNCIL** and **HOUSING AUTHORITY** met in special joint session at the above time and place.

ROLL CALL:

Present: Councilmembers / Board Members Mark A. Breceda, Manuel R. Garcia, H. Manuel Ortiz; Mayor Pro Tem / Vice Chair Albert F. Ambriz; Mayor / Chair Larry G. Burrola

Also Present: Julian A. Miranda, City Manager / Executive Director; Adrian Guerra, City Attorney / General Counsel; Robert Castro, Interim Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Rudy Gatto, Police Sergeant; and Laura Nieto, Chief Deputy City Clerk / Chief Assistant Authority Secretary

SPONTANEOUS COMMUNICATIONS

There were no speakers.

NEW BUSINESS

ITEM NO. C1
MORADA STREET
DISCUSSION

MORADA STREET DISCUSSION

CITY MANAGER
MIRANDA

City Manager Miranda presented the item. He advised that the Council has previously directed staff to arrange for a special meeting to identify and follow-up on issues relating to the Panattoni Development site located adjacent to the residential properties along Morada Street. He provided background information on the Panattoni project, which improved the sites at 5223 and 5239 Morada Street with parking lots, which were constructed to allow the residents of Morada Street and their guests, along with guests of events held at the Our Lady of Guadalupe Mission, to park their vehicles. He further noted that, to date, the Police Department has received three calls for service concerning transients at the Panattoni sites, and repeated that tonight's meeting would serve to address the concerns of Morada Street residents.

MAYOR BURROLA

As requested by Mayor Burrola, Director Hanna advised that Morada Street residents have expressed concerns regarding the fencing at the site, and noted that the Public Works staff is widening the fences to make the site easier to access. He added that the city has also hired a land surveyor to determine property boundaries, the results of which have been provided to the City Administrative Offices. Director Hanna then indicated that the CA Building Code requires that each public parking facility provide accessible spaces, and indicated that, although Morada Street does not have sidewalks, the parking lots were still required to include accessible spaces, and noted that the site also includes a path of travel that leads to the street. Staff will hire

an architect to study all the sidewalks throughout the city in search of a solution for the sidewalk issues, including those at Morada Street.

Responding to several question by Mayor Burrola, Director Hanna indicated that the parking lot is ADA compliant. City Attorney Guerra stated that staff would look into the potential for liability due to the lack of a sidewalk on Morada Street.

DIRECTOR HANNA

Director Hanna advised that the parking lot cannot be without an accessible parking space, even though there is no sidewalk on Morada Street, and reiterated that the Building Code requires at least one accessible parking space per 25 regular parking spaces. He noted that staff attempted to override the code but were denied by the County.

MAYOR BURROLA

Mayor Burrola asked how the Building Code could be changed, to which Director Hanna indicated that the code is state law issued by the Governor. He repeated that staff will hire an architect to study all city sidewalks, and will determine where sidewalks could be provided. He stated that Morada Street cannot be stretched to include a sidewalk unless easements from each property owner are obtained.

Responding to an additional question by Mayor Burrola, Director Hanna repeated that staff would hire a professional architect to study all city sidewalks, which will help determine how/if sidewalks could be made at Morada Street, as well as their related costs.

COUNCILMEMBER
BRECEDA

Councilmember Breceda noted that creating sidewalks on Morada Street would be an enormous task, and suggested that the Council focus on the issues raised by Morada Street residents relating the sites to the rear of the Morada Street residential properties.

MAYOR BURROLA

Mayor Burrola stated that the Council should address all of the issues raised by Morada Street residents, including those relating to signage and fencing.

TONY NARANJO

Tony Naranjo spoke on the issues being experienced at Morada Street, including: 1) the difficulty that the Fire Department has had in traveling Morada Street since it is so narrow, an issue which has since been resolved with assistance of the Police Department; 2) the need for proper accessibility for exiting the parking lots; and 3) the belief that no resident homeowner will want to cede a portion of their property to construct a sidewalk. He thanked the Council for arranging the meeting, but noted that he and the residents of Morada Street have negotiated with Panattoni on a resolution of their concerns, and he felt that a fair and equitable resolution has been reached. Bids were sought out for fencing costs, which were provided to Panattoni, which would cover the costs as well as any taxes that the resident homeowners may need to pay. He stated that he visited with each of his Morada Street neighbors and most agreed to move forward with

the compromise. However, some neighbors seem to have changed their minds since they were told that the Council would obligate Panattoni to make certain changes, including moving fencing and ditches. He also thanked staff, particularly City Manager Miranda and Police Chief Castro, for helping solve the issues with transients at the site, and noted that Panattoni has also hired temporary security, measures which have helped to reduce troublesome behavior. He reiterated his belief that Panattoni has made a reasonable offer to each property owner, and stated his hope that the issues are resolved quickly. He also spoke on Panattoni's offer to help repair a resident's garage, and once again thanked staff for their help.

ROBERT DIAZ

Robert Diaz thanked the Council and staff for the meeting, spoke on Panattoni's offer to repair damage at his aunt's garage, and made suggestions to address potential drainage issues.

CAROL RAMOS

Carol Ramos stated that the installed fencing at the parking lot does not provide sufficient privacy for her home. She thanked Councilmember Ortiz for his interest in helping her family.

COUNCILMEMBER
BRECEDA

Responding to a question by Councilmember Breceda, Mark Payne with Panattoni stated that the company was instructed to leave the fencing, and that it was not part of the scope of Panattoni's work.

Councilmember Breceda asked about the potential for liability should the city erect a wall at the site, to which City Attorney Guerra stated that staff could explore the request further. Councilmember Breceda suggested that a wall be constructed south of the Ramos' home.

DIRECTOR HANNA

Director Hanna noted that the Council directed staff to explore the locations of property lines, which is why a professional line surveyor was hired, who marked the exact property lines between the parking lot and the neighboring houses. He added that, should the Council provide direction to build a wall, it would be situated at the property line.

COUNCILMEMBER
BRECEDA

Councilmember Breceda suggested building two block walls.

CITY ATTORNEY
GUERRA

City Attorney Guerra requested that the Council provide clear direction to staff so that it could present a more formal resolution to the Council at a future meeting.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz stated that the Council directed staff to conduct the line survey, which has since been completed. And now that the Council has learned that it is possible to construct the block wall, it can act on Mrs. Ramos' request to build the wall to provide Mrs. Ramos with more privacy. He stated that this was the Council's desire all along.

MOTION	A motion was made by Councilmember Breceda direct staff to solicit bids for the construction of the two walls.
CITY MANAGER MIRANDA	City Manager Miranda stated that the purpose of the survey was to determine the exact property lines in relation to Mrs. Ramos' property and the two adjacent parking lots, knowing that the existing chain link fence does not provide adequate privacy. He deferred to City Attorney Guerra to determine whether the time is right to construct the walls.
CITY ATTORNEY GUERRA	City Attorney Guerra noted that this meeting was designed as a workshop to hear comments from the public and to have the matter discussed by the Council, which is now directing to proceed to construct the block wall. He suggested that staff be allowed the opportunity to prepare a formal report for inclusion on a future meeting agenda so that the proposed action is clear. He also requested that Director Hanna describe the following steps, to which Director Hanna indicated that the next step would be to hire a structural engineer to design the wall. The design would then be reviewed by Building and Safety, and if approved, would be presented to the Council so that it may approve the plans and specifications and send the project out to bid.
MAYOR PRO TEM AMBRIZ, COUNCILMEMBER GARCIA, AND CITY ATTORNEY GUERRA	Mayor Pro Tem Ambriz spoke on the need for proper setbacks, Councilmember Garcia spoke about addressing drainage issues, and City Attorney Guerra suggested obtaining consent by the property owners to build on their properties.
MAYOR PRO TEM AMBRIZ	Replying to a comment by Mayor Pro Tem Ambriz, City Attorney Guerra stated that the city could probably justify covering the costs of the project if there are impacts to public property. With regard to property ownership rights, he stated that these types of matters usually require a consent form from property owners consenting to the wall being built on their properties.
DIRECTOR HANNA	Director Hanna requested City Attorney Guerra's assistance in drafting the necessary consent forms for the property owner's review and signatures. He also thanked the Morada Street residents for their support, and responding to a comment made earlier, advised that the CA Building Code requires directing a disabled person directly to a sidewalk and not the street.
ROBERT DIAZ	Robert Diaz spoke on the potential for drainage issues with the construction of a new wall.

CITY MANAGER
MIRANDA

As requested by City Manager Miranda, Chief Castro provided a report on transient activity at the site. He reported that he has analyzed the Police Department's responses to the location and noted that he has personally visited the site at least 10 times. Officers have made about 120 extra patrols to the commercial property in search of problems and in response to reports of homeless encampments and drug use, though officers typically do not encounter problems. He noted some issues pertaining to the use of water spigots by homeless individuals, but these have been remedied by the property owner. Surrounding businesses have also worked to trim bushes and green areas to avoid having individuals hiding behind overgrown vegetation. He also provided a brief update on Sergeant Gatto and his team's efforts in reaching out to the homeless to offer various services, though many refuse. He stated his hope that the continued patrols have deterred those that may use the property improperly, and encouraged residents to call the Police Department if they see or hear anything out of the ordinary.

SERGEANT GATTO

Sergeant Gatto spoke on his Homeless Outreach Team's weekly site visits and the collaboration between the Irwindale Police Department, the Los Angeles Homeless Services Authority, and the County Department of Mental Health to assist the homeless. His team has also conducted outreach at the Morada Street, Arrow Highway, and Ayon Avenue areas, but has not come across any persons setting up permanent encampments. He added that officers also respond to reports of trespassing and vandalism, and concurred with Chief Castro that the property owners have corrected issues that attract transients, such as closing water spigots, locking trash enclosures, and closing electric outlets. Officers will continue to conduct outreach in the area.

MAYOR BURROLA

Responding to a question by Mayor Burrola, Ryan Jones with Panattoni advised that Panattoni has hired gardeners to maintain the landscaping every week.

COUNCILMEMBER
BRECEDA

Councilmember Breceda excused himself from the meeting at 7:09 p.m. since he was not feeling well.

MAYOR BURROLA,
COUNCILMEMBER
ORTIZ, AND MAYOR
PRO TEM AMBRIZ

Mayor Burrola, Councilmember Ortiz, and Mayor Pro Tem Ambriz thanked staff, Panattoni, and Morada Street residents for working together to address concerns.

ADJOURNMENT

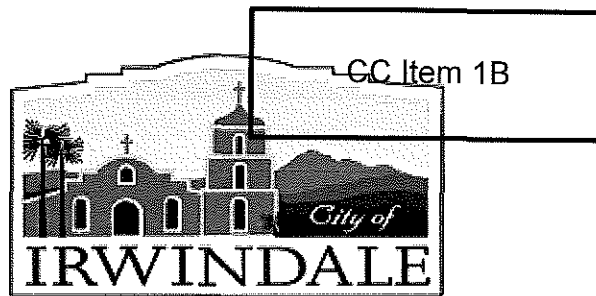
There being no further business to conduct, the meeting was adjourned at 6:52 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Accounts Payable

Checks by Date - Summary by Check Number

User: imarin
Printed: 9/21/2022 4:09 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
77902	AMERIC34	American Fidelity Assurance Co	09/08/2022	2,733.64
77903	BARBA01	Columba Barba	09/08/2022	1,150.00
77904	CHARTE01	Charter Communications	09/08/2022	91.93
77905	GALVAN02	Claudia Galvan	09/08/2022	440.00
77906	GARC06	Delinda Garcia	09/08/2022	75.00
77907	HOYEN	Noelle Hoyer	09/08/2022	560.00
77908	OPTUM01	OptumRx, Inc.	09/08/2022	33,448.57
77909	PAIK01	Sumako Paik	09/08/2022	180.00
77910	SANGAB16	San Gabriel Basin Water	09/08/2022	2,256.00
77911	SANGAB20	San Gabriel Valley City Managers' Associat	09/08/2022	55.00
77912	SCE02	Southern California Edison	09/08/2022	14,314.02
77913	SCE02	Southern California Edison	09/08/2022	22,939.89
77914	SCE02	Southern California Edison	09/08/2022	29,051.57
77915	YANE01	Vanessa Yanez	09/08/2022	95.45
77916	CALIFO56	California State Disbursement Unit	09/08/2022	604.15
77917	CALIFO57	California State Disbursement Unit	09/08/2022	143.07
77918	CHICOR	Richard Chico	09/15/2022	14.99
77919	DEKRA-LI	Dekra-Lite Industries, Inc.	09/15/2022	1,496.73
77920	HDLCOR	HdL Coren & Cone	09/15/2022	5,989.69
77921	HDL01	Hdl Software, LLC	09/15/2022	33.26
77922	ITERIS	Iteris, Inc.	09/15/2022	935.00
77923	ANGUI01	Guadalupe Anguiano-Ortiz	09/15/2022	75.00
77924	AT&T06	AT & T	09/15/2022	1,704.40
77925	BALLI01	Shayna Balli	09/15/2022	1,454.46
77926	BRIGHT02	Bright Stars Academy	09/15/2022	500.00
77927	CARD02	Jacqueline Cardenas	09/15/2022	75.00
77928	CARDEN01	Rudy Cardenas	09/15/2022	150.00
77929	CASTR01	Rob Castro	09/15/2022	3.75
77930	CHARTE01	Charter Communications	09/15/2022	375.78
77931	CHAVE11	Manuel Chavez	09/15/2022	1,060.00
77932	ESPINO10	Iris Espino	09/15/2022	640.70
77933	FIGUE01	Oscar Figueroa	09/15/2022	75.00
77934	FRONT01	Frontier Communications	09/15/2022	839.78
77935	GARC13	Maria Garcia	09/15/2022	37.00
77936	GONZ12	Mercedes Gonzalez	09/15/2022	75.00
77937	HEGDAHLA	Armando Hegdahl	09/15/2022	63.00
77938	HERNAN25	Christian Hernandez	09/15/2022	300.00
77939	IBY01	IBY Property Owner, LLC	09/15/2022	932.00
77940	LIRA03	Janet Lira	09/15/2022	75.00
77941	MAREZL	Linda S. Marez	09/15/2022	150.00
77942	PADILLAM	Melissa Marez	09/15/2022	55.39
77943	MOUNT02	Mountain View Productions	09/15/2022	841.00
77944	NINJA01	NinjaOne,LLC	09/15/2022	4,275.00
77945	OLIVAR01	Theresa Olivares	09/15/2022	186.88
77946	OLVE01	Maria Olvera	09/15/2022	15.00
77947	ORANGE01	Orange County Sheriff's	09/15/2022	71.00
77949	PIMENT01	Luis Pimentel	09/15/2022	27.39

Check No	Vendor No	Vendor Name	Check Date	Check Amount
77950	PLAZ02	Monica Plazola	09/15/2022	10.00
77951	PUBL01	Public Safety Consulting, Inc.	09/15/2022	22,555.46
77952	PURCHA	Purchase Power	09/15/2022	4,174.84
77953	ROCH01	Sarah Rocha	09/15/2022	123.50
77954	RODR10	Gisela Rodriguez	09/15/2022	75.00
77955	ROMANC	Carmen M. Roman	09/15/2022	75.00
77956	SIMP001	Marilyn Simpson	09/15/2022	750.00
77957	TPX 01	TPX Communications	09/15/2022	2,488.41
77958	TSE01	Lisa Tse	09/15/2022	37.00
77959	VELAS02	Natali Velazquez	09/15/2022	885.00
77960	verizonw	Verizon Wireless	09/15/2022	3,134.14
77961	VILLA03	Danteandre Villa	09/15/2022	75.00
77962	YEUNG01	Sanny Yeung	09/15/2022	10.00
77963	ZOOM01	ZOOM Video Communicatins, Inc.	09/15/2022	1,012.17
77964	AZUSALW	Azusa Light & Water	09/15/2022	931.30
77965	CALIFO02	California American Water	09/15/2022	1,318.83
77966	GASCOM	Gas Company, The	09/15/2022	845.99
77967	SOUTHE17	Golden State Water Company	09/15/2022	1,985.45
77968	PART01	Party Pronto, Inc	09/15/2022	413.00
77969	SCE02	Southern California Edison	09/15/2022	495.43
77970	VALLEY01	Valley County Water District	09/15/2022	14,237.69
77971	VALLEY09	Valley View Mutual Water Co.	09/15/2022	68.66
77972	AREAD	Area "D"	09/28/2022	1,000.00
77973	B&BTIR	B & B Tires Service	09/28/2022	90.00
77974	BAKER01	Baker & Taylor Books	09/28/2022	30.00
77975	BILLST	Bill's Truck Repair, Inc.	09/28/2022	159.00
77976	BLUE01	Blue Diamond Materials	09/28/2022	273.70
77977	CALBLE	Cal Blend Soils, Inc.	09/28/2022	60.64
77978	CACE	California Association of	09/28/2022	275.00
77979	CALI22	CAPIO	09/28/2022	275.00
77980	CARQUEST	Carquest	09/28/2022	55.00
77981	CITYOF11	City of Azusa	09/28/2022	775.00
77982	CITYOF01	City of Pasadena	09/28/2022	11,917.00
77983	CLOUD02	CloudCompli, Inc	09/28/2022	5,250.00
77984	COSTA01	Costar Realty Information, Inc.	09/28/2022	735.48
77985	LOSANG33	County of Los Angeles	09/28/2022	21,275.32
77986	CPRSCA	CPRS Park & Recreation	09/28/2022	170.00
77987	BATE01	Elior Inc.	09/28/2022	3,984.75
77988	ESRI01	Esri, Inc.	09/28/2022	1,700.00
77989	FILLG01	Fill Good Landscaping	09/28/2022	400.00
77990	GEOLOG	Geologic Associates	09/28/2022	8,254.00
77991	GLOBAL02	Global Environmental Training & Consulti	09/28/2022	4,924.00
77992	HASA01	Hasa Inc.	09/28/2022	1,522.61
77993	HDL01	Hdl Software, LLC	09/28/2022	33.26
77994	HINDER	Hinderliter, De Llamas & Assoc	09/28/2022	300.00
77995	HOSEMA	Hose-Man, The	09/28/2022	41.72
77996	HIGHPE	HPC Computers, Inc.	09/28/2022	487.36
77997	IMAGE02	Image Sales, Inc.	09/28/2022	2,378.80
77998	INTELL01	Intelli-tech, Inc.	09/28/2022	2,255.17
77999	INTERS02	Interstate Batteries	09/28/2022	141.60
78000	IRWIND03	Irwindale Tire Shop	09/28/2022	40.00
78001	ITERIS	Iteris, Inc.	09/28/2022	10,389.38
78002	JCSPLU	JC's Plumbing & Backflow Svc	09/28/2022	255.48
78003	KLEI001	Kleinfelder, Inc.	09/28/2022	1,323.75
78004	LANDSC	Landscape Warehouse III Inc.	09/28/2022	607.25
78005	LEXISN	LexisNexis Risk Solutions	09/28/2022	151.50
78006	LINCOL03	Lincoln Aquatics	09/28/2022	4,114.30

Check No	Vendor No	Vendor Name	Check Date	Check Amount
78007	LINN01	Deborah Linn	09/28/2022	2,875.00
78008	CALIBE01	Lawrence E. Marino	09/28/2022	1,868.20
78009	MARIPO	Mariposa Landscapes, Inc.	09/28/2022	8,796.00
78010	MERCUR	Mercury Fence Co., Inc.	09/28/2022	3,200.00
78011	MOUNT01	MNRO Holdings, LLC	09/28/2022	100.80
78012	OFFICE03	Office Depot	09/28/2022	725.51
78013	PHASEII	PARS	09/28/2022	1,750.00
78014	PLACE01	PlaceWorks, Inc.	09/28/2022	1,552.50
78015	PROPRINT	Pro Printing, Inc.	09/28/2022	60.16
78016	PACIFI13	Rene David LTD	09/28/2022	430.09
78017	RICOH01	Ricoh USA, Inc	09/28/2022	2,694.76
78018	RICOH02	Ricoh USA, Inc	09/28/2022	1,673.13
78019	RIGHT01	Right of Way, Inc.	09/28/2022	705.19
78020	SHI01	SHI International Corp.	09/28/2022	711.57
78021	SOUTH09	Southern Computer Warehouse Inc,	09/28/2022	1,721.27
78022	STERIC01	Stericycle, Inc.	09/28/2022	91.29
78023	LEES01	Chad A. Streelman	09/28/2022	131.40
78024	SWT01	SWT Engineering, Inc.	09/28/2022	4,023.60
78025	UNITED11	United Site Services of CA Inc	09/28/2022	589.50
78026	URBAN03	Urban Restoration Group US., Inc.	09/28/2022	556.91
78027	VERI01	Veritone, Inc.	09/28/2022	2,800.00
78028	VISTA01	Vista Paint Corporation	09/28/2022	305.77
78029	WESTCO05	West Coast Arborists, Inc.	09/28/2022	13,789.65
78030	HDSUP01	WHITE CAP, L.P.	09/28/2022	405.08
78031	LOSANG09	Los Angeles County	09/28/2022	982.07
78032	SIERRA02	Sierra Chrysler/Dodge/Jeep/Ram	09/28/2022	1,826.66

Report Total (130 checks):

326,379.54

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: September 28, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Acceptance of Alfred F. Herrera Softball Field Lighting Improvement Project

City Manager's Recommendation:

That the City Council (1) ratify changes in the work and accept the improvements and maintenance responsibility for the Alfred F. Herrera Softball Field Lighting Improvement Project located in Irwindale Park; (2) approve the final construction amount of \$555,277.93; and (3) authorize the City Clerk to record the Notice of Completion.

Administrative Action:

Submitted & Prepared by:

Elizabeth Rodriguez, Public Services Director



Reviewed by:

Adrian R. Guerra, City Attorney

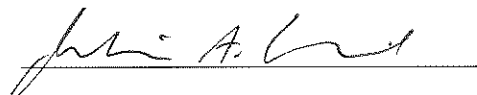
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On November 10, 2021, the City Council adopted Resolution No. 2021-105-3317, waiving the formal bidding procedures pursuant to Irwindale Municipal Code Section 3.44.080(E), authorizing the issuance of a purchase order and the City Manager to enter into a purchase agreement with Musco Sports Lighting, LLC for the installation of six (6) new

poles, a new LED lighting system for the Alfred F. Herrera Softball Field and additional lighting features for the Irwindale Park Playground and Aquatics Center.

The approved cost of this project was budgeted as follows:

Services	New Poles/LED Costs
Musco Materials	\$ 212,000.00
Estimated Taxes (10.25%)	21,730.00
Installation	268,800.00
Soils Report	10,000.00
Aquatics Center/Pool Area	20,000.00
Playground	8,000.00
Sub-Total	\$ 540,530.00
Payment/Performance Bond	1,420.00
10% Contingency	54,053.00
Total	\$ 596,003.00

Two change orders were issued as part of this project. The first change order was due to the increase in the cost for the Payment/Performance Bond. The original cost was budgeted at \$1,420.00 and the final cost was submitted for \$3,648.00, which resulted in Change Order #1 in the amount of \$2,228.00. The second change order was in the amount \$11,100. The original price quoted was based on standard soil conditions. The soils report determined non-standard soils and rocky conditions with drill refusal at all 4-boring locations, which resulted in additional drilling and trenching.

The installation of lighting system and features is now complete and staff recommends that the City Council accept the improvements and maintenance responsibility for the lighting improvements. Acceptance of the improvements by the City Council will render the project complete. Once the project is complete, the City may file a Notice of Completion. Staff therefore recommends that the City Council authorize the City Clerk to record the Notice of Completion .

The State of California Department of Parks and Recreation Office of Grants and Local Services (OGALS) has allocated to the City of Irwindale \$178,846 in grant funding from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

This is a reimbursement grant, which means the funds must be expended first, then submitted for reimbursement. Additionally, there is a local match spending requirement of 25% of the grant funds, or \$44,711.50, which the City meets through the cost of the project improvements. Staff is currently working on submitting the required documentation to receive reimbursement in the amount of \$178,846.

Fiscal Impact:

Sufficient funding is available in the City's Adopted Capital Improvement Program Budget Project No. 8241. The total cost of this project was \$555,277.93. The City of Irwindale has already applied to receive a grant from Prop 68 Per Capita, and upon submittal of its final paperwork, expects to receive funding for \$178,846.

The following outlines the total cost of the project and the final cost expended from the General Fund.

Check #	Date	Recipient	Purpose	Amount
76979	5/25/2022	Musco Sports Lighting, LLC	Materials/Equipment/Bond	\$256,307.93
77711	8/24/2022	Musco Sports Lighting, LLC	Installation of Poles & Lighting System	\$287,870.00
77711	8/24/2022	Musco Sports Lighting, LLC	Boring footings/trenches for Poles	\$11,100.00
TOTAL PROJECT COST:				\$555,277.93
LESS PROP 68 PER CAPITA REIMBURSEMENT:				(\$178,846.00)
GENERAL FUND IMPACT:				\$376,431.93

Attachment(s):

1. Notice of Completion

RECORDING REQUESTED BY: /
CITY OF IRWINDALE /
/

WHEN RECORDED MAIL TO: /
Elizabeth Rodriguez /
Public Services Director /
City of Irwindale /
Department of Public Services /
5050 N. Irwindale Avenue /
Irwindale, CA 91706 /
/
/
/

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF COMPLETION OF
PUBLIC IMPROVEMENT AND WORK**

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is owner of an interest or estate in the hereinafter described real property, the nature of which interest or estate is: FEE SIMPLE
2. The full name of the owner is: CITY OF IRWINDALE.
3. The full address of the owner is: 5050 NORTH IRWINDALE AVENUE, IRWINDALE, CALIFORNIA, 91706.
4. On the 25th day of AUGUST 2022 there was completed upon the hereinafter-described real property the following work: IRWINDALE PARK ALFRED F. HERERRA SOFTBALL FIELD LIGHTING IMPROVEMENT PROJECT.
5. The name of the original contractor for the work described above was: MUSCO SPORTS LIGHTING, LLC.
6. The address of the contractor for the work described above is: 100 1st AVENUE WEST, OSKALOOSA, IA 52577-0808.
7. The real property referred to herein is situated in the City of Irwindale, County of Los Angeles, State of California and is described as follows: IRWINDALE PARK ALFRED F. HERERRA SOFTBALL FIELD 5050 N. Irwindale Avenue, IRWINDALE, CA 91706.

DATED: _____, 2022

Elizabeth Rodriguez, Public Services Director
City of Irwindale

ATTEST:

Chief Deputy City Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20____,
by _____,
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Seal) Signature _____

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

SA Item 1A2

SEPTEMBER 14, 2022
WEDNESDAY
7:39 P.M.

The Irwindale **SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY** met in regular session at the above time and place.

ROLL CALL:

Present: Councilmembers Manuel R. Garcia, H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmember Mark A. Breceda

Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Robert Castro, Interim Chief of Police; Theresa Olivares, Assistant City Manager; Kambiz Borhani, Director of Finance / City Treasurer; Arsanious Hanna, Director of Engineering / Building Official; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; and Laura Nieto, Chief Deputy City Clerk

SPONTANEOUS COMMUNICATIONS

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to approve the Consent Calendar. The motion was unanimously approved.

ITEM NO. 1A1
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting held August 24, 2022

ITEM NO. 1B
WARRANTS

WARRANTS

None for approval

ITEM NO. 1C
AUTHORIZATION TO INVEST MONIES INTO THE LOCAL AGENCY INVESTMENT FUND ACCOUNT

AUTHORIZATION TO INVEST MONIES INTO THE LOCAL AGENCY INVESTMENT FUND ACCOUNT (Joint City Council and Housing Authority item)

RESOLUTION NO.
SA 2022-85-3335
ADOPTED

Joint Resolution No. SA 2022-85-3335, entitled:

"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING

INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT
FUND," was adopted.

END OF CONSENT CALENDAR

NEW BUSINESS None.

PUBLIC HEARINGS None.

ADJOURNMENT There being no further business to conduct, the meeting was
adjourned at 7:40 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

HA Item 1A2

SEPTEMBER 14, 2022
WEDNESDAY
7:40 P.M.

The Irwindale **HOUSING AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Manuel R. Garcia, H. Manuel Ortiz,
Vice Chair Albert F. Ambriz; Chair Larry G. Burrola

Absent: Board Member Mark A. Breceda

Also present: Julian A. Miranda, Executive Director; Adrian Guerra,
General Counsel; Robert Castro, Interim Chief of Police; Theresa
Olivares, Assistant Executive Director; Kambiz Borhani, Director of
Finance / City Treasurer; Arsanious Hanna, Director of Engineering /
Building Official; Marilyn Simpson, Community Development Director;
Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public
Services Director; and Laura Nieto, Chief Assistant Authority
Secretary

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Vice Chair Ambriz, seconded by Board
Member Ortiz, to approve Consent Calendar. The motion was
unanimously approved.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Special joint meeting held July 13, 2022
- 2) Special joint held July 27, 2022
- 3) Regular meeting held July 27, 2022
- 4) Special joint meeting held August 15, 2022

ITEM NO. 1B
AUTHORIZATION TO
INVEST MONIES INTO
THE LOCAL AGENCY
INVESTMENT FUND
ACCOUNT

AUTHORIZATION TO INVEST MONIES INTO THE LOCAL
AGENCY INVESTMENT FUND ACCOUNT (Joint City Council and
and Successor Agency item)

RESOLUTION NO.
HA 2022-17-127
ADOPTED

Joint Resolution No. HA 2022-17-127, entitled:

"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE
COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR
AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF

THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND," was adopted.

ITEM NO. 1C
IRWINDALE HOUSING
AUTHORITY
GUIDELINES,
POLICIES, AND
PROCEDURES FOR
SENIOR LOW/
MODERATE INCOME
HOUSING APARTMENT
RENTAL PROGRAM

IRWINDALE HOUSING AUTHORITY GUIDELINES, POLICIES, AND
PROCEDURES FOR SENIOR LOW/MODERATE INCOME
HOUSING APARTMENT RENTAL PROGRAM

The revised Irwindale Housing Authority Guidelines, Policies, and Procedures for Senior Low/Moderate Income Housing Apartment Rental Program for Las Casitas were approved.

NEW BUSINESS

None.

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:41 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

- ☐ City Council
- ☐ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: September 28, 2022
To: Honorable Chair and Members of the Housing Authority Board
From: Julian A. Miranda, Executive Director
Issue: Release of Construction Covenants – 16203-16233 Arrow Highway.

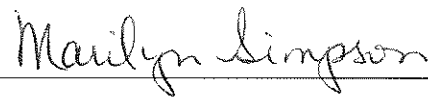
Executive Director's Recommendation:

That the Irwindale Housing Authority Board approve the release of Construction Covenants for the completion of construction and development of the business park development at 16203-16233 Arrow Highway.

Administrative Action:

Submitted & Prepared by:

Marilyn Simpson, Community Development Director
(626) 430-2209



Reviewed by:

Adrian R. Guerra, General Counsel

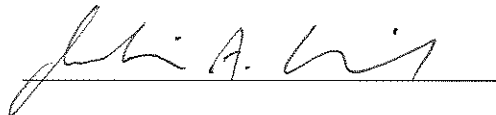
Electronically Approved

Kambiz Borhani,
Finance Director / City Treasurer



Approved by:

Julian A. Miranda, Executive Director



Background and Analysis:

On May 23, 2018, the Amended and Restated Disposition and Development Agreement (Amended DDA) between the Irwindale Housing Authority (Authority) and Panattoni Development Company for properties located at 16203, 16213, 16223, 16233 Arrow Highway was approved. Section 714, Release of Construction Covenants of the Amended DDA states that the Authority shall furnish Panattoni with a Release of Construction Covenants upon the following:

- Completion of construction and development of the project and issuance of a certificate of occupancy for the shell buildings, and
- Construction of an access area between the project's wall and the residential properties along the eastern side of the site.

On April 24, 2019, the City Council approved Site Plan & Design Review (DA) No. 03-2018 and adopted Resolution No. 2019-08-3092 for development of the project. The applicant, Panattoni Development Company, Inc., agreed and complied with the final conditions of approval and has completed construction of the project. Certificates of Occupancy were issued for all four (4) shell buildings on June 30, 2022. The construction of the project and its offsite improvements have been satisfactorily completed and accepted by the City's Planning, Public Works/Building and Safety, and Los Angeles County Fire Departments.

With the completion of said construction and issuance of Certificates of Occupancy for the shell buildings by the Building Official, staff recommends that the Housing Authority approve the Release of Construction Covenants.

Fiscal Impact:

This is no fiscal impact associated with the release of the Construction Covenants.

Attachment(s):

1. Attachment 6 from the Panattoni Amended and Restated Disposition and Development Agreement, dated May 23, 2018
2. Attachment 6 with updated signature page

Attachment 1

ATTACHMENT NO. 6

PANATTONI DDA

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

IRWINDALE HOUSING AUTHORITY
5050 N. Irwindale Ave.
Irwindale, CA 91706
Attention: Executive Director

APNs: 8619-010-907; 8619-012-905; 8619-012-909

(Space Above This Line for Recorder's Office Use Only)

RELEASE OF CONSTRUCTION COVENANTS

WHEREAS, by that certain Amended and Restated Disposition and Development Agreement ("Agreement"), dated May 23, 2018, by and between the IRWINDALE HOUSING AUTHORITY, a public body, corporate and politic, ("Authority") and PANATTONI DEVELOPMENT COMPANY, INC., a California corporation ("Developer"), Developer has agreed to develop a commercial project ("Project") on the Site (as such term is defined in the Agreement and described on Exhibit 'A' hereto); and

WHEREAS, as referenced in the Agreement, Authority shall furnish Developer with a Release of Construction Covenants upon (i) completion of construction and development with completion of construction and development being evidenced by the last issuance of a certificate of occupancy for a shell (tenant improvements not required) or its equivalent by the City of Irwindale (or in the event the City approves separate parcels on the Site, issuance of a separate Release of Construction Covenants as to each parcel upon issuance of a certificate of occupancy or equivalent for such parcel), which release shall be in such form as to permit it to be recorded in the Official Records of the County Recorder of the County of Los Angeles, California; and (ii) Developer constructing an access area having a width of three (3) feet between the approved wall and the residential properties along the entire eastern side of the Site and within the ten (10) foot landscaped area on such eastern boundary where it adjoins residential properties so as to allow owners of such adjoining residential properties access to repair, construct, or maintain improvements located on the separate adjoining residential properties and not otherwise reasonably accessible ("Permission to Enter"); and

WHEREAS, the Agreement provided for certain covenants to run with the land, which covenants were incorporated in the Deed and Covenant Agreement, as that term is defined in the Agreement; and

WHEREAS, this Release of Construction Covenants shall constitute a conclusive determination by Authority of the satisfactory completion by Developer of the construction and development required by the Agreement and of Developer's full compliance with the terms of the Agreement with respect to such construction and development, but not of the Deed or Covenant Agreement, the provisions of which shall continue to run with the land pursuant to their terms; and

WHEREAS, Authority has conclusively determined that the construction and development on the Site required by the Agreement has been satisfactorily completed by Developer in full compliance with the terms of the Agreement.

NOW, THEREFORE,

1. The improvements required to be constructed have been satisfactorily completed in accordance with the provisions of said Agreement and Developer has provided City with copies of Permission to Enter agreements with owners of adjoining properties.

2. This Release of Construction Covenants shall constitute a conclusive determination of satisfaction of the agreements and covenants contained in the Agreement with respect to the obligations of the Developer, and its successors and assigns, to construct the improvements and the dates for the beginning and completion thereof.

3. This Release of Construction Covenants shall not constitute evidence of Developer's compliance with the Deed, the provisions of which shall continue to run with the land.

4. This Release of Construction Covenants shall not constitute evidence of compliance with or satisfaction of any obligation of the Developer to any holder of a mortgage or any insurer of a mortgage, securing money loaned to finance the improvements or any part thereof.

5. This Release of Construction Covenants is not a Notice of Completion as referred to in California Civil Code Section 3093.

6. Except as stated herein, nothing contained in this instrument shall modify in any way any other provisions of the Agreement or any other provisions of the documents incorporated therein.

IN WITNESS WHEREOF, the Authority has executed this Release of Construction Covenants this ____ day of _____, _____.

IRWINDALE HOUSING AUTHORITY

By _____
Mark A. Breceda, Chair

ATTEST:

Laura Nieto, Authority Secretary

APPROVED AS TO FORM:

ALESHIRE, & WYNDER, LLP

Fred Galante, Authority Counsel

CONSENT TO RECORDATION

PANATTONI DEVELOPMENT COMPANY, INC., the "Developer" defined herein and the owner of the fee title to the real property legally described herein, hereby consents to the recordation of this Release of Construction Covenants against the real property legally described herein.

"DEVELOPER"

PANATTONI DEVELOPMENT COMPANY,
INC., a California corporation

By: _____

Name: _____

Title: _____

Date: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On _____, 2018 before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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.

Signature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL

☐ CORPORATE OFFICER

☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER _____

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

Attachment 2

ATTACHMENT NO. 6

PANATTONI DDA

FREE RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

IRWINDALE HOUSING AUTHORITY
5050 N. Irwindale Ave.
Irwindale, CA 91706
Attention: Executive Director

APNs: 8619-010-907; 8619-012-905; 8619-012-909

(Space Above This Line for Recorder's Office Use Only)

RELEASE OF CONSTRUCTION COVENANTS

WHEREAS, by that certain Amended and Restated Disposition and Development Agreement ("Agreement"), dated May 23, 2018, by and between the IRWINDALE HOUSING AUTHORITY, a public body, corporate and politic, ("Authority") and PANATTONI DEVELOPMENT COMPANY, INC., a California corporation ("Developer"), Developer has agreed to develop a commercial project ("Project") on the Site (as such term is defined in the Agreement and described on Exhibit 'A' hereto); and

WHEREAS, as referenced in the Agreement, Authority shall furnish Developer with a Release of Construction Covenants upon (i) completion of construction and development with completion of construction and development being evidenced by the last issuance of a certificate of occupancy for a shell (tenant improvements not required) or its equivalent by the City of Irwindale (or in the event the City approves separate parcels on the Site, issuance of a separate Release of Construction Covenants as to each parcel upon issuance of a certificate of occupancy or equivalent for such parcel), which release shall be in such form as to permit it to be recorded in the Official Records of the County Recorder of the County of Los Angeles, California; and (ii) Developer constructing an access area having a width of three (3) feet between the approved wall and the residential properties along the entire eastern side of the Site and within the ten (10) foot landscaped area on such eastern boundary where it adjoins residential properties so as to allow owners of such adjoining residential properties access to repair, construct, or maintain improvements located on the separate adjoining residential properties and not otherwise reasonably accessible ("Permission to Enter"); and

WHEREAS, the Agreement provided for certain covenants to run with the land, which covenants were incorporated in the Deed and Covenant Agreement, as that term is defined in the Agreement; and

WHEREAS, this Release of Construction Covenants shall constitute a conclusive determination by Authority of the satisfactory completion by Developer of the construction and development required by the Agreement and of Developer's full compliance with the terms of the Agreement with respect to such construction and development, but not of the Deed or Covenant Agreement, the provisions of which shall continue to run with the land pursuant to their terms; and

WHEREAS, Authority has conclusively determined that the construction and development on the Site required by the Agreement has been satisfactorily completed by Developer in full compliance with the terms of the Agreement.

NOW, THEREFORE,

1. The improvements required to be constructed have been satisfactorily completed in accordance with the provisions of said Agreement and Developer has provided City with copies of Permission to Enter agreements with owners of adjoining properties.

2. This Release of Construction Covenants shall constitute a conclusive determination of satisfaction of the agreements and covenants contained in the Agreement with respect to the obligations of the Developer, and its successors and assigns, to construct the improvements and the dates for the beginning and completion thereof.

3. This Release of Construction Covenants shall not constitute evidence of Developer's compliance with the Deed, the provisions of which shall continue to run with the land.

4. This Release of Construction Covenants shall not constitute evidence of compliance with or satisfaction of any obligation of the Developer to any holder of a mortgage or any insurer of a mortgage, securing money loaned to finance the improvements or any part thereof.

5. This Release of Construction Covenants is not a Notice of Completion as referred to in California Civil Code Section 3093.

6. Except as stated herein, nothing contained in this instrument shall modify in any way any other provisions of the Agreement or any other provisions of the documents incorporated therein.

IN WITNESS WHEREOF, the Authority has executed this Release of Construction Covenants this 28th day of September, 2022.

IRWINDALE HOUSING AUTHORITY

By _____
Larry G. Burrola, Authority Chair

ATTEST:

Laura Nieto, Chief Authority Assistant
Secretary

APPROVED AS TO FORM:

ALESHIRE, & WYNDER, LLP

Adrian R. Guerra, General Counsel

CONSENT TO RECORDATION

PANATTONI DEVELOPMENT COMPANY, INC., the "Developer" defined herein and the owner of the fee title to the real property legally described herein, hereby consents to the recordation of this Release of Construction Covenants against the real property legally described herein.

"DEVELOPER"
PANATTONI DEVELOPMENT
COMPANY, INC., a California corporation

By: _____

Name: _____

Title: _____

Date: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On _____, 2022 before me, _____, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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.

Signature: _____

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form

CAPACITY CLAIMED BY SIGNER		DESCRIPTION OF ATTACHED DOCUMENT
☐	INDIVIDUAL	_____
☐	CORPORATE OFFICER	_____
☐	PARTNER(S) ☐ LIMITED	TITLE OR TYPE OF DOCUMENT
☐	☐ GENERAL	_____
☐	ATTORNEY-IN-FACT	NUMBER OF PAGES
☐	TRUSTEE(S)	_____
☐	GUARDIAN/CONSERVATOR	DATE OF DOCUMENT
☐	OTHER _____	_____

SIGNER IS REPRESENTING:

(NAME OF PERSON(S) OR ENTITY(IES))

SIGNER(S) OTHER THAN NAMED ABOVE

EXHIBIT "A"
TO ATTACHMENT NO. 6
PANATTONI DDA

LEGAL DESCRIPTION OF THE SITE
(APN 8619-010-907, 8619-012-905, 8619-012-909)

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, DESCRIBED AS FOLLOWS:

Parcel 1 and 2, per map recorded in Book 66, Page 40 of Maps, and Parcel 2, per map recorded in Book 121, Pages 92 and 93 of Maps, recorded in the office of the County Recorder, County of Los Angeles, California