

CITY OF IRWINDALE

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



**NOTICE AND AGENDA FOR THE
SPECIAL MEETING OF THE
CITY COUNCIL
SUCCESSOR AGENCY TO THE
IRWINDALE COMMUNITY REDEVELOPMENT AGENCY**

HOUSING AUTHORITY

RECLAMATION AUTHORITY

MAY 26, 2022

**SPECIAL MEETING
5:30 P.M. – CLOSED SESSION
6:30 P.M. – OPEN SESSION**

**IRWINDALE CITY COUNCIL CHAMBER
CLOSED SESSION / OPEN SESSION – CITY COUNCIL CHAMBER**

Limited Public Access

Pursuant to Irwindale Resolution No. Resolution No. 2022-45-3295

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 (In-Chamber Attendance Limited to nine members of the public with overflow seating available in the Outer Council Chamber)

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
CLOSED SESSION
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

1. 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) 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

2. Liability Claims

Pursuant to Government Code Section 54956.95:

Claimant: Fred & Becky Barbosa

Agency claimed against: City of Irwindale, Irwindale Housing Authority

D. RECONVENE IN OPEN SESSION

E. REPORT FROM CLOSED SESSION

F. ADJOURNMENT

**SPECIAL MEETING
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**
 - 1. Oath of Office for Irwindale Police Officer Glen Johnsen
 - 2. Introduction of Brianna Gomez, Irwindale Police Dispatcher
- I. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS**
 - 1. Chamber of Commerce Business of the Month - Lemon Drop Cookie Shop

SPONTANEOUS COMMUNICATIONS

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

Recommendation: Approve the following minutes:

1. Special Joint Meeting held April 25, 2022
2. Special Joint Meeting held May 11, 2022
3. Regular meeting held May 11, 2022

B. Warrants/Demands/Payroll

Recommendation: Approve

C. Claim: Fred & Rebecca Barbosa vs. City of Irwindale / Irwindale Housing Authority (Joint Item on Housing Authority agenda)

Recommendation: Direct staff to return the claim due to its untimely filing on behalf of the City and Housing Authority.

D. November 8, 2022 General Municipal Election – Adoption of Resolution

Recommendation: **Adopt Resolution No. 2022-52-3302** entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, (1) CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER; (2) REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE COUNTY OF LOS ANGELES WITH ANY AND ALL ELECTIONS HELD ON SUCH DATE; (3) REQUESTING THE COUNTY OF LOS ANGELES TO PROVIDE SPECIFIC ELECTION ADMINISTRATION SERVICES FOR SUCH ELECTION; (4) ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE FOR SUCH ELECTION REGARDING CANDIDATE STATEMENTS; AND (5) PROVIDING FOR THE DETERMINATION OF TIE VOTES BY LOT UNLESS THE CITY COUNCIL ADOPTS THE PROVISIONS OF ELECTIONS CODE SECTION 15651 (b) PRIOR TO THE CONDUCT OF THE ELECTION RESULTING IN THE TIE VOTE” reading by title only and waiving further reading thereof.

E. Approval of SB1 Road Maintenance and Rehabilitation Account Local Streets and Roads Funding Allocation for Fiscal Year 2022/2023

Recommendation: (1) Approve the SB1 Local Streets and Roads Program proposed project list for Fiscal Year 2022/2023 and authorize staff to submit said list to the California Transportation Commission; and (2) **adopt Resolution No. 2022-44-3294** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING THE SUBMISSION OF SB1 ROAD MAINTENANCE AND REHABILITATION ACCOUNT LOCAL STREETS AND ROADS PROJECT LIST TO THE CALIFORNIA TRANSPORTATION COMMISSION AND ALLOCATION OF FUNDS TO THE 2022-2023 RESURFACING PROGRAM".

F. Irwindale Business Center Sewer and Street Light Maintenance Assessment Districts Engineer's Report and Notice of Intent to Levy

Recommendation: (1) **Adopt Resolution No. 2022-49-3299** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 FOR MAINTENANCE, OPERATION, AND CAPITAL REPLACEMENT OF THE CITY'S SANITATION AND SEWERAGE SYSTEMS LOCATED WITHIN THE SEWER MAINTENANCE DISTRICT WITHIN THE IRWINDALE BUSINESS CENTER; DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SEWER MAINTENANCE DISTRICT FOR FISCAL YEAR 2022-2023; AND GIVING NOTICE OF A DAY AND TIME FOR A VIRTUAL PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS; (2) **Adopt Resolution No. 2022-48-3298** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 FOR MAINTENANCE OF STREET LIGHTING LOCATED WITHIN THE STREET LIGHTING MAINTENANCE DISTRICT (THE IRWINDALE BUSINESS CENTER); DECLARING ITS INTENTION TO LEVY ASSESSMENTS WITHIN THE STREET LIGHTING MAINTENANCE DISTRICT FOR THE FISCAL YEAR 2022-2023; AND GIVING NOTICE OF A DAY AND TIME FOR A VIRTUAL PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS" and (3) Set the Public Hearing for June 22, 2022 to consider setting assessments for the two above-mentioned Assessment Districts.

G. Approve COPS grant fund budget transfer for additional equipment costs to outfit two police service vehicles

Recommendation: (1) **Adopt Resolution No. 2022-47-3297** entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING A BUDGET TRANSFER OF COPS GRANT FUNDS OF \$28,100 WITHIN THE COPS FUND BUDGET FOR THE INCREASE IN COSTS FOR OUTFITTING TWO (2) POLICE VEHICLES WITH EMERGENCY SERVICE EQUIPMENT, AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER" waiving further reading thereof.

H. Accepting and Approving the Appropriation of Donated Funds from the Irwindale Community Foundation

Recommendation: **Adopt Resolution No. 2022-50-3300** entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ACCEPTING AND APPROVING THE APPROPRIATION OF DONATED FUNDS FROM THE IRWINDALE COMMUNITY FOUNDATION".

I. Resolution Approving the Donation to the Irwindale Educational Foundation

Recommendation: **Adopt Resolution No. 2022-53-3303** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE FINDING THAT THE PUBLIC PURPOSE WOULD BE SERVED BY THE DONATION TO THE IRWINDALE EDUCATIONAL FOUNDATION OF THE USE OF A BILLBOARD DISPLAY IN THE CITY OF IRWINDALE AND APPROVING THE DONATION THERETO" reading by title only and waiving further reading thereof.

2. NEW BUSINESS

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

A. May 25, 2022 Housing Workshop Update (Joint Item on the Housing Authority Agenda)

Recommendation: (1) Receive an update on Housing Workshop that occurred on May 25, 2022 and (2) Discuss and provide direction on density, type, and development of housing on potential housing sites in the City of Irwindale.

B. FY 2022-2023 Budget Workshop #2 (Joint Item on Housing and Reclamation Authority Agendas)

Recommendation: That the City Council / Boardmembers discuss and provide direction regarding the addition of the budget requests presented during the Budget Workshop to the FY 2022-2023 Budget for adoption in June 2022.

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

6. ADJOURN

SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY

SPONTANEOUS COMMUNICATIONS

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

Recommendation: Approve the following minutes:

1. Special Joint meeting held May 11, 2022
2. Regular meeting held May 11, 2022

B. Warrants

Recommendation: Approve

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

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

Recommendation: Approve the following minutes:

1. Special Joint meeting held May 11, 2022
2. Regular meeting held May 11, 2022

- B. Consideration of Approval of Amendment No. 1 to Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land for 4612 Fraijo Avenue to Implement Equity Sharing Policy

Recommendation: (1) Approve Amendment No. 1 to Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land between Irwindale Housing Authority and Rudy Gallardo; and (2) Authorize the Executive Director to execute Amendment No. 1 subject to Authority Counsel approval as to form.

- C. Claim: Fred & Rebecca Barbosa vs. City of Irwindale / Irwindale Housing Authority (Joint Item on City Council agenda)

Recommendation: Direct staff to return the claim due to its untimely filing on behalf of the City and Housing Authority.

2. NEW BUSINESS

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

- A. May 25, 2022 Housing Workshop Update (Joint Item on the City Council Agenda)

Recommendation: (1) Receive an update on Housing Workshop that occurred on May 25, 2022 and (2) Discuss and provide direction on density, type, and development of housing on potential housing sites in the City of Irwindale.

- B. FY 2022-2023 Budget Workshop #2 (Joint Item on City Council and Reclamation Authority Agendas)

Recommendation: That the City Council / Boardmembers discuss and provide direction regarding the addition of the budget requests presented during the Budget Workshop to the FY 2022-2023 Budget for adoption in June 2022.

3. PUBLIC HEARINGS

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

4. ADJOURN

RECLAMATION AUTHORITY

As required by Government Code section 54954.3, members of the City Council are also members of the Reclamation Authority, which is concurrently convening with the City Council this evening and each Council Member is paid an additional stipend of \$300 for attending the Reclamation Authority meeting

SPONTANEOUS COMMUNICATIONS

Spontaneous communications are limited to the special meeting agenda items only. Spontaneous Communications for the Reclamation Authority are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. NEW BUSINESS

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

- A. FY 2022-2023 Budget Workshop #2 (Joint Item on City Council and Housing Authority Agendas)

Recommendation: That the City Council / Boardmembers discuss and provide direction regarding the addition of the budget requests presented during the Budget Workshop to the FY 2022-2023 Budget for adoption in June 2022.

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused the agenda for the special meeting of the City Council, Irwindale Successor Agency to the Irwindale Community Redevelopment Agency, Housing and Reclamation Authorities, to be held on May 26, 2022, be posted at the City Hall, Library, and Post Office on May 19, 2022.

Laura M. Nieto, MMC

Laura M. Nieto, MMC
Chief Deputy City Clerk

**IRWINDALE COMMUNITY CENTER
1610 ARROW HIGHWAY
IRWINDALE, CALIFORNIA 91706**

CC Item
Item 1A1

**APRIL 25, 2022
MONDAY
5:30 P.M.**

The Irwindale **CITY COUNCIL** and **PLANNING COMMISSION** met in special joint 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; Commissioners: David Fuentes, Robert Hartman; Vice Chair Enoch Burrola; Chair Suzanne E. Gomez

Absent: Councilmember Mark A. Breceda; Commissioner Richard Chico

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Jamie Traxler, Assistant City Attorney; Marilyn Simpson, Community Development Director; Jeff Wagner, Information Technology Manager; and Laura Nieto, Chief Deputy City Clerk

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

**STUDY SESSION ON
THE GENERAL PLAN
UPDATE**

DIRECTOR SIMPSON

Director Simpson introduced the presentation, provided an overview of the process, and reviewed the various General Plan elements that will be updated. She noted that no decision would be made at tonight's meeting, nor would the agencies vote on any items. She noted new legislative actions that impact the 6th cycle of the General Plan update, called the Environmental Justice Element. She then introduced Sylvia Palimera and Shannon Wages with Environmental Science Associates ("ESA").

SYLVIA PALIMERA

Sylvia Palimera, an Urban Planner and Project Manager with ESA, made a PowerPoint presentation and introduced Matt Fairis with BAE, Jennifer Davis with ESA, Shannon Wages, Ruta Thomas, and Matt Kowta with Bay Area Economics, and James Rojas with Placeit! She then discussed the topics on the agenda, which include an overview of the current General Plan and an overview of the process, the General Plan elements that are being updated, community engagement to date, and requested input from the City Council and the Planning Commission. She then provided the definition of environmental justice under the CA Government Code, explained why the housing and environmental elements are being updated, and discussed the General Plan Update process.

MATT KOWTA

Matt Kowta provided an overview of the housing element components and key housing element objectives, and described Regional Housing Needs Allocation ("RHNA") for Irwindale.

SYLVIA PALIMERA Sylvia Palimera further discussed the safety element update and planning process.

SHANNON WAGES Shannon Wages defined and discussed the environmental justice element, as well as its importance. She noted that Irwindale has improved its air quality from previous testing and discussed the six "pillars" of environmental justice: "pollution and air quality, public facilities, food access, safe and sanitary homes and neighborhoods, health and physical activity, and community engagement". She further discussed community engagement efforts to date as well as next steps and the roles and responsibilities of the members of the Planning Commission and the City Council.

DISCUSSION HELD Discussion was held relating to: 1) exploration and identification of sites to be used to facilitate RHNA, 2) the identification of residentially zoned vacant and potentially non-vacant land to accommodate RHNA, 3) potentially identify land at underutilized sites to accommodate multi-family housing units, such as apartments or town homes, 4) how rezoning specific areas may be a useful tool and the process that would be taken in order to do so, 5) the preliminary search did not identify any vacant sites, and any underutilized sites were not in housing zones, 6) the city's 10-acre property, 7) the potential of Accessory Dwelling Units to be counted toward meeting the city's RHNA requirements, 8) the option to identify sites to be earmarked for households of varying income levels, 9) Fair Housing requires that low income households not be over concentrated in one location, 10) potentially constructing housing near the Gold Line station, 11) potentially developing a grocery store or market in an attempt to mitigate environmental concerns, 12) researching ways to increase food access parity, 13) access to transportation resources, 14) varying strategies, including utilizing overlays, to help address air quality concerns, 15) community outreach efforts to gauge the public's preferences and interests, 16) the need to focus "green improvements" on streets that are heavily impacted by trucks, 17) the consultants will also observe best practices from other cities to present their methods as options to the City Council, 18) the need for the Council to memorialize its intent to develop some or all of the 10-acre site for housing, 19) the environmental justice element is a policy document that will guide future developments and amendments to the General Plan, 20) the environmental justice element can help prevent harm in the community and direct land use, 21) the state is not requiring the City to build anything; rather, it requires the city to enable the development in order to meet RHNA requirements, 22) sites could be zoned for mixed income housing or a combination of single and multi-family, 23) the types and amounts of resources needed to accommodate potentially hundreds of new residents, which would be addressed in part through the environmental review process, 24) the need to prepare a fiscal impact analysis to determine the full financial impact of the project as well as any new revenue streams, 25) past opinions regarding high-density housing developments in Irwindale

have not been favorable, 26) the need to establish access to education, exercise, and other amenities in order to promote a positive life outcome for all residents, 27) staff does not currently know what the state will require in its next housing element planning period, 28) incentives available to achieve the desired mix of housing types, 29) the state's/SCAG's formulas and methodologies used in determining each agency's RHNA numbers, 30) the process to be undertaken to have the housing element certified as well as the ramifications if the housing element is not certified by the deadline, and 31) specific planning steps need to be undertaken in order to zone the section of the 10-acre property to be used for housing.

FRED BARBOSA	Fred Barbosa asked whether underdeveloped land would be acquired by the city through eminent domain.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz requested that an additional workshop be presented to residents, to which Mrs. Wages indicated that additional information would be presented at the next workshop, to be held in June. She added that additional comments from the public should be forwarded to Director Simpson.
VICE CHAIR BURROLA	Responding to a question by Vice Chair Burrola, Director Simpson advised that any inconsistencies in the general plan would be addressed as they come up. She added that all the information would be uploaded to the dedicated webpage for the general plan update.
MAYOR BURROLA	Mayor Burrola stated that air pollution is a great concern of his, and requested that the housing element address this concern as well as the potential of developing a market or grocery store. He also stressed the need for the community to provide input and for the Council to decide what should be developed at the 10-acre site.
COUNCILMEMBER GARCIA	Councilmember Garcia mentioned the possibility of creating an overlay zone or a "green zone" near the civic center to help curb air pollution concerns.
CARMEN ROMAN	Carmen Roman requested that all residents be notified of future workshops, and suggested developing 200 homes at the 10-acre site. She also stated her belief that young families do not care for large yards, and as such, they would prefer brownstones or townhomes to be mixed in with single-family homes. She then complained about the state's 45-year covenant on certain housing programs, agreed that an increase in the number of residents would require additional resources, and questioned the city's median income levels.
ROBERT DIAZ	Robert Diaz suggested zoning and developing more commercial units along the freeway in order to produce more revenue. He also mentioned that he believes that most residents on Morada Street prefer that the land to the west of Breeder's Choice be zoned for residential use, since the residents do not want the site to be used for

commercial purposes. He also suggested that landscape buffers be used between manufacturing and residential sites. He then asked if the city would consider adopting recommendations made previously by the state Air Resources Board relating to the proximity of big box retail facilities to residential areas. Finally, he asked whether RHNA requirements would be met if the city contributes funding to housing projects from other cities.

MATT KOWTA

Responding to a question by Robert Diaz, Mr. Kowta stated his belief that it may be possible to conduct city-to-city transfers, though it would probably be a very difficult and complicated transaction. He also noted that it would probably be further complicated at this point since most jurisdictions have advanced far in their processes.

MAYOR BURROLA

Replying to a question by Mayor Burrola, Mrs. Wages stated that rezoning sites would require amendments to the land use element and the zoning code. She noted that her firm will be conducting a consistency analysis along with other elements so that land use amendments in the general plan and the zoning map could be amended.

COMMISSIONER
FUENTES

Commissioner Fuentes asked about subsidies for housing developments, to which Mr. Kowta spoke on funding mechanisms that would assist in the development of the units, such as the low-income housing tax credit program. He noted that housing developers could also secure subsidy monies necessary to create affordable housing, along with various other state and federal funding programs.

SHANNON WAGES

Mrs. Wages added that higher density projects are necessary to incentivize developers to create more affordable units.

VICE CHAIR BURROLA

Vice Chair Burrola suggested reviewing the community development element in an effort to determine how to sustain an increase in population as well as the possible creation of a regional commercial center.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:31 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

CC Item 1A2
SA & HA Item 1A1

**MAY 11, 2022
WEDNESDAY
5:05 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: Councilmember/Board Member H. Manuel Ortiz;
Mayor Pro Tem/Vice Chair Albert F. Ambriz; Mayor/Chair
Larry G. Burrola

Absent: Councilmembers/Board Members Mark A. Breceda and
Manuel R. Garcia

Also Present: Julian A. Miranda, City Manager/Executive Director;
Adrian Guerra, City/Board Attorney; Armando Hegdahl, Management
Analyst

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

KAMBIZ BORHANI,
FINANCE DIRECTOR /
CITY TREASURER

KAMBIZ BORHANI, FINANCE DIRECTOR / CITY TREASURER

The introduction was made.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

PROCLAMATION
PROCLAIMING
PUBLIC WORKS WEEK

PROCLAMATION PROCLAIMING PUBLIC WORKS WEEK

The proclamation was made

CHAMBER OF
COMMERCE
QUARTERLY UPDATE

CHAMBER OF COMMERCE QUARTERLY UPDATE

Nicole Shahanian, President and CEO of the Irwindale Chamber of
Commerce, presented a PowerPoint update.

PROCLAMATION
PROCLAIMING
LUPUS AWARENESS
MONTH

PROCLAMATION PROCLAIMING LUPUS AWARENESS MONTH

The proclamation was made.

**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. E1
RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL EMERGENCY 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 MAY 14, 2022 THROUGH JUNE 13, 2022

RESOLUTIONS ADOPTED **Joint Resolution Nos. 2022-45-3295, SA 2022-46-3296, and HA 2022-10-120, 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 OF THE CITY OF IRWINDALE, CALIFORNIA, 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 MAY 14, 2022, THROUGH JUNE 13, 2022, PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361," was adopted.

ITEM NO. E2
APPOINTING A CITY TREASURER APPOINTING A CITY TREASURER

RESOLUTIONS ADOPTED **Joint Resolution Nos. 2022-40-3290, SA 2022-41-3291, and HA 2022-08-118, 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 THE APPOINTMENT OF THE CITY TREASURER," was adopted.

ITEM NO. E3
AUTHORIZATION TO INVEST MONIES INTO THE LOCAL AGENCY INVESTMENT FUND ACCOUNT AUTHORIZATION TO INVEST MONIES INTO THE LOCAL AGENCY INVESTMENT FUND ACCOUNT

RESOLUTIONS ADOPTED **Joint Resolution Nos. 2022-42-3292, SA 2022-43-3293, and HA 2022-09-119, 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

ITEM NO. F1
CONSIDERATION OF
APPEAL -
SUBORDINATION OF
HOME IMPROVEMENT
LOAN AT 16165
PROGRESS LANE
WITH CASH OUT

CONSIDERATION OF APPEAL – SUBORDINATION OF HOME
IMPROVEMENT LOAN AT 16165 PROGRESS LANE WITH CASH
OUT

EXECUTIVE DIRECTOR
MIRANDA

Executive Director Miranda declared a potential conflict of interest, recused himself from the discussion, and exited the Council Chambers at 5:24 p.m.

ROBERT LEE

Robert Lee, with the Board Attorney’s Office, presented the staff report.

BOARD MEMBER
ORTIZ

Board Member Ortiz expressed concern regarding whether the amount that is being cashed out would be sufficient to conduct repairs at the home.

MOTION

A motion was made by Board Member Ortiz, seconded by Vice Chair Ambriz, to: 1) approve the request by Ignacio S. Miranda and Arline J. Miranda, husband and wife as joint tenants, for the Housing Authority to subordinate its loan to a new loan made in a refinancing taking cash out in the amount of approximately \$25,867, which is subject to all conditions established by the Irwindale Housing Authority’s Subordination Policy; 2) authorize the Executive Director to execute the Subordination Agreement subject to Authority Counsel approval as to form, along with other ancillary documents to further protect the Housing Authority, as determined by Authority Counsel. The motion was unanimously approved.

RECESS TO
CLOSED SESSION

At 5:33 p.m., the City Council and Housing Authority recessed to Closed Session to discuss the following:

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

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

ACTION: Discussed, update given, direction provided to staff; no reportable action taken

Liability Claims
Pursuant to Government Code Section 54956.95

Claimant: Fred & Becky Barbosa
Agency claimed against: City of Irwindale, Irwindale Housing Authority

ACTION: Discussed, update given; no action taken

Conference with Legal Counsel – Anticipated Litigation (Housing Authority) – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 (d) (2), e(1)

A point has been reached where, in the opinion of the legislative body of the local agency, upon the advice of its legal counsel based on existing facts and circumstances, that there is significant exposure to litigation against the local agency. The facts and circumstances are those that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

ACTION: Discussed, information provided; no action taken

**RECONVENE IN
OPEN SESSION**

At 6:51 p.m., the City Council and Housing Authority reconvened in Open Session.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 6:53 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

CC Item
Item 1A3

**MAY 11, 2022
WEDNESDAY
7:39 P.M.**

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

ROLL CALL:

Present: Councilmember H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmembers Mark A. Breceda, Manuel R. Garcia

Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Kambiz Borhani, Director of Finance / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Armando Hegdahl, Management Analyst

**CHANGES TO THE
AGENDA**

None.

**COUNCILMEMBER
TRAVEL REPORTS**

None.

**COUNCILMEMBER
COMMENTS**

**MAYOR PRO TEM
AMBRIZ**

Mayor Pro Tem Ambriz thanked Public Works staff for their expeditious repair of the guardrail along Pat Miranda Lane. He also commended the Recreation Department staff for its wonderful Easter Eggstravaganza event and the Aquatics Division for the great pool programs.

**COUNCILMEMBER
ORTIZ**

Councilmember Ortiz thanked Public Works staff for their quick graffiti abatement efforts. He also reminded staff of his previous request to contact the owner of the AM/PM gas station so that they can clean up the landscaping at the site.

MAYOR BURROLA

Mayor Burrola congratulated the Irwindale Cheer Squad for their wonderful performances and requested that the ficus trees along Irwindale Avenue be trimmed.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**SPONTANEOUS
COMMUNICATIONS**

PATSY GONZALES Patsy Gonzales commended the Public Works staff in recognition of Public Works Week.

STEPHANIE
NAVA-ANGELES Stephanie Nava-Angeles, Program Manager at Water Education for Latino Leaders, invited the audience to its Annual WELL Conference to be held on June 10 and 11. She also spoke on expected water restrictions and cost increases due to the ongoing drought, which will be further addressed at the conference.

CONSENT CALENDAR

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

**ITEM NO. 1A
MINUTES**

MINUTES

The following minutes were approved as amended:

- 1) Special meeting held April 18, 2022
- 2) Special meeting held April 27, 2022
- 3) Regular meeting held April 27, 2022

**ITEM NO. 1B
WARRANTS /
DEMANDS / PAYROLL**

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

END OF CONSENT CALENDAR

NEW BUSINESS

**ITEM NO. 2A
PARKING LOTS
LOCATED AT 5223 AND
5239 MORADA STREET**

PARKING LOTS LOCATED AT 5223 AND 5239 MORADA STREET

CHIEF HENSHAW Chief Henshaw discussed the staff report.

CITY ATTORNEY
GUERRA City Attorney Guerra added that one of the subject properties is owned by the City while the other is owned by the Housing Authority. He explained that the city, the Housing Authority, and Panattoni had agreed for Panattoni to develop the sites for parking. He added that the city appears to have the authority to limit parking to residents in a certain area, as cities have authority to establish preferential parking areas and may regulate parking on any off-street facility such as this one. However, consideration must also be given on how this would

be implemented; staff would need to determine how to develop the restriction, how to enforce it, costs involved, etc.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz thanked staff for the report. He spoke in favor of minimal interaction by city personnel and offering parking permits to the families of Morada Street residents who visit overnight. He suggested that the city only become involved if parking complaints are received.

MAYOR BURROLA

Replying to a question by Mayor Burrola, Chief Henshaw advised that the parking lots would not be gated. City Manager Miranda added that the fencing will come down once signage is installed.

CHIEF HENSHAW

Chief Henshaw advised that the posted signs would also include information on Municipal Code requirements.

MAYOR BURROLA

Mayor Burrola asked about parking spaces for the disabled, to which Chief Henshaw advised that these spaces are already available. He added that the city does not currently have an ordinance addressing oversize vehicles, though this would need to be defined and included in the Municipal Code.

DISCUSSION HELD

Discussion was held relating to the total amount of parking spaces available at the site.

TONY NARANJO

Tony Naranjo asked about overnight parking availability, the amount of parking spaces available, and enforcement concerns. He suggested that the parking lots be reverted to overflow parking for church functions. He questioned whether the sites are properly zoned for parking and complained that the area is not regularly patrolled by police. He also stated that the site has lots of weeds and wondered who will clean it and worried that a dark parking lot would invite the criminal element to the area.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz agreed with staff's recommendation as delineated in the staff report. He also requested parking enforcement regarding inoperable vehicles being left on the street, and asked about zoning for the site, to which Director Simpson indicated that she would look into the query and follow up with additional information and will ask Code Enforcement to look into code violations.

CITY MANAGER
MIRANDA

As requested by City Manager Miranda, Chief Henshaw agreed for the Police Department to have more of a presence on Morada Street.

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to pursue general parking guidelines for Morada Street, enforce a 72-hour parking restriction per the Municipal Code, post applicable signage, and research restricting oversize vehicles via an ordinance. The motion was unanimously approved.

PUBLIC HEARINGS

None.

**CITY MANAGER'S
REPORT**

CITY MANAGER
MIRANDA

City Manager Miranda reported the following:

- 1) The community is invited to attend and participate in the housing and development workshop scheduled for May 25 at the Dan Diaz Recreation Center.
- 2) The open Police Sergeant position closes the application period on May 23.
- 3) The 2021/2022 Street Resurfacing Project is nearing its final weeks of construction.
- 4) A speed hump will be constructed on Juarez Street on May 16.
- 5) Promotional flyers will be made available detailing the upcoming summer recreational activities.
- 6) He also provided an update on the Irwindale Cheer and Munchkin Cheer programs.

**AGENDA ITEMS
REQUESTED BY
COUNCILMEMBERS**

None.

ADJOURNMENT

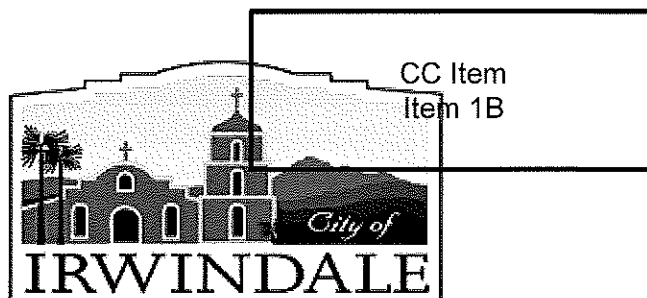
There being no further business to conduct, the meeting was adjourned at 8:10 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Accounts Payable

Checks by Date - Summary by Check Number

User: imarin
Printed: 5/18/2022 5:49 PM



CC Item
Item 1B

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76814	A1PART	A-1 Party Rentals	05/11/2022	1,020.30
76815	ALLCI01	All City Management Services, Inc	05/11/2022	825.30
76816	ALTE01	Alternative Hose Incorporated	05/11/2022	21.76
76817	ARC03	ARC Document Solutions, Inc.	05/11/2022	813.49
76818	AZBUS01	A-Z Bus Sales	05/11/2022	82.58
76819	BAKER01	Baker & Taylor Books	05/11/2022	220.67
76820	MIJACA	Balcon Holdings, Inc.	05/11/2022	184.00
76821	BILLST	Bill's Truck Repair, Inc.	05/11/2022	218.54
76822	CARQUEST	Carquest	05/11/2022	143.81
76823	CINTAS	Cintas Corporation #693	05/11/2022	269.32
76824	CIVIC02	CivicPlus	05/11/2022	2,418.99
76825	COUN01	Counts Umlimited, Inc.	05/11/2022	750.00
76826	COUNTY04	County of Los Angeles	05/11/2022	6,649.82
76827	CREATI04	Creative Bus Sales, Inc.	05/11/2022	277.86
76828	FCG01	FCG Consultants Inc.	05/11/2022	768.65
76829	FEDEX	FedEx	05/11/2022	12.58
76830	FILLG01	Fill Good Landscaping	05/11/2022	375.00
76831	GARVEY	Garvey Equipment Co	05/11/2022	227.19
76832	1Glendor	Glendora Chevrolet	05/11/2022	89.16
76833	HASA01	Hasa Inc.	05/11/2022	928.51
76834	HDLCOR	HdL Coren & Cone	05/11/2022	1,575.00
76835	HIGHPE	HPC Computers, Inc.	05/11/2022	797.18
76836	INTELL01	Intelli-tech, Inc.	05/11/2022	576.00
76837	IIMC02	International Institute of	05/11/2022	175.00
76838	INTER01	Interwest Consulting Group	05/11/2022	15,457.50
76839	JCSPLU	JC's Plumbing & Backflow Svc	05/11/2022	150.00
76840	KATZ01	Jeff Katz Architecture	05/11/2022	10,024.00
76841	JOHNNY02	Johnny's Pool Service	05/11/2022	30.84
76842	JUSTIRE	Just Tires	05/11/2022	439.79
76843	KAESER	Kaeser & Blair	05/11/2022	11,261.44
76844	COORYE	Samir M. Khoury	05/11/2022	8,372.00
76845	LAKESH01	Lakeshore Learning Materials	05/11/2022	87.47
76846	LANCES	Lance, Soll & Lunghard LLP	05/11/2022	6,175.00
76847	LANDSC	Landscape Warehouse III Inc.	05/11/2022	162.39
76848	LAWEO1	Law Enforcement Medical Services, Inc.	05/11/2022	75.00
76849	MAINTE01	Maintex	05/11/2022	68.19
76850	MIDAS	Manuel C Muratalla	05/11/2022	616.00
76851	MOUNT01	MNRO Holdings, LLC	05/11/2022	1,937.17
76852	MONROV07	Monrovia Chrysler Dodge Jeep Ram	05/11/2022	1,250.13
76853	PEARSO01	NCS Pearson, Inc	05/11/2022	33.00
76854	OFFICE03	Office Depot	05/11/2022	1,745.14
76855	ORKINP	Orkin Pest Control	05/11/2022	492.00
76856	PROFOR01	ProForce Law Enforcement	05/11/2022	481.80
76857	RETT01	Rett's Automotive	05/11/2022	563.29
76858	RICOH02	Ricoh USA, Inc	05/11/2022	1,673.13
76859	SIERRA01	Sierra Chevrolet	05/11/2022	712.85
76860	LEES01	Chad A. Streelman	05/11/2022	2,715.60

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76861	SWANK01	Swank Motion Pictures, Inc.	05/11/2022	465.00
76862	TRIANG01	Triangle Truck Parts	05/11/2022	44.11
76863	UNITED11	United Site Services of CA Inc	05/11/2022	589.40
76864	V&V01	V & V Manufacturing, Inc.	05/11/2022	159.93
76865	AMBRIZ05	Albert Ambriz	05/05/2022	126.36
76866	BURROL13	Enoch Burrola	05/05/2022	924.28
76867	BURROL08	Larry Burrola	05/05/2022	924.28
76868	CHICOR	Richard Chico	05/05/2022	924.28
76869	FUENTE02	David Fuentes	05/05/2022	137.01
76870	GOMEZS	Suzanne Gomez	05/05/2022	726.47
76871	HARTMA01	Robert Hartman	05/05/2022	668.98
76872	MIRAN10	Julian Miranda	05/05/2022	924.28
76873	ROMANC	Carmen M. Roman	05/05/2022	924.28
76874	LOPEZM02	Marguerite Sapien	05/05/2022	924.28
76875	CALIFO56	California State Disbursement Unit	05/05/2022	604.15
76876	CALIFO57	California State Disbursement Unit	05/05/2022	143.07
76877	FRANC06	Franchise Tax Board	05/05/2022	893.33
76878	ACEVED	Valinda Acevedo	05/05/2022	75.00
76879	ACOSTA01	Carol Acosta	05/05/2022	75.00
76880	AMERIC34	American Fidelity Assurance Co	05/05/2022	2,733.64
76881	ARIAS01	Michael Arias	05/05/2022	346.44
76882	AT&T02	AT & T	05/05/2022	31.30
76883	AT&T06	AT & T	05/05/2022	63.95
76884	Ayala01	Leonor Ayala	05/05/2022	327.00
76885	BARB01	Esperanza Barberena	05/05/2022	37.00
76886	CHH01	Johnny Chhin	05/05/2022	107.00
76887	CHICO05	Robert Chico	05/05/2022	75.00
76888	PMIDEN01	Delta Dental of California	05/05/2022	13,408.71
76889	FLORE01	Karla Flores	05/05/2022	520.00
76890	FRAIJO	Lucia Fraijo	05/05/2022	75.00
76891	FRONT01	Frontier Communications	05/05/2022	548.70
76892	GEOLOG	Geologic Associates	05/05/2022	320.00
76893	HENSHA01	Ty Henshaw	05/05/2022	63.44
76894	HOYEN	Noelle Hoye	05/05/2022	360.00
76895	MCIWOR	MCI Comm Service	05/05/2022	36.27
76896	NATION23	National Union Fire Insurance	05/05/2022	735.45
76897	OPTUM01	OptumRx, Inc.	05/05/2022	33,820.55
76898	ORTIZH	H. Manuel Ortiz	05/05/2022	182.04
76899	PAIK01	Sumako Paik	05/05/2022	240.00
76900	PEREZ15	Fernando Perez	05/05/2022	75.00
76901	ROBLES03	Michael Robles	05/05/2022	75.00
76902	ROMERO05	Natanael Romero	05/05/2022	75.00
76903	SMART&	Smart & Final	05/05/2022	1,053.98
76904	STANDA03	Standard Insurance Company	05/05/2022	2,377.72
76905	STROBE03	Gary Strobehn	05/05/2022	169.00
76906	VANM01	Veronica VanMarcke	05/05/2022	197.00
76907	VILLA03	Danteandre Villa	05/05/2022	150.00
76908	VISION01	Vision Service Plan - (CA)	05/05/2022	975.33
76909	WAGONER	Pamela Wagoner	05/05/2022	400.00
76910	AZUSALW	Azusa Light & Water	05/12/2022	537.79
76911	BANKOF03	Bank of The West	05/12/2022	19,966.96
76912	CALIFO02	California American Water	05/12/2022	733.95
76913	CHARTE01	Charter Communications	05/12/2022	467.66
76914	ESPINO10	Iris Espino	05/12/2022	1,345.79
76915	GALVAN02	Claudia Galvan	05/12/2022	440.00
76916	GASCOM	Gas Company, The	05/12/2022	818.57
76917	SOUTHE17	Golden State Water Company	05/12/2022	526.77

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76918	GOVERN01	Government Finance Officers	05/12/2022	460.00
76919	HOMEDE	Home Depot Credit Services	05/12/2022	2,531.87
76920	LEDEZMA	Erica Ledezma	05/12/2022	1,350.00
76921	LLANEZ01	Josie Llanez	05/12/2022	75.00
76922	LOPEZ50	Vanessa Lopez	05/12/2022	75.00
76923	ORTIZH	H. Manuel Ortiz	05/12/2022	583.22
76924	PADI01	Stephanie Padilla	05/12/2022	75.00
76925	PLUS01	Plus Plus Production	05/12/2022	79.50
76926	SANC03	Marcelo Sanchez	05/12/2022	75.00
76927	SERRA01	Reyna Serrano	05/12/2022	75.00
76928	SCE02	Southern California Edison	05/12/2022	40,719.84
76929	VALLEY01	Valley County Water District	05/12/2022	231.80
76930	VALLEY09	Valley View Mutual Water Co.	05/12/2022	68.66
76931	VENE01	Steve Venegas	05/12/2022	75.00
Report Total (118 checks):				225,089.83

Accounts Payable

Checks by Date - Summary by Check Number

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Printed: 5/18/2022 5:50 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
76933	ADVANT	Advantage Ford	05/25/2022	312.48
76934	ALLC01	All City Management Services, Inc	05/25/2022	784.04
76935	ALLEN10	Allen Matkins LLP	05/25/2022	2,422.50
76936	ALLIAN02	Alliant Insurance Services, Inc.-NPB Main	05/25/2022	773.00
76937	ALLISO01	Allison Mechanical, Inc	05/25/2022	1,658.42
76938	AMAZON01	Amazon Graphics	05/25/2022	552.05
76939	AMERIC15	American Planning Association	05/25/2022	672.00
76940	B&BTIR	B & B Tires Service	05/25/2022	360.00
76941	BAKER01	Baker & Taylor Books	05/25/2022	396.47
76942	BILLST	Bill's Truck Repair, Inc.	05/25/2022	583.41
76943	CBEL01	C Below, Inc.	05/25/2022	12,030.00
76944	CALIFO42	California Building Standards	05/25/2022	567.00
76945	CARQUEST	Carquest	05/25/2022	21.59
76946	CASC01	CASC Engineering & Consulting	05/25/2022	20,929.10
76947	CENT01	Century Rooter and Jetting Service, Inc.	05/25/2022	190.00
76948	CHRISN01	Chris Nelson & Associates, Inc.	05/25/2022	3,592.50
76949	CINTAS	Cintas Corporation #693	05/25/2022	289.29
76950	CITYOF18	City of Santa Fe Springs	05/25/2022	12,785.90
76951	DEPTOF02	County of LA Dept of Animal Care & Cont	05/25/2022	6,197.27
76952	LOSANG33	County of Los Angeles	05/25/2022	81,503.46
76953	CWA01	CWA AIA, Inc	05/25/2022	6,490.00
76954	BALLOO	Carol Diess	05/25/2022	15.00
76955	BATE01	Elior Inc.	05/25/2022	1,593.90
76956	FCG01	FCG Consultants Inc.	05/25/2022	35,040.70
76957	FEDEX	FedEx	05/25/2022	11.59
76958	GAME01	GameTime	05/25/2022	6,448.00
76959	GEOLOG	Geologic Associates	05/25/2022	16,697.80
76960	HARDY02	Hardy & Harper	05/25/2022	385,221.70
76961	HASA01	Hasa Inc.	05/25/2022	1,028.73
76962	HDL01	Hdl Software, LLC	05/25/2022	33.26
76963	HOSEMA	Hose-Man, The	05/25/2022	31.44
76964	HIGHPE	HPC Computers, Inc.	05/25/2022	134.45
76965	ILLINO01	Illinois Library Association	05/25/2022	430.30
76966	INTELL01	Intelli-tech, Inc.	05/25/2022	22,173.47
76967	JUSTIRE	Just Tires	05/25/2022	86.53
76968	KJSERV01	KJ Services Enviromental Consulting LLC	05/25/2022	1,851.64
76969	LANDSC	Landscape Warehouse III Inc.	05/25/2022	138.71
76970	LEXISN	LexisNexis Risk Solutions	05/25/2022	151.50
76971	LG2WB01	LG2WB Engineers, Inc	05/25/2022	2,131.50
76972	LINCOL03	Lincoln Aquatics	05/25/2022	486.79
76973	LINN01	Deborah Linn	05/25/2022	500.00
76974	LOSANG18	Los Angeles County	05/25/2022	365.00
76975	CALIBE01	Lawrence E. Marino	05/25/2022	783.95
76976	MARIPO	Mariposa Landscapes, Inc.	05/25/2022	12,069.00
76977	MERCUR	Mercury Fence Co., Inc.	05/25/2022	5,975.00
76978	MIDWES	Midwest Tape	05/25/2022	3,000.00
76979	MUSC01	Musco Corporation	05/25/2022	256,307.93

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76980	OFFICE03	Office Depot	05/25/2022	688.71
76981	PERF03	Performance Elevator Contractors, Inc.	05/25/2022	1,360.00
76982	PLACE01	PlaceWorks, Inc.	05/25/2022	7,849.18
76983	PRAXAI	Praxair	05/25/2022	139.28
76984	PROPRINT	Pro Printing, Inc.	05/25/2022	2,264.64
76985	PACIFI13	Rene David LTD	05/25/2022	350.10
76986	RICOH01	Ricoh USA, Inc	05/25/2022	1,221.76
76987	SPRING02	SBRK Finance Holdings, Inc.	05/25/2022	24,044.34
76988	SCHOLA05	Scholastic Inc.	05/25/2022	739.12
76989	SEAL01	SealMaster of Southern California	05/25/2022	1,241.04
76990	SGVECO02	SGV Economic Partnership	05/25/2022	750.00
76991	SOUTHC	South Coast AQMD	05/25/2022	287.76
76992	SUBOH01	Subodh Thatte (Sam Thatte)	05/25/2022	8,750.00
76993	TEDJOH	Ted Johnson Propane	05/25/2022	55.76
76994	NORTHR	The Northridge Group, Inc.	05/25/2022	6,237.95
76995	TRIANG01	Triangle Truck Parts	05/25/2022	19.89
76996	ULINE01	Uline	05/25/2022	530.37
76997	UNITED11	United Site Services of CA Inc	05/25/2022	150.00
76998	WALT01	Walters Wholesale Electric Co.	05/25/2022	6.25
76999	Z&K01	Z&K Consultants, Inc.	05/25/2022	3,140.00
Report Total (67 checks):				965,644.52

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

City of
IRWINDALE
AGENDA REPORT

CC & HA Item
Item 1C

Date: May 26, 2022
To: Honorable Mayor and Members of the City Council/Housing Authority Board of Commissioners
From: Julian A. Miranda, City Manager/Executive Director
Issue: Claim: Fred & Rebecca Barbosa vs. City of Irwindale/Irwindale Housing Authority

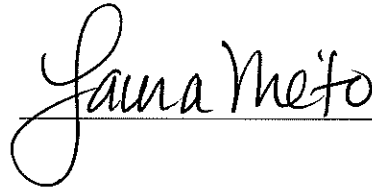
City Manager's/Executive Director's Recommendation:

Direct staff to return the claim due to its untimely filing on behalf of the City and Housing Authority.

Administrative Action:

Submitted / Prepared by:

Laura Nieto, Chief Deputy City Clerk



Reviewed by:

Adrian R. Guerra, City Attorney/Authority Counsel

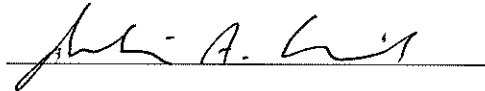
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager/Executive Director



Background and Analysis:

On April 14, 2022, the City and Housing Authority received a claim for damages from claimants Fred and Rebecca Barbosa. The Claimants allege that the City and Housing Authority are responsible for damages to their home and finances related to work performed and inspected between 2004 and 2019. The Claimants further allege that the City and Housing Authority are liable because of the negligence of the Building Inspector, who approved the work that had been done on their home.

The claim was reviewed by the City's claims adjuster, Carl Warren & Co., who has determined that the claim has not been timely filed (outside of one year). Accordingly, it is recommended that the City Council/Board of Commissioners direct staff to return the claim to the claimants due to its untimely filing. Alternatively, the City Council/Board may direct the City Manager/Executive Director to negotiate resolution of the claim.

Fiscal Impact:

None.

Attachment:

Claim for Damages received April 14, 2022

Carl Warren & Company Letter dated April 15, 2022



CARL WARREN & COMPANY
Claims Management and Solutions

A VVENBROOK Company

April 15, 2022

TO: City of Irwindale

ATTENTION: Mary Hull

RE: Claim	:	Barbosa vs. Irwindale
Claimants	:	Fred & Rebecca Barbosa
Member	:	City of Irwindale
Date Rec'd by Mbr	:	4/14/22
Date of Event	:	Unspecified
CW File Number	:	3031964

Please allow this correspondence to acknowledge receipt of the captioned claim. Please take the following action:

- **RETURN CLAIM (OUTSIDE 1 YEAR):** Send a return claim letter to the claimant for filing beyond one year.

Please include a Proof of Mailing with your return claim letter to the claimant. An exemplar copy of a Proof of Mailing is attached. Please provide us with a copy of the Return of Claim letter and copy of the Proof of Mailing. If you have any questions feel free to contact the assigned adjuster or the undersigned claims specialist.

Very Truly Yours,

CARL WARREN & CO.

Timothy M. Varon

Timothy M. Varon
Claims Supervisor

enc: Form #4a Letter

PO Box 2411, Tustin, CA 92781
T: 657-622-4200 | F: 866-254-4423 | www.carlwarren.com
CA License #2607296



CITY OF IRWINDALE

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than 6 months after the occurrence.
2. Claims for damages to real property must be filed not later than 1 year after occurrence.
3. Read entire claim before filing.
4. See page 2 for diagram upon which to locate place of accident.
5. This claim for must be signed on page 2 at bottom.
6. Attach separate sheets if necessary to give full details. Sign each sheet.
7. File with City Clerk, 5050 N. Irwindale Ave., Irwindale, CA 91706

RECEIVED

APR 14 2022 1:35pm

Photo

CITY OF IRWINDALE
CITY CLERKS DEPT.
Clerk's Official
Filing Stamp

To: City of Irwindale FRED & REBECCA BARBOSA		Claimant's Date of Birth
Name of Claimant		Claimant's Occupation
16164 Calle de Paseo, Irwindale, CA 91706		Both retired
Home Address of Claimant		Home Telephone Number
N/A		
Business Address of Claimant		Business Telephone Number
Same as above		
Name and address to which you desire notices or communications to be sent regarding this claim:		
When did DAMAGE or INJURY occur? Date: 2004 — 2019 Time: _____ If claim is for Equitable Indemnity, give date claimant served with complaint: _____	Names of any City employees involved in INJURY or DAMAGE Irwindale Housing Authority Irwindale City Inspector at that time, FRANK HARRIS	
Where did DAMAGE or INJURY occur? Describe in full detail and locate on diagram on page 2. Where appropriate, give street names, addresses, and measurements from landmarks: The damages were made to our home & finances.		
Describe in detail how the DAMAGE or INJURY occurred: On 2004, city inspector Frank Harris under the City's Housing Authority signed off on faulty work that should never have passed inspection under the City Rehab. Program. We were not aware of the potential danger to our health, safety & welfare until 2019 although there were small signs over the years. Our safety was not a priority.		
Why do you claim the City of Irwindale is responsible? Please see other side →		
What DAMAGE or INJURIES do you claim resulted? Give full extent of injuries or damage claimed. We were forced to hurriedly apply for a high interest loan for the debt incurred because the City would not subordinate quick enough to help us, and we are still paying the loan today.		

Responsibility Question:

The resident rehabilitation program under the Housing Authority failed to vet the contractors on the list they provided to each resident. This was in addition to the extreme negligence by the City Inspector. These actions placed a costly burden on us financially and emotionally. Please note that we are not holding the City responsible for foundation damage to our home, caused by the Sheep's foot work performed on the Manning Pit project, although we did notify the City. A technician working on the Manning Pit while also working for the City, came to inspect our home. His opinion was that stress fractures were 'natural' but never entered our home to witness doors, windows & wall decar rattle!

Claimant's Name:

TRED & REBECCA BARBOSA

State the amount which you are claiming as of the date of presentation of this claim. Give basis of computation.

\$88,674, April 14, 2022. Computation is shown on attached
paid invoices and work sheets.

Give estimated amount of future losses due to INJURY or DAMAGE:

Was damage and/or injury investigated by the police? _____ If yes, what City? _____

Were paramedics or ambulance called? _____ If yes, name City or ambulance _____

If injured, give name and address of your doctor and the date and time of your first visit:

NA

Doctors and Hospitals:

Doctor _____ Address _____ Date Hospitalized _____

Hospital _____ Address _____ Date Hospitalized _____

Hospital _____ Address _____ Date Hospitalized _____

Witnesses to DAMAGE or INJURY: List all persons and addresses of persons known to have information:

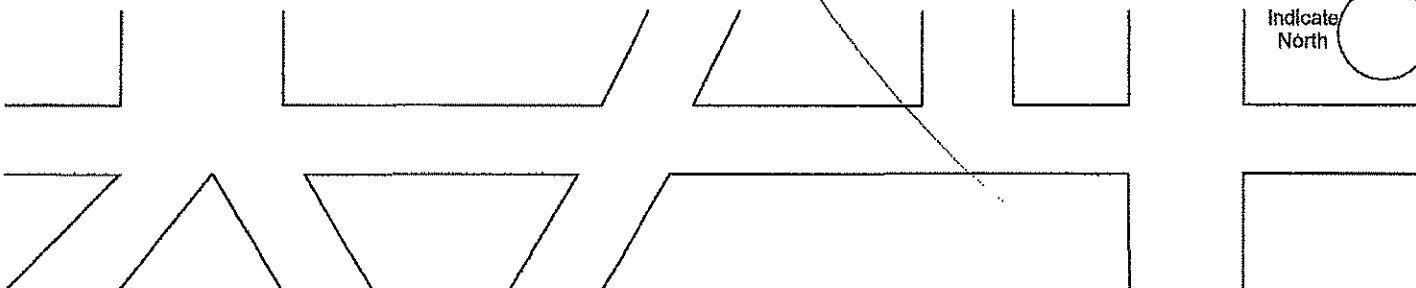
Name _____ Address _____ Phone _____

Name _____ Address _____ Phone _____

READ CAREFULLY

For all accident claims, indicate on the diagram street names, including North, East, South, and West. Indicate place of accident with an "X". Indicate house numbers or distances to street corners.

If a City vehicle was involved, designate with an "A" the location of the City vehicle when you first saw it, and with "B" the location of yourself or your vehicle when you first saw the City vehicle. Indicate location of City vehicle at the time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1". Mark the point of impact with an "X". Note If diagram below does not fit the situation, attach a proper diagram signed by claimant.



Signature of Claimant (If other than claimant, indicate relationship)

Typed Name

Date

Tred Barbosa Rebecca Barbosa TRED Barbosa REBECCA Barbosa 4/14/22

Note: Claims must be filed with the City Clerk. Presentation of a false claim is a felony (Penal Code Section 72)



California Contractor for your California Home
No. 984655

September 24, 2020

Frederick & Rebecca Barbosa

16164 Calle De Paseo

Irwindale, CA 91706

RE: CITY OF IRWINDALE

Dear City Council,

As the owner of West Coast Better Homes Inc., I am presenting the attached invoices paid by both Frederick & Rebecca Barbosa. In 2019 they agreed on choosing West Coast Better Homes Inc. as their contractors. We completed the following home improvement projects: Insulation, HVAC system, Owen's Corning OC Tru-Deflation roof and lastly, texture coating. Attached invoice numbers are dated for true accuracy (5528, 5473, 5557, 5791). It was a pleasure being able to work with both Frederick & Rebecca Barbosa. I hope this letter can help and support any specifications required for this situation. Should you have any questions feel free to contact us directly (818) 478-1685. Thank you!

Best Regards,

Rebecca Miller

WEST COAST BETTER HOMES, INC.

3501 WEST BURBANK BLVD
BURBANK, CA 91505

Invoice

Date	Invoice #
3/21/2019	5557

Bill To

Barbosa, Frederick & Rebecca
Frederick Barbosa
16164 Calle De Paseo
Irwindale, CA 91706

PAID
04/10/2019

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
12158 - Hero		VM	3/21/2019			
Quantity	Item Code		Description		Price Each	Amount
1	HVAC		HVAC		26,120.00	26,120.00

Total	\$26,120.00
--------------	--------------------



WEST COAST Better Homes, Inc.

Change/Additional Work Order

Contractors License Number: 984655 ~ B
 3501 W. Burbank Boulevard • Burbank, CA 91505
 (818) 478-1685 • Fax (818) 450-0607
 Toll Free (800) 976-1030
 info@wcbhomes.com • www.westcoastbetterhomes.com

Change/Additional Work Order

DATE
3/21/19

CUSTOMER		JOB	
Name:	REBECCA & FREDERICK BARBOSA	Product:	H.V. A.C.
Address:	16164 CALLE DE PASO	Date Sold:	3/12/19
City/State/Zip:	IRVINDALE CA 91706	Sales Rep(s):	George V
Phone:			VICTOR M

Payment Terms		Paid		Check # / CC Info / Finance Info
Check ()	Cash ()	Yes ()	No ()	BALANCE - 53.05 to be PAID ON CREDIT CARD
CC ()	Financing (X)			
Not Applicable ()		Upon Completion ()		

We, the Contractor and the Customer, agree to make change(s) as specified below for:

(a) \$

Previous Contract Amount including all previous Change Orders:

(b) \$

Revised Contract Amount (a + b):

\$

Changes to Original Contract

WCBH WILL BE DOING THE FOLLOWING REMOVE
 ALL OLD DUCTS, DUCTS AND HAUL AWAY
 AND INSTALL A NEW 4 TON YORK FULL
 SYSTEM. WORK TO BE DONE, NEW DUCTS
 FURNACE, A.C, GAS LINE. ALL NEW VENTS.

PRICE INCLUDES ALL TAXES LABOR MATERIALS
 AND ALL WARRANTIES

Customer Acceptance

The price and conditions for this Change Order are satisfactory and are hereby accepted. The contractor shall not be responsible for redesigning nor upgrading any existing work that may be affected by this change. This Change Order, upon its execution, shall become part of and conform to the terms and conditions of the existing contract as identified above.

I, REBECCA & FREDERICK BARBOSA
 (Print Customer's Name Above) am authorized to accept and sign this Change Order because I am the customer named above, or I am acting for the customer as his agent.

Customer Signature: Rebecca Barbosa Date: 3/21/19

Auth. # DM-0408

California Home Improvement Agreement

Remeasure 10/12
3/22/19

WEST COAST Better Homes, Inc.

Home Improvement Agreement

Contractors License Number: 984655 ~ B

3501 W. Burbank Boulevard • Burbank, CA 91505

(818) 478-1685 • Fax (818) 450-0607

Toll Free (800) 976-1030

info@wcbhomes.com • www.westcoastbetterhomes.com

This Agreement dated 3/22/19 is between West Coast Better Homes, Inc. hereafter "Contractor" and Rebecca Frederick Barbosa (hereafter "Owner").Owner's Home 16164 CALLE DE PASO City IRVINDALE State CA Zip 91706

Cross Streets _____

Home Phone _____ Business() _____ Email _____

Contractor will perform the work specified herein at the property listed below on behalf of the Owner:

Address SAME AS ABOVE City _____ State _____ Zip _____
(Legal description and street address if known)

Description of the Project and Materials to be Used on Installation: "Contractor will furnish all labor, equipment, materials, scaffolding, sales taxes, hoisting, transportation, supervision, coordination, communication, and storage to complete in a good and workmanlike manner the work described on the attached project-specific Addendum."

Contract Price: Owner agrees to pay Contractor a total cash price of \$26,120 (\$26,120)Down Payment: (if not applicable, put "none") \$ 1,000 CC 6011-0034-1626-8818

THE DOWN PAYMENT MAY NOT EXCEED \$1,000 OR 10 PERCENT OF THE CONTRACT PRICE, WHICHEVER IS LESS.

Finance Charge: (must be stated separately from the contract amount in dollars and cents; if none, put "none") \$ SEE FIN DOCSSubstantial commencement of work under this contract is described as WORK 4 TON FULL HVAC SYSTEMApproximate Start Date of Installation T.B.D Approximate Completion Date of Installation 4-5 DAYS

Schedule of Progress Payments

The schedule of progress payments must specifically describe each phase of work, including the type and amount of work or services scheduled to be supplied in each phase, along with the amount of each proposed progress payment. IT IS AGAINST THE LAW FOR A CONTRACTOR TO COLLECT PAYMENT FOR WORK NOT YET COMPLETED, OR FOR MATERIALS NOT YET DELIVERED, HOWEVER, A CONTRACTOR MAY REQUIRE A DOWN PAYMENT.

Purchaser promises and agrees to pay West Coast Better Homes, Inc. as follows:

HERO 204RS

TOTAL CONTRACT PRICE		TERMS: M/C VISA CASH P/L FIN' ACT#		
PAYMENT	DEPOSIT	UPON REMEASURE	UPON COMPLETION OF PHASE 1	UPON COMPLETION OF PROJECT
AMOUNT	<u>\$1,000</u>	<u>9</u>	<u>9</u>	<u>\$19,815-HERO</u> <u>\$5305-CC</u>

Note about Extra Work and Change Orders: Extra Work and Change Orders become part of the contract once the order is prepared in writing and signed by the parties prior to the commencement of any work covered by the new change order. The order must describe the scope of the extra work or change, the cost to be added or subtracted from the contract, and the effect the order will have on the schedule of progress payments.

Release: Upon satisfactory payment being made for any portion of the work performed, the contractor shall, prior to any further payment being made, furnish to the person contracting for the home improvement or swimming pool work to be performed, a full and unconditional release from any claim or mechanic's lien pursuant to Section 3114 of the Civil Code for that portion of the work for which payment has been made.

List of Documents to be Incorporated into the Contract (if none, state none): Mechanic's Lien Warning; Note About Change Orders; Notice of Cancellation; Three-Day Right to Cancel; Brochure entitled, "Renovate Right," Asbestos, Mold and Hazardous Substances Addendum; the Project Specific Addendum; and Required Insurance Disclosures.

A notice concerning general liability insurance is attached to this contract. A notice concerning workers compensation insurance is attached to this contract. Information about the Contractor's State License Board (CSLB): CSLB is the state consumer protection agency that licenses and regulates construction contractors. Contact CSLB for information about the licensed contractor you are considering, including information about disclosable complaints, disciplinary actions and civil judgments that are reported to CSLB. Use only licensed contractors. If you file a complaint against a licensed contractor within the legal deadline (usually four years), CSLB has authority to investigate the complaint. If you use an unlicensed contractor, CSLB may not be able to help you resolve your complaint. Your only remedy may be in civil court, and you may be liable for damages arising out of any injuries to the unlicensed contractor or the unlicensed contractor's employees. For more information:

Visit CSLB's Web site at www.cslb.ca.gov • Call CSLB at 800-321-CSLB (2752) • Write CSLB at P.O. Box 26000, Sacramento, CA 95826
☒ 118 The law requires that the contractor give you a notice explaining your right to cancel. Initial the checkbox if the contractor has given you a "Notice of the Three-Day Right to Cancel." If Purchaser cancels this agreement after the right of rescission has expired, a cancellation fee of fifty percent (50%) will be charged. You are entitled to a completely filled in copy of this agreement, signed by both you and the contractor, before any work may be started.

You, the Owner or Tenant, have the right to require the contractor to furnish you with a performance and payment bond; however, the contractor can require you to pay for that bond.

OWNER

By Rebecca Barbosa 3/21/19
(Signature) (Dated)

By Robert L. Barbosa 3/21/19
(Signature) (Dated)

CONTRACTOR

By [Signature] 3/21/19
(Signature) (Dated)

Registered Salesperson: George V

Registered Salesperson: VICTOR M

WEST COAST BETTER HOMES, INC.

3501 WEST BURBANK BLVD
BURBANK, CA 91505

Invoice

Date	Invoice #
7/17/2019	5791

PAID
08/07/2019

Bill To

Barbosa, Frederick & Rebecca
Frederick Barbosa
16164 Calle De Paseo
Irwindale, CA 91706

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
12388 - Dividend		JV	7/17/2019			

Quantity	Item Code	Description	Price Each	Amount
1	Insulation	Insulation Income	14,700.00	14,700.00

Total	\$14,700.00
--------------	--------------------



WEST COAST *Better Homes, Inc.*

Change/Additional Work Order

Contractors License Number: 984655 ~ B

3501 W. Burbank Boulevard • Burbank, CA 91505

(818) 478-1685 • Fax (818) 450-0607

Toll Free (800) 976-1030

info@wcbhomes.com • www.westcoastbetterhomes.com

Change/Additional Work Order

DATE	
/	/

CUSTOMER		JOB	
Name:	Rebecca Barbosa	Product:	insulation
Address:	16164 Calle de Paseo	Date Sold:	7/17/19
City/State/Zip:	Irwindale ca 91706	Sales Rep(s):	George Valdez
Phone:			Kudy Martinez

Payment Terms		Paid		Check # / CC Info / Finance Info
Check ()	Cash ()	Yes ()	No ()	
CC ()	Financing (X)			
Not Applicable ()		Upon Completion ()		

We, the Contractor and the Customer, agree to make change(s) as specified below for:

(a) \$

Previous Contract Amount including all previous Change Orders:

(b) \$

Revised Contract Amount (a + b):

\$

Changes to Original Contract

REMOVE ALL old insulation and install
all new blow in Attic insulation R 38
Also put a Radiant Barrier seal tight
in attic

Customer Acceptance

The price and conditions for this Change Order are satisfactory and are hereby accepted. The contractor shall not be responsible for redesigning nor upgrading any existing work that may be affected by this change. This Change Order, upon its execution, shall become part of and conform to the terms and conditions of the existing contract as identified above.

I, Rebecca Barbosa
(Print Customer's Name Above)

am authorized to accept and sign this Change Order because I am the customer named above, or I am acting for the customer as his agent.

Customer Signature:

Rebecca A. Barbosa

Date:

7/17/19

Auth # RM-0710

California Home Improvement Agreement

Retrans: 7/18/19

10-12



WEST COAST Better Homes, Inc.

Home Improvement Agreement

Contractors License Number: 984655 - B

3501 W. Burbank Boulevard • Burbank, CA 91505

(818) 478-1685 • Fax (818) 450-0607

Toll Free (800) 976-1030

info@wcbhomes.com • www.westcoastbetterhomes.com

This Agreement dated 7/17/19 is between West Coast Better Homes, Inc. (hereafter "Contractor") and Rebecca Barbosa (hereafter "Owner")Owner's Home 16164 Calle de pascon arwindale State CA Zip 91706

Cross Streets _____

Home Phone (____) _____ Cell _____ (____) _____ Email _____

Contractor will perform the work specified herein at the property listed below on behalf of the Owner.

Address Same As Above City _____ State _____ Zip _____
(Legal description and street address if known)

Description of the Project and Materials to be Used on Installation: "Contractor will furnish all labor, equipment, materials, scaffolding, sales taxes, hoisting, transportation, supervision, coordination, communication, and storage to complete in a good and workmanlike manner the work described on the attached project-specific Addendum."

Contract Price: Owner agrees to pay Contractor a total cash price of \$14,700 is \$14,700Down Payment: (if not applicable, put "none") \$ 0

THE DOWN PAYMENT MAY NOT EXCEED \$1,000 OR 10 PERCENT OF THE CONTRACT PRICE, WHICHEVER IS LESS.

Finance Charge: (must be stated separately from the contract amount in dollars and cents; if none, put "none") \$ SEE FIN DOCSSubstantial commencement of work under this contract is described as REMOVE & install Blower in insulationApproximate Start Date of Installation T.B.D Approximate Completion Date of Installation 1-2 DAYS UPON START

Schedule of Progress Payments

The schedule of progress payments must specifically describe each phase of work, including the type and amount of work or services scheduled to be supplied in each phase, along with the amount of each proposed progress payment. IT IS AGAINST THE LAW FOR A CONTRACTOR TO COLLECT PAYMENT FOR WORK NOT YET COMPLETED, OR FOR MATERIALS NOT YET DELIVERED, HOWEVER, A CONTRACTOR MAY REQUIRE A DOWN PAYMENT.

Purchaser promises and agrees to pay West Coast Better Homes, Inc. as follows: Dividend

TOTAL CONTRACT PRICE		TERMS: A/C VISA CASH P/L FIN ACT #:		
		<u>\$14,700</u>		
PAYMENT	DEPOSIT	UPON REMEASURE	UPON COMPLETION OF PHASE 1	UPON COMPLETION OF PROJECT
AMOUNT	<u>0</u>	<u>0</u>	<u>0</u>	<u>\$14,700</u>

Note about Extra Work and Change Orders: Extra Work and Change Orders become part of the contract once the order is prepared in writing and signed by the parties prior to the commencement of any work covered by the new change order. The order must describe the scope of the extra work or change, the cost to be added or subtracted from the contract, and the effect the order will have on the schedule of progress payments.

Release: Upon satisfactory payment being made for any portion of the work performed, the contractor shall, prior to any further payment being made, furnish to the person contracting for the home improvement or swimming pool work to be performed, a full and unconditional release from any claim or mechanic's lien pursuant to Section 3114 of the Civil Code for that portion of the work for which payment has been made.

List of Documents to be Incorporated into the Contract (if none, state none): Mechanic's Lien Warning; Note About Change Orders; Notice of Cancellation; Three-Day Right to Cancel; Brochure entitled, "Renovate Right;" Asbestos, Mold and Hazardous Substances Addendum; the Project Specific Addendum; and Required Insurance Disclosures.

A notice concerning general liability insurance is attached to this contract. A notice concerning workers compensation insurance is attached to this contract. Information about the Contractor's State License Board (CSLB): CSLB is the state consumer protection agency that licenses and regulates construction contractors. Contact CSLB for information about the licensed contractor you are considering, including information about disclosable complaints, disciplinary actions and civil judgments that are reported to CSLB. Use only licensed contractors. If you file a complaint against a licensed contractor within the legal deadline (usually four years), CSLB has authority to investigate the complaint. If you use an unlicensed contractor, CSLB may not be able to help you resolve your complaint. Your only remedy may be in civil court, and you may be liable for damages arising out of any injuries to the unlicensed contractor or the unlicensed contractor's employees. For more information:

Visit CSLB's Web site at www.cslb.ca.gov - Call CSLB at 800-321-CSLB (2752) - Write CSLB at P.O. Box 26000, Sacramento, CA 95826

☒ **SLB:** The law requires that the contractor give you a notice explaining your right to cancel. Initial the checkbox if the contractor has given you a "Notice of the Three-Day Right to Cancel." If Purchaser cancels this agreement after the right of rescission has expired, a cancellation fee of fifty percent (50%) will be charged. You are entitled to a completely filled in copy of this agreement, signed by both you and the contractor, before any work may be started. You, the Owner or Tenant, have the right to require the contractor to furnish you with a performance and payment bond; however, the contractor can require you to pay for that bond.

OWNER
By Rebecca A. Barbosa 7/17/19
(Signature) (Dated)
By _____
(Signature) (Dated)

CONTRACTOR
By George Valdez 7/17/19
(Signature) (Dated)
Registered Salesperson: George Valdez
Registered Salesperson: Rudy Martinez
Registration Number: 86768 SP

WEST COAST BETTER HOMES, INC.

3501 WEST BURBANK BLVD
BURBANK, CA 91505

Invoice

Date 3/12/2019 Invoice # 5528

Bill To

Silva, Frederick & Rebecca
Frederick Silva
16164 Calle De Paseo
Irwindale, CA 91706

PAID
04/08/2019

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
12130 - Hero		VM	3/12/2019			

Quantity	Item Code	Description	Price Each	Amount
1	Roof	Roof	22,855.00	22,855.00

Total \$22,855.00



WEST COAST Better Homes, Inc.

Roofing Addendum

Roofing Addendum

Contractors License Number: 984655 ~ B

3501 W. Burbank Boulevard • Burbank, CA 91505

(818) 478-1685 • Fax (818) 450-0607

Toll Free (800) 976-1030

info@wcbhomes.com • www.westcoastbetterhomes.com

— DESCRIPTIONS OF WORK TO BE DONE —

I. OVERLAY ☐ YES ☐ NO ☐ Garage - Attached / Detached ☐ House

☐ YES ☐ NO 1. Inspect roof/roof jacks/flashings/layers

☐ YES ☐ NO 2. Load all material

☐ YES ☐ NO 3. Install Deck Defense

☐ YES ☐ NO 4. Install starter strip around perimeter

☐ YES ☐ NO 5. Install edge metal to match roof color - Brown, Black, White, Other

☐ YES ☐ NO 6. Type of edge metal: ☐ 1 1/2" ☐ 2" ☐ 3"

☐ YES ☐ NO 7. Install roofing material TruDefinition Duration: _____ TruDefinition Duration Designer: _____ Color: _____

☐ YES ☐ NO 8. Install ridge vent Feet: _____

☐ YES ☐ NO 9. Install high profile ridge trim Type: _____ Color: _____

☐ YES ☐ NO 10. Install new roof jacks • caps

☐ YES ☐ NO 11. Paint all roof jacks & caps Color: _____

☐ YES ☐ NO 12. Clean up & haul away all job-related debris

II. TEAR OFF ☐ Flat ☒ Garage - Attached / Detached ☒ House

☒ YES ☐ NO 1. Tear off, load all material & haul away existing roofing material

☒ YES ☐ NO 2. Pull all nails

☒ YES ☐ NO 3. Number of layers - Comp/rock/wood/tile **ALL UP TO CODE**

☒ YES ☐ NO 4. Replace _____ linear feet of fascia

☒ YES ☐ NO 5. Replace _____ linear feet of starter board

☒ YES ☐ NO 6. Replace _____ linear feet of roof deck

☐ YES ☒ NO 7. Install 1/2" OSB sheeting (when replacing wood shingle/shake only)

☒ YES ☐ NO 8. Install Deck defense

☒ YES ☐ NO 9. Install starter strip around perimeter

☒ YES ☐ NO 10. Install edge metal to match roof color Brown black, white, other

☒ YES ☐ NO 11. Type of edge metal: ☐ 1 1/2" ☒ 2" ☐ 3"

☒ YES ☐ NO 12. Replace all roof jacks & caps

☒ YES ☐ NO 13. Install roofing material TruDefinition Duration: ✓ TruDefinition Duration Designer: _____ Color: FOREST BROWN

☒ YES ☐ NO 14. Install high profile ridge trim Type: RAPID RIDGE Color: FOREST BROWN

☒ YES ☐ NO 15. Paint all roof jacks & caps Color: MATCH O'Hagens/Dormers/Turbines/Solar Turbine # _____

☒ YES ☐ NO 16. Ridge vent 45 feet

☒ YES ☐ NO 17. Clean up & haul away all job-related debris

☒ YES ☒ NO 18. Satellite/Antenna Remove _____ Replace _____ Comdeck 1

SPECIAL INSTRUCTIONS; WORK NOT TO BE DONE

**PRICE INCLUDES ALL TAXES
LABOR MATERIALS AND A
50 YEAR WARRANTY**

I. Wood Replacement: The amount of wood replacement allowed for in this work order is based on visual inspection only. It does not account for any further need for wood replacement which may be discovered after the current roofing material is removed. There will be additional costs for replacing wood in excess of the linear or square footage which is agreed to in this work order. The cost will be figured at \$15.00/lin.ft. of wood replaced.

II. Gutter Replacement: Contractor not responsible for placement and function of existing gutters. New roof line after tear may be short of existing gutters. Remove/replace existing gutters at a cost of \$10.00/lin.ft. or new gutters at \$15.00/lin.ft.

III. Final Payment: Final payment is due upon completion of work to be performed by Contractor and is not to be withheld pending city inspection.

x PAB x P.A.B.

No additional work to be done by contractor unless specified in writing. Solar panels, H/V and A/C units not the responsibility of West Coast Better Homes, Inc. X PAB X P.A.B.

TIME FOR STARTING AND COMPLETING THE WORK

Approximate Start Date T.B.D

Approximate Completion Date 3-4 DAYS UPON START

By Fredrick Silva Barbosa 3-14-19
(Signature) (Dated)

By F. Valade 3/12/19
(Signature) (Dated)

By Rebecca A. Barbosa 3-12-19
(Signature) (Dated)

1. Registered Salesperson: George V
2. Registered Salesperson: VICTOR M
Registration Number: 86768 SP

NO VERBAL AGREEMENTS RECOGNIZED

Auth. # RM-0710

California Home Improvement Agreement

H-100-12

3/13/19



WEST COAST Better Homes, Inc.

Home Improvement Agreement

Contractors License Number: 994655 - B

3501 W. Burbank Boulevard • Burbank, CA 91505

(818) 478-1685 • Fax (818) 452-0607

Toll Free (800) 976-1030

info@wcbhomes.com • www.westcoastbetterhomes.com

This Agreement dated 3/12/19 is between West Coast Better Homes, Inc. (Contractor) and Rebecca J. FREDERICK (Owner).Owner's Home 16164 CALLE DE PASEO, IRVINGDALE State IL Zip 61706

Cross Streets _____

Home Phone _____ Business _____ Email _____

Contractor will perform the work specified herein at the property listed below on behalf of the Owner.

Address SAME AS ABOVE City _____ State _____ Zip _____

Description of the Project and Materials to be Used on Installation: Contractor will furnish all labor, equipment, materials, scaffolding, sales taxes, hoisting, transportation, supervision, coordination, communication, and storage to complete in a good and workmanlike manner the work described on the attached project-specific Addendum.

Contract Price: Owner agrees to pay Contractor a total cash price of \$22,855 (\$22,855)

Down Payment; (if not applicable, put "none") \$ _____

THE DOWN PAYMENT MAY NOT EXCEED \$1,000 OR 10 PERCENT OF THE CONTRACT PRICE, WHICHEVER IS LESS.

Finance Charge: (must be stated separately from the contract amount in dollars and cents; if none, put "none") \$ SEE FIN DECSubstantial commencement of work under this contract is described as OWNERS CORNING FULL H200 SYSTEMApproximate Start Date of Installation T.B.D Approximate Completion Date of Installation 3-4 DAYS UPON START

Schedule of Progress Payments

The schedule of progress payments must specifically describe each phase of work, including the type and amount of work or services scheduled to be supplied in each phase, along with the amount of each proposed progress payment. IT IS AGAINST THE LAW FOR A CONTRACTOR TO COLLECT PAYMENT FOR WORK NOT YET COMPLETED, OR FOR MATERIALS NOT YET DELIVERED, HOWEVER, A CONTRACTOR MAY REQUIRE A DOWN PAYMENT.

Purchaser promises and agrees to pay West Coast Better Homes, Inc. as follows: HERO 20185

TOTAL CONTRACT PRICE		TERMS: M/C VISA CASH P/L FIN ACT #		
PAYMENT	DEPOSIT	UPON REMEASURE	UPON COMPLETION OF PHASE 1	UPON COMPLETION OF PROJECT
AMOUNT	<u>0</u>	<u>0</u>	<u>0</u>	<u>\$22,855</u>

Note about Extra Work and Change Orders: Extra Work and Change Orders become part of the contract once the order is prepared in writing and signed by the parties prior to the commencement of any work covered by the new change order. The order must describe the scope of the extra work or change, the cost to be added or subtracted from the contract, and the effect the order will have on the schedule of progress payments.

Release: Upon satisfactory payment being made for any portion of the work performed, the contractor shall, prior to any further payment being made, furnish to the person contracting for the home improvement or swimming pool work to be performed, a full and unconditional release from any claim or mechanic's lien pursuant to Section 3114 of the Civil Code for that portion of the work for which payment has been made.

List of Documents to be Incorporated into the Contract (if none, state none): Mechanic's Lien Warning; Note About Change Orders; Notice of Cancellation; Three-Day Right to Cancel; Brochure entitled, "Renovate Right"; Asbestos, Mold and Hazardous Substances Addendum; the Project Specific Addendum; and Required Insurance Disclosures.

A notice concerning general liability insurance is attached to this contract. A notice concerning workers compensation insurance is attached to this contract. Information about the Contractor's State License Board (CSLB): CSLB is the state consumer protection agency that licenses and regulates construction contractors. Contact CSLB for information about the licensed contractor you are considering, including information about disclosable complaints, disciplinary actions and civil judgments that are reported to CSLB. Use only licensed contractors. If you file a complaint against a licensed contractor within the legal deadline (usually four years), CSLB has authority to investigate the complaint. If you use an unlicensed contractor, CSLB may not be able to help you resolve your complaint. Your only remedy may be in civil court, and you may be liable for damages arising out of any injuries to the unlicensed contractor or the unlicensed contractor's employees. For more information:

Visit CSLB's Web site at www.cslb.ca.gov. Call CSLB at 800-321-CSLB (2752) - Write CSLB at P.O. Box 26000, Sacramento, CA 95826

3-12-19 The law requires that the contractor give you a notice explaining your right to cancel. Initial the checkbox if the contractor has given you a "Notice of the Three-Day Right to Cancel." If Purchaser cancels this agreement after the right of rescission has expired, a cancellation fee of fifty percent (50%) will be charged. You are entitled to a completely filled in copy of this agreement, signed by both you and the contractor, before any work may be started.

You, the Owner or Tenant, have the right to require the contractor to furnish you with a performance and payment bond; however, the contractor can require you to pay for that bond.

By Rebecca J. Frederick (Signature) 3-12-19 (Date)
By Rebecca J. Frederick (Signature) 3-12-19 (Date)

By [Signature] (Signature) 3/12/19 (Date)
Registered Salesperson: GROZKEP V
Registered Salesperson: VICTOR M
Registration Number: 86768 54

WEST COAST BETTER HOMES, INC.

3501 WEST BURBANK BLVD
BURBANK, CA 91505

Invoice

Date
2/23/2019

Invoice #
5473

PAID
04/08/2019

Bill To

Silva, Frederick & Rebecca
Frederick Silva
16164 Calle De Pasco
Irwindale, CA 91706

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
12076 -HERO		VM	2/23/2019			

Quantity	Item Code	Description	Price Each	Amount
1	Tex-Cote	Texture Coating	24,999.00	24,999.00

Total

\$24,999.00

**WEST COAST Better Homes, Inc.****Exteriors Addendum**

Contractors License Number: 984655 ~ B
 3501 W. Burbank Boulevard • Burbank, CA 91505
 (818) 478-1685 • Fax (818) 450-0607
 Toll Free (800) 976-1030
 Info@wcbhomes.com • www.westcoastbetterhomes.com

— DESCRIPTIONS OF WORK TO BE DONE —

I. EXTERIOR COATING

1. ☒ Waterblast exterior walls and eaves of home where necessary.
2. ☒ Patch and repair cracks and breaks on stucco where necessary.
3. ☒ Mask all doors and windows where necessary.
4. ☒ Trench approximately 3" to 6" where soil meets foundation.
5. ☒ Apply PRIMER ☒ TEXTURED ☐ SMOOTH

* Where sash and trim paint is specified, we will do the best job on your trim that the condition of the wood will allow us.

II. TRIM - Fascia/Eaves/Wood Siding

6. ☒ Apply Coating to stucco surfaces.
7. ☒ Apply Coating to wood surfaces.
8. ☒ Color of Coating Miami Pearl T-128
9. ☒ Color of Trim Patio Brick 20A-2A
10. ☒ House ☐ Garage

III. OTHER WORK TO BE DONE (The following items must be checked YES to be include in the scope of work and contract price.)

- | | | | |
|------------------------|---|--|-----------------|
| 1. Doors | ☐ YES | ☒ NO | Quantity: _____ |
| 2. Door Trim | ☒ YES | ☐ NO | Quantity: _____ |
| 3. Windows | ☐ YES | ☒ NO | Quantity: _____ |
| 4. Window Trim | ☒ YES | ☐ NO | Quantity: _____ |
| 5. Security Bars | ☐ YES | ☒ NO | Quantity: _____ |
| 6. Security Door | ☐ YES | ☒ NO | Quantity: _____ |
| 7. Garage Door | ☐ YES | ☒ NO | Quantity: _____ |
| 8. Garage Door Trim | ☒ YES | ☐ NO | Quantity: _____ |
| 9. Gates | ☐ YES | ☒ NO | Quantity: _____ |
| 11. Railing Metal/Wood | ☐ YES | ☒ NO | Quantity: _____ |
| 13. Block Wall | ☐ YES | ☒ NO | Quantity: _____ |
| 15. Awning | ☐ YES | ☒ NO | Quantity: _____ |
| 17. Vents Sub/Attic | ☒ YES | ☐ NO | Quantity: _____ |
| 19. Shutters | ☐ YES | ☒ NO | Quantity: _____ |

NOTICE CONCERNING EXISTING FINISH

1. Spanish lace will not be removed.
2. Not all existing paint will be removed
3. If eaves are currently textured, a textured coating will be used again.
4. Wood repair at \$15.00/lin. ft.

X _____ X _____

II. SPECIAL INSTRUCTIONS Fix structural cracks where chicken wire wasn't tied around windows & additions

II. WORK NOT TO BE DONE _____

No additional work to be done by contractor unless specified in writing.

X JLB X R.A.B

TIME FOR STARTING AND COMPLETING THE WORK

Approximate Start Date TBD by advice

Approximate Completion Date 7-12 days after start date

OWNER

By Orlando Barbosa 2.23.19
 (Signature) (Dated)

By Rebecca A. Barbosa 2.23.19
 (Signature) (Dated)

CONTRACTOR

By [Signature] 02/23/19
 (Signature) (Dated)

Registered Salesperson: Nic Marías

Registered Salesperson: _____

Registration Number: 10749150

NO VERBAL AGREEMENTS RECOGNIZED

Auth. # 12-12-19

California Home Improvement Agreement

Remeasure 10-1202/25/19WEST COAST *Better Homes*, Inc.

Home Improvement Agreement

Contractors License Number: 984655 - B

3501 W. Burbank Boulevard • Burbank, CA 91505

(818) 478-1685 • Fax (818) 450-0607

Toll Free (800) 976-1030

info@wcbhomes.com • www.westcoastbetterhomes.com

This Agreement dated 02/23/19 is between West Coast Better Homes, Inc. (hereafter "Contractor") and Rebecca: Frederick Silva (hereafter "Owner").Owner's Home 16164 Calle De Pasa City Irwindale State CA Zip 91706

Cross Streets _____

Home Phone (____) _____ Cell. _____ Business (____) _____ Email _____

Contractor will perform the work specified herein at the property listed below on behalf of the Owner:

Address Same as above City _____ State _____ Zip _____
(Legal description and street address if known)

Description of the Project and Materials to be Used on Installation: "Contractor will furnish all labor, equipment, materials, scaffolding, sales taxes, holding, transportation, supervision, coordination, communication, and storage to complete in a good and workmanlike manner the work described on the attached project-specific Addendum."

Contract Price: Owner agrees to pay Contractor a total cash price of Twenty Four Thousand Nine Hundred Nine (\$24,999)Down Payment: (if not applicable, put "none") \$ 0

THE DOWN PAYMENT MAY NOT EXCEED \$1,000 OR 10 PERCENT OF THE CONTRACT PRICE, WHICHEVER IS LESS.

Finance Charges: (must be stated separately from the contract amount in dollars and cents; if none, put "none") \$ _____

Substantial commencement of work under this contract is described as Ext. Restoration / Cool Wall SystemApproximate Start Date of Installation TBD by notice Approximate Completion Date of Installation 7-10 days after start date

Schedule of Progress Payments

The schedule of progress payments must specifically describe each phase of work, including the type and amount of work or services scheduled to be supplied in each phase, along with the amount of each proposed progress payment. IT IS AGAINST THE LAW FOR A CONTRACTOR TO COLLECT PAYMENT FOR WORK NOT YET COMPLETED, OR FOR MATERIALS NOT YET DELIVERED, HOWEVER, A CONTRACTOR MAY REQUIRE A DOWN PAYMENT.

Purchaser promises and agrees to pay West Coast Better Homes, Inc. as follows: HELO

TOTAL CONTRACT PRICE		TERMS: M/C VISA CASH P/L INACT #:		
PAYMENT	DEPOSIT	UPON REMEASURE	UPON COMPLETION OF PHASE I	UPON COMPLETION OF PROJECT
AMOUNT	<u>X</u>	<u>X</u>	<u>X</u>	<u>HELO 20yr 251 monthly</u>

Note about Extra Work and Change Orders: Extra Work and Change Orders become part of the contract once the order is prepared in writing and signed by the parties prior to the commencement of any work covered by the new change order. The order must describe the scope of the extra work or change, the cost to be added or subtracted from the contract, and the effect the order will have on the schedule of progress payments.

Release: Upon satisfactory payment being made for any portion of the work performed, the contractor shall, prior to any further payment being made, furnish to the person contracting for the home improvement or swimming pool work to be performed, a full and unconditional release from any claim or mechanic's lien pursuant to Section 3114 of the Civil Code for that portion of the work for which payment has been made.

List of Documents to be Incorporated into the Contract (if none, state none): Mechanic's Lien Warning; Note About Change Orders; Notice of Cancellation; Three-Day Right to Cancel; Brochure entitled, "Renovate Right;" Asbestos, Mold and Hazardous Substances Addendum; the Project Specific Addendum; and Required Insurance Disclosures.

A notice concerning general liability insurance is attached to this contract. A notice concerning workers compensation insurance is attached to this contract. Information about the Contractor's State License Board (CSLB): CSLB is the state consumer protection agency that licenses and regulates construction contractors. Contact CSLB for information about the licensed contractor you are considering, including information about disclosable complaints, disciplinary actions and civil judgments that are reported to CSLB. Use only licensed contractors. If you file a complaint against a licensed contractor within the legal deadline (usually four years), CSLB has authority to investigate the complaint. If you use an unlicensed contractor, CSLB may not be able to help you resolve your complaint. Your only remedy may be in civil court, and you may be liable for damages arising out of any injuries to the unlicensed contractor or the unlicensed contractor's employees. For more information:

Visit CSLB's Web site at www.cslb.ca.gov • Call CSLB at 800-321-CSLB (2752) • Write CSLB at P.O. Box 28000, Sacramento, CA 95826

☒ The law requires that the contractor give you a notice explaining your right to cancel. Initial the checkbox if the contractor has given you a "Notice of the Three-Day Right to Cancel." If Purchaser cancels this agreement after the right of rescission has expired, a cancellation fee of fifty percent (50%) will be charged. You are entitled to a completely filled in copy of this agreement, signed by both you and the contractor, before any work may be started. You, the Owner or Tenant, have the right to require the contractor to furnish you with a performance and payment bond; however, the contractor can require you to pay for that bond.

OWNER

By Rebecca A. Silva 2-23-19
(Signature) (Date)By Rebecca A. Silva 2-23-19
(Signature) (Date)

CONTRACTOR

By [Signature] 02/23/19
(Signature) (Date)Registered Salesperson: Vic Macias

Registered Salesperson: _____

Registration Number: 107491 SP

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

City of
IRWINDALE
AGENDA REPORT

CC Item
Item 1D

Date: May 26, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager / City Clerk
Issue: November 8, 2022 General Municipal Election – Adoption of Resolution

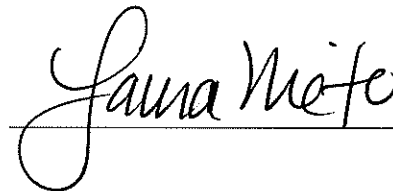
City Manager's Recommendation:

Adopt RESOLUTION NO. 2022-52-3302 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, (1) CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER; (2) REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE COUNTY OF LOS ANGELES WITH ANY AND ALL ELECTIONS HELD ON SUCH DATE; (3) REQUESTING THE COUNTY OF LOS ANGELES TO PROVIDE SPECIFIC ELECTION ADMINISTRATION SERVICES FOR SUCH ELECTION; (4) ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE FOR SUCH ELECTION REGARDING CANDIDATE STATEMENTS; AND (5) PROVIDING FOR THE DETERMINATION OF TIE VOTES BY LOT UNLESS THE CITY COUNCIL ADOPTS THE PROVISIONS OF ELECTIONS CODE SECTION 15651 (b) PRIOR TO THE CONDUCT OF THE ELECTION RESULTING IN THE TIE VOTE" reading by title only and waiving further reading thereof.

Administrative Action:

Prepared / Submitted by:

Laura Nieto, Chief Deputy City Clerk



Reviewed by:

Adrian R. Guerra, City Attorney

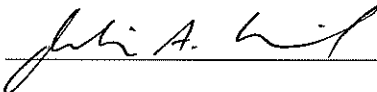
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager / City Clerk



Background and Analysis:

On March 8, 2017, the City Council adopted Ordinance No. 711 thereby changing the City's General Municipal Election date from November of odd numbered years as a stand-alone (City-conducted) election to November of even numbered years as a consolidated (County-conducted) election. As a routine matter, prior to all General Municipal Elections, certain actions must be taken to begin the process for a city to conduct an election.

The City Council has previously adopted multiple resolutions related to the conduct of the General Municipal Election. In an effort to streamline the amount of paperwork to be transmitted to the County, Resolution No. 2022-52-3302 requests the following actions:

- 1) Calling for and giving notice of a General Municipal Election to be held on Tuesday, November 8, 2022;
- 2) Requests consolidation of such election with the County of Los Angeles with any and all elections held on such date, as well as City reimbursement to the County for costs incurred by reason of this consolidation;
- 3) Requests the County of Los Angeles to provide specific election administration services for such election, including canvassing the returns;
- 4) Adopts regulations for candidates for elective office for such election regarding candidate statements;
- 5) Provides for the determination of tie votes by lot unless the City Council adopts provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in a tie vote.

Fiscal Impact:

Funds have been included in the FY 2022-23 budget for the costs associated with the November 8, 2022 election.

Attachment:

Resolution No. 2022-52-3302

RESOLUTION NO. 2022-52-3302

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, (1) CALLING FOR AND GIVING NOTICE OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER; (2) REQUESTING CONSOLIDATION OF SUCH ELECTION WITH THE COUNTY OF LOS ANGELES WITH ANY AND ALL ELECTIONS HELD ON SUCH DATE; (3) REQUESTING THE COUNTY OF LOS ANGELES TO PROVIDE SPECIFIC ELECTION ADMINISTRATION SERVICES FOR SUCH ELECTION; (4) ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE FOR SUCH ELECTION REGARDING CANDIDATE STATEMENTS; AND (5) PROVIDING FOR THE DETERMINATION OF TIE VOTES BY LOT UNLESS THE CITY COUNCIL ADOPTS THE PROVISIONS OF ELECTIONS CODE SECTION 15651 (b) PRIOR TO THE CONDUCT OF THE ELECTION RESULTING IN THE TIE VOTE

WHEREAS, under the provisions of the Irwindale City Charter, a General Municipal Election shall be held on November 8, 2022, for the election of Municipal Officers; and

WHEREAS, it is desirable that the City's November 8, 2022 General Municipal Election be consolidated with any and all elections to be administered by Los Angeles County (the "County") on the same date and that the City have the same precincts, polling stations, and election officers within the City for such election; and

WHEREAS, the City Council wishes for the Office of the Registrar-Recorder/County Clerk for the County (the "Registrar") to canvass the returns of the City's November 8, 2022 General Municipal Election; and

WHEREAS, the City seeks the provision of election services from the Registrar relating to the conduct of the City's November 8, 2022 General Municipal Election; and

WHEREAS, the City Council approves the printing of the General Municipal Election information for the election to be held on Tuesday, November 8, 2022 in the languages requiring translation pursuant to the Voting Rights Act of 1965 and other legal provisions; and

WHEREAS, Elections Code Section 13307 provides that the City may adopt regulations pertaining to the recovery of certain costs associated with the printing, handling, translation, and mailing of candidate statements as filed with the elections officer; and

WHEREAS, the City shall compensate the County for all necessary expenses incurred by the Registrar in performing election services for the City; and

WHEREAS, tie votes shall be determined by lot unless the City Council adopts provisions of Elections Code Section 15651(b) prior to the conduct of the election resulting in a tie vote.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the Irwindale City Charter, there is called and ordered to be held in the City of Irwindale California, on Tuesday, November 8, 2022, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four years.

SECTION 2. That pursuant to the requirements of Elections Code section 10403, it is respectfully requested that the Board of Supervisors of the County consent and agree to the consolidation of the City's General Municipal Election on Tuesday, November 8, 2022 with the County-administered election of the same date.

SECTION 3. That in connection with the Registrar's administration of the City's November 8, 2022 General Municipal Election, the City further requests that the Registrar be authorized and directed to: (a) review and verify Vote By Mail voter applications and signatures; (b) conduct registered voter verifications (including signature verifications) associated with the processing of any proposed General Municipal Election ballot measure; (c) provide the City of Irwindale with the appropriate election precinct data, to the extent required; (d) make available to the City of Irwindale such election facilities, ballot casting equipment and assistance as may be necessary to conduct the election in compliance with state law and the Board of Supervisor's approval; (e) canvass the election returns; (f) print and supply ballots for the election; (g) mail the City of Irwindale's sample ballots, including ballot measure question, arguments, rebuttals and impartial analysis; and (h) administer the City of Irwindale's General Municipal Election in all respects as if it were part and parcel of any other County administered election, implementing all such legally required or customarily employed measures and practices as may be necessary to conduct the election in a timely and legally compliant manner.

SECTION 4. That the City of Irwindale shall reimburse the County for any costs associated with the administration of the City's November 8, 2022 General Municipal Election.

SECTION 5. That the City hereby consents to have its General Municipal Election on Tuesday, November 8, 2022 consolidated with any and all elections conducted on such date within the County.

SECTION 6. That the ballots to be used at the election shall be in form and content as required by law or as directed by the Registrar to facilitate the consolidation of the City's November 8, 2022 General Municipal Election with the County-administered election of the same date.

SECTION 7. That the Chief Deputy City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter, and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 8. That vote centers for the election shall be open as required during the identified voting period pursuant to Elections Code sections 4007 and 14401.

SECTION 9. That the City Council authorizes the Chief Deputy City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

SECTION 10. That pursuant to Section 13307 of the Elections Code, each candidate for elective office to be voted for at the City's November 8, 2022 General Municipal Election may prepare a candidate statement on a form acceptable to the County Clerk and made available through the Chief Deputy City Clerk.

SECTION 11. That pursuant to Section 13307 (a)(1) of the Elections Code, candidate statements may include the following:

(A) The name, age and occupation of the candidate; and

(B) A brief description of no more than 200 words of the candidate's education and qualifications as expressed by the candidate himself or herself.

SECTION 12. That pursuant to Elections Code Section 13307 (a)(1), candidate statements shall not include the following:

(A) The party affiliation of the candidate; or

(B) References to membership or activity in partisan political organizations.

SECTION 13. That all prospective candidates should be aware of the holding in *Dean v. Superior Court (1998) 62 Cal.App.4th 638*, which holds that a statement prepared by a candidate for inclusion in the voters' pamphlet may not include comments or statements concerning the qualifications (or alleged lack of qualifications) of one's opponents. Candidates, in an abundance of caution, should avoid making any reference to opponents in their candidate statements. Candidates should seek the advice of private legal counsel if unsure as to whether their candidate statement does or does not comply with applicable law before filing.

SECTION 14. That the candidate statement shall be filed in typewritten form at the Office of the Chief Deputy City Clerk at the time the candidate's nomination papers are filed. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. on the next working day after the close of the nomination period.

SECTION 15. That subject to any logistical constraints imposed by the Registrar by virtue of consolidation, the Chief Deputy City Clerk shall have translated (from English to other languages as authorized under the Voting Rights Act of 1965 and other legal provisions) and printed in the sample ballot only the candidate statement of those candidates who have properly requested it.

SECTION 16. That no candidate for any elected office of the City shall be permitted to include additional materials in the voters' pamphlet and sample ballot package.

SECTION 17. That each candidate for any of the offices to be elected at the General Municipal Election to be conducted on November 8, 2022, who files a candidate statement, shall, as a condition of having his or her statement included in the sample ballot, concurrently deposit with the Chief Deputy City Clerk an amount, as reasonably estimated by the City Clerk, to pay in advance his or her estimated *pro rata* share of the actual costs of printing and handling such candidate statements incurred by the City of Irwindale and/or the County Clerk as a result of providing such service at the time of filing such statement with the Chief Deputy City Clerk. In the event that the amount paid as a deposit by a candidate includes overpayment of actual costs incurred by the City of Irwindale and/or the County Clerk, the Chief Deputy City Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days following the date of the election.

SECTION 18. That the Chief Deputy City Clerk shall provide each candidate or candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 19. That the City Council has determined that the action to be taken in the event of a tie vote is as follows: by lot pursuant to Elections Code Section 15651(a), unless the City Council adopts provisions of Elections Code 15651(b) prior to the conduct of the election resulting in the tie vote.

SECTION 20. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 21. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 22. That the Chief Deputy City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 23. That the Chief Deputy City Clerk is hereby directed to deliver a certified copy of this resolution to the Board of Supervisors of the County of Los Angeles and to transmit an electronic copy to the Board of Supervisors and the Registrar-Recorder/County Clerk.

PASSED, APPROVED, AND ADOPTED this 26th day of May 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-52-3302 was duly adopted by the City Council of the City of Irwindale at a special meeting thereof held on the 26th day of May 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

City of
IRWINDALE
AGENDA REPORT

CC Item
Item 1E

Date: May 26, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Approval of SB1 Road Maintenance and Rehabilitation Account Local Streets and Roads Funding Allocation for Fiscal Year 2022/2023

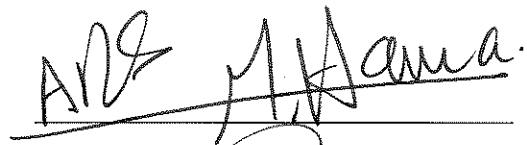
City Manager's Recommendation:

That the City Council (1) approve the SB1 Local Streets and Roads Program proposed project list for Fiscal Year 2022/2023 and authorize staff to submit said list to the California Transportation Commission; and (2) adopt Resolution No. 2022-44-3294 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING THE SUBMISSION OF SB1 ROAD MAINTENANCE AND REHABILITATION ACCOUNT LOCAL STREETS AND ROADS PROJECT LIST TO THE CALIFORNIA TRANSPORTATION COMMISSION AND ALLOCATION OF FUNDS TO THE 2022-2023 RESURFACING PROGRAM".

Administrative Action:

Submitted by:

Arsanious M. Hanna
Director of Engineering/ Building Official



Prepared by:

Luis Pimentel, Assistant Engineer
(626) 430-2259



Reviewed by:

Adrian R. Guerra, City Attorney

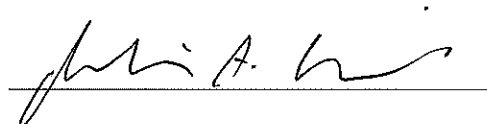


Kambiz Borhani,
Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

In 2017, Senate Bill 1 (SB1) established a Road Maintenance and Rehabilitation Account (RMRA) to address basic road maintenance and rehabilitation of state highways and local streets and roads. Pursuant to Section 2032 of the Streets and Highways Code, a percentage of the funding from the new Road Maintenance and Rehabilitation Account will be allocated to eligible cities and counties for basic road maintenance, rehabilitation, and critical safety projects on local streets and roads.

Each city or county must submit a project list to the California Transportation Commission (CTC), pursuant to an adopted resolution, on an annual basis. SB1 also establishes annual reporting and audit requirements for RMRA expenditures.

The estimated amount of RMRA funds allocated for our city is \$32,847 for FY 2022/2023. The eligible uses of SB1 RMRA funds include road maintenance and rehabilitation, safety projects, bicycle and pedestrian improvements, and traffic control devices.

The proposed project for the FY 2022/2023 RMRA funds is the 2022/2023 Resurfacing Program which consists of cold-milling, removal and re-paving existing asphalt pavement on Baca Avenue, Calle Burrola, Sabre Lane, Calle Del Sur, Calle Breceda, Martinez Street, Nora Avenue and Fraijo Avenue. The useful life of these improvements is estimated to be 10 to 15 years.

Upon approval by the City Council, the project description and a copy of the adopted Resolution No. 2022-44-3294 will be submitted to the California Transportation Commission as required, in order to be eligible to receive SB1 RMRA funding for FY22/23.

Fiscal Impact:

The City of Irwindale will be eligible to receive an estimated amount of \$32,847 for the 2022/2023 Resurfacing Program with the adoption of the attached resolution. RMRA funds are recorded in the State Gas Tax Fund 21.

Attachment: Resolution No. 2022-44-3294

RESOLUTION NO. 2022-44-3294

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
AUTHORIZING THE SUBMISSION OF SB1 ROAD MAINTENANCE AND
REHABILITATION ACCOUNT LOCAL STREETS AND ROADS PROJECT LIST TO
THE CALIFORNIA TRANSPORTATION COMMISSION AND ALLOCATION OF
FUNDS TO THE 2022-2023 RESURFACING PROGRAM**

WHEREAS, SB 1 established a Road Maintenance and Rehabilitation Account to address basic road maintenance and rehabilitation needs of state highways and local streets and roads;

WHEREAS, SB 1 requires that cities adopt a list of projects proposed to be funded by the Road Maintenance and Rehabilitation Account and submit the list to the California Transportation Commission pursuant to an adopted resolution;

WHEREAS, SB 1 establishes annual reporting and audit requirements for funding expenditures;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of Irwindale hereby approves the Project List, described in Section 2 below, which identifies the 2022/2023 Resurfacing Program; and

SECTION 2. The 2022/2023 Resurfacing Program is anticipated to be completed by June 2023. The project is estimated to have a useful life of 15 years, and consists of cold-milling, removal and replacement of asphalt pavement on Baca Avenue, Calle Burrola, Sabre Lane, Calle Del Sur, Calle Breceda, Martinez Street, Nora Avenue and Fraijo Avenue ("Project List"); and

SECTION 3. The City Council of the City of Irwindale hereby authorizes the City Manager, or his/her designee, to submit the Project List described in Section 2 above and this adopted resolution to the California Transportation Commission; and

SECTION 4. That the Chief Deputy City Clerk shall attest to the adoption of this resolution, which shall, in turn, have immediate effect.

PASSED, APPROVED and ADOPTED this 26th day of May 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-44-3294 as duly adopted by the City Council of the City of Irwindale, at a regular meeting held on the 26th day of May 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

City of
IRWINDALE
AGENDA REPORT

CC Item
Item 1F

Date: May 26, 2022

To: Honorable Mayor and Members of the City Council

From: Julian Miranda, City Manager

Issue: Irwindale Business Center Sewer and Street Light Maintenance Assessment
Districts Engineer's Report and Notice of Intent to Levy

City Manager/Executive Director's Recommendation:

That the City Council:

- 1) Adopt Resolution No. 2022-49-3299 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 FOR MAINTENANCE, OPERATION, AND CAPITAL REPLACEMENT OF THE CITY'S SANITATION AND SEWERAGE SYSTEMS LOCATED WITHIN THE SEWER MAINTENANCE DISTRICT WITHIN THE IRWINDALE BUSINESS CENTER; DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SEWER MAINTENANCE DISTRICT FOR FISCAL YEAR 2022-2023; AND GIVING NOTICE OF A DAY AND TIME FOR A VIRTUAL PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS.
- 2) Adopt Resolution No. 2022-48-3298 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 FOR MAINTENANCE OF STREET LIGHTING LOCATED WITHIN THE STREET LIGHTING MAINTENANCE DISTRICT (THE IRWINDALE BUSINESS CENTER); DECLARING ITS INTENTION TO LEVY ASSESSMENTS WITHIN THE STREET LIGHTING MAINTENANCE DISTRICT FOR THE FISCAL YEAR 2022-2023; AND GIVING NOTICE OF A DAY AND TIME FOR A VIRTUAL PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSEMENTS.
- 3) Set the Public Hearing for June 22, 2022 to consider setting assessments for the two above-mentioned Assessment Districts.

Administrative Action:

Submitted by:

Kambiz Borhani, Finance Director/City Treasurer
(626) 430-2221



Prepared by:

Jeanette Duran, Finance Manager



Reviewed by:

Adrian R. Guerra, City Attorney/Authority Counsel

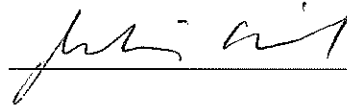
Electronically Approved

Kambiz Borhani, Finance Director/City Treasurer



Approved by:

Julian Miranda, City Manager



Background and Analysis:

On or about June 23, 2001, in the Fiscal Year 2001-2002, the City Council of the City of Irwindale ("City Council") adopted the Sewer Maintenance District (Irwindale Business Center) and established a sewer maintenance charge for the Sewer Maintenance District for the manner of levying such charge and maximum amounts to be charged for the fiscal year pursuant to the Improvement Act of 1911 (Streets & Highways Code § 5000 et seq.) ("Act").

Furthermore, in Fiscal Year 2001-2002, the City of Irwindale ("City") formed the Street Lighting Maintenance District (Irwindale Business Center) Resolution Number 2001-42-1762, to generate revenue and finance the cost of providing maintenance for the existing public street lighting system within the Irwindale Business Center. The Irwindale Business Center is a 116-acre private industrial development and the improvements to be maintained within the Street Lighting Maintenance District are appurtenant thereto within and benefiting all assessable parcels of land within the Street Lighting Maintenance District.

In order to maintain the Sewer Assessment District and the Street Lighting Assessment District (each referred to as "Assessment District" and collectively referred to as "Assessment Districts"), both located within the Irwindale Business Center, and to establish the charge rate for the Fiscal Year 2022-2023

assessments, the City retained a professional engineering consulting firm for the preparation of the Engineer's Report for each Assessment District. The Engineer's Report for the Irwindale Business Center Sanitation and Sewage System is prepared in accordance with the methodology stated in Section 5473 of the Health and Safety Code. The Engineer's Report for the Irwindale Business Center Street Lighting Maintenance District is prepared in accordance with the methodology stated in Article 4, Chapter 1, Part 2, Division 15 of the Streets and Highways Code, beginning with section 22565 et seq.

The proposed assessments will defray the City's costs in the administration of the Assessment Districts. The property owners will have an opportunity to address the City Council concerning the Assessment Districts during the public hearing scheduled to be held during the virtual City Council Meeting on June 22, 2022. Following the completion of the public hearing, the City Council will vote on the property assessments for the street lighting and sewer maintenance charges for fiscal year 2022-2023 and instruct the County Assessor's office for the collection through tax bills.

- 1) Copies of the two draft Engineer's Reports are included with the Resolution for each Assessment District.
 - a. The Sewer Maintenance District anticipated assessment levy is \$1,447.76 per Benefit Unit for FY 2022/2023, which is based on the estimated cost of operations, maintenance, and future lift station replacement for that year.
 - b. The Street Lighting Maintenance District assessment to be levied is based upon each parcel within the boundaries of the District and the assessment was based solely on the benefit received from the street light maintenance. The assessment per Benefit Unit is \$139.09.

Fiscal Impact:

All costs for the maintenance and administration of the two Assessment Districts are budgeted and accounted for in the City's Irwindale Business Center Assessment District Funds 44 and 45. There is no impact to General Fund expenditures, and there is nominal revenue reimbursed to the General Fund as administrative overhead for staff time allocated to the two assessment districts.

Attachment:

- Resolution No. 2022-49-3299
- Irwindale Business Center Sewer Maintenance District Engineer's Report
- Resolution No. 2022-48-3298
- Irwindale Business Center Street Lighting Maintenance District Engineer's Report

RESOLUTION NO. 2022-48-3298

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 FOR MAINTENANCE OF STREET LIGHTING LOCATED WITHIN THE STREET LIGHTING MAINTENANCE DISTRICT (THE IRWINDALE BUSINESS CENTER); DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE STREET LIGHTING MAINTENANCE DISTRICT FOR THE FISCAL YEAR 2022-2023; AND GIVING NOTICE OF A DAY AND TIME FOR A VIRTUAL PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS

WHEREAS, on June 28, 2001, the City Council previously adopted Resolution 2001-42-1762 forming the Street Lighting Maintenance District located within the Irwindale Business Center ("District") pursuant the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the Streets and Highways Code, to levy and collect assessments therein as set forth in an engineer's report adopted by the City Council and prepared for fiscal year 2001-2002; and

WHEREAS, the improvements to be maintained within the existing District are generally described as including, but not limited to, street lighting and facilities which are appurtenant thereto within and benefiting assessable parcels of land within the District; and

WHEREAS, pursuant to Government Code sections 53750 et seq. (Proposition 218), in adopting Engineer's Report and declaring its intent to levy and collect assessments for the District for the fiscal year 2001-2002, the City complied with the notice, protest, and hearing requirements; and

WHEREAS, the City Council by previous Resolution No. 2022-48-3298, has ordered Willdan Financial Services, to prepare and file with the City Clerk an Engineer's Report establishing fiscal year 2022-2023 assessments for the District ("Engineer's Report"); and

WHEREAS, in accordance with Section 4 of Article XIII D of the California Constitution and the Act (collectively the "Assessment Law"), the Engineer's Report for Fiscal Year 2021-2022, made part hereof as Exhibit A, has been prepared and filed with the Deputy City Clerk and all interested persons are referred to the Engineer's Report for a full and detailed description of the boundaries of the District, the work and the proposed assessments upon the assessable lots and parcels of land within the District; and

WHEREAS, the Engineer's Report does not provide any increase in the assessment methodology or any formula or range of assessments which will increase the assessments, rather the assessment for fiscal year 2022-2023 is proposed to increase based on the methodology approved by the City Council for the fiscal year 2001-2002

and as such, under Government Code section 53753.5, the City need not further comply with the notice, protest and hearing requirements of section 53753; and

WHEREAS, in accordance with the Act, the Engineer's Report included in this resolution has been presented to the City Council; and

WHEREAS, pursuant to Government Code Section 53753.5, a public agency that has complied with the notice, protest, and hearing requirements of Section 53753 in establishing an assessment, need not follow those requirements in subsequent fiscal years where the assessment methodology is not changed to increase the assessment or the amount of the assessment proposed does not exceed an assessment formula or range of assessments adopted in accordance with Government Code Section 53750 et. seq. (Proposition 218); and

WHEREAS, the City Council has duly examined, inspected and considered each and every part of the Engineer's Report and is satisfied that the assessments have been spread in accordance with the benefits received from the services as set forth in the Engineer's Report; and

WHEREAS, the adoption of this Resolution, among other things, is required in order to levy the proposed assessments for Fiscal Year 2022-2023 for the District.

THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. Engineer's Report. The City Council hereby finds that each and every part of the Engineer's Report is sufficient, and the City Council hereby approves, passes on and adopts the Engineer's Report as submitted to the City Council and filed with the Deputy City Clerk. The report as may be amended at or prior to the public hearing shall stand as the Engineer's Report for the purposes of all subsequent proceedings pursuant to this resolution of Intention.

Section 3. Statement of Intention. The public interest and convenience require, and it is the intention of the City Council, to levy and collect assessments within the District, generally described as including, but not limited to, street lighting and facilities which are appurtenant thereto within and benefiting assessable parcels of land within the District, for the fiscal year 2022-2023.

Section 4. Description of Work. The District shall provide for the installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, street lighting and facilities which are appurtenant thereto. Reference is made to the Engineer's Report on file in the office of the Deputy City Clerk for a more

detailed description of the work to be done, the amount of the proposed assessments and the method of assessment.

Section 5. Description of Street Lighting and Maintenance District. The contemplated work, in the opinion of the City Council, is of special benefit to, and the City Council hereby makes the expense of said work chargeable upon, all the property within the District, which is more particularly described on a map on file in the office of the Deputy City Clerk, entitled "Irwindale Business Center Street Lighting and Maintenance District."

Section 6. Time and Place of Public Hearing. NOTICE IS HEREBY GIVEN THAT ON THE 22nd DAY OF JUNE 2022, AT THE HOUR OF 6:30 PM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD, IN THE COUNCIL CHAMBERS OF THE CITY COUNCIL IN THE CITY HALL, AT 5050 N. IRWINDALE AVENUE, IRWINDALE, CALIFORNIA, ANY AND ALL PERSONS SHALL BE AFFORDED THE OPPORTUNITY TO HEAR AND BE HEARD, AND THE CITY COUNCIL SHALL CONSIDER ALL ORAL STATEMENTS AND WRITTEN PROTESTS MADE OR FILED BY ANY INTERESTED PERSON REGARDING THE WORK PROPOSED TO BE DONE OR CARRIED OUT, OR WHY SAID ASSESSMENTS SHOULD NOT BE LEVIED IN ACCORDANCE WITH THIS RESOLUTION OF INTENTION. WRITTEN PROTESTS MUST BE FILED WITH THE DEPUTY CITY CLERK PRIOR TO THE CONCLUSION OF THE PUBLIC HEARING.

The Chief Deputy City Clerk is hereby directed to give notice of such public hearing by causing this resolution to be published and posted at least ten (10) days prior to the date set for public hearing.

Section 7. Street Lighting and Maintenance. All work proposed shall be done in accordance with the Act.

Section 8. Certification. The Chief Deputy City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED, this 26th day of May, 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura Nieto
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-48-3298 was adopted at a regular meeting of the City Council of the City of Irwindale held on May 26, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura Nieto
Chief Deputy City Clerk



City of Irwindale

Street Lighting Maintenance District (Irwindale Business Center)

2022/2023 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 26, 2022

Public Hearing: June 22, 2022

27368 Via Industria
Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
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I. Introduction

This Engineer's Report ("Report") has been prepared pursuant to and in compliance with the requirements of Article 4, Chapter 1, of the Landscaping and Lighting Act of 1972 (the "1972 Act") which is Part 2, Division 15 of the California Streets and Highways Code and Article XIID of the Constitution of the State of California ("Article XIID"), in Fiscal Year 2001/2002, the City of Irwindale ("City") formed the Street Lighting Maintenance District (Irwindale Business Center) ("District") to generate revenue and finance the cost of providing maintenance for the existing public street lighting system within the Irwindale Business Center. The Irwindale Business Center is a 116-acre private industrial development and the improvements to be maintained within the District are appurtenant thereto within and benefiting all assessable parcels of land within the District.

Noticing and balloting requirements and other applicable provisions of Article XIID were followed with respect to the formation of the District. The assessment to be levied upon each parcel within the boundaries of the District and the assessment was based solely on the benefit received from street light maintenance. A maximum assessment rate of \$97.29 per Benefit Unit ("BU") was established for Fiscal Year 2001/2002. For any year in which all other rates imposed under the District are adjusted by the change in the Consumer Price Index, the maximum rate will also be adjusted by the Consumer Price Index.

II. Facilities Maintained by the District

A) Street Lighting

The public street lighting system within the proposed District boundaries is owned by the Southern California Edison Company and currently consists of 22 lights, as shown below:

No. of Lights	Size in Lumens	Type of Light
22	16,000	High Pressure Sodium Vapor Lamps

III. Plans and Specifications

A) Improvements Authorized by the 1972 Act

As applicable or may be applicable to this proposed District, the 1972 Act defines improvements to mean one or any combination of the following:

- The installation or planting of landscaping.

- The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- The installation or construction of public lighting facilities.
- The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- The maintenance or servicing, or both, of any of the foregoing.
- The acquisition of any existing improvement otherwise authorized pursuant to this section.

Incidental expenses associated with the improvements including, but not limited to:

- The cost of preparation of the Report, including plans, specifications, estimates, diagram, and assessment;
- The costs of printing, advertising, and the publishing, posting and mailing of notices;
- Compensation payable to the County for collection of assessments;
- Compensation of any engineer or attorney employed to render services;
- Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
- Any expenses incidental to the issuance of bonds or notes pursuant to Section 22662.5.
- Costs associated with any elections held for the approval of a new or increased assessment.

The 1972 Act defines "Maintain" or "Maintenance" to mean furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including:

- Repair, removal, or replacement of all or any part of any improvement.
- Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
- The removal of trimmings, rubbish, debris, and other solid waste.

- The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

The improvements are the operation, maintenance, rehabilitation and servicing of lighting and appurtenant facilities. The facilities and improvements are described as follows:

B) Lighting and Appurtenant Facilities

Street lighting improvements include but are not limited to: poles, fixtures, bulbs, conduits, and conductors, equipment including guys, anchors, posts and pedestals, metering devices, and appurtenant facilities as required to provide safety lighting and traffic signals in public rights-of-way and dedicated easements within the boundaries of the District.

The public lighting system will be maintained to provide adequate illumination. Power for street lights will be furnished by the Southern California Edison Company, or such agency as determined by the City.

C) Operation

Operation includes, but is not limited to, the furnishing of personnel, electrical energy, materials, contracting services, administration, and other items and functions necessary for the satisfactory operation of the public lighting facilities and appurtenant facilities.

D) Maintenance

Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the public lighting facilities and appurtenant facilities.

E) Rehabilitation

Rehabilitation means the repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities as required for their intended function.

F) Servicing

Servicing means the maintenance of any of the public lighting facilities or appurtenant facilities, and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities or appurtenant facilities.

The plans and specifications for the improvements are on file in the office of the City Engineer and are by reference herein made a part of this Report.

IV. Estimate of Cost

The cost of the operation, maintenance, rehabilitation, and servicing of the improvements for Fiscal Year 2022/2023, as described in Part III, are summarized herein and described below the table.

STREET LIGHTING MAINTENANCE COST ESTIMATE FOR FY 2022/2023	
REVENUE	
Beginning Fund Balance (7/01/2022) ⁽¹⁾	\$24,916
Assessments (FY 2022/2023) ⁽²⁾	15,370
Total Revenue	\$40,286
EXPENDITURES ⁽³⁾	
Utilities	
22 Street Lights (16,000 lumens)	
High Pressure Sodium Vapor Lamps	\$2,600
Energy Charge Per Lamp	2,200
Anticipated SCE rate (Increase in FY 2022/2023)	0
Reserve (Fund Balance is able to offset unexpected utility) ⁽⁴⁾	0
Assessment Engineering Services	1,900
District Administration	7,900
Legal Fees	170
Public Notice Publication	600
Total Expenditures	\$15,370
Estimated Fund Balance (6/30/2023)	\$24,916
Assessment per Benefit Unit	\$139.09
Maximum Assessment per Benefit Unit	\$169.83
Max Rate Per BU FY 2022/2023	\$169.83
Levy per BU FY 2022/2023	\$139.09
BU	110.51

Revenues

- (1) The amount of any surplus or deficit in the improvement fund to be carried over from a previous Fiscal Year.
- (2) The net amount to be assessed upon assessable lands within the District being the total operation, maintenance, and servicing costs. Actual levy to the County of Los Angeles will vary slightly due to rounding.

Expenditures

- (3) The total costs for improvements to be made for the year, being the total costs of operation, maintenance, and servicing all existing improvements, including all incidental expenses.
- (4) The expenditures may include a reserve that shall not exceed the estimated costs of maintenance and servicing to December 10 when the City expects to receive its apportionment of assessments from the Los Angeles County. For this Fiscal Year the reserve is not part of the assessment since the fund balance is enough to cover those costs.

V. Method of Apportionment of Assessment

A) General

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include operation, maintenance, rehabilitation, and servicing of street lights.

The 1972 Act requires that maintenance assessments be levied according to benefit rather than according to assessed value. Section 22573 provides that:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

In addition, Article XIID requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. Article XIID provides that only special benefits are assessable and the City must separate the general benefits from the special benefits.

B) Proposition 218 Benefit Analysis

In conjunction with the provisions of the 1972 Act, Article XIID addresses several key criteria for the levy of assessments, notably:

Article XIID Section 2(d) defines District as follows:

"District means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service";

Article XIID Section 2(i) defines Special benefit as follows:

"Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."

Article XIID Section 4(a) defines proportional special benefit assessments as follows:

"An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement,

or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

This District was formed to establish and provide for the improvements that enhance the presentation of the surrounding properties and developments. These improvements will directly benefit the parcels to be assessed within the District. The assessments and method of apportionment is based on the premise that the assessments will be used to construct and install landscape and lighting improvements within the existing District as well as provide for the annual maintenance of those improvements, and the assessment revenues generated by District will be used solely for such purposes.

The costs of the proposed improvements have been identified and allocated to properties within the District based on special benefit. The improvements to be provided by this District and for which properties will be assessed have been identified as an essential component and local amenity that provides a direct reflection and extension of the properties within the District which the property owners and residents have expressed a high level of support.

The method of apportionment (method of assessment) set forth in the Report is based on the premise that each assessed property receives special benefits from the landscape and lighting improvements within the District, and the assessment obligation for each parcel reflects that parcel’s proportional special benefits as compared to other properties that receive special benefits.

To identify and determine the proportional special benefit to each parcel within the District, it is necessary to consider the entire scope of the improvements provided as well as the properties that benefit from those improvements. The improvements and the associated costs described in this Report, have been carefully reviewed and have been identified and allocated based on a benefit rationale and calculations that proportionally allocate the net cost of only those improvements determined to be of special benefit to properties within the District. The various public improvements and the associated costs have been identified as either “general benefit” (not assessed) or “special benefit”.

C) Apportionment by Parcel Size

Acreage has been selected as the principal unit for calculating the special benefit conferred upon the parcels by the street lighting improvements and for apportioning the total assessment. The special benefit will be expressed as Benefit Unit (BU). Every parcel will be assigned one benefit unit (1.0 BU) per acre.

- **All developed and undeveloped parcels.** All parcels will be assessed one (1) benefit unit per acre.
- **Exempt.** Exempt from the assessment would be the areas of public streets, public easements and rights-of-ways. Also exempt from assessment would be utility rights-of-way, common areas, and sliver parcels not developable, as these parcels do not benefit from the improvements. The storm water detention basin on parcel 8417-027-094, which became 8417-027-908 and the utility easement to Valley County Water District on parcel 8417-035-900 do not benefit from the lighting system and are exempt from the lighting assessment.

Southern California Edison has purchased parcel 8417-036-002, which became 8417-036-800. This parcel is not exempt from the lighting assessment and is assessed as State Board of Equalization ("SBE") parcel 9014-800-001.

The sewer lift station located on parcel 8417-036-900 benefits; therefore, it is not exempt and is included in the lighting assessment.

A summary of Benefit Unit (BU) rates is shown in the table below:

<u>Land-Use Category</u>	<u>Basic Unit</u>	<u>BU Factor</u>	<u>BU Rates</u>
Exempt	0 acres X	0.0	= 0.0 BU/Acre
All other	1 acres X	1.0	= 1.0 BU/Acre

D) Special Benefit Determination

Street Lighting: Proper maintenance and operation of the street lighting system benefits all properties by enhancing overall safety, mitigating crime, alleviating the fear of crime, and promoting business and industry.

Street lighting provides special and direct benefit to all properties within the District as these lighting benefits are directly related to the positive enhancement of the area and therefore increase property desirability.

E) Assessment Rate Calculation

The Maximum Allowable Assessment rate for Fiscal Year 2022/2023 is \$169.83. This rate is calculated by adjusting the maximum rate established for Fiscal Year 2001/2002 of \$97.29 per Benefit Unit by the Consumer Price Index ("CPI") for All Items, All Urban Consumers for the Los Angeles-Long Beach-Anaheim Area. The maximum rate reflects the April 2021 to April 2022 CPI increase of 7.87% over the maximum rate of \$157.44 for Fiscal Year 2021/2022.

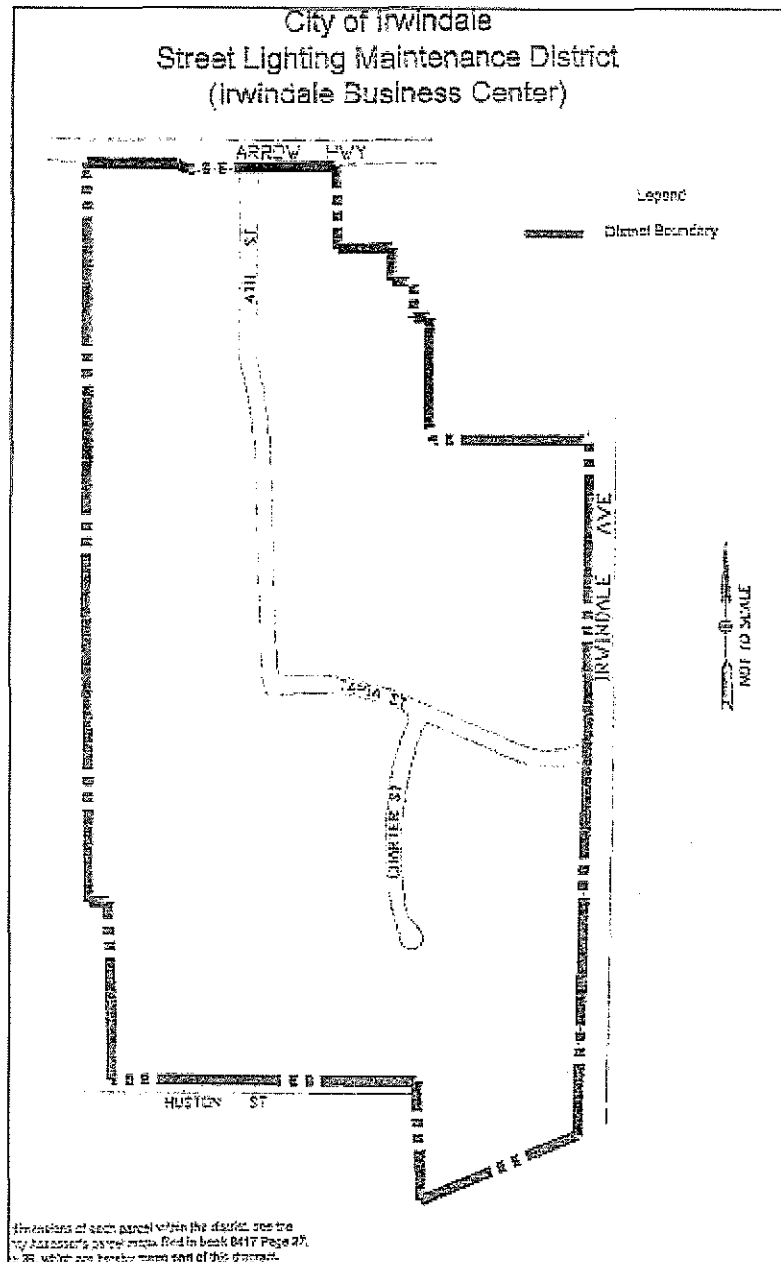
Land Use	Parcels	Acreage	Benefit Units
All Developed and Undeveloped	24	110.51	110.51
Exempt	2	0.00	0.00
Total:	26	110.51	110.51

As shown in the budget in section IV, the assessment rate for Fiscal Year 2022/2023 is \$139.09 per BU.

Each year, as the City maintains the existing street lighting improvements, the rate per BU will be calculated according to the current year's operations and maintenance budget.

VI. Boundary Map

The lines and dimensions of each lot or parcel within the Street Lighting Maintenance District are those lines and dimensions shown on the maps of the Assessor of the County of Los Angeles, and are incorporated by reference herein and made part of this Report.



VII. Assessment Roll

The proposed Fiscal Year 2022/2023 charges apportioned to each parcel, as shown on the latest roll of the Assessor's Office, are below. The description of each lot or parcel is part of the records of the Assessor of the County of Los Angeles and these records are by reference made part of this Report.

City of Irwindale
Street Lighting and Maintenance District (Irwindale Business Center)
Fiscal Year 2022/2023
Preliminary Assessment Roll

Assessor's Parcel Number	Situs	Address	Taxable Acreage	Benefit Unit Factor	EBU	Charge
8417-027-088	4775	IRWINDALE AVE	5.41	1.0	5.41	\$752.48
8417-027-089	15800	TAPIA ST	3.87	1.0	3.87	538.28
8417-027-090	4821	CHARTER ST	6.49	1.0	6.49	902.69
8417-027-091	4889	4TH ST	10.73	1.0	10.73	1,492.44
8417-027-092	4821	4TH ST	3.03	1.0	3.03	421.44
8417-027-093	4818	4TH ST	4.77	1.0	4.77	663.46
8417-035-006	5091	4TH ST	15.01	1.0	15.01	2,087.74
8417-035-007	4981	4TH ST	8.03	1.0	8.03	1,116.89
8417-035-008	4982	4TH ST	2.02	1.0	2.02	280.96
8417-035-009	5012	4TH ST	2.14	1.0	2.14	297.65
8417-035-010	5082	4TH ST	5.82	1.0	5.82	809.50
8417-035-011	5086	4TH ST	4.66	1.0	4.66	648.16
8417-035-012	15751	TAPIA ST	4.17	1.0	4.17	580.01
8417-035-013	15761	TAPIA ST	8.68	1.0	8.68	1,207.30
8417-035-014	5027	IRWINDALE AVE	1.79	1.0	1.79	248.97
8417-035-015	4981	IRWINDALE AVE	1.98	1.0	1.98	275.40
8417-035-024	15662	ARROW HWY	0.72	1.0	0.72	99.45
8417-035-028	15700	ARROW HWY	1.18	1.0	1.18	164.13
8417-035-029	15716	ARROW HWY	0.46	1.0	0.46	63.84
8417-035-034	15612	ARROW HWY	0.50	1.0	0.50	69.55
8417-035-035	15642	ARROW HWY	1.95	1.0	1.95	271.23
8417-036-001	4781	IRWINDALE AVE	9.92	1.0	9.92	1,380.05
8417-036-800 ⁽¹⁾	4777	IRWINDALE AVE	6.98	1.0	6.98	970.85
8417-036-900	NO	SITUS AVAILABLE	0.20	1.0	0.20	27.82
Total:			110.51		110.51	\$15,370.29
Parcel Count:						24

⁽¹⁾ Assessment for Southern California Edison's parcel is submitted under the company's SBE account 9014-800-001

Note: Totals may not foot and total Balance to Levy differs slightly from assessment roll due to rounding.

RESOLUTION NO. 2022-49-3299

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 FOR MAINTENANCE, OPERATION, AND CAPITAL REPLACEMENT OF THE CITY'S SANITATION AND SEWERAGE SYSTEMS WITHIN THE SEWER MAINTENANCE DISTRICT LOCATED WITHIN THE IRWINDALE BUSINESS CENTER; DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SEWER MAINTENANCE DISTRICT FOR FISCAL YEAR 2022-2023; AND GIVING NOTICE OF A DAY AND TIME FOR A VIRTUAL PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENTS

WHEREAS, on or about June 28, 2001, in the fiscal year 2001-2002, the City Council of the City of Irwindale ("City Council") adopted the Sewer Maintenance District ("District") and established a sewer maintenance charge for the District for the manner of levying such charge and maximum amounts to be charged for the fiscal year pursuant to the Improvement Act of 1911 (Streets & Highways Code § 5000 et seq.) ("Act"); and

WHEREAS, pursuant to Government Code sections 53750 et seq. (Proposition 218), in adopting the sewer and maintenance charge for the fiscal year 2001-2002, the City complied with the notice, protest, and hearing requirements; and

WHEREAS, the City Council, by previous Resolution No. 2022-49-3299, has ordered Willdan Financial Services, to prepare and file with the City Clerk an Engineer's Report establishing fiscal year 2022-2023 assessments for the District ("Engineer's Report"); and

WHEREAS, an Engineer's Report entitled "Sewer Maintenance Charge (Irwindale Business Center) for Fiscal Year 2022-2023, made part hereof as Exhibit A, has been prepared and filed with the City Clerk and all interested persons are referred to the Engineer's Report for a full and detailed description of the sewer fees and charges (collectively "Sewer Maintenance Charge") and boundaries thereof, the work and the proposed amount and parcels within the boundaries subject to such the Sewer Maintenance Charge; and

WHEREAS, the Engineer's Report included in this resolution has been presented to the City Council; and

WHEREAS, the Engineer's Report does not provide any increase in the assessment methodology or any formula or range of assessments which will increase the assessments, rather the assessment for fiscal year 2022-2023 is proposed to increase based on the methodology approved by the City Council for the fiscal year 2001-2002 and as such, under Government Code section 53753.5, the City need not further comply with the notice, protest and hearing requirements of section 53753; and

WHEREAS, pursuant to Government Code Section 53753.5, a public agency that has complied with the notice, protest, and hearing requirements of Section 53753 in establishing an assessment, need not follow those requirements in subsequent fiscal years where the assessment methodology is not changed to increase the assessment or the amount of the assessment proposed does not exceed an assessment formula or range of assessments adopted in accordance with Government Code Section 53750 et. seq. (Proposition 218); and

WHEREAS, the City Council has duly examined, inspected and considered each and every part of the Engineer's Report and is satisfied that the assessments have been spread in accordance with the benefits received from the services as set forth in the Engineer's Report; and

WHEREAS, the adoption of this Resolution, among other things, is required in order to levy the proposed assessments for Fiscal Year 2022-2023 for the District.

THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. The City Council hereby finds that each and every part of the Engineer's Report is sufficient, and the City Council hereby approves, passes on and adopts the Engineer's Report as submitted to the City Council and filed with the Deputy City Clerk. The report as may be amended at or prior to the public hearing shall stand as the Engineer's Report for the purposes of all subsequent proceedings pursuant to this Resolution.

SECTION 3. The public interest and convenience require, and it is the intention of the City Council to levy and collect assessments within the District ("Sewer Maintenance Charge"), generally described as including, but not limited to, maintenance of the sanitation and sewerage system appurtenant thereto within and benefiting assessable parcels of land within the District.

SECTION 4. The District shall provide for the installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, sanitation and sewerage systems and facilities which are appurtenant thereto. Reference is made to the Engineer's Report on file in the office of the Deputy City Clerk for a more detailed description of the work to be done, the amount of the proposed assessments and the method of assessment.

SECTION 5. The City of Irwindale provides sewer services to the properties described in the Engineer's Report and the City will incur expenses for operation and maintenance of the sanitation and sewerage system. The City Council does hereby

determine that the public interest, convenience and necessity require that the Sewer Maintenance Charge, as proposed, be imposed upon all real properties located within the District and be collected by placing the same on the tax bills issued pursuant to rolls for collection. Passage of this Resolution shall constitute the imposition of the Sewer Maintenance Charge for the fiscal year referred to in the Engineer's Report.

SECTION 6. Time and Place of Public Hearing. NOTICE IS HEREBY GIVEN THAT ON THE 22nd DAY OF JUNE 2022, AT THE HOUR OF 6:30 PM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD, IN THE COUNCIL CHAMBERS OF THE CITY COUNCIL IN THE CITY HALL, AT 5050 N. IRWINDALE AVENUE, IRWINDALE, CALIFORNIA, ANY AND ALL PERSONS SHALL BE AFFORDED THE OPPORTUNITY TO HEAR AND BE HEARD, AND THE CITY COUNCIL SHALL CONSIDER ALL ORAL STATEMENTS AND WRITTEN PROTESTS MADE OR FILED BY ANY INTERESTED PERSON REGARDING THE WORK PROPOSED TO BE DONE OR CARRIED OUT, OR WHY SAID ASSESSMENTS SHOULD NOT BE LEVIED IN ACCORDANCE WITH THIS RESOLUTION OF INTENTION. WRITTEN PROTESTS MUST BE FILED WITH THE DEPUTY CITY CLERK PRIOR AT THE CONCLUSION OF THE PUBLIC HEARING.

The Chief Deputy City Clerk is hereby directed to give notice of such public hearing by causing this resolution to be published and posted at least ten (10) days prior to the date set for public hearing.

SECTION 7. The Chief Deputy City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED, this 26th day of May, 2022.

Larry G Burrola, Mayor

ATTEST:

Laura Nieto
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-49-3299 was adopted at a regular meeting of the City Council of the City of Irwindale held on May 26, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura Nieto
Chief Deputy City Clerk



City of Irwindale

Sewer Maintenance District (Irwindale Business Center)

2022/2023 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 26, 2022

Public Hearing: June 22, 2022

27368 Via Industria
Suite 200
Temecula, CA 92590
T 951.587.3500 | 800.755.6864
F 951.587.3510 | 888.326.6864

Property Tax Information Line
T. 866.807.6864

www.willdan.com



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I. Introduction

To establish a revenue source based on benefit to property for funding the maintenance of public sewer facilities in the 116-acre private development, Irwindale Business Center, the City Council directed the City Engineer to facilitate the formation of the Sewer Maintenance Charge (Irwindale Business Center) (the "District") under the Health and Safety Code ("H&SC"), Sections 5470 et. seq., entitled "Sanitation and Sewerage Systems" which provides a method for collecting funds for the maintenance of sewer facilities on the property tax bills. The funding supported the maintenance of a sewer system and a lift station and the future replacement of the lift station (estimated for the year 2026) in the area known as the Irwindale Business Center.

In Fiscal Year 2001/2002, the City Council of the City of Irwindale (the "City") established the Sewer Maintenance Charge (Irwindale Business Center). The noticing and balloting requirements and other applicable provisions of Article XIID of the California State Constitution were followed with respect to the formation of the Sewer Charge. It was determined that the sewer maintenance charge was a property-related charge and should be levied upon each parcel within the boundaries of the Irwindale Business Center. A maximum charge rate of \$829.38 per benefit unit ("BU") was established for Fiscal Year 2001/2002.

The rate imposed each year will be based on the estimated cost of operations, maintenance, and future lift station replacement for that year. For any year in which all other rates imposed under the Sewer Charge are adjusted by the change in the Consumer Price Index ("CPI"), the maximum rate will also be adjusted by the CPI.

Section 5473 of the H&SC requires this Engineer's Report ("Report") to be prepared and filed with the City Clerk each year for the purpose of establishing the charge rate. The charge rate for Fiscal Year 2022/2023 is presented herein in accordance with the methodology as set forth below.

Following approval of this Report, the City Council will hold a public hearing to provide an opportunity for any interested person to be heard. At the conclusion of the public hearing, the City Council may adopt a resolution confirming the levy of the charge as proposed or as modified.

II. Description of the Improvements

The City's existing sewer system facilities in the Irwindale Business Center include approximately 7,500 L.F. of 8" to 12" VCP gravity public sewer main and a sewer lift station, (3'-6" X 14", 1400 GPM, 75 HP dry well pumps and a 12,000 gallon wet well) built to capacity for the project.

III. Estimate of Cost

The cost of operation, maintenance, servicing of the improvements and the replacement of the lift station for Fiscal Year 2022/2023, as described above, are summarized herein and described as below.

SEWER MAINTENANCE COST ESTIMATE FOR FISCAL YEAR 2022/2023	
Beginning Fund Balances (07/01/2022)	
Lift Station Replacement Fund Balance	\$286,496
Total Beginning Fund Balances	\$286,496
Budget Items	
Annual Maintenance Cost (Sewer)	\$12,000
Annual Maintenance Cost (Lift Station)	10,000
Engineering & Administrative Services	21,090
District Administration	1,900
Public Notice Publication	620
Legal Fees	170
Maintenance & Administration Costs	\$45,780
Replace Lift Station / Bypass System ⁽¹⁾	\$114,313
Loan Repayment ⁽²⁾	0
Loan Interest Expense	0
Balance to Levy ⁽³⁾	\$160,093
 Total BU	 110.58
Levy per BU FY 2022/2023	\$1,447.76
Max Rate per BU FY 2022/2023	\$1,447.76
Estimated Ending Fund Balances (06/30/2023)	
Lift Station Replacement Fund Balance ⁽¹⁾	\$400,809
Total Ending Fund Balances	\$400,809

(1) Annual cost for the replacement of the lift station at the end of its useful life estimated to occur in the year 2016. This cost was estimated to be \$750,000 in 2000. Due to increased equipment, material, and labor costs in 2007 the Los Angeles County Maintenance Division recommended a 30% increase to this estimate to a cost of replacement of \$975,000. In addition, in 2014 the Los Angeles County Maintenance Division recommended construction of a bypass system to allow for continuous operation while routine maintenance continues to be performed on the gravity sewer main. Furthermore, the replacement of the station sewer piping shall use stainless steel pipes instead of ductile iron pipes. This increased the cost from \$975,000 to \$1,325,000. The replacement of the gravity sewer main was scheduled to begin in Fiscal Year 2014/2015 and was estimated to be completed in 2-3 years. As such, the total amount to collect became \$1,325,000 - \$825,000 (Collected through Fiscal Year 2013/2014) = \$500,000 over the next 6 years starting Fiscal Year 2014/2015. Annual charge starting Fiscal Year 2014/2015 = \$500,000/6 years = \$83,333.33 per year. However, the City unexpectedly did emergency repair and replacement in Fiscal Year 2014/2015, as explained below, which depleted the funds. The City will continue to collect toward the Lift Station replacement to the maximum capacity allowed in order to replenish the fund.

(2) In Fiscal Year 2014/2015, the City replaced two deteriorated 10" main sewer discharge pipes at the lift station with two 8" high-density polyethylene pipes to prevent sewer spillage and to resume normal operations of the station. These two main sewer discharge pipes extend from the lift station along Charter Street and Tapia Street and the two main lines connect to the County Sanitation District Sewer Main line on Irwindale Avenue. The fund balance in the District did not have sufficient funds to cover the entire cost of the project. The City Council approved a loan from the General Fund in the amount of \$375,000 to be paid off over 5 years with interest to cover this cost. First year loan repayment to start in Fiscal Year 2015/2016 and end in Fiscal Year 2019/2020. The loan was repaid in Fiscal Year 2019/2020.

(3) The net amount to be assessed upon assessable lands within the District being the total operating, maintaining, and servicing costs. Actual levy to the Los Angeles County will vary due to rounding.

IV. Method of Apportionment and Rate Calculator

The land use for all of the parcels within the boundaries of the Sewer Maintenance Charge area as the area fully develops will be industrial. It has been determined that the sewer maintenance charge is a property related charge, and that a charge based on parcel acreage is a reasonable method for apportioning the maintenance costs. The special benefit will be expressed as a Benefit Unit ("BU"). For every parcel one benefit unit (1.00 BU) will be assigned per acre.

- Developed and undeveloped parcels will be assessed one (1) benefit unit per acre.
- Exempt from the assessment would be the areas of public streets, public easements and rights-of-ways. Also exempt from assessment would be utility rights-of-way, common areas, and sliver parcels not developable, as these parcels do not benefit from the improvements.

The sewer lift station located on parcel 8417-036-900, the storm water detention basin on parcel 8417-027-094 which later became parcel 8417-027-908 and the utility easement to Valley County Water District on parcel 8417-035-900 do not benefit from the sewer system, and are exempt from the maintenance charge.

Southern California Edison has purchased parcel 8417-036-002 which became 8417-036-800. This parcel is not exempt from the Sewer Maintenance Charge and is assessed as parcel 9014-800-001 (State Board of Equalization assigned parcel number or "SBE").

	Parcels	Acreage	Benefit Units
Developed and Undeveloped	23	110.58	110.58
Exempt	3	0.00	0.00
Total	26	110.58	110.58

The Fiscal Year 2022/2023 Sewer Maintenance Charge rate is calculated as follows:

The Maximum Allowable Assessment rate for Fiscal Year 2022/2023 is \$1,447.76 The rate is calculated by adjusting the maximum rate established for Fiscal Year 2001-02 of \$829.38 per BU by the Consumer Price Index ("CPI") for All Items, All Urban Consumers for the Los Angeles-Long Beach-Anaheim, Area for the prior year (CPI April 2021 = 285.808, CPI April 2022 = 308.302, increase of 74.576% cumulatively).

Sewer Maintenance Total Costs: \$160,093.30

Sewer Maintenance Charge Rate Fiscal Year 2022/2023:

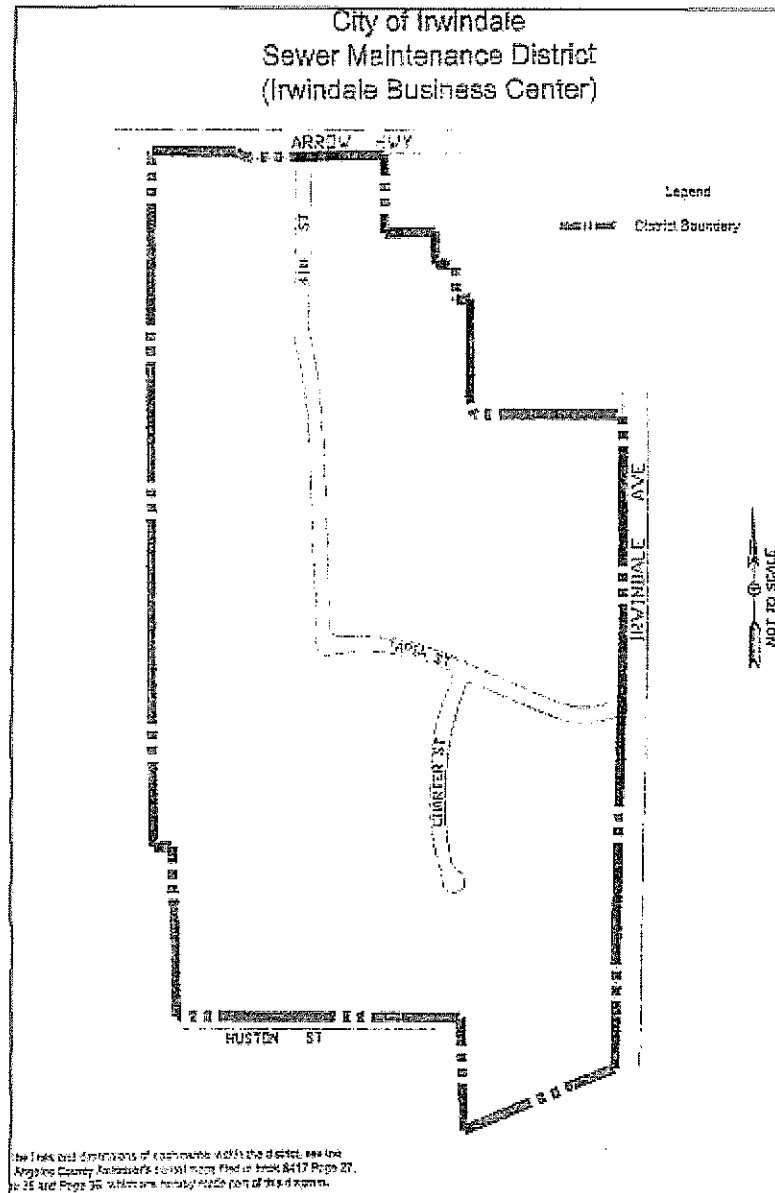
$\$160,093.30 \div 110.58 \text{ Total BU} = \$1,447.76/\text{BU}$

Maximum Sewer Maintenance Charge Rate: \$1,447.76 /BU

This maximum rate reflects the April 2021 to April 2022 CPI increase of 7.87% over last year's maximum rate of \$1,447.76

V. District Assessment Diagram

The lines and dimensions of each lot or parcel within the Sewer Maintenance District are those lines and dimensions shown on the maps of the Assessor of the County of Los Angeles, and are incorporated by reference herein and made part of this Report.



VI. 2022/2023 Assessment Roll

The proposed Fiscal Year 2022/2023 charges apportioned to each parcel, as shown on the latest roll of the Assessor's Office, are below. The description of each lot or parcel is part of the records of the Assessor of the County of Los Angeles and these records are by reference made part of this Report.

City of Irwindale
Sewer Maintenance Charge (Irwindale Business Center)
Fiscal Year 2022/2023 Preliminary Assessment Roll

Assessor's Parcel Number	Situs	Address	Taxable Acreage	Benefit Unit Factor	EBU	Charge
8417-027-088	4775	IRWINDALE AVE	5.41	1.0	5.41	\$ 7,832.38
8417-027-089	15800	TAPIA ST	3.87	1.0	3.87	5,602.83
8417-027-090	4821	CHARTER ST	6.49	1.0	6.49	9,395.96
8417-027-091	4889	4TH ST	10.73	1.0	10.73	15,534.46
8417-027-092	4821	4TH ST	3.03	1.0	3.03	4,386.71
8417-027-093	4818	4TH ST	4.77	1.0	4.77	6,905.82
8417-035-006	5091	4TH ST	15.01	1.0	15.01	21,730.88
8417-035-007	4981	4TH ST	8.03	1.0	8.03	11,625.51
8417-035-008	4982	4TH ST	2.02	1.0	2.02	2,924.48
8417-035-009	5012	4TH ST	2.14	1.0	2.14	3,098.21
8417-035-010	5082	4TH ST	5.82	1.0	5.82	8,425.96
8417-035-011	5086	4TH ST	4.66	1.0	4.66	6,746.56
8417-035-012	15751	TAPIA ST	4.17	1.0	4.17	6,037.16
8417-035-013	15761	TAPIA ST	8.68	1.0	8.68	12,566.56
8417-035-014	5027	IRWINDALE AVE	1.79	1.0	1.79	2,591.49
8417-035-015	4981	IRWINDALE AVE	1.98	1.0	1.98	2,866.56
8417-035-024	15662	ARROW HWY	0.72	1.0	0.72	1,035.15
8417-035-028	15700	ARROW HWY	1.18	1.0	1.18	1,708.36
8417-035-029	15716	ARROW HWY	0.46	1.0	0.46	664.52
8417-035-034	15612	ARROW HWY	0.50	0.0	0.50	723.88
8417-035-035	15642	ARROW HWY	2.22	0.0	2.22	3,219.82
8417-036-001	4781	IRWINDALE AVE	9.92	1.0	9.92	14,364.67
8417-036-800 ⁽¹⁾	4777	IRWINDALE AVE	6.98	1.0	6.98	10,105.36
Total:			110.58		110.58	\$160,093.29
Parcel Count:						23

⁽¹⁾ Assessment for Southern California Edison's parcel was submitted under the company's SBE account 9014-800-001

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

City of
IRWINDALE
AGENDA REPORT

CC Item
Item 1G

Date: May 26, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Approve COPS grant fund budget transfer for additional equipment costs to outfit two police service vehicles

City Manager's Recommendation:

Adopt Resolution No. 2022-47-3297 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING A BUDGET TRANSFER OF COPS GRANT FUNDS OF \$28,100 WITHIN THE COPS FUND BUDGET FOR THE INCREASE IN COSTS FOR OUTFITTING TWO (2) POLICE VEHICLES WITH EMERGENCY SERVICE EQUIPMENT, AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER" by title only, waiving further reading thereof;

Administrative Action:

Submitted by:

Ty Henshaw, Police Chief
(626) 430-2200

Electronically Approved

Prepared by:

John Fraijo, Police Captain

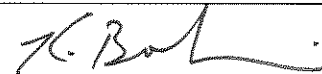
Electronically Approved

Reviewed by:

Adrian R. Guerra, City Attorney

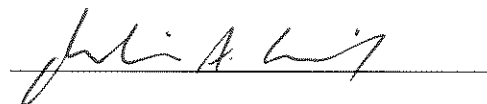
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On April 28, 2021, by City Council adoption of Resolution No. 2021-23-3245, the Police Department received approval for a budget transfer of COPS funds, in the amount of \$146,500, to purchase and outfit two (2) police service vehicles, which includes one (1) 2022 Chevrolet Tahoe and one (1) Ford Police Utility Interceptor with emergency service equipment.

The estimated cost approved for outfitting these vehicles with emergency service equipment at the time totaled \$64,700, and was based on previous outfitting costs of safety lighting equipment, radios, computers, cameras and public safety supplies.

Due to the delays caused by the COVID-19 pandemic on equipment availability, there were significant increases to equipment and outfitting costs since then. These additional increased costs totaling \$92,800 will result in a shortage of funds to complete the outfitting of the two (2) police vehicles with emergency service equipment. Therefore, the Police Dept. requests the City Council's approval for the additional cost of \$28,100.

Fiscal Impact:

There will be no fiscal impact to the General Fund in approving the increased costs of \$28,100, as the City of Irwindale will use Citizens Option for Public Safety (COPS) grant funds to pay the additional costs to outfit the vehicles. Sufficient funds exist in the COPS FY 2021-2022 Budget for these purchases.

Attachment: Resolution No. 2022-47-3297

RESOLUTION NO. 2022-47-3297

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING
A BUDGET TRANSFER OF COPS GRANT FUNDS OF \$28,100 WITHIN THE COPS
FUND BUDGET FOR THE INCREASE IN COSTS FOR OUTFITTING TWO (2) POLICE
VEHICLES WITH EMERGENCY SERVICE EQUIPMENT, AND AUTHORIZING THE
CITY MANAGER TO ISSUE A PURCHASE ORDER**

WHEREAS, on April 28, 2021, pursuant to City Council adoption of Resolution No. 2021-23-3245, the Police Department received approval for a budget transfer of COPS funds, in the amount of \$146,500, to purchase and outfit two (2) Police Service Vehicles, which includes one (1) 2022 Chevrolet Tahoe and one (1) 2021 Ford Police Utility Interceptors ("Police Service Vehicles"), with emergency service equipment; and

WHEREAS, estimated costs for outfitting the Police Service Vehicles with emergency service equipment were \$64,700, based on previous outfitting costs of safety lighting equipment, radios, computers, cameras and public safety supplies at that time; and

WHEREAS, the COVID-19 pandemic affected availability on the equipment needed to outfit the Police Service Vehicles, and resultantly, caused significant increases to equipment and outfitting costs; and

WHEREAS, these increased costs resulted in a shortage of funds to complete the outfitting of the Police Service Vehicles with emergency service equipment; and

WHEREAS, the City desires to transfer \$28,100 from the Citizens Option for Public Safety (COPS) grant fund in order to cover the additional costs to complete the outfitting of the Police Service Vehicles with emergency service equipment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, HEREBY RESOLVES DETERMINES, AND ORDERS AS FOLLOWS:

SECTION 1. The City Council hereby approve and appropriates COPS grant funds in the amount of \$28,100 to pay the additional costs to outfit the Irwindale Police Service Vehicles which includes one (1) 2022 Chevrolet Tahoe and one (1) Ford Police Utility Interceptors with emergency service equipment.

SECTION 2. The City Manager is hereby authorized to issue a purchase order for the additional outfitting costs of emergency service equipment on the Police Service Vehicles which includes one (1) 2022 Chevrolet Tahoe and one (1) Ford Police Utility Interceptors in an amount not to exceed \$92,800.

SECTION 3. Chief Deputy City Clerk shall attest to the adoption of this resolution, which shall, in turn have immediate effect.

PASSED, APPROVED AND ADOPTED this 26th day of May, 2022

Larry G. Burrola, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I Laura Nieto, Chief Deputy Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-47-3297 was duly adopted by the City Council of the City of Irwindale at a special meeting thereof held on the 26th day of May, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

City of
IRWINDALE
AGENDA REPORT

CC Item
Item 1H

Date: May 26, 2022

To: Honorable Mayor and Members of the City Council

From: Julian A. Miranda, City Manager

Issue: ACCEPTING AND APPROVING THE APPROPRIATION OF DONATED FUNDS FROM THE IRWINDALE COMMUNITY FOUNDATION

City Manager's Recommendation:

It is recommended that the City Council adopt Resolution No. 2022-50-3300 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ACCEPTING AND APPROVING THE APPROPRIATION OF DONATED FUNDS FROM THE IRWINDALE COMMUNITY FOUNDATION".

Administrative Action:

Prepared/Submitted by:

Kambiz Borhani, Finance Director / City Treasurer



Reviewed by:

Adrian Guerra, City Attorney

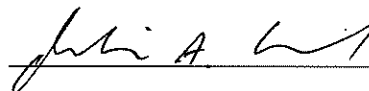
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

1. Sometime in FY 2022-2023, the Irwindale Community Foundation (ICF) will receive a donation of \$250,000 from Huy Fong Foods, Inc. This is consistent with donations the ICF has received in prior fiscal years. In line with the ICF's mission, the ICF Board allocates donated funds for programs, services and equipment that benefit the Irwindale community, and the ICF Board typically considers City

programs and services in the areas of Recreation, Aquatics, Senior Center, and Library.

2. On May 4, 2022, the Irwindale Parks & Recreation Commission (Commission) reviewed recommendations from City Staff for the proposed use of ICF donated funding. The Commission approved the recommended requests from City Staff, which include various programs, services and equipment for the Recreation, Public Services and Aquatics Divisions, and these requests were presented to the ICF Board for their consideration.
3. On April 19, 2022, the ICF Board met and reviewed the proposed budget for FY 2022-2023. The ICF Budget included the requests for Recreation, Senior Center, Public Services, and Library as approved by the Commission. All requests are itemized in Attachment "A" of Resolution No. 2022-50-3300.
4. On May 17, 2022, after review and discussion of all requests, the ICF Board approved its FY 2022-2023 Budget, which includes a total of \$36,370 in transfers to the following City departments/divisions:

Recreation	\$8,500
Senior Center	12,000
Public Services	9,900
Library	<u>5,970</u>
Total ICF FY 2022-23 Budget	<u>\$36,370</u>

5. It would be appropriate at this time for the City to accept the donation from the ICF, and approve the appropriation for expenditure of these funds as listed in Attachment "A" of Resolution 2022-50-3300.

Fiscal Impact:

Approving Resolution No. 2022-50-3300 will authorize the City to record the acceptance of the ICF donated funds of \$36,370, as well as approve the appropriation of these funds into the proper expenditure budgets for Senior Center, Public Services, Library and Recreation. The appropriations will allow these department/division(s) to fund the recommended programs, services and equipment listed in Attachment "A" for benefit to the Irwindale community.

Attachment:

Resolution No. 2022-50-3300, with Attachment "A"

RESOLUTION NO. 2022-50-3300

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE ACCEPTING AND APPROVING THE APPROPRIATION
OF DONATED FUNDS FROM THE IRWINDALE COMMUNITY
FOUNDATION**

WHEREAS, the Irwindale Community Foundation is a 501(c)(3) non-profit organization in the City of Irwindale, which serves an important public purpose by raising funds to benefit the Irwindale community; and

WHEREAS, the Irwindale Community Foundation will receive a generous donation in the amount of \$250,000 for FY 2022-2023; and

WHEREAS, during the board meeting on May 17, 2022, the Irwindale Community Foundation Board approved the FY 2022-2023 Budget, which includes a donation of \$36,370 to the City of Irwindale; and

WHEREAS, the City Council hereby accepts the donation of \$36,370, and shall appropriate the donated funds to the departments/divisions of Recreation (\$8,500), Senior Center (\$12,000), Public Services (\$9,900), and Library (\$5,970), as itemized in Attachment "A"; and

WHEREAS, the intended use of the funding for the Recreation, Public Services, and Library departments has been reviewed and approved by the Parks and Recreation Commission.

NOW, THEREFORE, the City Council of the City of Irwindale, California, hereby resolves, determines and orders as follows:

Section 1. The City Council finds the above recitals to be true and correct, and incorporates them herein by this reference.

Section 2. The City Council hereby formally accepts the donation of \$36,370 from the Irwindale Community Foundation on behalf of the City, and the same shall be recorded in the City's donated revenue budget.

Section 3. The City Council hereby approves and appropriates the donated funds as approved by the Irwindale Community Foundation, and as itemized on Attachment "A". City Staff shall coordinate with the Irwindale Community Foundation, and are authorized to take all actions reasonably necessary to carry out the intent and purpose of this Resolution.

Section 4. That the Chief Deputy City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 26th day of May 2022.

Larry G. Burrola, Mayor

ATTEST

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-50-3300 was duly adopted by the City Council of the City of the City of Irwindale, at a regular meeting held on the 26th day of May 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

City of
IRWINDALE
AGENDA REPORT

CC Item
Item 11

Date: May 26, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Resolution Approving the Donation to the Irwindale Educational Foundation

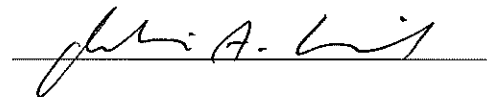
City Manager's Recommendation:

Adopt Resolution No. 2022-53-3303 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE FINDING THAT THE PUBLIC PURPOSE WOULD BE SERVED BY THE DONATION TO THE IRWINDALE EDUCATIONAL FOUNDATION OF THE USE OF A BILLBOARD DISPLAY IN THE CITY OF IRWINDALE AND APPROVING THE DONATION THERETO" reading by title only and waiving further reading thereof.

Administrative Action:

Submitted by:

Julian A. Miranda, City Manager



Prepared by:

Laura Nieto, Chief Deputy City Clerk



Reviewed by:

Adrian R. Guerra, City Attorney

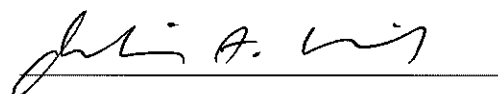
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

The Irwindale Educational Foundation (IEF) is hosting its fundraiser to raise funds for educational scholarships to qualified Irwindale residents and employees and family members of businesses located within the city limits that are members of good standing of Irwindale Chamber of Commerce. On May 18, 2022, the City received a request for the use of one of the billboard displays in the City during the 2021/2022 fiscal year.

The City in past years has been supportive of this charitable organization and, in fact, has approved the use of one of the Clear Channel Communications' billboard faces for one month (estimated value of between \$6,500 to \$15,000 depending on the billboard) the City receives the right to use along the 210 and 605 Freeways. The IEF uses the billboard to acknowledge sponsors of the event and to market the Foundation.

The education benefits provided by IEF serves an important public purpose insofar as it helps qualified individuals attain higher education, and thus become more informed and productive members of the community and, assisting members of the Irwindale community attain greater education levels tends to increase their earning potential, creating a likely economic benefit to Irwindale businesses, and consequently City revenues.

Fiscal Impact:

There is no loss of revenues to the City since the Agreement with Clear Channel or CBS Outdoor Inc. allows for City use of the billboard for specified periods of time.

Attachment:

Request from Irwindale Educational Foundation Board
Resolution No. 2022-53-3303



IRWINDALE EDUCATIONAL FOUNDATION

A California Non-Profit Corporation

P.O. Box 2307

Irwindale, CA 91706

May 17, 2022

Board of Directors 2022

Officers

Theresa Olivares
City of Irwindale
President

George Silva
SCE Federal Credit Union
Vice President

Nicola Shahanian
Irwindale Chamber of Commerce
Treasurer

Elizabeth Rodriguez
City of Irwindale
Secretary

Directors

Gary Clifford
Athens Services

Phyllis Ferguson
California Customs
Fruits & Flavors

John Frajio
City of Irwindale

Anita Hernandez
Irwindale Brew Yard

Jesus Rodriguez
Decorative Specialties, Inc.

Mayra Serrano
City of Hope

The Honorable Larry G. Burrola, Mayor of the City of Irwindale
The Honorable Albert F. Ambriz, Mayor Pro Tem of the City of Irwindale
The Honorable Mark A. Breceda, Councilmember of the City of Irwindale
The Honorable Manuel R. Garcia, Councilmember of the City of Irwindale
The Honorable H. Manuel Ortiz, Councilmember of the City of Irwindale

Irwindale City Hall
5050 North Irwindale Avenue Irwindale,
CA 91706

Dear Mayor Burrola and Council Members:

The Irwindale Educational Foundation ("IEF"), a 501(c)(3) non-profit organization, respectfully requests the use of a billboard for 30 days in the 2022/2023 fiscal year to support IEF fundraising efforts.

IEF provides grants to Irwindale residents, employees, and family members of Irwindale Chamber of Commerce members in good standing and located in Irwindale. IEF provides financial assistance to first time college and vocational students and to continuing students making good academic progress. Since 2002, IEF has awarded over \$553,400 in scholarships to deserving students.

On July 22nd of this year, the Irwindale Brew Yard will host our fundraising event in their pub, and surrounding area. The evening will feature a casino night. Further details of the event will be communicated separately.

Thank you in advance for your consideration.

Sincerely,

George Silva, Vice President

Cc: Julian Miranda, City Manager, City of Irwindale

RESOLUTION NO. 2022-53-3303

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF IRWINDALE FINDING THAT THE PUBLIC PURPOSE
WOULD BE SERVED BY THE DONATION TO THE
IRWINDALE EDUCATIONAL FOUNDATION OF USE OF A
BILLBOARD DISPLAY IN THE CITY OF IRWINDALE AND
APPROVING THE DONATION THERETO**

WHEREAS, the Irwindale Educational Foundation, a 501 (c)(3) non-profit organization, ("Foundation") annually hosts an event to raise money for grant scholarships to qualified Irwindale residents to improve their opportunity for career development; and

WHEREAS, the grant money raised by the Foundation provides financial assistance for first time college and vocational students and for continuing students making good academic progress; and

WHEREAS, the Foundation further provides grants to employees and family members of a company that is a member in good standing with the Irwindale Chamber of Commerce and whose company is located in Irwindale; and

WHEREAS, the City Council of the City of Irwindale finds that the Foundation's purpose of providing educational grants to residents, employees, and family members of businesses within Irwindale, and serves an important public purpose of helping such individuals attain higher education, and thus become more informed and productive members of the community; and

WHEREAS, the City Council finds that the aforementioned educational benefits conferred upon Irwindale residents and business community serves an additional public purpose by assisting members of the Irwindale community attain greater education levels tends to increase their earning potential, creating a likely economic benefit to Irwindale businesses, and consequently City revenues; and

WHEREAS, on May 18, 2022, the City received a request from the Irwindale Educational Foundation for the use of a billboard; and

WHEREAS, annually, the City of Irwindale receives from Clear Channel Communications and CBS Outdoor Inc. the right to use two separate displays of certain billboards along the 210 and 605 Freeways for one month per year and the City Council wishes to donate the use of one display of such billboard for one month in the 2022 -2023 fiscal year to the Foundation for fundraising efforts to provide the aforementioned educational grants; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, HEREBY RESOLVES, DETERMINES AND ORDERS AS FOLLOWS:

SECTION 1. The City Council hereby finds the above recitals true and correct, and incorporates them herein by this reference.

SECTION 2. The City Council hereby finds that the donation to the Foundation of the use of one billboard face display provided by Clear Channel along the 210 and 605 Freeways or CBS Outdoor Inc. along the 605 Freeway for one month in the 2021-2022 fiscal year and at a time approved by Clear Channel or CBS Outdoor Inc. and the City serves the valid public purposes identified in the above recitals and incorporated herein.

SECTION 3. The City Council hereby approves the donation to the Foundation for the use of one billboard face display provided by Clear Channel along the 210 and 605 Freeways or CBS Outdoor Inc. along the 605 Freeway for one month in the 2021-2022 fiscal year and at a time approved by Clear Channel or CBS Outdoor Inc.

SECTION 4. The Chief Deputy City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 26th day of May, 2022.

Larry G. Burrola, Mayor

ATTEST

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-53-3303 duly adopted by the City Council of the City of the City of Irwindale, at a special meeting held on the 26th day of May 2022 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

City of
IRWINDALE
AGENDA REPORT

Date: May 26, 2022
To: Honorable Mayor and Members of the City Council
Honorable Chairman and Housing Authority Board Members
From: Theresa Olivares, Assistant City Manager/Assistant Executive Director
Issue: May 25, 2022 Housing Workshop Update

City Manager/Executive Director's Recommendation:

1. Receive an update on Housing Workshop that occurred on May 25, 2022.
2. Discuss and provide direction on density, type, and development of housing on potential housing sites in the City of Irwindale.

Administrative Action:

Submitted / Prepared by:

Marilyn Simpson,
Community Development Director

Electronically Approved

Reviewed by:

Adrian R. Guerra, City Attorney/Authority Counsel

Electronically Approved

Kambiz Borhani,
Finance Director / City Treasurer



Approved by:

Theresa Olivares,
Assistant City Manager/Assistant Executive Director



Background and Analysis:

On May 25, 2022, a housing and development workshop was held at the Dan Diaz Recreation Center at the request of Mayor Pro Tem Ambriz. Notices regarding this workshop and a Housing Development Survey were mailed to all Irwindale residents on May 12, 2022 and sent to the Irwindale business community. BAE Urban Economics led the workshop and Environmental Science Associates (EAS) assisted. Workshop attendees had the opportunity to participate in person or virtually through Zoom. In person and virtual attendees were able to provide comments in person or using the app's "chat" feature. Staff monitored the "chat" dialogue to ensure receipt of virtual attendees' comments. Staff also secured a Spanish translator to assist at this workshop.

This workshop served several purposes; primarily, the City is currently preparing its General Plan and Housing Element for the 2021-2029 planning period. This workshop provided the community with background information regarding the City's upcoming Housing Element including new State Housing Element Law, the 2021-2029 Regional Housing Needs Assessment (RHNA) allocation for the City and the opportunity to receive community input. Additionally, the housing workshop provided an opportunity for participants to provide input on various locations throughout the City where housing may be suitable, including, but not limited to, the 10-acre site located at 5100 Allen Drive. Attendees were also able to provide input on the housing density and type of housing (i.e., single family, multi-family, town homes) they prefer.

Irwindale's SCAG 6th Cycle Final RHNA Allocation Plans is as follows:

Income Level	# of Units
Very-Low	36
Low	11
Moderate	17
Above-Moderate	55
TOTAL	119

Tonight, the City Council/Board will receive an update on the information gathered at the workshop and from the Housing and Development Survey. At the conclusion of the report, Staff will seek direction from the City Council/Board regarding the inclusion of specific sites in the Housing Element, for Staff and the consultant to complete the initial draft the Housing Element. This report will be supplemented by a PowerPoint presentation.

Fiscal Impact:

There is no fiscal impact.

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

City of
IRWINDALE
AGENDA REPORT

CC & HA Item
Item 2B
RA Item 1A

Date: May 26, 2022

To: Honorable Mayor and Members of the City Council
Housing Authority Board
Reclamation Authority Board

From: Julian A. Miranda, City Manager/Executive Director

Issue: FY 2022-2023 Budget Workshop #2

City Manager/Executive Director's Recommendation:

It is recommended that the City Council/Boardmembers discuss and provide direction regarding the addition of the budget requests presented during the Budget Workshop to the FY 2022-2023 Budget for adoption in June 2022.

Administrative Action:

Submitted by:

Kambiz Borhani, Finance Director / City Treasurer

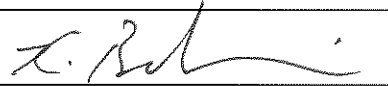


Reviewed by:

Adrian R. Guerra, City Attorney

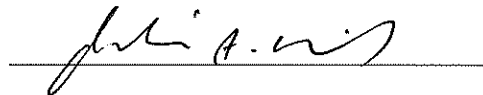
Not Applicable

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager/Executive Director



Background and Analysis

On May 9, 2022, a Budget Workshop was held during which the City Council was presented with the Preliminary FY 2022-2023 Budget. The table below shows the preliminary budget summary for the General Fund:

General Fund	Revenues	Expenditures	Surplus / (Deficit)
Operating Budget	\$ 24,022,440	\$ (23,621,140)	\$ 401,300
Capital/One-Time Items	4,139,970	(86,000)	4,053,970
Capital Projects Transfers	-	(4,542,770)	(4,542,770)
American Rescue Plan Act (ARPA)	-	(126,000)	(126,000)
Inwindale Community Foundation (ICF)	32,870	(32,870)	-
TOTAL	\$ 28,195,280	\$ (28,408,780)	\$ (213,500)

Operating Budget Requests:

During the Budget Workshop, the City Council was also presented with all budget items requested by departments to be added to the FY 2022-2023 Budget.

City Staff had the opportunity to provide information and justification to the City Council related to their budget requests. The City Council also had the opportunity to ask questions of the departments pertaining to their requests.

The departmental budget requests included the operational budget increases listed below:

Dept/Div	Operations Budget Requests	General Fund		Mining Impact Fund	Housing Fund	American Rescue Plan Act
		Ongoing	One-Time			
Housing	Legal Services				50,000	
Housing	Fuel				600	
City Clerk	Agenda Management Software	6,500				10,000
City Clerk	Social Media Archiving	3,000	3,200			
City Clerk	Adobe Sign Migration Related to Lasefiche					1,600
City Attorney	Legal Services - Manning Pit w/ Five Points		25,000			
Econ. Dev.	Memberships & Subscriptions - CoStar	4,800				
Econ. Dev.	Memberships & Subscriptions - MMASC	90				
IT	Mobile Device Management Software	3,250				
IT	Council Chamber Audio/Video Upgrades					21,000
IT	Wireless Access Point Replacements					3,600
IT	Office 365 License Subscription (25%)					8,000
HR	CALPELRA Training	1,920		630		
Police Dept	WatchGuard Server		30,000			
Police Dept	Vehicle - One Patrol Car with required Safety Equipment					75,000

Dept/Div	Operations Budget Requests	General Fund		Mining Impact Fund	Housing Fund	American Rescue Plan Act
		Ongoing	One-Time			
PW - Engineering	Enviornmental Compliance Software					6,000
PW - Engineering	NPDES - Internet Service for Field Inspection					800
Public Services	Residential Waste - Funding for Waste and Bins	200,000				
Public Services	Animal Control	11,000				
Public Services	Street Signage Supplies	4,400				
Public Services	Training - General/Building Operator Certification	2,500				
Public Services	CPRS Conference	1,750				
Public Services	Public Notices	2,000				
Public Services	Street Repair Supplies	2,150				
Public Services	Vehicle Purchase - Paint Truck Ford F-350		68,000	102,000		
Public Services	Vehicle Purchase - Chevy Silverado		18,000	27,000		
Public Services	Contract Services - Rent Bus Service in Emergencies	2,500				
Senior Center	Billiards/Pool Table Maintenance	2,000				
Senior Center	Contracted Instructor - Sewing Class	3,525				
Senior Center	Contracted Instructor - Gentle Mat Yoga	2,700	3,200			
Senior Center	Contracted Instructor - Zumba Gold	2,925				
Senior Center	Special Events - Valentines Dance	3,700				
Senior Center	Contracted Instructor - Ceramic, Canvas, etc.	3,500				
Senior Center	Certificate of Insurance - To Cover Events	6,000				
Senior Center	Vehicle Maintenance (Honda Van 2014)		3,000			
Senior Center	Special Events - New Year's Dance	1,000				
Recreation	Special Events - Mariachi for week 5	2,200				
Recreation	Sound System	5,000				
Recreation	Additional Supplies	500				
Recreation	Special Events - Sunset Cinema	3,500				
Recreation	Special Events - Locks of Love	1,000				
Recreation	Special Events - Scarecrow Alley	1,000				
Recreation	Special Events - Jack o Lantern Walk	1,000				
Recreation	Special Events - Dia de Los Muertos Altar	500				
Recreation	Special Events - Cookies and Milk with Santa	1,000				
Recreation	Contracted Instructor - Yoga Classes (2nd Offering)	5,600				
Recreation	Fitness Trainer	9,600				
Recreation	SnowZone for Christmas Spectacular	5,000				
Aquatics	Training - CPRS & CAMS	4,000				
Aquatics	Memberships & Subscriptions - CPRS	250				
Aquatics	Building Repairs (Pool)	10,000				
TOTAL		\$ 321,360	\$ 150,400	\$ 129,630	\$ 50,600	\$ 126,000

Irwindale Community Foundation

The following table lists budgetary items which will be funded for the community by the *Irwindale Community Foundation* donations:

Dept/Div	Operations Budget Requests	Irwindale Community Foundation	
		Ongoing	One-Time
Senior Center	Replace 2 donated Treadmills with 2 commercial grade Treadmills		5,000
Senior Center	Replace 25 Chairs for exercise classes (Zumba & Yoga)		2,000
Senior Center	3 Laptop computers to use for instruction classes		5,000
Public Services	Bus Pass Scan System	3,000	
Public Services	2 Mobile & 4 Portable Radios for school buses	3,200	
Public Services	Bus parking for beach trips and other events	1,200	
Library	Internet data service for hotspot devices	2,520	
Library	Tumblebook subscription for grades K-6	1,300	
SUB-TOTAL		\$23,220	
Recreation	Pop up Canopy tents with ICF logo		5,000
Public Services	Christmas lights for the front of City Hall		2,500
Library	New Tables (8) and Chairs (40) for Learning Center		1,650
Library	Chromebook charging station		500
TOTAL		\$32,870	

Capital Projects

The following table lists the budget requests for City's Capital Improvement Projects:

Capital Projects	Funding Source	Capital / One-Time
Recreation/Library Building Improvements	GF	\$ 1,400,000
Irwindale Park Phase II	GF	2,300,000
Irwindale Police Station	GF	630,000
Residential Resurfacing Project - Phase II	MIF / SRF ^o	600,000
Vincent Ave. Signalized Bicycle Crossing	GF / MIF	60,000
Arrow Hwy & Live Oak (East) Intersection Traffic Safety	GF / MIF	80,000
SCWP Arrow Hwy Beautification Project	Measure W	302,890
TOTAL		\$ 5,372,890
GF - General Fund, MIF - Mining Impact Fund		
^o SRF - Special Revenue Funds include Gas Tax, Prop C, Measures R & M, and TDA Article 3		

Follow up Items Discussed at the Workshop:

At the May 9, 2022, Budget Workshop, the City Council instructed staff to research and provide more details on the following proposed items for FY 2022-2023 budget:

Dept/Div	Operations Budget Requests	General Fund		ARPA Fund	AQMD Fund	Irwindale Community Foundation
		Ongoing	One-Time			
Recreation	Gator™ Utility Vehicle (\$6k may be transferred from AQMD)		7,330		6,000	
Recreation	Certified trainer courses for (5) employees (\$116 each)	580	2,675			
Recreation	Portable stage (16 W x 24 L x 2 H)		23,500			
Recreation	Additional pop up canopy tents with ICF logo					3,500
Police Dept.	Additional cost to patrol vehicle & required safety equip.			7,700		
TOTAL		\$ 580	\$ 33,505	\$ 7,700	\$ 6,000	\$ 3,500

Fiscal Impact:

Should the City Council provide direction to City Staff to add all budget requests to the FY 2022-2023 Budget to be presented for adoption in June 2022, the table below illustrates the Revised Budget Summary for the General Fund:

General Fund	Revenues	Expenditures	Surplus / (Deficit)
Operating Budget	\$ 24,018,940	\$ (23,661,725)	\$ 357,215
Capital/One-Time Items	4,139,970	(86,000)	4,053,970
Capital Projects Transfers	-	(4,542,770)	(4,542,770)
American Rescue Plan Act (ARPA)	-	(133,700)	(133,700)
Irwindale Community Foundation (ICF)	36,370	(36,370)	-
TOTAL	\$ 28,195,280	\$ (28,460,565)	\$ (265,285)

Presentation & City Council Direction:

A presentation will be provided to the City Council as a supplement to this report, to review the budget requests for the City Council to provide direction to City Staff.

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

**MAY 11, 2022
WEDNESDAY
8:10 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: Councilmember H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmembers Mark A. Breceda, Manuel R. Garcia

Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Kambiz Borhani, Finance Director / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Armando Hegdahl, Management Analyst

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

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

**ITEM NO. 1A1
MINUTES**

MINUTES

The following minutes were approved:

- 1) Regular meeting held April 27, 2022

**ITEM NO. 1B
WARRANTS**

WARRANTS

The warrants were approved.

END OF CONSENT CALENDAR

NEW BUSINESS

None.

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:11 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Accounts Payable

Checks by Date - Summary by Check Number

**City of Irwindale as Successor Agency to the
Irwindale Community Redevelopment Agency**

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76932	ROSENO	Rosenow Spevacek Group Inc	05/16/2022	585.00
Report Total (1 checks):				585.00

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

HA Item 1A2

**MAY 11, 2022
WEDNESDAY
6:53 P.M.**

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

ROLL CALL:

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

Absent: Board Members Mark A. Breceda, Manuel R. Garcia

Also present: Julian A. Miranda, Executive Director; Adrian Guerra, Board Attorney; Jamie Traxler, Assistant Board Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Kambiz Borhani, Finance Director / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Armando Hegdahl, Management Analyst

**CHANGES TO THE
AGENDA**

None.

**SPONTANEOUS
COMMUNICATIONS**

DOLORES BARBOSA

Dolores Barbosa spoke on the difficulty on responding to subjects that are not clearly understood.

TONY NARANJO

Tony Naranjo expressed his eagerness to comment on an item on the agenda after hearing staff's presentation. He also stated his belief that the parking lots on Morada Street are located in a zone that does not permit them.

CARMEN ROMAN

Carmen Roman complained that members of the public are not allowed to offer rebuttals to comments and dialogue with the Council.

CONSENT CALENDAR

MOTION

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

**ITEM NO. 1A
MINUTES**

MINUTES

The following minutes were approved as presented:

- 1) Special meeting held April 13, 2022
- 2) Special meeting held April 27, 2022
- 3) Regular meeting held April 27, 2022

NEW BUSINESS

ITEM NO. 2A
LAS CASITAS
ELIGIBILITY RANKING
LIST AND BLIND
DRAWING

LAS CASITAS ELIGIBILITY RANKING LIST AND BLIND DRAWING
(Continued from the meeting of April 27, 2022)

DIRECTOR SIMPSON	Director Simpson presented the staff report.
BOARD MEMBER ORTIZ	Board Member Ortiz spoke positively of the process, and called it fair and transparent.
VICE CHAIR AMBRIZ	Vice Chair Ambriz stated that, after pondering the process over the past two weeks, he would base his decision on fairness and transparency.
CARMEN ROMAN	Carmen Roman complained about current Housing Authority processes and stated her belief that residents would be better off applying for housing programs at other cities.
DENA ZEPEDA	Dena Zepeda spoke on her past financial difficulties and spoke against current housing program rules and guidelines.
DOLORES BARBOSA	Dolores Barbosa spoke on her financial situation and the financial difficulties her sister is currently experiencing.
LINDA MAREZ	Linda Marez spoke on the need to follow the program rules and apply them consistently and fairly.
PATSY GONZALES	Patsy Gonzales spoke on her past homelessness experience and agreed that the programs rules must be applied consistently.
DRAWING CONDUCTED	Director Simpson and Analyst Hegdahl proceeded to conduct the random blind drawing to break ties among the Las Casitas Eligibility Ranking List. The results were as follows: 4A: Evangelina Flores 4B: Luisito V. Arca 4C: Maria Lourdes Martinez 4D: Antonia Lozano 4E: Gloria Calderon 4F: Linda Armendariz 4G: Maria Zavala de Nunez 4H: Maria E. Duenas 4I: Jose Esparza

MOTION A motion was made by Board Member Ortiz, seconded by Vice Chair Ambriz, to affirm the random blind drawing results. The motion was unanimously approved.

ITEM NO. 2B **VERBAL REPORT ON THE 10-ACRE SITE**
VERBAL REPORT ON
THE 10-ACRE SITE

EXECUTIVE DIRECTOR MIRANDA Executive Director Miranda presented the report, wherein he advised that the Community Development department will be holding a community workshop to discuss and receive input regarding the future development of the 10 acre site on May 25 at 5:30 p.m. at the Dan Diaz Recreation Center. Information gathered at this workshop will then be presented to the Council the following day at a special meeting for follow-up and action.

CHAIR BURROLA In response to a question by Chair Burrola, Executive Director Miranda advised that mailers will be provided to the community to inform them of the workshop. He added that a translator will be present, as will meeting facilitators from consultants at ESA and BAE.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 7:39 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: May 26, 2022
To: Honorable Chair and Members of the Housing Authority
From: Julian Miranda, Executive Director
Issue: Consideration of Approval of Amendment No. 1 to Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land for 4612 Fraijo Avenue to Implement Equity Sharing Policy

City Manager's Recommendation:

- 1) Approve Amendment No. 1 to Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land between Irwindale Housing Authority and Rudy Gallardo; and
- 2) Authorize the Executive Director to execute Amendment No. 1 subject to Authority Counsel approval as to form.

Prepared and Submitted by:

Robert J. Lee, Assistant Authority Counsel

Electronically Approved

Reviewed by:

Adrian Guerra, Authority Counsel

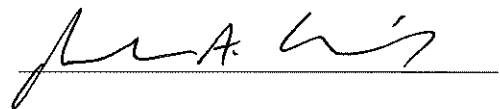
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian Miranda, Executive Director



Background and Analysis:

Historically, the equity sharing practices of the Irwindale Housing Authority ("Authority") provided for the Authority to retain a significant majority of the excess sale proceeds until year 40 of the 45-year affordable housing period. Accordingly, it was very difficult for affordable homeowners in the City of Irwindale to build meaningful equity in their affordable homes towards improving their financial status which is one of the paramount objectives of the Authority's affordable housing programs.

As part of the Substantial Rehabilitation Program, Rudy Gallardo ("Owner") and the former Irwindale Community Redevelopment Agency ("ICRA") entered into that certain Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land dated August 11, 2005 and recorded on April 23, 2007 as document no. 20070971173 ("Agreement"), whereby ICRA provided Owner a loan for the substantial rehabilitation of Owner's property located at 4612 Fraijo Avenue in exchange for Owner's promise to maintain the property as an affordable housing unit for a period of 45 years.

Specifically, Equity Sharing permits retention by owner/seller of a portion of excess sale proceeds based on the length of occupancy, after the agency loan is repaid. The amount of the excess sale proceeds is the difference between the sale price that is in excess of the affordable housing price of what is allowable under the an affordable housing agreement and the original purchase price of the home paid by the affordable homeowner. The Agreement's equity sharing provisions are triggered when there's been a "Prohibited Transfer" as defined in the Agreement; put another way, equity sharing is invoked when there's a sale of the home where the sale does not qualify as a "Permitted Transfer" under the Agreement. Permitted Transfers include but are not limited to the following:

(i) transfer by gift, devise, or inheritance to the Owner's spouse; (ii) transfer by devise or inheritance to the Owner's children; (iii) transfer of title by an Owner's death to a surviving joint tenant, tenant by entireties, or a surviving spouse of community property; and (iv) transfer of title to a spouse as part of divorce or dissolution proceedings or in conjunction with marriage.

On July 14, 2021, the Authority Board approved and adopted an equity sharing policy ("Policy") for the Authority's Substantial Rehabilitation and First Time Homebuyer affordable housing programs so that the percentage of the equity sharing appreciation amount retained by homeowners is now much larger than the amount allowed previously **for those homeowners who elect to take advantage of the increased Policy benefits**. The application of the Policy with regards to any homeowner who is part of the Authority's affordable housing programs requires a formal amendment to any affordable housing agreement's existing equity sharing provisions; the calculations for the new equity sharing differ under the Policy depending on whether the homeowner is under the First Time Homebuyer Program or Substantial Rehabilitation Program.

Now, Owner and the Authority (as successor to ICRA) desire to formally amend the

Agreement to incorporate the increased equity sharing benefits available to Owner under the Policy. However, it should be underscored that amending the Agreement in and of itself does not vest Owner with any equity sharing benefit conferred under the Policy other than to allow Owner to place himself in position to possibly retain a greater share of equity sharing appreciation in the event a "Prohibited Sale" should occur in the future. **This Amendment No. 1 modifies the Agreement and is only a first step towards Owner availing himself of the increased benefits under the new Policy. The 45-year affordability covenant remains in place and there is no financial equity distribution at this time because there is no sale of the home.**

Fiscal Impact:

Currently none, but if Owner sells the home and the equity sharing provisions are triggered, Authority will retain a smaller percentage of the equity sharing appreciation.

Attachment:

- 1: Amendment No. 1 to Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land for 4612 Fraijo Avenue to Implement Equity Sharing Policy.

Attachment "1"

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Irwindale Housing Authority
5050 North Irwindale Avenue
Irwindale, California 91706
Attention: Executive Director

Exempt from payment of a recording fee pursuant to Government Code Section 6103.

**AMENDMENT NO. 1
TO
AFFORDABLE HOUSING AGREEMENT, OPTION TO PURCHASE AND
DECLARATION OF COVENANTS RUNNING WITH LAND
(Substantial Rehabilitation Housing Improvement Loan)**

THIS AMENDMENT NO. 1 TO THE AFFORDABLE HOUSING AGREEMENT, OPTION TO PURCHASE AND DECLARATION OF COVENANTS RUNNING WITH LAND ("Amendment No. 1") by and between the **IRWINDALE HOUSING AUTHORITY** as housing successor to the former Irwindale Community Redevelopment Agency ("Authority") and **RUDY GALLARDO** ("Owner"), is entered into and made effective as of the ____ day of _____, 2022. Authority and Owner are sometimes referred to collectively as "Parties."

RECITALS

A. Owner and the former Irwindale Community Redevelopment Agency ("ICRA") entered into that certain AFFORDABLE HOUSING AGREEMENT, OPTION TO PURCHASE AND DECLARATION OF COVENANTS RUNNING WITH LAND dated August 11, 2005 and recorded on April 23, 2007 as document no. 20070971173 ("Agreement") whereby the ICRA agreed to provide Owner financial assistance in connection with the residential real property owned by Owner and located at 4612 Fraijo Avenue, Irwindale, California ("Property"). The Property is part of Authority's affordable housing program commonly referred to as the Substantial Rehabilitation Program.

B. On February 1, 2012, pursuant to Assembly Bill 1x26 and Health and Safety Code Section 34170 *et seq.*, the ICRA was effectively dissolved and the City of Irwindale ("City") became the Successor Agency to the ICRA.

C. On January 11, 2012, the City Council of the City of Irwindale adopted Resolution No. 2012-09-2548 and elected not to retain the housing functions and assets of the ICRA, and affirmatively determined and confirmed that the Authority would retain the housing assets and functions of the ICRA.

D. On January 11, 2012, the Board of the Authority adopted Resolution No. 2012-01-034 which accepted the housing assets and functions of the dissolved ICRA. The Authority thereby

is the housing successor agency to the ICRA, vested with all of the rights, powers, duties, assets, liabilities, and obligations of the housing activities of the ICRA.

E. As housing successor to the ICRA, the Authority assumed all of the ICRA's rights, powers, duties and obligations under the Agreement.

F. The Authority implements an affordable housing program through a Low and Moderate Income Housing Fund to assist persons and families of very low, low, and moderate income, as defined by Section 50093 of the California Health and Safety Code to rehabilitate residential property and to increase, improve and preserve very low, low and moderate-income housing available at affordable housing cost (as defined in Health and Safety Code Section 50052.5) within the territorial jurisdiction of the Authority in accordance with Housing Authorities Law (Health and Safety Code Section 34200, *et seq.*)

G. Pursuant to Health and Safety Code Section 33334.3 and as part of its affordable housing program, the Authority has established an equity sharing program allowing the sale of owner-occupied units prior to expiration of the 45-year affordability period established through an agreement between the Authority and affordable homeowner for a price in excess of the affordable housing price, so long as the Authority's investment of moneys from the Low and Moderate Income Housing Fund is protected, including through implementation of a schedule of equity sharing that permits the seller and the Authority to retain a portion of the sale proceeds based on length of occupancy prior to sale.

H. Historically, the equity sharing practices of the Authority provided for the Authority to retain a significant majority of the excess sale proceeds until year 40 of the 45-year affordable housing period. Accordingly, it was very difficult for affordable homeowners in the City to build meaningful equity in their affordable homes towards improving their financial status which is one of the paramount objectives of the Authority's affordable housing program.

I. On July 14, 2021, the Authority approved and adopted an equity sharing policy ("Policy") for the Authority's Substantial Rehabilitation and First Time Homebuyer affordable housing programs so that the percentage of the equity sharing appreciation amount retained by homeowners is now much larger than the amount allowed previously. The implementation of the policy requires a formal amendment to the Agreement.

J. The Parties now desire to formally amend the Agreement to incorporate the increased benefits available to Owner thereunder to be made effective retroactive to the effective date of the Agreement.

TERMS

1. **Contract Changes.** The Agreement is amended as provided herein (added text shown in **bold**, *italics*, underlined, deleted text shown in ~~strikethrough~~).

A. Section 8.2, "Shared Equity Appreciation," of the Agreement is hereby amended effective as of the effective date of the Agreement, to read in its entirety as follows:

Shared Equity Appreciation. In the event of a Prohibited Transfer during the Affordability Period, in addition to repayment of the balance of the Note Amount, Agency shall receive a share of the sales proceeds that exceed the value of the Property at the time of the Agency Loan, *of the difference between the sale price that is in excess of the Affordable Housing Cost and the purchase price of the Property paid by the Owner,* in order to recover funds for other low and moderate-income housing pursuant to the Housing Program and state law. The Agency's share of the increase in equity shall be determined based on the length of time the Property has been occupied by an Eligible Person or Family prior to the Prohibited Transfer, pursuant to the table below. ~~The Agency's share of the equity increase will be lowered in the event the Prohibited Transfer is the result of divorce or death.~~

<u>Year of Prohibited Transfer After Loan</u>	<u>Percent of Equity Increase Retained by Owner</u>		
Years	Other	Divorce	Death
0—15	0%	0%	0%
16—18	2%	6%	9%
19—21	5%	9%	12%
22—24	9%	13%	16%
25—27	13%	17%	20%
28—30	17%	21%	24%
31—33	23%	27%	30%
34—36	29%	33%	36%
37—39	40%	44%	47%
40—42	69%	73%	76%
43—45	100%	100%	100%

~~As an example only:~~

- ~~• Value of Property at time of loan = \$150,000~~
- ~~• Value of Property at time of Prohibited Transfer = \$250,000~~
- ~~• Increase in equity = \$100,000~~

- ~~Year of Prohibited Transfer after Loan = 20~~
- ~~Amount of Equity Increase kept by Owner = (5% X \$100,000) = \$5,000~~
- ~~Amount of Equity Increase shared with Agency = (95% X \$100,000) = \$95,000~~

More specifically, the Agency Loan will be forgiven by 1/20 on an annual basis for 20 years after which time the entire loan will be forgiven. During that 20-year period, the equity sharing ratio ("ESR") will be 10%, meaning the Agency will retain 10% of the equity sharing appreciation amount ("ESAA") and the homeowner will retain 90% of the ESAA; thereafter, until expiration of the 45-year period, the 10% ESR will decrease by 0.4% per annum. The Parties are to consult the Authority's Equity Sharing Policy for examples of the foregoing.

2. Continuing Effect of Agreement. Except as amended by this Amendment No. 1, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment No. 1, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement, as amended by Amendment No. 1.

3. Counterpart Execution. This Amendment No. 1 may be executed in any number of counterparts, each of which shall be deemed to be an original instrument and all of which together shall constitute a single agreement.

4. Recordation. This Amendment No. 1 shall be recorded as soon as practicable following its mutual execution by the Parties.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 on the date and year first-above written.

“AUTHORITY”

IRWINDALE HOUSING AUTHORITY,
a public body, as Housing Successor
to the Irwindale Community
Redevelopment Agency

Julian Miranda, Executive Director

ATTEST:

Laura M. Nieto, Authority Secretary

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

Adrian R. Guerra, Authority Counsel

“OWNER”

RUDY GALLARDO

Rudy Gallardo

STATE OF CALIFORNIA)
) §
County of _____)

STATE OF CALIFORNIA)
) §
County of _____)

WITNESS my hand and official seal.

(Affix seal here)