

# CITY OF HUNTINGTON PARK

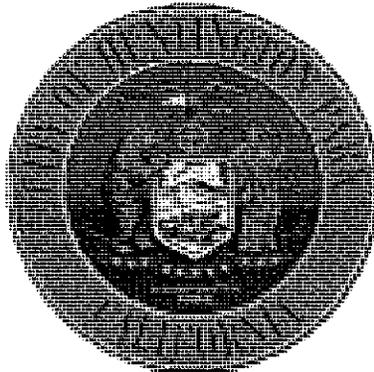
## City Council Agenda Monday, January 7, 2013

6:00 p.m.  
City Hall Council Chambers  
6550 Miles Avenue  
Huntington Park, CA 90255

**Andy Molina**  
Mayor

**Elba Guerrero**  
Vice Mayor

**Mario Gomez**  
Council Member



**Ofelia Hernandez**  
Council Member

**Rosa E. Perez**  
Council Member

All agenda items and reports are available for review in the City Clerk's Office and [www.huntingtonpark.org](http://www.huntingtonpark.org). Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk located at 6550 Miles Avenue, Huntington Park, California 90255 during regular business hours, 7:00 a.m. to 5:30 p.m., Monday – Thursday, and at the City Hall Council Chambers during the meeting.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

### **Public Comment**

The Council encourages all residents of the City and interested people to attend and participate in the meetings of the City Council.

Prior to the business portion of the agenda, the City Council and all other agencies meeting on such date will convene to receive public comments regarding any agenda items or matters within the jurisdiction of such governing bodies. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or Chairperson will separately call for testimony at the time of each public hearing. If you wish to address the Council, please complete the speaker card that is provided at the entrance to the Council Chambers and place it in the box at the podium. When called upon by the Mayor or Mayor's designee, each person addressing the Council shall step up to the microphone and state his/her name or organization he/she represents for the record. Each speaker will be limited to three minutes per Huntington Park Municipal Code 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

### **Additions/Deletions**

Items of business may be added to the agenda upon a motion adopted by a minimum two-thirds vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon the request of staff or Council.

### **Consent Calendar**

All matters listed under the Consent Calendar are considered to be routine and will all be enacted by one motion. The City Council Members have received detailed staff reports on each of the items recommending an action. There will be no separate discussion of these items prior to the time the Council votes on the motion unless members of the Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for separate action.

### **Important Notice**

The City of Huntington Park shows replays of City Council Meetings on Local Access Channel 3 and over the Internet at [www.huntingtonpark.org](http://www.huntingtonpark.org). Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice as previously described.

PLEASE SILENCE ALL PAGERS, CELL PHONES AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL IS IN SESSION.

Thank you.

**1. INVOCATION**

**2. FLAG SALUTE:**

Mariah Urcino, 6<sup>th</sup> grade at Aspire, Antonio Maria Lugo Academy

- 3. ROLL CALL:** Mayor Andy Molina  
Vice Mayor Elba Guerrero  
Council Member Mario Gomez  
Council Member Ofelia Hernandez  
Council Member Rosa E. Perez

**4. PRESENTATIONS**

- 4.1 Presentation to student who led the flag salute: Mariah Urcino.
- 4.2 Presentation of 2012 Mayor's Holiday Awards to participants in recognition of their holiday display on their homes during the holiday season.
- 4.3 Presentation to Robert Quintero for his dedication and commitment while serving as the City's Interim Director of Public Works.
- 4.4 Presentation by the California Highway Patrol of the Automobile Club of Southern California 10851 (Auto Theft) Awards.
- 4.5 Presentation by Power Woman Business Center regarding resources available to entrepreneurs and small business owners.
- 4.6 Presentation regarding the City of Huntington Park Animal Control Unit.

**5. PUBLIC COMMENTS**

Each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207.

## **6. CONSENT CALENDAR**

### **OFFICE OF THE CITY CLERK**

- 6.1 Approve the reading by title of all ordinances and resolutions. Said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

### **FINANCE DEPARTMENT**

- 6.2 Approve Accounts Payable and Payroll Warrants dated December 17, 2012 and January 7, 2012.
- 6.3 **Resolution authorizing investment of City of Huntington Park monies in the Local Agency Investment Fund.**

#### **RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Adopt Resolution No. 2013-1 authorizing investment of City of Huntington Park monies in the Local Agency Investment Fund.

- 6.4 **Ordinance relating to rules and regulations for water system service.**

#### **RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Adopt Ordinance No. 903-NS an ordinance of the City Council of the City of Huntington Park, California, amending Title 6, Chapter 5, Article 2, Sections 6-5.205 and 6-5.207 of the Huntington Park Municipal Code relating to rules and regulations for water system service.

### **POLICE DEPARTMENT**

- 6.5 **Memorandum of Agreement for use of the Los Angeles County Family and Children's Index.**

#### **RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

Approve a Memorandum of Agreement with the County of Los Angeles for use of the County's Family and Children's Index.

**6. CONSENT CALENDAR – (Continued)**

**6.6 Subrecipient Agreement for reallocated 2010 State Homeland Security Grant Program funding.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Subrecipient Agreement between the County of Los Angeles and the City of Huntington Park for reallocated 2010 State Homeland Security Grant Program funding.
2. Instruct the Finance Director to establish a specific account for the purpose of funding and tracking expenditures.
3. Authorize the Police Department to purchase equipment and services to complete the approved project.

**PUBLIC WORKS DEPARTMENT**

**6.7 Los Angeles County Clean Water, Clean Beaches Measure.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the report by City staff regarding the Los Angeles County Clean Water, Clean Beaches Measure.

**END OF CONSENT CALENDAR**

**7. HEARINGS**

**7.1 Public hearing to consider a Resolution authorizing the issuance of multi-family housing refunding revenue bonds for the refinancing of the Rugby Senior Housing Project located at 6330 Rugby Avenue.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Open the public hearing to receive any comments.
2. Close the public hearing.
3. Adopt Resolution No. 2013-2 to conduct a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing to authorize the issuance of multi-family housing refunding revenue bonds for the refinancing of the Rugby Senior Housing Project.

**7. HEARINGS – (Continued)**

- 7.2 Appeal hearing to consider the Planning Commission decision approving Conditional Use Permit No. 1959-CUP to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue in the Manufacturing Planned Development Zone.**

**RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

1. Open the appeal hearing to receive any comments.
2. Close the appeal hearing.
3. Adopt Resolution No. 2013-3 upholding the decision of the Huntington Park Planning Commission granting a Conditional Use Permit to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue.

**8. REGULAR AGENDA**

**FINANCE DEPARTMENT**

- 8.1 Amend the Huntington Park Financing Authority Installment Sale Agreement With Capital One Public Funding LLC.**

**RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Authorize the City Manager to renegotiate the existing Huntington Park Financing Authority Installment Sale Agreement with Capital One Public Funding LLC to generate interest rate savings on the street light replacement project (Measure L).

**POLICE DEPARTMENT**

- 8.2 Purchase of EMC VNX5300 Storage Area Network.**

**RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Approve the purchase of an EMC VNX5300 Storage Area Network for the Police Department from CDW-G in the amount of \$41,895.36 using Citizens' Option for Public Safety (COPS) program funds.

**8. REGULAR AGENDA – (Continued)**

**COMMUNITY DEVELOPMENT DEPARTMENT**

- 8.3 Urgency Ordinance establishing a moratorium on the issuance of any permits to subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces with the City's Business Improvement District.**

**RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Adopt Urgency Ordinance No. 904-NS to establish a moratorium on the issuance of any permits to subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces within the City's Business Improvement District.

**9. CITY MANAGER'S AGENDA**

**10. CITY ATTORNEY'S AGENDA**

**11. WRITTEN COMMUNICATIONS**

**12. COUNCIL COMMUNICATIONS**

**12.1 Mayor Andy Molina**

- 12.1-1 Adoption of Sister City Tecolotlan, Jalisco, Mexico.**

**12.2 Vice Mayor Elba Guerrero**

- 12.2-1 Discussion regarding water billing frequency.**

## **12. COUNCIL COMMUNICATIONS – (Continued)**

### **12.3 Council Member Mario Gomez**

### **12.4 Council Member Ofelia Hernandez**

12.4-1 Update on business grievances.

12.4-2 Discussion regarding news racks in the City.

12.4-3 Update on electronic parking meters installed along Pacific Boulevard for a free 90-day trial period.

12.4-4 Update on status of Warner Theatre.

12.4-5 Discussion regarding abandoned buildings and vacant storefronts in the City.

12.4-6 Discussion regarding street improvements at railroad crossings along Randolph Street.

### **12.5 Council Member Rosa E. Perez**

12.5-1 Discussion regarding sponsorship of the 2013 American Cancer Society Southeast Cities Relay for Life at Salt Lake Park June 22-23, 2013.

12.5-2 Discussion regarding potential foreclosure assistance and/or resident resources in the City.

## **13. CLOSED SESSION**

13.1 Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: Number of potential cases: (2).

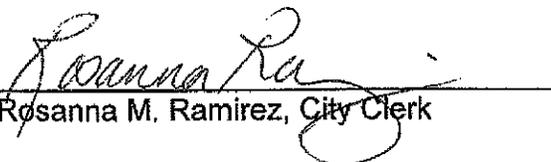
13.2 Conference with Legal Counsel – Initiation of Litigation, pursuant to California Government Code Subdivision (c) of Section 54956.9: Number of potential cases: (2).

#### **14. ADJOURNMENT**

- 14.1 In memory of Jenni Rivera, singer-songwriter, actress, television producer, and entrepreneur of Mexican heritage.
- 14.2 In memory of James R. Williams, father of Jim Williams, District Manager for Southwest Water Company Services, Inc. for the City of Huntington Park.
- 14.3 In memory of Lucille Beserra Roybal, mother of Congresswoman Lucille Roybal-Allard.

NEXT REGULAR MEETING OF THE  
CITY OF HUNTINGTON PARK CITY COUNCIL  
TUESDAY, JANUARY 22, 2013 at 6:00 p.m.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on January 3, 2012 on the bulletin board outside City Hall and available at [www.huntingtonpark.org](http://www.huntingtonpark.org)

  
Rosanna M. Ramirez, City Clerk



"You have the Vision, We add the Power"™

# A HUNTINGTON PARK PRESENTATION

[www.powerwomanbc.org](http://www.powerwomanbc.org)

Nonprofit 501 c3 Power Woman Business Center was created to fill the void of a business educational center that offers opportunities for small business owners in the LA County.

Entrepreneurs and/or small business owners suffer financially and emotionally due to the limited economic opportunities during a recession.



## **Minimal Cost for Launching a Fully-Functional Business**

Power Woman Business Center's bottom line is to create jobs by bringing new businesses to the area with an emphasis in helping start-ups and current business owners.

# MISSION

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[www.powerwomanbc.org](http://www.powerwomanbc.org)

We have created this center with the idea of re-energizing the local business community with optimism, creativity, technological know-how, entrepreneurial spirit, education, enthusiasm and visionary leadership.



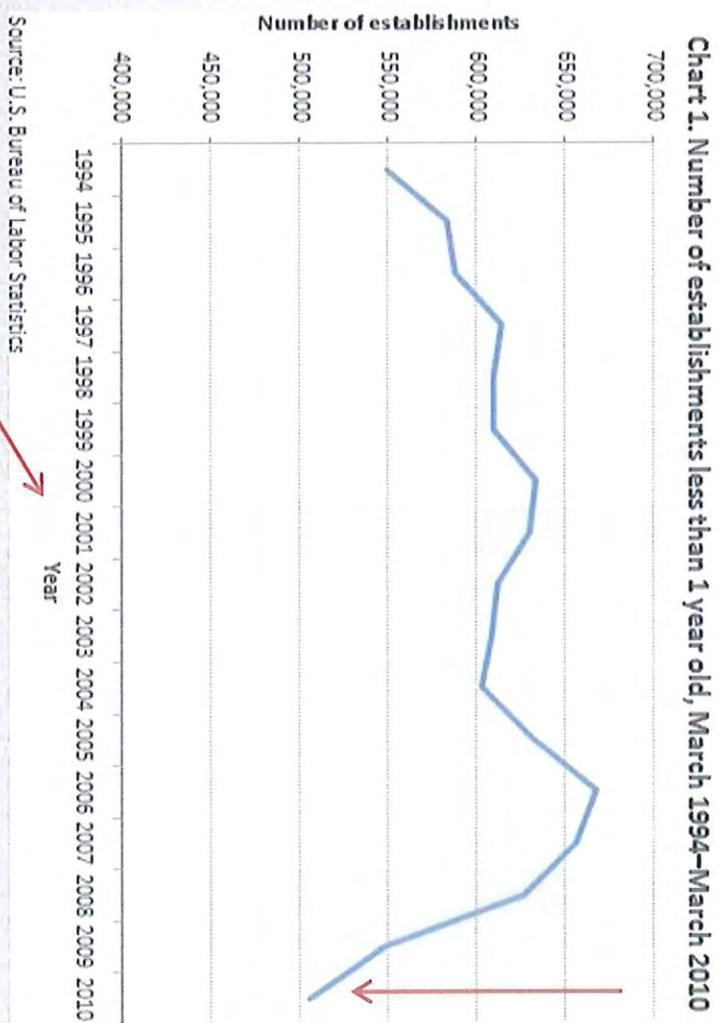
# ECONOMIC RE-GROWTH THROUGH ENTREPRENEURSHIP ADVANGMENT

[www.powervomanhbc.org](http://www.powervomanhbc.org)



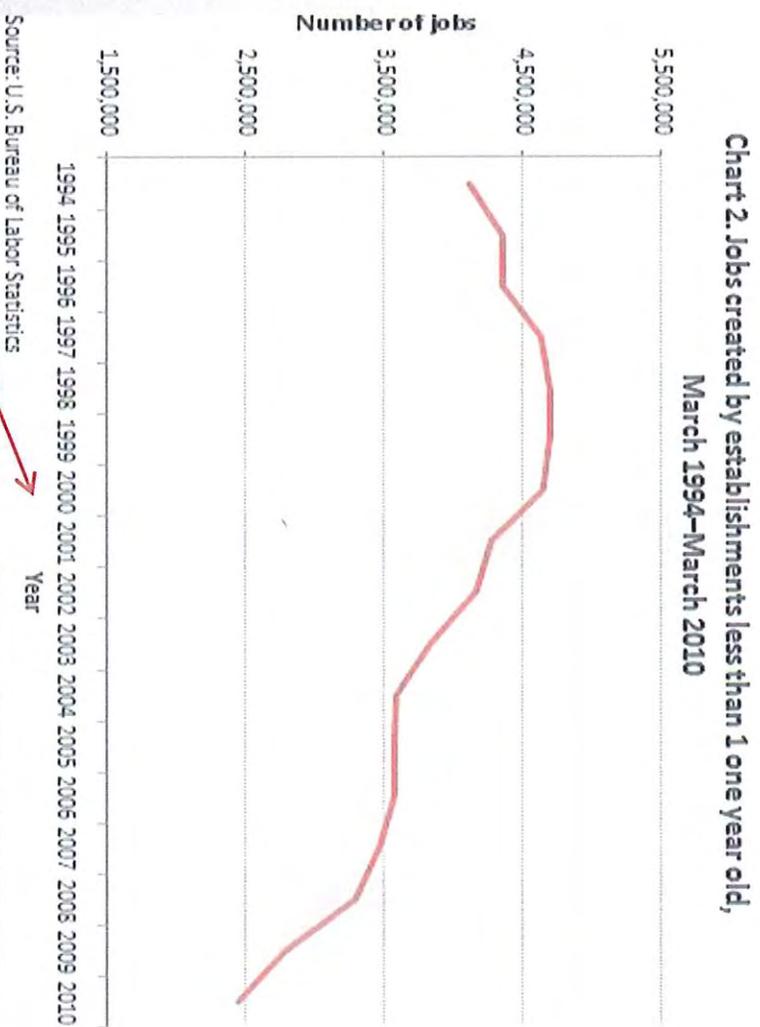
# **Entrepreneurs & The Great Recession**

The number of new business establishments (that are less than 1 year old in any given year) tends to rise and fall with the business cycle of the overall economy.



As shown in chart 1, the number of new establishments for the year ending in March 2010 was lower than any other year since the series began. (Data by age are not available prior to 1994.)

The number of jobs created by establishments less than 1 year old has decreased from 4.1 million in 1994, when this series began, to 2.5 million in 2010.



(See chart 2.) This trend combined with that of fewer new establishments overall indicates that the number of new jobs in each new establishment is declining.



**With a decline in entrepreneurship in the U.S. in recent years due to the Great Recession, **Power Woman Business Center** strives to ensure that businesses launched through the organization, continue without reaching a rapid "peak".**



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- With the Latino population being the fastest growing ethnic group in the United States, expected to top 125 million by 2050, many economies in Latin America are booming, creating new and lucrative export markets right next to the United States.

- And U.S. Latin immigrants recognize this potential for growth in business start-ups and ownership and the benefits it would bring to the United States.

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# HISPANIC ENTREPRENEURSHIP

# LATINOS IN THE U.S. ARE...



OF THE POPULATION



65.5%	MEXICAN
9.1%	PUERTO RICAN
3.6%	SALVADORAN
3.5%	CUBAN
2.8%	DOMINICAN
2.2%	GUATEMALAN
1.9%	COLOMBIAN

...AND MORE



**LATINO**  
BRANDINGPOWER

SOURCES: U.S. CENSUS BUREAU, PEW HISPANIC CENTER, SELIG CENTER FOR ECONOMIC GROWTH | VISIT: [WWW.LATINOBRANDINGPOWER.COM](http://WWW.LATINOBRANDINGPOWER.COM)

[www.powervomanbc.org](http://www.powervomanbc.org)



**HUNTINGTON PARK**

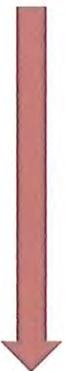
**&**

**POWER WOMAN  
BUSINESS CENTER**

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[www.powerwomanbc.org](http://www.powerwomanbc.org)

- According to Forbes Magazine, entrepreneurs are the lifeblood of a growing economy.



- “We also all know that there’s not much growing about the economy right now, so perhaps having more entrepreneurs would be a good idea? The big question being though, well, how do we get more entrepreneurs?”

-Forbes Magazine

### Huntington Park (city), California

People QuickFacts	Huntington Park	California
1 Population, 2011 estimate	58,536	37,691,912
2 Population, 2010 (April 1) estimates base	58,114	37,253,956
3 Population, percent change, April 1, 2010 to July 1, 2011	0.7%	1.2%
4 Population, 2010	58,114	37,253,956
5 Persons under 5 years, percent, 2010	8.8%	6.8%
6 Persons under 18 years, percent, 2010	31.7%	25.0%
7 Persons 65 years and over, percent, 2010	6.6%	11.4%
8 Female persons, percent, 2010	50.1%	50.3%
.....		
9 White persons, percent, 2010 (a)	51.2%	57.6%
10 Black persons, percent, 2010 (a)	0.8%	6.2%
11 American Indian and Alaska Native persons, percent, 2010 (a)	1.3%	1.0%
12 Asian persons, percent, 2010 (a)	0.7%	13.0%
13 Native Hawaiian and Other Pacific Islander, percent, 2010 (a)	Z	0.4%
14 Persons reporting two or more races, percent, 2010	3.8%	4.9%
15 Persons of Hispanic or Latino origin, percent, 2010 (b)	97.1%	37.6%
16 White persons not Hispanic, percent, 2010	1.6%	40.1%

It is important to keep in mind that despite the economic hindrances, Latino American immigrants have nonetheless continued to contribute to the amazing Hispanic buying power of the U.S.



As the first business incubator in Huntington Park, Power Woman Business Center would re-energize the community by introducing a solution to the financial roadblocks that keep entrepreneurs from even taking the first steps in launching a business.

The opportunity for Huntington Park to work together with PWBC would not only open the doors for more jobs in the local economy, but it would also help strengthen the foundation of the U.S. economy on its road to recovery.

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# AN UNTAPPED MARKET



S B A

&

POWER WOMAN  
BUSINESS CENTER

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[www.powerwomanbc.org](http://www.powerwomanbc.org)

According to the SBA, they are "helping thousands upon thousands of Hispanic small business owners reach that potential."

- The U.S. Small Business Administration and United States Hispanic Chamber of Commerce are joining forces on a joint program within 8 states—one of them being California.
- Both organizations are helping **Hispanic entrepreneurs** successfully launch start-ups through education of the many resources offered, **plus an increase in lending** within the Hispanic business community.

- [www.sba.gov](http://www.sba.gov)

THE SBA IS A SUPPORTER OF **POWER WOMAN BUSINESS CENTER** AND HAS INCLUDED THE NONPROFIT 501 C3 IN THEIR **RESOURCE PARTNER NETWORK**

“Since 2009, SBA has supported more than 12,000 loans worth \$4.4 billion to Hispanic-owned small businesses, with nearly \$1 billion in lending in 2012 alone.”

- During the same period, SBA was involved in training and counseling “more than 532,000 Hispanic-owned small businesses” through their network of district and field offices, and resource partner network, including Small Business Development Centers, Women’s Business Centers and SCORE.
- “SBA also has helped Hispanic-owned businesses secure \$32.7 billion of prime contracts from the federal government, providing a major revenue base.”

- [www.sba.gov](http://www.sba.gov)

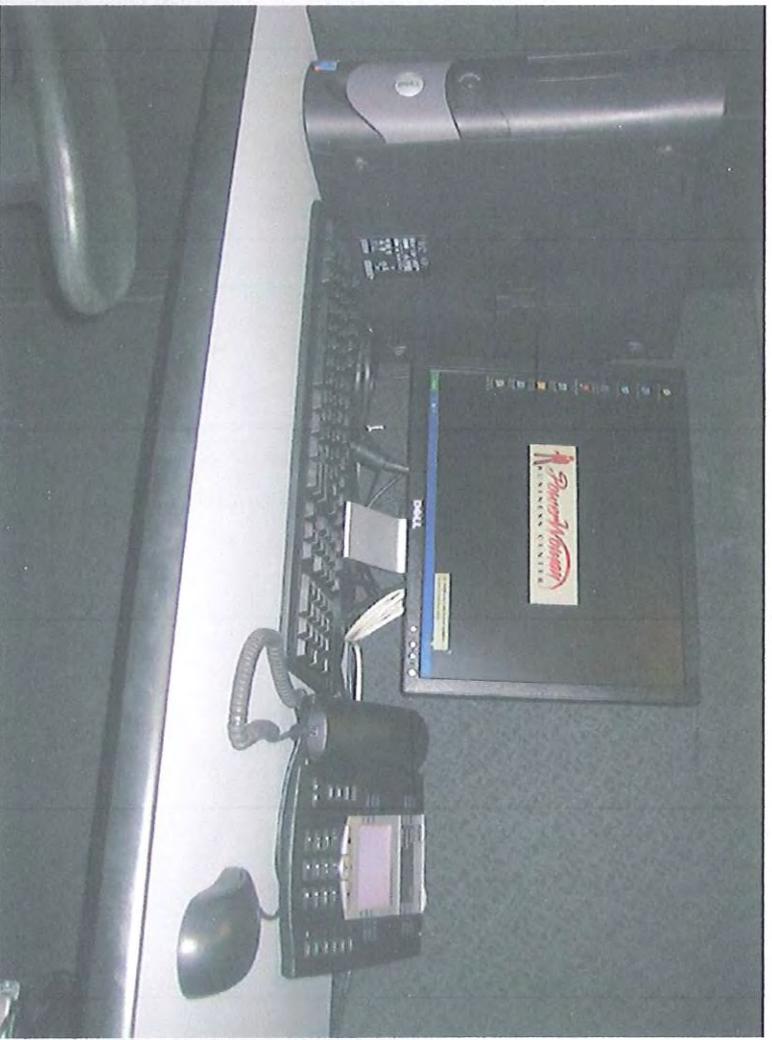
## **SBA Recognizes the Potential in Hispanic Entrepreneurship**



# PWBC OFFICE SERVICES

[www.powerwomanbc.org](http://www.powerwomanbc.org)

- Cubicles
- Computers
- Fax machines
- Telephones
- Internet
- Conference room
- Fully-equipped kitchen
- Business consulting services at a minimum cost
- Professional and personalized call center
- Reception area for your visitors
- Handling of incoming mail and fax
- Coffee and tea served every morning



## Trainings

- Computer classes
- Quickbooks
- Sales training
- Customer service training
- Motivation

## Effective Marketing

- Marketing Strategies
- Printing & Creative Graphic Design
- Social Media Network Development

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# ADDITIONAL SERVICES

# EVENTS

## SOME OF OUR RECENT EVENTS HAVE INCLUDED

- LEADERSHIP SEMINARS
- PROFESSIONAL EMPOWERMENT EVENTS
- COMMUNITY SERVICE
- B2B NETWORKING--TO NAME A FEW

**OUR SPEAKERS:**



Patricia Garcia  
Founder of Power Women  
Business Center



Tony Garcia  
CEO of Power Women  
Business Center



Roby Ayala  
Owner of Our Village  
Montevideo



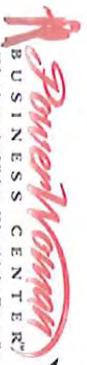
Balvino Rodriguez  
CEO of Latino Chamber of  
Commerce



Rogel Montoya  
President of All Hispanic  
Chamber of Commerce



Enzo Avila  
Owner of Hispanic Study



"You have the Vision, We add the Power"

# DRESS FOR SUCCESS

**"Ladies! Come join us for a day of beauty to improve and empower your image through business and dining etiquette and the ever-changing world of fashion."**

ONLY FOR  
535  
DONATIONS!  
\$150  
VENDOR!

Nonprofit 501 c3 Power Women Business Center  
[www.powerwomanbc.com](http://www.powerwomanbc.com) Women's Business Center

*www.w.beckham.com* & *Haritage Studio* are uniting forces to host an event  
In helping women make the best first impression through  
professional beauty, etiquette and style. With only a \$15  
donation, you will be exposed to essential advice and tips from

- BUSINESS ETIQUETTE**
- Professional style & beauty
  - The art of introductions
  - The power of the handshake
  - Spine
  - Eye contact & body language
  - How to remember names
  - Conversation, skill and small talk.
  - Business card rule
  - Dining Etiquette



**"It is not enough to have all the beauty, if there is no POWER behind the WOMAN"**

WHERE: 17960 SIERRA HWY., SANTA CLARITA, CA 91351  
WHEN: SATURDAY DECEMBER 8, 2012  
TIME: 10AM—2PM

**OUR PROUD SPONSORS**



## HOSTING BY BILL MIRANDA LEADERSHIP BUSINESS

*Empower yourself and Your Business!*

This is a four-part program designed to help Small Business Owners to grow and succeed in his or her business.

17960 Sierra Hwy, Santa Clarita, CA 91351  
10AM-12PM



**July 28th:** Improve Your Leadership Skills: All things are possible no matter  
**August 4th:** Be More Productive: Arm yourself with new skills that will increase your personal performance by almost twice as much!

**August 11th:** Communicate More Effectively: Get a FREE \$150 personal assessment of how YOU communicate and then dramatically improve your communication with others.

**August 18th:** The POWER Team: You are never alone in business. There are resources and people available to help you. We show them to you.

**ABOUT BILL:**

He is the current CEO of SCV/Latino Chamber of Commerce: A business consultant, leadership trainer, and leadership coach. He has a master's degree in management and has completed significant work on a doctoral degree in leadership. As a young man Bill flew fighter jets in the U.S. Air Force and learned the importance of discipline. He took that knowledge and used it to become a successful salesman with IBM. He then went on to Xerox where he took part in developing and delivering the famous Professional Selling Skills courses. He discovered that his passion was selling. And after that it was training. He combined them both at Data General Corporation where he became a sales and sales training executive. He was so effective in that position that the company moved him to Paris, France where he team developed Data General's training programs in 5 European countries in 5 European languages. More info about Bill: <http://scvlc.com/whoweare/billmiranda.htm>

Cost of each training is only \$20 / Member of PWBC \$0

**[PWBC is a non-profit organization 501(c)(3)]**  
This program is bilingual (English and Spanish)  
is brought to you by the Power Woman Business Center.  
[www.PowerWomanBC.org](http://www.PowerWomanBC.org) - 1 (800) 989-5315



**TIME IS MONEY!**

**FREE SEMINAR!**  
July 14th  
2011

# SBA ACCESS TO CAPITAL

## AGENDA

- 9:30 am - 10:00 am - Registration
- 10:00 am-10:05 am - Welcome (Moderator) - Bill Davala
- 10:05 am - 10:35 am - Access to Capital
- Nicole Ota, Supervisor, Economic Development, SBA
- Jane Vojta, SBDC Consultant
- Oliver Dominguez & Patricia Thierry, Union Bank
- 10:35 am - 11:05 am - Understanding your Credit Score
- Wesley Watters, SCORE, Comparison to America's Small Business
- 11:05 am - 11:35 am - Success Story
- Patricia Garcia, Power Model Group & Power Women Business Center
- 11:35 am - 11:45 am - Break
- 11:45 am - 12:15 pm - Small Business Certification
- Tina Brown, SBDC
- Nicole Ota, SBA
- 12:15 pm - 12:45 pm - The Business Plan
- Neil Brown, SBDC
- 12:45 pm - 1:00 pm - Lunch/Networking

Spanish Info available!

**WHAT EVERY SMALL BUSINESS OWNER NEEDS TO KNOW!**

### LOCATION:

Power Women Business Center  
17960 Sierra Hwy  
Santa Clarita, CA 91351  
1-800-988-5315  
[www.powerwomanbdc.com](http://www.powerwomanbdc.com)

Eventbrite - CLICK HERE TO REGISTER

PROACTIVELY SUPPORTED BY:



**THE SANTA CLARITA VALLEY LATINO CHAMBER OF COMMERCE**

Invites you to the Event: **SCV Latino Chamber of Commerce**

# VIVA LA SALSA

**SATURDAY, JULY 14TH, 2012**

**FROM 1:00PM TO 4:30PM**

The Friends of Hart Park  
24151 Newhall Ave.,  
Newhall, California 91321

*Special Guests:*

**FREE ENTRANCE**



**ARIES SALIZ FRANCO**

**MUSIC DANCE-FOOD**

Power Women Business Center  
"The Power of Women, We Add The Power!"  
17960 Sierra Hwy, Santa Clarita, CA 91351

# THANK YOU!

For more information, please contact:

**Patricia Gracia**

**Co-Founder**

**[patricia@powerwomanbc.com](mailto:patricia@powerwomanbc.com)**

**661-505-1009**

## City of Huntington Park

Animal Control Unit  
Making A Difference In Our Community



## Animal Control Unit

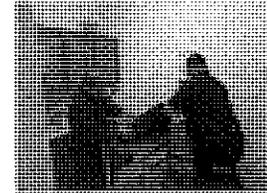
- Two Animal Control Officers
- Assigned 7 Days a week
- Coverage from 6am to 5pm

## Services Provided

- Capture of stray animals
- Removal of dead animal from public places and private homes
- Conduct dog bite investigations

## Services Provided

- Rescue of sick or injured animals
- Investigate Animal Cruelty Complaints



## Statistical Data

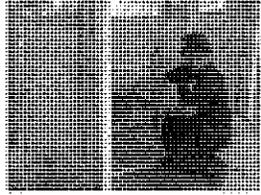
- 2,170 total calls for service
- 57 Administrative Citations
- 206 Warnings Issued
- 18 Dog Bite Reports Taken
- 19 Emergency Transports to Vet
- 165 Cruelty Complaints Received

## Animal Licenses Issued

- 457 - Animal Non Spayed/Neutered - \$31.52
- 334 - Animal Spayed/Neutered - \$15.76
- 324 - Senior Citizen Owners - \$7.88
- 1,115 - Total

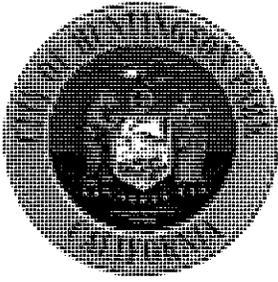
## Mandated Shelter Costs

- 2011/2012 Total:  
\$103,144.21
- Dog and Cat (sheltering)  
\$17.00 per day.  
Mandated 5 day hold.
- Kennel services  
(quarantines & injured  
animals) \$20.40 per day.



## Community Outreach

- Hosted Low Cost Dog & Cat Vaccination Clinic in partnership with the Society for California Veterinary Vaccine Care (SCVVC)
- 11- Avid Microchips
- 155 – Dogs
- 3 – Cats
- Next event May of 2013



# CITY OF HUNTINGTON PARK

Finance Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

## **DESIGNATION OF AUTHORIZED CITY OFFICER'S TO INVEST MONIES WITH LOCAL AGENCY INVESTMENT FUND**

### **IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Adopt a Resolution authorizing the City Manager, Finance Director, and Finance Manager to approve investments and disbursements from the City of Huntington Park into the Local Agency Investment Fund (LAIF).

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Finance Director/Treasurer is responsible for cash management and investment transactions for the City of Huntington Park. The Local Agency Investment Fund of the State of California ("LAIF") is listed as an authorized investment under the City's Investment Policy. LAIF serves primarily as an alternative money market instrument. The Finance Director/Treasurer manages monies invested in LAIF based on the projected cash position and liquidity needs of the City.

The City Council last updated the list of City Officers authorized to invest monies LAIF on March 24, 2010. The Finance Administrative Assistant and the Senior Accountant are the only current employees listed as City Officers with LAIF. As a result of the recent changes in personnel, the list of City Officers must be replaced and updated in order to adhere with LAIF guidelines. The City is seeking to update the authorized list of City Officers to include the current City Manager, Finance Director, and Finance Manager, who are directly responsible for City's financial management decisions.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In accordance with the City Investment Policy, the City is authorized to periodically deposits and withdraws monies in LAIF, which requires that the City to designate City Officers to authorized to transfer funds with LAIF.

**CONCLUSION**

City staff should forward copy of executed Resolution and required signature pages to LAIF.

Respectfully submitted,



RENÉ BOBADILLA  
City Manager, P.E.



JULIO F. MORALES  
Director of Finance

1 RESOLUTION NO. \_\_\_\_\_

2 **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK**  
3 **AUTHORIZING INVESTMENT OF CITY OF HUNTINGTON PARK MONIES IN**  
4 **LOCAL AGENCY INVESTMENT FUND**

5 **WHEREAS**, pursuant to Chapter 730 of the Statutes of 1976, Section 16429.1  
6 was added to the California Government Code to create a Local Agency Investment  
7 Fund in the State Treasury for the deposit of money of a local agency for purposes of  
8 investment by the State Treasurer; and

9 **WHEREAS**, the City Council does hereby find that the deposit and withdrawal  
10 of money in the Local Agency Investment Fund in accordance with the provisions of  
11 investment as stated therein is in the best interests of the City of Huntington Park.

12 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON**  
13 **PARK DOES HEREBY RESOLVE AS FOLLOWS:**

14 **SECTION 1.** That the City Council does hereby authorize the deposit and  
15 withdrawal of City of Huntington Park monies in the Local Agency Investment Fund in  
16 the State Treasury in accordance with the provisions of Section 16429.1 of the  
17 Government Code for the purpose of investment as stated therein.

18 **SECTION 2.** The following City Officers, or his or her successor in office, shall  
19 be authorized to order the deposit or withdrawal of monies in the Local Agency  
20 Investment Fund:

21 René Bobadilla, City Manager  
22 Julio Morales, Director of Finance  
23 Annie Ruiz, Finance Manager

24 **SECTION 3.** That all resolutions and parts of resolutions in conflict herewith  
25 are hereby rescinded.

26 **SECTION 4.** The City Clerk shall certify as to the adoption of this Resolution.

27 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of  
28 Huntington Park this 7<sup>th</sup> day of January, 2013.

\_\_\_\_\_  
Andy Molina, Mayor

ATTEST:

\_\_\_\_\_  
Rosanna Ramirez, City Clerk

## Chapter I. The Annual Investment Policy

A good investment policy encompasses the cash, treasury, and investment management functions of an agency. It serves as a guide for setting and achieving program objectives, defines rules and establishes benchmarks, and reduces the exposure to liability of both the investment staff and the governing board. Finally, it is also important to note that rating agencies pay close attention to an agency's investment policy and portfolio in determining its credit rating.

The investment policy serves as the foundation of a local agency's investment goals and priorities. If the investment policy is carefully researched, effectively drafted, and reviewed regularly to assure that it continues to meet the agency's goals/priorities for its portfolio, it can help protect the assets of the organization. The existence of an approved investment policy demonstrates that the governing body is fiducially responsible, thereby, promoting trust and confidence from the public that it serves.

### MINIMUM LEGAL REQUIREMENTS:

Section 53646(a)(1) states that the treasurer of a county government may annually render to his/her board of supervisors and oversight committee an investment policy, which the board shall review and approve at a public meeting. In addition, the board shall review and approve any changes to the investment policy at a public meeting.

Section 53646(a)(2) states that the treasurer or chief fiscal officer of any other local agency may annually render to his/her legislative body and any oversight committee an investment policy, that the legislative body shall consider at a pub-

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<sup>1</sup> All "section" references refer to the California Government Code unless otherwise noted.

lic meeting. This raises questions about whether or not the policy should be adopted officially by the legislative body, and the time during the year that this "consideration" should take place.

**CONSENSUS RECOMMENDATION:**

An investment policy should always be in place. While no longer required by statute, it is in the best interest of the local agency to present and discuss the policy with the agency's legislative body and/or oversight committee, and then have the policy approved by a vote of the legislative body. A public vote signifies that the legislative body shares fiduciary responsibility with the treasurer, increases the authority and legitimacy of the investment policy, and provides transparency and disclosure.



The size and complexity of the investment policy, portfolio, agency and the agency's staff are factors that may affect the frequency of the investment policy review and revision.

**MINIMUM LEGAL REQUIREMENT:**

If submitted to the local agency's legislative body, the investment policy must be an agenda item at a public meeting. If submitted to a county board of supervisors, the board is required to review and approve the investment policy and any changes to it at the public meeting. The statute does not place the same specific approval requirements on other local agencies, but it does require consideration. The statute does not specify, however, when during the year that consideration or approval should occur.

**CONSENSUS RECOMMENDATION:**

Both the Association of Public Treasurers of the United States & Canada and the Governmental Finance Officers Association have established policy standards that recommend investment policies be reviewed annually. At a minimum, the internal treasury staff should conduct a review annually. Ideally, the review should be timed to coincide with the end of the state legislative cycle so that consideration may be given to any changes in statute that may impact the agency's policy.

An update in the investment policy is warranted if treasury staff's review results in a material change in policy due to either a change in statute or a change in the agency's goals and objectives for safety, liquidity and yield. A change in statute, however, may not necessarily require a change in the policy. Many agencies' policies are already more restrictive than statute. Likewise, an agency

may choose to update its policy to restrict the purchase of a new investment product that is allowable by statute but that the agency deems to be too risky for its investment portfolio.

Although rendering the investment policy to the legislative body and/or oversight committee is not required, it is highly recommended. If it is done, it should be done annually, on an established schedule, such as after the annual review and update.

For newly-elected legislative body members, election terms may not coincide with the investment policy review. But, because of the fiduciary responsibility of the legislative body, any newly-elected members should be made aware of the existence of the investment policy and its contents as soon as possible.



#### MINIMUM LEGAL REQUIREMENTS:

Except for county governments, the California Government Code does not contain any provisions specifying what must be included in the investment policy of a local agency. County investment policies must contain:

- A list of securities or other instruments in which the county treasury may invest, according to the law, including the maximum percentage by type of security, and the maximum term of any security purchased;
- The manner of calculating and apportioning the authorized costs of investing, depositing, banking, auditing, reporting, handling, and managing of funds;
- Limits on the receipt of honoraria, gifts, and gratuities for county treasury oversight members from advisors, brokers, dealers, bankers, or other persons with whom the county treasury conducts business;
- Criteria for selecting brokers and dealers (including prohibitions against selecting any broker, dealer, or security firm within any consecutive 24 month period of making a campaign contribution exceeding the limitations contained in Rule G-37 of the Municipal Securities Rulemaking Board);
- A requirement that the treasurer provide the county treasury oversight committee with an investment report as required by the Board of Supervisors;
- Terms and conditions under which other local agencies that are not required to deposit funds may deposit funds in the county treasury if they so choose; and
- Criteria for considering requests to withdraw funds from the county treasury.

The last two of the above elements directly refer to the duties counties have in maintaining a local government investment pool.

**CONSENSUS RECOMMENDATION:**

Although statute does not specify the contents of the investment policy for local agencies other than counties, it should include at a minimum, the first five elements required of counties. In addition, the policy should specify the funds to which the policy will and will not apply. For instance, bond proceeds are usually guided by the bond documents and thus, may not be a part of the investment policy. Similarly, pension funds are guided by other code sections and have different investment objectives.

A sample guide to creating an investment policy published by the Association of Public Treasurers of the United States & Canada gives additional details on items to include in an investment policy. It can be found at [www.aptusc.org/storage/documents/certifications/investment\\_application.pdf](http://www.aptusc.org/storage/documents/certifications/investment_application.pdf). The Government Finance Officers Association also has a sample investment policy available for purchase. Additional sources for recommended elements of an investment policy can be found in CDIAC's *California Public Fund Investment Primer* and *Investment Policy Reporting Practices: An Informational Guide*. These two publications can be found at [www.treasurer.ca.gov/cdiac](http://www.treasurer.ca.gov/cdiac).



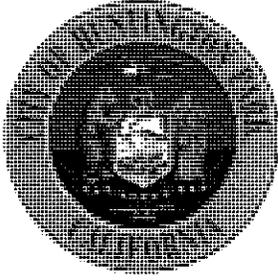
Questions commonly arise regarding how county pools should treat funds from voluntary depositors. Voluntary funds are often referred to as "hot money" because of the difficulty county treasurers have in predicting withdrawals of these funds. Failure to have adequate information on a depositor's cash flow can lead to unanticipated withdrawals and introduce potential liquidity problems.

**MINIMUM LEGAL REQUIREMENT:**

State law does not require county pools to accept voluntary deposits.

**CONSENSUS RECOMMENDATION:**

Allow voluntary deposits only under a clearly written contract or memorandum of understanding. This agreement should spell out the exact rules for participating in the pool and provide the county treasurer with reasonable predefined discretion to establish the frequency and amount of voluntary funds that can be removed from the pool at a particular time. Another option is to ban voluntary deposits altogether, if the county has confidence that other local agencies have reasonable investment alternatives.



# CITY OF HUNTINGTON PARK

FINANCE DEPARTMENT  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

## **AMENDMENT TO MUNICIPAL CODE RELATING TO LATE FEE STRUCTURE FOR WATER DEPARTMENT CUSTOMERS**

### **IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Amend the current late fee structure for Water Department customers under the sections 6-5.205 and 6-5.207 of the Municipal Code

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Municipal Code currently stipulates that all Water Department customers will be assessed a \$30 late fee structure once a late notice ("pink hanger") is delivered, which is 48 hours prior to when service is shut off. This penalty fee structure is both onerous and has a misaligned incentive structure.

The Municipal Code does not currently assess a "reconnection fee" to a customer once their account has been shut off – only a \$30 late fee 48 hours prior to shut off. Therefore, the current penalty fee structure does not create an incentive for customers to make a timely payment to prevent shut off.

Staff would like to amend the current Municipal Code to change the late fee structure:

#### Current Late Fee Structure

\$30 assessed 48 hours prior to shut off

#### Amended Late Fee Structure

\$5 late fee notice (48 hours prior to shut off)  
\$25 reconnection fee

This fee structure would be both more equitable and create a better aligned penalty/incentive structure for customers to make their payments in a timely manner.

**FISCAL IMPACT/FINANCING**

Amending the current late fee structure will likely reduce fee income from penalties, which totaled \$61,830 or 1.4% of annual revenues last year.

The City assessed 2,061 late fee notices totaling \$61,830 (2,061 x \$30) last year. We shut off service on 734 accounts. Under the revised fee structure, the City would receive \$33,175 (2,061 – 734 = 1,327 x \$25 = \$33,175) less in penalty fee income.

Staff believes that the revised fee structure will better align customer incentives to make timely bill payments. This should ultimately reduce the number of stuff-offs that occur each billing cycle, thus reducing our cost of service; and, more importantly, improve customer service.

**FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The current late fee structure for Water Department customers is stipulated under the sections 6-5.205 and 6-5.207 of the Municipal Code, which must be amended via Ordinance. The Water Department has not been assessing the \$30 late fee to customers over the past 90 days during the "transition period" from bi-monthly to monthly billing. This Ordinance will allow the Water Department to assess a more equitable \$5 late fee, which should implement an incentive fee structure for customer to make timely payments.

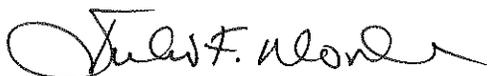
**CONCLUSION**

Staff should begin to utilize new late fee structure on the January water bill.

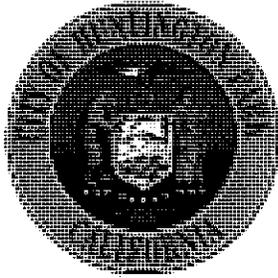
Respectfully submitted,



RENÉ BOBADILLA  
City Manager, P.E.



JULIO F. MORALES  
Finance Director



# CITY OF HUNTINGTON PARK

Police Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

**MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF LOS ANGELES  
AND THE CITY OF HUNTINGTON PARK POLICE DEPARTMENT FOR THE USE OF  
THE COUNTY'S FAMILY AND CHILDREN'S INDEX**

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

Approve the Memorandum of Agreement with the County of Los Angeles for use of the County's Family and Children's Index.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this Memorandum of Agreement with the County of Los Angeles is to describe the framework for the use of County's Family and Children's Index (FCI), establish the County's "at risk" definition, outline Huntington Park Police Department's "at risk" indicator, ensure that confidentiality requirements are maintained, and affirm Huntington Park Police Department's commitment to fully participate in the County's FCI system.

The FCI application is a computerized interagency database designed to better identify children and families who are at risk of child abuse or neglect. FCI stores basic allowable information about families and children that have had relevant contacts with public agencies. The data is imported electronically into FCI from existing providers and provides authorized users to obtain identifying information regarding the child and child's family. FCI also contains the names of the agency employees assigned to the case allowing professionals trained in the prevention, identification, management and treatment of child abuse or neglect to have the ability to know when other agencies may have pertinent information about a child's family.

# **MEMORANDUM OF AGREEMENT**

**FOR THE  
LOS ANGELES COUNTY  
FAMILY AND CHILDREN'S INDEX**

**BETWEEN:  
THE COUNTY OF LOS ANGELES  
AND  
THE CITY OF HUNTINGTON PARK POLICE DEPARTMENT**

## **1. PARTIES AND PURPOSE**

The parties to this agreement are Los Angeles County (County), acting by and through its Chief Executive Officer (CEO) and the City of Huntington Park Police Department, (Huntington Park PD), acting by and through its Chief of Police (hereinafter the "Party" or collectively as "Parties").

The purpose of this Memorandum of Agreement (MOA) is to describe the framework for the use of County's Family and Children's Index (FCI), establish the County's "at risk" definition, outline Huntington Park PD's "at risk" indicator, ensure that confidentiality requirements are maintained, and affirm Huntington Park PD's commitment to fully participate in the County's FCI system.

## **2. PROGRAM DESCRIPTION**

The FCI application is a computerized interagency database designed to better identify children and families who are at risk of child abuse or neglect. FCI stores basic allowable information about families and children that have had relevant contacts with public agencies and have been identified at risk for abuse or neglect. It authorizes users from provider agencies to obtain minimal identifying information regarding a child and child's family, as well as minimal information regarding another provider agency's contact(s) with a child and child's family. FCI also contains the names of the agency employee(s) assigned to the case. The data is imported electronically into FCI from existing provider agency computer systems. FCI allows professionals, trained in the prevention, identification, management and treatment of child abuse or neglect, and who are qualified to provide a broad range of services related to child abuse or neglect, to know when other agencies may have pertinent information about a child or family with whom they are involved in order to form Multi-Disciplinary Teams (MDTs). MDTs are defined in Welfare and Institutions Code (WIC) Sections 18951(d) and 18961.7(b) (2).

### **3. ENABLING LEGISLATION**

- 3.1 In 1992, Assembly Bill 3491 (Gotch) was adopted by the State Legislature and signed by the Governor, which added WIC Section 18961.5. This section authorizes counties to establish a computerized database system within their county to allow specified provider agencies to share certain identifying information regarding families at risk for child abuse or neglect for the purpose of forming MDTs.
- 3.2 Provider agencies are defined as governmental or other agencies which have as one of their purposes the prevention, identification, management, or treatment of child abuse or neglect. The provider agencies serving children and their families, which may share certain identifying information under WIC Section 18961.5 include, but are not limited to: (1) social services; (2) children's services; (3) health services; (4) mental health services; (5) probation; (6) law enforcement; and (7) schools.
- 3.3 WIC Section 18961.5 allows only the following information to be entered into the system: (1) the name, address, telephone number, and date and place of birth of family members and other persons living in the home; (2) the number assigned to the case by each provider agency; (3) the name and telephone number of each employee assigned to the case or a contact person from each provider agency; and (4) the date or dates of contact between each provider agency and a family member(s) and other persons living in the home .
- 3.4 WIC Section 18961.5 requires each county to develop its own standards for defining "at risk" before establishing such a computerized database system. Only information about children, at risk of child abuse or neglect, families of children at risk of child abuse or neglect, and persons living with children at risk of abuse or neglect may be entered into such a system.
- 3.5 The information may only be entered into the system by, or disclosed to, provider agency employees designated by the director of each participating provider agency. Members of MDTs shall be drawn from these designated employees, or other persons, as specified in WIC Section 18961. Directors of provider agencies shall establish a system by which unauthorized personnel cannot access the data contained in the system.
- 3.6 The information obtained pursuant to WIC Section 18961.5 shall be kept confidential and used solely for the prevention, identification, management, or treatment of child abuse or neglect or for the provision of child welfare services.

#### 4. GENERAL TERMS

- 4.1 The Huntington Park PD is a "provider agency" as defined by WIC Section 18961.5, and shall participate in and utilize the FCI system at no cost.
- 4.2 The Parties shall fully implement this MOA within thirty (30) calendar days of its execution pursuant to the Huntington Park PD's FCI Policy and Procedures (Exhibit A).
- 4.3 This MOA may be terminated at any time without cause by either Party upon giving at Huntington Park PD's sixty (60) calendar days prior written notice thereof to the other.
- 4.4 The Huntington Park PD may modify or amend its participation/responsibilities as outlined in, Exhibit A PD's FCI Policy and Procedures provided that thirty (30) calendar days written notice is given to the CEO.
- 4.5 This MOA may be amended by mutual written consent of both Parties.
- 4.6 This MOA will be reviewed on an annual basis by the CEO, the Huntington Park PD, and the FCI Managers Team as defined in Section 7.6, to ensure full participation of all parties.
- 4.7 This MOA is intended to define the working relationships among the Parties related to the County's FCI system. It is not intended to modify, alter, or replace any separate agreements that may exist between them.

#### 5. LOS ANGELES COUNTY'S "AT RISK" DEFINITION

The parties to this MOA agree that the County's definition of "*at risk*" includes:

- 5.1 All substantiated or inconclusive allegations of child abuse made to a child protective agency not including unfounded allegations, except if the risk assessment for the unfounded referral is high or very high risk;
- 5.2 When a child is a victim of an alleged crime; and
- 5.3 An event or fact involving a child, a child's family member, or a member of the child's household which in and of itself would not meet the definition of "Child Abuse" in the Child Abuse and Neglect Reporting Act (CANRA), Penal Code (PC) Section 11164 et seq., nor trigger a report pursuant to CANRA, but which would, when combined with additional events or facts, raise reasonable cause for concern that the family is in need of

intervention or services to prevent the occurrence of child abuse or neglect as defined in CANRA.

## **6. THE HUNTINGTON PARK PD's "AT RISK" INDICATOR CRITERIA**

The Huntington Park PD will provide existing information, as set forth in Section 7.1.1 – 7.1.8 of this MOA, to FCI from the Electronic Suspected Child Abuse Report System whenever a child or the child's sibling has been named in a suspected child abuse report as a victim of physical or sexual abuse.

## **7. THE HUNTINGTON PARK PD's RESPONSIBILITIES**

The Huntington Park PD agrees to:

- 7.1 Provide as set forth in the Huntington Park PD's FCI Policy and Procedures, the following statutorily permissible information into the FCI system whenever a record in its database meets one or more of the Huntington Park PD's "at risk" criteria:
  - 7.1.1 Name of child and/or family members and/or persons living in the home;
  - 7.1.2 Address of child and/or family members and/or persons living in the home;
  - 7.1.3 Telephone number of child and/or family members and/or persons living in the home;
  - 7.1.4 Date of birth of child and/or family members and/or persons living in the home;
  - 7.1.5 Place of birth of child and/or family members and/or persons living in the home;
  - 7.1.6 Case number assigned by the agency;
  - 7.1.7 Name and telephone number of each employee assigned to the case from the agency; and
  - 7.1.8 Date or dates of contact between the agency and a family member(s) and/or persons living in the home.
  - 7.1.9 If the Huntington Park PD's case has been closed, then the Huntington PD will provide the name and telephone number of the Huntington Park PD contact person.

7.1.10 If the Huntington Park PD has incomplete information as to any of the above statutorily permissible types of information, the Huntington Park PD shall provide the information they possess.

7.2 Adhere, as outlined in the attached Exhibit A, Huntington Park PD's FCI Policy and Procedures, to:

7.2.1 Providing information to FCI on a regular basis;

7.2.2 Properly accessing and using information contained in FCI;

7.2.3 Responding to calls made by other participating agencies in a timely manner;

7.2.4 Forming MDTs with other participating agencies;

7.2.5 Sharing case-specific information only as permitted by existing laws and through the formation of MDTs; and

7.2.6 Keeping information shared pursuant to the FCI statute confidential and used solely for the prevention, identification, management or treatment of child abuse or neglect or the provision of child welfare services.

7.3 Develop and maintain staff capability to respond in a timely manner to calls made by other participating FCI agencies as outlined in the attached Exhibit A, Huntington Park PD's FCI Policy and Procedures. An inquiry should be responded to immediately, but all must be responded to within three business days of the time it was made.

7.4 Form MDTs as required by the FCI statute.

7.5 Keep FCI information confidential and only share information with other verified users as permitted by existing laws/statutes.

7.5.1 Unless the disclosure is otherwise permitted or required by law, a MDT must be formed in order to provide information that is protected, private or confidential; and,

7.5.2 All parties will document any interagency contacts resulting from a FCI query.

7.6 Assign one Huntington Park PD staff to serve as responsible parties on the FCI Managers Team:

7.6.1 Program Manager; and

7.6.2 Policy Manager.

7.7 Program Manager Responsibilities include:

7.7.1 Ensuring that all existing/newly authorized FCI users are properly trained to access and use FCI as outlined in the attached Exhibit, Huntington Park PD's FCI Policy and Procedures.

7.7.2 Ensuring that the proper orientation, training, and transition of a Program Manager and Policy Manager to occur whenever they are replaced.

7.7.3 Auditing and updating Huntington Park PD's user lists and information provided to FCI on a monthly basis and coordinating these efforts with the County's Internal Services Department (ISD) to ensure proper access and security of authorized use of the FCI system as well as up-to-date FCI information.

7.7.4 Coordinating Huntington Park PD's compliance with FCI evaluation efforts, developed by the CEO in conjunction with the Inter-Agency Council on Child Abuse and Neglect (ICAN) and the FCI Managers Team, in order to maximize agency participation in the FCI system. Huntington Park PD agrees to develop evaluation tools that are in compliance with the FCI Managers Team's efforts. Considerations in developing evaluation tools are: (1) the burdensome nature of the evaluation tool; (2) impact on the work of the agency; and (3) the value of the information sought balanced against the potential added workload to the participating agency.

7.8 Policy Manager's responsibilities include serving as a liaison between the FCI Managers Team and their agency's executive staff on funding, legislative, operational, and policy related matters.

**8. CEO RESPONSIBILITIES**

The CEO's responsibilities will include, but are not limited to:

8.1 Co-Chairing the FCI Managers Team in conjunction with ICAN;

8.2 Conducting, in conjunction with ICAN, outreach and recruitment of additional FCI participating agencies;

8.3 Monitoring FCI evaluation efforts and working with ICAN to coordinate and design tools to evaluate FCI;

8.4 Approving changes/amendments to the MOA;

- 8.5 Coordinating the development and facilitation of FCI training with ICAN and the FCI Managers Team;
- 8.6 Partnering with ISD and all participating agencies to ensure ongoing maintenance support of FCI hardware/software, implementation of technical enhancements, and development of ad hoc reports; and,
- 8.7 Providing regular status reports to the Board of Supervisors regarding FCI implementation and progress made.

## **9. CONFIDENTIALITY AND USE OF INFORMATION ON FCI**

The parties to this MOA agree to:

- 1.1 Only provide information to be exported to FCI by, or be disclosed to, agency employees designated by the director of the participating provider agency. Members of MDTs shall be drawn from these designated employees, or other persons, as specified in WIC Section 18961.5(d);
- 1.2 Establish a system by which unauthorized personnel cannot access the data contained in the FCI system; and,
- 1.3 Keep the information contained in FCI confidential and solely used for the creation of MDTs for the prevention, identification, management, or treatment of child abuse or neglect, or provision of child welfare services, or both. Every employee with access to FCI shall take an oath of confidentiality and have a confidentiality statement on file with their employer agency.

## **10. COSTS**

There will be no costs to access or maintain the hardware and software of the FCI system for Huntington Park PD to participate in County's FCI under this MOA.

The Huntington Park PD will be responsible for costs associated with maintaining its PD database; providing database downloads of "At Risk" indicators; forming MDTs, as needed; maintaining confidentiality, as outlined in Section 9 above; and responding to FCI system inquiries.

## **11. ASSIGNMENT, DELEGATION, AND SUBCONTRACTING**

The Huntington Park PD shall not assign its rights and/or subcontract, or otherwise delegate, its duties under this MOA, either in whole or in part, without the prior written consent of the County. Any unapproved assignment,

subcontract, or delegation shall be null and void and may result in termination of this MOA.

**12. INDEMNIFICATION**

Each Party shall indemnify, defend and hold harmless the other Party from and against any and all liability, including but not limited to demands, claims, actions, fees, costs and expenses (including attorney and expert witness fees), arising from or connected with the Party's acts and/or omissions arising from and/or related to this MOA.

**13. VALIDITY**

If any provision of this MOA or the application thereof to any person or circumstance is held invalid, the remainder of this MOA and the application of such provision to other persons or circumstances shall not be affected thereby.

**14. WAIVER**

No waiver by the Parties of any breach of any provision of this MOA shall constitute a waiver of any other breach or of such provision. Failure of the Parties to enforce at any time, or from time to time, any provision of this MOA shall not be construed as a waiver thereof. The rights and remedies set forth in this MOA shall not be exclusive and are in addition to any other rights and remedies provided by law.

**15. GOVERNING LAW**

This MOA shall be governed by, and construed in accordance with, the laws of the State of California. The parties agree and consent to the exclusive jurisdiction of the courts of the State of California for all purposes regarding this MOA and further agree and consent that venue of any action brought hereunder shall be exclusively in the County of Los Angeles.

**16. ENTIRE AGREEMENT**

This MOA constitutes the complete and exclusive statement of understanding between the Parties, which supersedes all previous agreements, written or oral, and all other communications between the Parties relating to the subject matter of this MOA. No change to the MOA shall be valid unless prepared pursuant to Section 4.5, and executed by both Parties.

**17. NOTICES**

All notices shall be sent to both:

CEO Service Integration Branch  
222 South Hill Street, 5<sup>th</sup> Floor Los Angeles, CA 90012

And

Huntington Park PD FCI Program Manager  
6542 Miles Avenue  
Huntington Park, CA 90255  
Attn: Sergeant Neil Castelli

IN WITNESS THEREOF, the parties hereto have executed this MOA for the Los Angeles County Family and Children's Index as of the \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
William T Fujioka  
Chief Executive Officer  
Los Angeles County

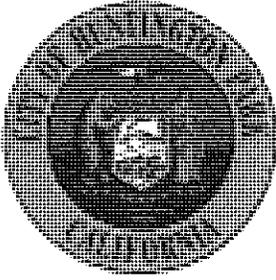
\_\_\_\_\_  
Jorge Cisneros, Chief of Police  
The City of Huntington Park Police  
Department

APPROVED AS TO FORM:

JOHN F. KRATTLI  
County Counsel

\_\_\_\_\_  
Rene Bobadilla  
City Manager

By: \_\_\_\_\_  
Katherine M. Bowser



# CITY OF HUNTINGTON PARK

Police Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

## **SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF HUNTINGTON PARK AND COUNTY OF LOS ANGELES – 2010 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP)**

### **IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Approve the Subrecipient Agreement between the City of Huntington Park and County of Los Angeles for reallocated 2010 State Homeland Security Grant Program funding.
2. Authorize the purchase of the necessary equipment and services to complete this approved project.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

State Homeland Security Grant Program (SHSGP) funding is made available to local agencies through the County of Los Angeles. SHSGP funds are made available for various purposes including: interoperable communications, information sharing/collaboration, critical infrastructure, catastrophic planning, and exercise/training.

Periodically, SHSGP funds not spent by other agencies are reallocated to fund other qualifying projects.

During the regular meeting of the City Council on December 3, 2012, Council authorized the Police Department to accept reallocated 2010 State Homeland Security Grant Program (SHSGP) funding made available to the Huntington Park Police Department.

## 2010 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP)

January 7, 2013

Page 2 of 3

Reallocated 2010 SHSGP funding was recently made available to the Huntington Park Police Department in the amount of \$140,000. The approved project supported by these SHSGP funds involves the strengthening of regional interoperable communications through the purchase of Project-25 radio systems. The Huntington Park Police Department proposed to purchase 18 portable radios, and two mobile radios to upgrade systems in our Mobile Command Post.

In order to utilize these reallocated 2010 SHSGP funds, the Huntington Park Police Department must receive purchased equipment and pay for the requested equipment by March 1, 2013. Council approval of this agreement is required for the City to receive reimbursement funding from the State.

The establishment of a specific budget account to facilitate this project by the Finance Department will aid in the accurate tracking of allowable expenditures under the grant award.

### **FISCAL IMPACT/FINANCING**

SHSGP awards fund approved projects on a reimbursement basis. Agencies receiving SHSGP awards must spend funds to complete projects and submit for the reimbursement from the State. General fund monies used to complete this project will be reimbursed by the grant program. It is currently estimated that reimbursement on such projects may take two or three months.

With Council approval, this project will require the City expend \$140,000 on the grant project. City staff will submit for reimbursement of these funds when the project is completed. State funds received will replenish the account established for this purpose.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A total of \$140,000 in grant funding has been awarded to the Police Department for the specific project. Funds provided through this grant are reimbursed to the agency after the project is completed. These funds will be used to purchase (18) dual band portable radios and two dual band mobile radios capable of transmitting/receiving on one more than one radio band in compliance with the grant requirements. To qualify for reimbursement with these funds, the Police Department must receive the equipment and pay the vendor by March 1, 2013.

2010 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP)

January 7, 2013

Page 3 of 3

**CONTRACTING PROCESS**

Due to the short notice provided grantees and short deadlines for project completion, the general practice of requiring formal bids in this circumstance is impracticable. If required to do so, the Police Department would not be able to meet the deadline to qualify for reimbursement of funds used to purchase this equipment. The Police Department will seek to obtain pricing quotes from vendors capable of meeting required timelines and equipment selected to meet grant requirements and department needs.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Improved radio communication capabilities.

**CONCLUSION**

The signed Subrecipient Agreement will be forwarded to the Chief Executive Office of the County of Los Angeles. Mr. Craig Hirakawa, Chief Executive of Los Angeles County will obtain the required County signatures and return the fully executed original of the Subrecipient Agreement to the City of Huntington Park.

Respectfully submitted,



RENE BOBADILLA  
City Manager, P.E.

JORGE CISNEROS  
Chief of Police

**ATTACHMENTS**

Attachment A: Subrecipient Agreement between the County of Los Angeles and City of Huntington Park – 2010 State Homeland Security Grant Program



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

December 5, 2012

Jorge Cisneros, Police Chief  
Huntington Park Police Department  
6542 Miles Avenue  
Huntington Park, CA 90255

Dear Chief Cisneros:

## **2010 HOMELAND SECURITY GRANT PROGRAM SUBRECIPIENT AGREEMENT**

On February 8, 2011, the Los Angeles County (County) Board of Supervisors accepted the 2010 Homeland Security Grant Program (HSGP) for local agencies. The County requires a formal Subrecipient Agreement between the City of Huntington Park and the County which outlines the requirements of the grant and provides the guidelines to follow for HSGP reimbursement of eligible expenses.

You will find enclosed details of your project(s) approved for the 2010 HSGP and two copies of the Subrecipient Agreement (SA) between the City of Huntington Park and Los Angeles County. Both copies of the SA, with complete contact information as required in Paragraph 102B, signed Exhibits A, B, C, and D (with each page initialed in the lower right corner), and the Agreements executed (in blue ink) by the appropriate jurisdiction staff, should be returned to:

Chief Executive Office  
Attn: Craig Hirakawa  
County Disaster Administrative Team  
500 West Temple Street, Room 785  
Los Angeles, CA 90012

Mr. Hirakawa will obtain the required County signatures and return a fully executed original of the SA to you. Please be aware that any sole source, aircraft, watercraft, and/or environmental clearances must be approved by the State prior to your jurisdiction incurring any costs related to the item(s) requiring such clearances.

Board of Supervisors  
GLORIA MOLINA  
First District

MARK RIDLEY-THOMAS  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

Jorge Cisneros, Police Chief  
December 5, 2012  
Page 2

If you have any questions, your staff may contact Mr. Hirakawa at (213) 974-1127 or by email at [chirakawa@ceo.lacounty.gov](mailto:chirakawa@ceo.lacounty.gov).

Sincerely,

WILLIAM T FUJIOKA  
Chief Executive Officer



Carol Kindler  
Manager

WTF:CK:hg/n

Enclosures

**City of Huntington Park  
2010 SHSGP Projects**

Sub-recipient	Item Number	Project	Project Name	Funding Source	Discipline	Solution Area	Solution Area Sub-Category	Total Obligated
Huntington Park	10	C	P-25 Migration Project: Strengthen regional interoperable communications platform to prevent system failure during terrorism incident or natural disaster. Procure redundant power supply for master site and Whittier repeater site and establish microwave looping at three repeaters; Mobile Project-25 UHF Radios	SHSGP	LE	Equip	Interoperable Communications Equipment	140,000
<b>Total</b>								<b>140,000</b>

Sub-recipient	Item Number	Project	Equipment Description & (Quantity)	AEL#	AEL Title	SAFECOM consult	Funding Source	Discipline	Solution Area Sub-Category	Invoice Number	Vendor	Acquired Date	Holdings	Estimate Cost
Huntington Park	10.8	C	Purchase 18 Portable P-25 UHF radios and 2 Mobile P-25 UHF Radios	06CP-01-PORT 06CP-01-MOBL	Radio, Portable Radio, Mobile	YES	SHSGP	LE	Interoperable Communications Equipment				No hold indicated	140,000

**Subrecipient Agreement**

**Between the County of Los Angeles and**

**The City of Huntington Park**

**Grant Year 2010**

**Homeland Security Grant Program**

**SUBRECIPIENT AGREEMENT  
BETWEEN THE COUNTY OF LOS ANGELES  
AND  
THE CITY OF HUNTINGTON PARK**

THIS AGREEMENT ("Agreement") is made and entered into by and between the County of Los Angeles, a political subdivision of the State of California (the "County of Los Angeles"), and the City of Huntington Park, a public agency (the "Subrecipient")

W I T N E S S E T H

WHEREAS, the U.S. Department of Homeland Security Title 28 C.F.R. through the Office of Grants and Training (G&T), has provided financial assistance from the Homeland Security Grant Program, Catalog of Federal Domestic Assistance (CFDA) 97.067 directly to the California Emergency Management Agency (Cal EMA) for the 2010 Homeland Security Grant Program (HSGP); and

WHEREAS, the Cal EMA, provides said funds to the Los Angeles County Chief Executive Officer (CEO) as its Subgrantee, and CEO is responsible for managing and overseeing the HSGP funds that are distributed, by CEO, to other specified jurisdictions within Los Angeles County; and

WHEREAS, this financial assistance is being provided to the Subrecipient in order to address the unique equipment, training, exercise and planning management needs of the Subrecipient, and to assist the Subrecipient in building effective prevention and protection capabilities to prevent, respond to, and recover from threats or acts of terrorism; and

WHEREAS, the CEO as Subgrantee has obtained approval of an HSGP 2010 grant from Cal EMA for the Subrecipient in the amount of \$140,000; and

WHEREAS, the CEO now wishes to distribute HSGP grant funds to the Subrecipient, as further detailed in this Agreement; and

WHEREAS, the CEO is authorized to enter into subrecipient agreements with cities providing for re-allocation and use of these funds; and to execute all future amendments, modifications, extensions, and augmentations relative to the subrecipient agreements, as necessary; and

WHEREAS, the County of Los Angeles and Subrecipient are desirous of executing this Agreement, and the County Board of Supervisors on February 8, 2011 authorized the CEO to prepare and execute this Agreement.

NOW, THEREFORE, the County of Los Angeles and Subrecipient agree as follows:

SECTION I  
INTRODUCTION

§101. Parties to this Agreement

The parties to this Agreement are:

- A. County of Los Angeles, a political subdivision of the State of California, having its principal office at Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012; and
- B. City of Huntington Park, a public agency, having its principal office at 6550 Miles Avenue, Huntington Park, CA 90255.

§102. Representatives of the Parties and Service of Notices

- A. The representatives of the respective parties who are authorized to administer this Agreement and to whom formal notices, demands and communications shall be given are as follows:

- 1. The representative of the County of Los Angeles shall be, unless otherwise stated in this Agreement:

Carol Kindler, Manager  
Chief Executive Office, Los Angeles County (LAC)  
500 W. Temple Street, Room 785  
Los Angeles, CA 90012  
Phone: (213) 974-1154  
Fax: (213) 687-3765  
ckindler@ceo.lacounty.gov

With a copy to:  
Heather Singh, Grants Manager  
Chief Executive Office, LAC  
500 W. Temple Street, Room 785  
Los Angeles, CA 90012  
Phone: (213) 974-2319  
Fax: (213) 687-3765  
hsingh@ceo.lacounty.gov

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2. The representative of Subrecipient shall be:

Name and  
Title:

Organization

Address:

City/State/Zip:

Phone:

Fax:

Email:

With a copy to:

Name and  
Title:

Organization

Address:

City/State/Zip:

Phone:

Fax:

Email:

- B. Formal notices, demands and communications to be given hereunder by either party shall be made in writing and may be effected by personal delivery or by registered or certified mail, postage prepaid, return receipt requested and shall be deemed communicated as of the date of mailing.
- C. If the name and/or title of the person designated to receive the notices, demands or communications or the address of such person is changed, written notice shall be given, in accord with this section, within five (5) business days of said change.

§103. Independent Party

Subrecipient is acting hereunder as an independent party, and not as an agent or employee of the County of Los Angeles. No employee of Subrecipient is, or shall be, an employee of the County of Los Angeles by virtue of this Agreement, and Subrecipient shall so inform each employee organization and each employee who is hired or retained under this Agreement. Subrecipient shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the County of Los Angeles by virtue of this Agreement.

§104. Conditions Precedent to Execution of This Agreement

Subrecipient shall provide the following signed documents to the County of Los Angeles, unless otherwise exempted:

- A. Certifications and Disclosures Regarding Lobbying, attached hereto as Exhibit A and made a part hereof, in accordance with §411.A.14 of this Agreement. Subrecipient shall also file a Disclosure Form at the end of each calendar quarter in which there occurs any event requiring disclosure or which materially affects the accuracy of the information contained in any Disclosure Form previously filed by Subrecipient.
- B. Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion, attached hereto as Exhibit B and made a part hereof, as required by Executive Order 12549 in accordance with §411.A.12 of this Agreement.
- C. Certification Regarding Drug-Free Workplace, attached hereto as Exhibit C and made a part hereof, in accordance with §411.A.13 of this Agreement.
- D. Certification of Grant Assurances – Non-Construction Programs, attached hereto as Exhibit D and made a part hereof, in accordance with §411.C of this Agreement.

SECTION II

TERM AND SERVICES TO BE PROVIDED

§201. Performance Period

The performance period of this Agreement shall be from October 28, 2010 to February 28, 2013, unless the County of Los Angeles, with Cal EMA approval, provides written notification to the Subrecipient that the performance period has been extended, in which case the performance period shall be so extended by such written notification, as provided in §502, below.

## §202. Use of Grant Funds

- A. Subrecipient and the County of Los Angeles have previously completed a mutually approved budget/expenditure plan, hereinafter "Budget," for the HSGP FY 2010 Grant, which has been approved by Cal EMA. This information is contained in a copy of the final grant award letter and a worksheet, attached hereto as Exhibit E.

Any request by Subrecipient to modify the Budget must be made in writing with the appropriate justification and submitted to CEO for approval. If during the County's review process, additional information or documentation is required, the Subrecipient will have ten (10) business days to comply with the request. If the Subrecipient does not comply with the request, CEO will issue written notification indicating that the requested modification will not be processed. Modifications must be approved in writing by the County of Los Angeles and Cal EMA during the term of this Agreement. Upon approval, all other terms of this Agreement will remain in effect.

Subrecipient shall utilize grant funds in accordance with all Federal regulations and State Guidelines.

- B. Subrecipient agrees that grant funds awarded will be used to supplement existing funds for program activities, and will not supplant (replace) non-Federal funds.
- C. Subrecipient shall review the Federal Debarment Listing at <http://www.epls.gov/epls/search.do> prior to the purchase of equipment or services to ensure the intended vendor is not listed and also maintain documentation that the list was verified.
- D. Prior to the purchase of equipment or services utilizing a sole source contract of \$100,000 or more, justification must be presented to CEO, who upon review will request approval from Cal EMA. Such approval in writing must be obtained prior to the commitment of funds.
- E. Subrecipient shall provide any reports requested by the County of Los Angeles to the CEO indicating Subrecipient's performance under this Agreement, including progress on meeting program goals. Reports shall be in the form requested by the County of Los Angeles, and shall be provided by the 15<sup>th</sup> of the following month. Subrecipient shall timely submit claims for reimbursement.
- F. Subrecipient shall provide a copy of their Annual Single Audit Report, as required by Office of Management and Budget circular A-133, to CEO no later than March 31<sup>st</sup> of the year following the reporting period.
- G. Subrecipient shall provide a Corrective Action Plan to CEO within 30 days of any audit finding.

H. Subrecipient will be monitored by the County of Los Angeles on an annual basis to ensure compliance with Cal EMA grant program requirements. Said monitoring will include, at a minimum, one on-site visit during the term of this Agreement.

I. Any equipment acquired pursuant to this Agreement shall be authorized in the G&T Authorized Equipment List (AEL) available online at <http://www.rkb.mipt.org> and the Allowable Cost Matrix to the 2010 Homeland Security Grant Program, Guidance and Application Kit, incorporated by reference, and attached hereto as Exhibit F. Subrecipient shall provide the County of Los Angeles a copy of its most current procurement guidelines and follow its own procurement requirements as long as they meet or exceed the minimum Federal requirements. Federal procurement requirements for the HSGP 2010 Grant can be found at OMB Circular A-102, Title 28 C.F.R. Part 66.36, and Office of G&T Financial Guide.

Any equipment acquired or obtained with Grant Funds:

1. Will be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant;
2. Will be consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that plan;
3. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.

J. Equipment acquired pursuant to this Agreement shall be subject to the requirements of Title 28, C.F.R. 66.32, 66.33 and Office of G&T Financial Guide. For the purposes of this subsection, "Equipment" is defined as tangible nonexpendable property, having a useful life of more than one year which costs \$5,000 or more per unit. Items costing less than \$5,000, but acquired under the "Equipment" category of the Grant shall also be listed on any required Equipment Ledger.

1. Equipment shall be used by Subrecipient in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by Federal funds. When no longer needed for the original program or project, the Equipment may be used in other activities currently or previously supported by a Federal agency.
2. Subrecipient shall make Equipment available for use on other like projects or programs currently or previously supported by the Federal Government, providing such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use shall be given to other programs or projects supported by the awarding agency.

3. An Equipment Ledger shall be maintained listing each item of Equipment acquired with HSGP funds. The Equipment Ledger must be kept up to date at all times. Any changes shall be recorded in the Ledger within ten (10) business days and the updated Ledger is to be forwarded to the County of Los Angeles' Auditor-Controller Shared Services Division. The Equipment Ledger shall include: (a) description of the item of Equipment, (b) manufacturer's model and serial number, (c) Federal Stock number, national stock number, or other identification number, (d) the fund source/grant year of acquisition of the Equipment, including the award number, (e) date of acquisition, (f) the per unit acquisition cost of the Equipment, (g) location and condition of Equipment and (h) disposition data, including date and sale price, if applicable. Records must be retained pursuant to Title 28 C.F.R. Part 66.42.
  4. All Equipment obtained under this Agreement shall have an appropriate identification decal affixed to it, and, when practical, shall be affixed where it is readily visible.
  5. A physical inventory of the Equipment shall be taken by the Subrecipient and the results reconciled with the Equipment Ledger at least once every two years or prior to any site visit by State or Federal auditors/monitors. The Subrecipient is required to submit a letter certifying as to the accuracy of the Equipment Ledger to the County of Los Angeles, in the frequency as above.
- K. Any planning paid pursuant to this Agreement shall conform to the guidelines as listed in FY 2010 Homeland Security Grant Program, Guidance and Application Kit or subsequent grant year programs.
- L. Any training paid pursuant to this Agreement shall conform to the guidelines as listed in FY 2010 Homeland Security Grant Program, Guidance and Application Kit, and must be first submitted to CEO and then pre-authorized by Cal EMA. A catalog of Federally approved and sponsored training courses is available at <http://www.ojp.usdoj.gov/odp/training.htm>.
- M. Any exercise paid pursuant to this Agreement shall conform to the guidelines as listed in FY 2010 Homeland Security Grant Program, Guidance and Application Kit. Detailed Homeland Security Exercise and Evaluation Program Guidance is available at <http://hseep.dhs.gov>.
- N. Subrecipient shall provide to County a spending plan detailing the required steps and timeframes required to complete the approved projects within the grant timeframe. Subrecipient shall submit the spending plan to County prior to final execution of the Agreement.
- O. Any organization activities paid pursuant to this Agreement shall conform to the guidelines as listed in FY 2010 Homeland Security Grant Program, Program Guidance and Application Kit.

## SECTION III

### PAYMENT

#### §301. Payment of Grant Funds and Method of Payment

- A. The County of Los Angeles shall reimburse Subrecipient up to the maximum grant amount of \$140,000 as expenditures are incurred and paid by Subrecipient and all documentation is reviewed and approved by County. All expenditures shall be for the purchase of equipment, exercises, training, and planning as described in Section II of this Agreement. The grant amount represents the amount allocated to Subrecipient in the FY 2010 HSGP Grant Award Letter from Cal EMA.
- B. Subrecipient shall submit invoices to the County of Los Angeles Auditor-Controller Shared Services Division requesting payment as soon as expenses are incurred and paid, and the required supporting documentation is available. Said timeframe should be within ten (10) business days of Subrecipient's payment to vendors and/or prescribed due dates by CEO and/or Cal EMA. Each reimbursement request shall be accompanied by the Reimbursement Request Checklist and Form (attached hereto as Exhibit G). All appropriate back-up documentation must be attached to the reimbursement form, including invoices, proof of payment and packing slips.

For training reimbursements, Subrecipient must include a copy of the class roster verifying training attendees, proof that prior approval was obtained from Cal EMA and a Cal EMA tracking number has been assigned to the course, and timesheets and payroll registers for all training attendees.

For exercise reimbursements, Subrecipient must enter the After Action Report (AAR) and Improvement Plan on the State Office of Domestic Preparedness secure portal within 60 days following completion of the exercise and submit proof of State approval of the AAR with the reimbursement request.

For planning reimbursements, Subrecipient must include a copy of the final tangible product as a result of the planning project.

- C. The County of Los Angeles may, at its discretion, and with Cal EMA approval, reallocate unexpended grant funds to another subrecipient. Said reallocation may occur upon completion of an approved project, or by written notification from the Subrecipient to the County of Los Angeles that a portion of the grant funds identified in §301.A., above, will not be utilized. As provided in §502, below, any increase or decrease in the grant amount specified in §301.A., above, may be effectuated by a written notification by the County of Los Angeles to the Subrecipient.
- D. Payment of final invoice shall be withheld by the County of Los Angeles until the County has determined that Subrecipient has turned in all supporting documentation and completed the requirements of this Agreement.

- E. It is understood that the County of Los Angeles makes no commitment to fund this Agreement beyond the terms set forth herein.
- F. 1. Funding for all periods of this Agreement is subject to continuing Federal appropriation of grant funds for this program. In the event of a loss or reduction of Federal appropriation of grant funds for this program, the Agreement may be terminated, or appropriately amended, immediately upon notice to Subrecipient of such loss or reduction of Federal grant funds.
2. County shall make a good-faith effort to notify Subrecipient, in writing, of such non-appropriation at the earliest time.

## SECTION IV

### STANDARD PROVISIONS

#### §401. Construction of Provisions and Titles Herein

All titles or subtitles appearing herein have been inserted for convenience and shall not be deemed to affect the meaning or construction of any of the terms or provisions hereof. The language of this Agreement shall be construed according to its fair meaning and not strictly for or against either party.

#### §402. Applicable Law, Interpretation and Enforcement

Each party's performance hereunder shall comply with all applicable laws of the United States of America, the State of California, and the County of Los Angeles. This Agreement shall be enforced and interpreted under the laws of the State of California and the County of Los Angeles.

If any part, term or provision of this Agreement shall be held void, illegal, unenforceable, or in conflict with any law of a Federal, State or Local Government having jurisdiction over this Agreement, the validity of the remainder of the Agreement shall not be affected thereby.

Applicable Federal or State requirements that are more restrictive shall be followed.

#### §403. Integrated Agreement

This Agreement sets forth all of the rights and duties of the parties with respect to the subject matter hereof, and replaces any and all previous agreements or understandings, whether written or oral, relating thereto. This Agreement may be amended only as provided for herein.

§404. Breach

If any party fails to perform, in whole or in part, any promise, covenant, or agreement set forth herein, or should any representation made by it be untrue, any aggrieved party may avail itself of all rights and remedies, at law or equity, in the courts of law. Said rights and remedies are cumulative of those provided for herein except that in no event shall any party recover more than once, suffer a penalty or forfeiture, or be unjustly compensated.

§405. Prohibition Against Assignment or Delegation

Subrecipient may not, unless it has first obtained the written permission of the County of Los Angeles:

- A. Assign or otherwise alienate any of its rights hereunder, including the right to payment; or
- B. Delegate, subcontract, or otherwise transfer any of its duties hereunder.

§406. Permits

Subrecipient and its officers, agents and employees shall obtain and maintain all permits and licenses necessary for Subrecipient's performance hereunder and shall pay any fees required therefor. Subrecipient further certifies that it will immediately notify the County of Los Angeles of any suspension, termination, lapse, non renewal or restriction of licenses, certificates, or other documents.

§407. Nondiscrimination and Affirmative Action

Subrecipient shall comply with the applicable nondiscrimination and affirmative action provisions of the laws of the United States of America, the State of California, and the County of Los Angeles. In performing this Agreement, Subrecipient shall not discriminate in its employment practices against any employee or applicant for employment because of such person's race, religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, mental disability, marital status, domestic partner status or medical condition. Subrecipient shall comply with Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60).

If required, Subrecipient shall submit an Equal Employment Opportunity Plan ("EEOP") to the DOJ Office of Civil Rights ("OCR") in accordance with guidelines listed at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>.

Any subcontract entered into by the Subrecipient relating to this Agreement, to the extent allowed hereunder, shall be subject to the provisions of this §407 of this Agreement.

#### §408. Indemnification

Each of the parties to this Agreement is a public entity. This indemnity provision is written in contemplation of the provisions of Section 895.2 of the Government Code of the State of California, which impose certain tort liability jointly upon public entities, solely by reason of such entities being parties to an agreement, and the parties agree that this indemnity provision shall apply and shall be enforceable regardless of whether Section 895 et seq. is deemed to apply to this Agreement. The parties hereto, as between themselves, consistent with the authorization contained in Government Code Sections 895.4 and 895.6 agree to each assume the full liability imposed upon it or upon any of its officers, agents, or employees by law, for injury caused by a negligent or wrongful act or omission occurring in the performance of this Agreement, to the same extent that such liability would be imposed in the absence of Government Code Section 895.2. To achieve the above-stated purpose, each party agrees to indemnify and hold harmless the other party for any liability arising out of its own negligent acts or omissions in the performance of this Agreement (i.e., the Subrecipient agrees to indemnify and hold harmless the County of Los Angeles for liability arising out of the Subrecipient's negligent or wrongful acts or omissions and the County of Los Angeles agrees to indemnify and hold harmless the Subrecipient for liability arising out of the County of Los Angeles' negligent or wrongful acts or omissions). Each party further agrees to indemnify and hold harmless the other party for liability that is imposed on the other party solely by virtue of Government Code Section 895.2. The provisions of Section 2778 of the California Civil Code are made a part hereof as if fully set forth herein. Subrecipient certifies that it has adequate self insured retention of funds to meet any obligation arising from this Agreement.

#### §409. Conflict of Interest

- A. The Subrecipient covenants that none of its directors, officers, employees, or agents shall participate in selecting, or administering any subcontract supported (in whole or in part) by Federal funds where such person is a director, officer, employee or agent of the subcontractor; or where the selection of subcontractors is or has the appearance of being motivated by a desire for personal gain for themselves or others such as family business, etc.; or where such person knows or should have known that:
1. A member of such person's immediate family, or domestic partner or organization has a financial interest in the subcontract;
  2. The subcontractor is someone with whom such person has or is negotiating any prospective employment; or
  3. The participation of such person would be prohibited by the California Political Reform Act, California Government Code §87100 et seq. if such person were a public officer, because such person would have a "financial or other interest" in the subcontract.

B. Definitions:

1. The term "immediate family" includes but is not limited to domestic partner and/or those persons related by blood or marriage, such as husband, wife, father, mother, brother, sister, son, daughter, father in law, mother in law, brother in law, sister in law, son in law, daughter in law.
  2. The term "financial or other interest" includes but is not limited to:
    - a. Any direct or indirect financial interest in the specific contract, including a commission or fee, a share of the proceeds, prospect of a promotion or of future employment, a profit, or any other form of financial reward.
    - b. Any of the following interests in the subcontractor ownership: partnership interest or other beneficial interest of five percent or more; ownership of five percent or more of the stock; employment in a managerial capacity; or membership on the board of directors or governing body.
- C. The Subrecipient further covenants that no officer, director, employee, or agent shall solicit or accept gratuities, favors, or anything of monetary value from any actual or potential subcontractor, supplier, a party to a sub agreement, (or persons who are otherwise in a position to benefit from the actions of any officer, employee, or agent).
- D. The Subrecipient shall not subcontract with a former director, officer, or employee within a one year period following the termination of the relationship between said person and the Subrecipient.
- E. Prior to obtaining the County of Los Angeles' approval of any subcontract, the Subrecipient shall disclose to the County of Los Angeles any relationship, financial or otherwise, direct or indirect, of the Subrecipient or any of its officers, directors or employees or their immediate family with the proposed subcontractor and its officers, directors or employees.
- F. For further clarification of the meaning of any of the terms used herein, the parties agree that references shall be made to the guidelines, rules, and laws of the County of Los Angeles, State of California, and Federal regulations regarding conflict of interest.
- G. The Subrecipient warrants that it has not paid or given and will not pay or give to any third person any money or other consideration for obtaining this Agreement.
- H. The Subrecipient covenants that no member, officer or employee of Subrecipient shall have interest, direct or indirect, in any contract or subcontract or the proceeds thereof for work to be performed in connection with this project during his/her tenure as such employee, member or officer or for one year thereafter.
- I. The Subrecipient shall incorporate the foregoing subsections of this Section into every agreement that it enters into in connection with this grant and shall substitute the term

"subcontractor" for the term "Subrecipient" and "sub subcontractor" for "Subcontractor".

§410. Restriction on Disclosures

Any reports, analyses, studies, drawings, information, or data generated as a result of this Agreement are to be governed by the California Public Records Act (California Government Code Sec. 6250 et seq.).

§411. Statutes and Regulations Applicable To All Grant Contracts

A. Subrecipient shall comply with all applicable requirements of State, Federal, and County of Los Angeles laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this Agreement. Subrecipient shall comply with applicable State and Federal laws and regulations pertaining to labor, wages, hours, and other conditions of employment. Subrecipient shall comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Agreement. These requirements include, but are not limited to:

1. Office of Management and Budget (OMB) Circulars

Subrecipient shall comply with OMB Circulars, as applicable: OMB Circular A-21 (Cost Principles for Educational Institutions); OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments); OMB Circular A-102 (Grants and Cooperative Agreements with State and Local Governments); Common Rule, Subpart C for public agencies or OMB Circular A-110 (Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations); OMB Circular A-122 (Cost Principles for Non-Profit Organizations); OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations).

2. Single Audit Act

Since Federal funds are used in the performance of this Agreement, Subrecipient shall, as applicable, adhere to the rules and regulations of the Single Audit Act, 31 USC Sec. 7501 et seq.); OMB Circular A-133 and any administrative regulation or field memos implementing the Act.

3. Americans with Disabilities Act

Subrecipient hereby certifies that, as applicable, it will comply with the Americans with Disabilities Act 42, USC §§12101 et seq., and its implementing regulations. Subrecipient will provide reasonable accommodations to allow qualified individuals with disabilities to have access to and to participate in its programs, services and activities in accordance with the provisions of the Americans with Disabilities Act. Subrecipient will not discriminate against

persons with disabilities nor against persons due to their relationship to or association with a person with a disability. Any subcontract entered into by Subrecipient, relating to this Contract, to the extent allowed hereunder, shall be subject to the provisions of this paragraph.

4. Political and Sectarian Activity Prohibited

None of the funds, materials, property or services provided directly or indirectly under this Agreement shall be used for any partisan political activity, or to further the election or defeat of any candidate for public office. Neither shall any funds provided under this Agreement be used for any purpose designed to support or defeat any pending legislation or administrative regulation. None of the funds provided pursuant to this Agreement shall be used for any sectarian purpose or to support or benefit any sectarian activity.

Subrecipient shall file a Disclosure Form at the end of each calendar quarter in which there occurs any event requiring disclosure or which materially affects the accuracy of any of the information contained in any Disclosure Form previously filed by Subrecipient. Subrecipient shall require that the language of this Certification be included in the award documents for all sub-awards at all tiers and that all subcontractors shall certify and disclose accordingly.

5. Records Inspection

At any time during normal business hours and as often as either the County of Los Angeles, the U.S. Comptroller General or the Auditor General of the State of California may deem necessary, Subrecipient shall make available for examination all of its records with respect to all matters covered by this Agreement. The County of Los Angeles, the U.S. Comptroller General and the Auditor General of the State of California shall have the authority to audit, examine and make excerpts or transcripts from records, including all Subrecipient's invoices, materials, payrolls, records of personnel, conditions of employment and other data relating to all matters covered by this Agreement.

Subrecipient agrees to provide any reports requested by the County regarding performance of this Agreement.

6. Records Maintenance

Records, in their original form, shall be maintained in accordance with requirements prescribed by the County of Los Angeles with respect to all matters specified in this Agreement. Original forms are to be maintained on file for all documents specified in this Agreement. Such records shall be retained for a period five (5) years after termination of this Agreement and after final disposition of all pending matters. "Pending matters" include, but are not limited to, an audit, litigation or other actions involving records. The County of Los Angeles may, at its discretion, take possession of, retain and audit said records. Records, in their original form pertaining to matters covered by this

Agreement, shall at all times be retained within the County of Los Angeles unless authorization to remove them is granted in writing by the County of Los Angeles.

7. Subcontracts and Procurement

Subrecipient shall, as applicable, comply with the Federal, State and County of Los Angeles standards in the award of any subcontracts. For purposes of this Agreement, subcontracts shall include but not be limited to purchase agreements, rental or lease agreements, third party agreements, consultant service contracts and construction subcontracts.

Subrecipient shall, as applicable, ensure that the terms of this Agreement with the County of Los Angeles are incorporated into all Subcontractor Agreements. The Subrecipient shall submit all Subcontractor Agreements to the County of Los Angeles for review prior to the release of any funds to the subcontractor. The Subrecipient shall withhold funds to any subcontractor agency that fails to comply with the terms and conditions of this Agreement and their respective Subcontractor Agreement.

8. Labor

Subrecipient shall, as applicable, comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed requirements for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System Personnel Administration (5 C.F.R. 900, Subpart F).

Subrecipient shall comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7); the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874); the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333), regarding labor standards for federally-assisted construction subagreements; and the Hatch Act (5 USC §§1501-1508 and 7324-7328).

Subrecipient shall, as applicable, comply with the Federal Fair Labor Standards Act (29 U.S.C. §201) regarding wages and hours of employment.

None of the funds shall be used to promote or deter Union/labor organizing activities. CA Gov't Code Sec. 16645 et seq.

9. Civil Rights

Subrecipient shall, as applicable, comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of

1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of disabilities; (d) The Age Discrimination act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; (j) the requirements of any other nondiscrimination statute(s) which may apply to the application; and (k) P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

10. Environmental

Subrecipient shall, as applicable, comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

Subrecipient shall comply, as applicable, with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93205); and (i) Flood Disaster Protection Act of 1973 §102(a) (P.L. 93-234).

Subrecipient shall, as applicable, comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

Subrecipient shall, as applicable, comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

Subrecipient shall, as applicable, comply with the Federal Water Pollution Control Act (33 U.S.C. §1251 et seq.) which restores and maintains the chemical, physical and biological integrity of the Nation's waters.

Subrecipient shall, as applicable, ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of this project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal Grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

By signing this Agreement, Subrecipient ensures that it is in compliance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq.

Subrecipient shall, as applicable, comply with the Energy Policy and Conservation Act (P.L. 94-163, 89 Stat. 871).

Subrecipient shall comply, as applicable, with the provision of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.

11. Preservation

Subrecipient shall, as applicable, comply with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

12. Suspension, Debarment, Ineligibility and Voluntary Exclusion

Subrecipient shall, as applicable, comply with Title 28 C.F.R. Volume 67, Number 228, regarding Suspension and Debarment, and Subrecipient shall submit a Certification Regarding Debarment, attached here to as Exhibit B, required by Executive Order 12549 and any amendment thereto. Said Certification shall be submitted to the County of Los Angeles concurrent with the execution of this Agreement and shall certify that neither Subrecipient nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department head or agency. Subrecipient shall require that the language of this Certification be included in the award documents for all sub-award at all tiers and that all subcontractors shall certify accordingly.

13. Drug-Free Workplace

Subrecipient shall, as applicable, comply with the federal Drug-Free Workplace Act of 1988, 41 USC §701, Title 28 Code of Federal Regulations (CFR) Part 67; the California Drug-Free Workplace Act of 1990, CA Gov't Code §§8350-8357, and Subrecipient shall complete the Certification Regarding Drug-Free Workplace Requirements, attached hereto as Exhibit C, and incorporated herein by reference. Subrecipient shall require that the language of this Certification be included in the award documents for all sub-award at all tiers and that all subcontractors shall certify accordingly.

14. Lobbying Activities

Subrecipient shall, as applicable, comply with 31 U.S.C.1352 and complete the Disclosure of Lobbying Activities, (OMB 0038-0046), attached hereto as Exhibit A, and incorporated herein by reference.

15. Miscellaneous

Subrecipient shall, as applicable, comply with the Laboratory Animal Welfare Act of 1966, as amended (P.L. 89-544, 7 USC §§2131 et seq.).

B. Statutes and Regulations Applicable To This Particular Grant

Subrecipient shall comply with all applicable requirements of State and Federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this particular grant program. Subrecipient shall, as applicable, comply with new, amended, or revised laws, regulations, and/or procedures that apply to the performance of this Agreement. These requirements include, but are not limited to:

1. Title 28 CFR Part 66; EO 12372; (Financial Management Guide US Department of Homeland Security Directorates Preparedness January 2006, *Financial Guide*); U.S. Department of Homeland Security, Office of State and Local Government Coordination and Preparedness, Office for Domestic Preparedness, ODP WMD Training Course Catalogue; and DOJ Office for Civil Rights.

Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code Chapter 7 of Division 1 of Title 2, §8607.1(e) and CCR Title 19, §§2445-2448.

Provisions of Title 2, 6, 28, 44 CFR applicable to grants and cooperative agreements, including Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 35, Nondiscrimination on the Basis of Disability in

State and Local Government Services; Part 38, Equal Treatment of Faith-based Organizations; Part 42, Nondiscrimination/Equal Employment Opportunities Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; Part 64, Floodplain Management and Wetland Protection Procedures; Federal laws or regulations applicable to Federal Assistance Programs; Part 69, New Restrictions on Lobbying; Part 70, Uniform Administrative Requirements for Grants and Cooperative Agreements (including sub-awards) with Institutions of Higher Learning, Hospitals and other Non-Profit Organizations; and Part 83, Government-Wide Requirements for a Drug Free Workplace (grants).

Nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1, and all other applicable Federal laws, orders, circulars, or regulations.

2. Travel Expenses

Subrecipient, as provided herein, shall be compensated for Subrecipient's reasonable travel expenses incurred in the performance of this Agreement, to include travel and per diem, unless otherwise expressed. Subrecipient's total travel for in-State and/or out-of-State and per diem costs shall be included in the contract budget(s). All travel including out-of-State travel not included in the budget(s) shall not be reimbursed without prior written authorization from the County of Los Angeles.

Subrecipient's administrative-related travel and per diem reimbursement costs shall be reimbursed based on the Subrecipient's policies and procedures. For programmatic-related travel costs, Subrecipient's reimbursement rates shall not exceed the amounts established by the County of Los Angeles.

3. Noncompliance

Subrecipient understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds, and repayment by the Subrecipient to the County of Los Angeles of any unauthorized expenditures.

C. Compliance With Grant Requirements

To obtain the grant funds, the State required an authorized representative of the County of Los Angeles to sign certain promises regarding the way the grant funds would be spent. These requirements are included in the 2010 Program Guidance and Application Kit and in the "Grant Assurances", attached hereto as Exhibit D. By signing these Grant Assurances and accepting the Program Guidances, the County

of Los Angeles became liable to the State for any funds that are used in violation of the grant requirements. Subrecipient shall be liable to the Grantor for any funds the State determines that Subrecipient used in violation of these Grant Assurances. Subrecipient shall indemnify and hold harmless the County of Los Angeles for any sums the State or Federal government determines Subrecipient used in violation of the Grant Assurances.

§412. Federal, State and Local Taxes

Federal, State and local taxes shall be the responsibility of the Subrecipient as an independent party and not of the County of Los Angeles and shall be paid prior to requesting reimbursement. However, these taxes are an allowable expense under the grant program.

§413. Inventions, Patents and Copyrights

A. Reporting Procedure for Inventions

If any project produces any invention or discovery (Invention) patentable or otherwise under Title 35 of the U.S. Code, including, without limitation, processes and business methods made in the course of work under this Agreement, the Subrecipient shall report the fact and disclose the Invention promptly and fully to the County of Los Angeles. The County of Los Angeles shall report the fact and disclose the Invention to the State. Unless there is a prior agreement between the County of Los Angeles and the State, the State shall determine whether to seek protection on the Invention. The State shall determine how the rights in the Invention, including rights under any patent issued thereon, will be allocated and administered in order to protect the public interest consistent with the policy ("Policy") embodied in the Federal Acquisition Regulations System, which is based on Ch. 18 of Title 35 U.S.C. Sections 200 et seq. (Pub. L. 95-517, Pub. L. 98-620, Title 37 CFR Part 401); Presidential Memorandum on Government Patent Policy to the Heads of the Executive Departments and Agencies, dated 2/18/1983; and Executive Order 12591, 4/10/87, 52 FR 13414, Title 3 CFR, 1987 Comp., p. 220 (as amended by Executive Order 12618, 12/22/87, 52 FR 48661, Title 3 CFR, 1987 Comp., p. 262). Subrecipient hereby agrees to be bound by the Policy, and will contractually require its personnel to be bound by the Policy.

B. Rights to Use Inventions

County of Los Angeles shall have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Invention developed under this Agreement.

C. Copyright Policy

1. Unless otherwise provided by the terms of the State or of this Agreement, when copyrightable material (Material) is developed under this Agreement, the County of Los Angeles, at the County's discretion, may copyright the Material.

If the County of Los Angeles declines to copyright the Material, the County of Los Angeles shall have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Material developed under this Agreement.

2. The State shall have an unencumbered right, and a non-exclusive, irrevocable, royalty-free license, to use, manufacture, improve upon, and allow others to do so for all government purposes, any Material developed under this Agreement or any Copyright purchased under this Agreement.
3. Subrecipient shall comply with Title 24 CFR 85.34.

#### D. Rights to Data

The State and the County of Los Angeles shall have unlimited rights or copyright license to any data first produced or delivered under this Agreement. "Unlimited rights" means the right to use, disclose, reproduce, prepare derivative works, *distribute* copies to the public, and perform and display publicly, or permit others to do so; as required by Title 48 CFR 27.401. Where the data are not first produced under this Agreement or are published copyrighted data with the notice of 17 U.S.C. Section 401 or 402, the State acquires the data under a copyright license as set forth in Title 48 CFR 27.404(f)(2) instead of unlimited rights. (Title 48 CFR 27.404(a)).

#### E. Obligations Binding on Subcontractors

Subrecipient shall require all subcontractors to comply with the obligations of this section by incorporating the terms of this section into all subcontracts.

#### §414. Child Support Assignment Orders

Under the terms of this Agreement, Subrecipient shall comply with California Family Code Section 5230 et seq. as applicable.

#### §415. Minority, Women, And Other Business Enterprise Outreach Program

It is the policy of the County of Los Angeles to provide Minority Business Enterprises, Women Business Enterprises and all other business enterprises an equal opportunity to participate in the performance of all Subrecipient's contracts, including procurement, construction and personal services. This policy applies to all the Subrecipient's contractors and sub-contractors.

## SECTION V

### DEFAULTS, SUSPENSION, TERMINATION, AND AMENDMENTS

#### §501. Defaults

Should either party fail for any reason to comply with the contractual obligations of this Agreement within the time specified by this Agreement, the non-breaching party reserves the right to terminate the Agreement, reserving all rights under State and Federal law.

#### §502. Amendments

Except as otherwise provided in this paragraph, any change in the terms of this Agreement, including changes in the services to be performed by Subrecipient, that are agreed to by the Subrecipient and the County of Los Angeles must be incorporated into this Agreement by a written amendment properly signed by persons who are authorized to bind the parties. Notwithstanding the foregoing, any increase or decrease of the grant amount specified in §301.A., above, or any extension of the performance period specified in §201, above, shall not require a written amendment, but may be effectuated by a written notification by the County of Los Angeles to the Subrecipient .

## SECTION VI

### ENTIRE AGREEMENT

#### §601. Complete Agreement

This Agreement contains the full and complete Agreement between the two parties. Neither verbal agreement nor conversation with any officer or employee of either party shall affect or modify any of the terms and conditions of this Agreement.

#### §602. Number of Pages and Attachments

This Agreement may be executed in two (2) duplicate originals, each of which is deemed to be an original. This Agreement includes (23) pages and (7) Exhibits which constitute the entire understanding and agreement of the parties.

IN WITNESS WHEREOF, the Subrecipient and County of Los Angeles have caused this Agreement to be executed by their duly authorized representatives.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
WILLIAM T FUJIOKA  
Chief Executive Officer

\_\_\_\_\_  
Date

By \_\_\_\_\_  
SACHI A. HAMAI  
Executive Officer, Board of Supervisors

By \_\_\_\_\_  
WENDY L. WATANABE  
Auditor-Controller

APPROVED AS TO FORM

JOHN F. KRATTLI  
County Counsel

BY \_\_\_\_\_  
Principal Deputy County Counsel

BY \_\_\_\_\_  
City Representative/Title (Signature) (Print Name) Date

APPROVED AS TO FORM

BY \_\_\_\_\_  
City Attorney (Signature) (Print Name) Date

ATTEST

BY \_\_\_\_\_  
City Clerk (Signature) (Print Name) Date

## EXHIBITS

- Exhibit A Certification and Disclosures Regarding Lobbying
- Exhibit B Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions and
- Exhibit C Certification Regarding Drug-Free Workplace
- Exhibit D Grant Assurances
- Exhibit E Final Grant Award Letter and Worksheets
- Exhibit F Allowable Cost Matrix
- Exhibit G Reimbursement Request Checklist and Form

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# EXHIBIT A

CalEMA 2-232  
Approved by OMB 0348-0046

## DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

<b>1. Type of Federal Action:</b> <input checked="" type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input checked="" type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input checked="" type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change  <b>For Material Change Only:</b> Year _____ Quarter _____ date of last report _____
<b>4. Name and Address of Reporting Entity:</b> 4125 AV. HUNTINGTON PARK, CA 90255  <input type="checkbox"/> Prime <input checked="" type="checkbox"/> Subawardee  Tier, if known: _____  Congressional District, if known: _____	<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b> COUNTY OF LOS ANGELES 500 W. TEMPLE ST. ROOM 785 LOS ANGELES, CA 90012  Congressional District, if known: _____	
<b>6. Federal Department/Agency:</b> DEPARTMENT OF HOMELAND SECURITY	<b>7. Federal Program Name/Description:</b> HOMELAND SECURITY GRANT PROGRAM  CFDA Number, if applicable: _____	
<b>8. Federal Action Number, if known:</b> _____	<b>9. Award Amount, if known:</b> \$149,000.00	
<b>10. a. Name and Address of Lobbying Entity</b> <small>(if individual, last name, first name, MI):          (attach Continuation Sheet(s) SF-LLL-A, if necessary)</small>  N/A	<b>b. Individuals Performing Services</b> <small>(last name, first name, MI - include address if different from 10a)</small>	
<b>11. Amount of Payment (check all that apply) :</b> <input checked="" type="checkbox"/> Actual <input type="checkbox"/> Planned	<b>13. Type of Payment (check all that apply):</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify: _____	
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: _____  nature _____ value _____		
<b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment indicated in item 11:</b> <small>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</small>		
<b>15. Continuation Sheet(s) SF-LLL-A attached:</b> <input checked="" type="radio"/> Yes <input type="radio"/> No		
<b>16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352.</b> <small>This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</small>	Signature: _____ Name: _____ Title: _____ Telephone: _____ <small>(area code)</small> Date: _____	
<b>Federal Use Only:</b>	<b>Authorized for Local Reproduction Standard Form - LLL</b>	

**DISCLOSURE OF LOBBYING ACTIVITIES  
CONCONTINUATION SHEET**

**Continuation of 10 a-b:** additional sheets may be added if necessary

Reporting Entity:

_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip
_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip
_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip
_____ Last Name	_____ First Name	_____ MI
_____ Address	_____ City	_____ Zip

**Continuation of 14:** (additional sheets may be added if necessary)

Brief Description of Services and Payments indicated in item 11:

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether sub-awardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to *Title 31 U.S.C. Section 1352*. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub-award recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; sub-grant announcement number; the contract, subgrant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a.) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b.) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

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Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

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**CERTIFICATION REGARDING  
DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION  
LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 24 CFR Part 24 Section 24.510, Participants' responsibilities.

**(READ ATTACHED INSTRUCTIONS FOR CERTIFICATION BEFORE  
COMPLETING)**

1. The prospective recipient of Federal assistance funds certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\_\_\_\_\_  
AGREEMENT NUMBER

\_\_\_\_\_  
CONTRACTOR/BORROWER/AGENCY

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

## INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this document, the prospective recipient of Federal assistance is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the person to which this agreement is entered, if at any time the prospective recipient of Federal assistance funds learns that its certification was erroneous, when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation on this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Procurement or Non Procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION REGARDING DRUG-FREE WORKPLACE ACT REQUIREMENTS**

The Contractor certifies that it will provide a drug-free workplace, in accordance with State law and State Employment Development Department (EDD) Directive No. D907 by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing a drug-free awareness program to inform employees about:
  - a. The dangers of drug abuse in the workplace;
  - b. The Contractor's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of this program be given a copy of the statement required by paragraph 1.above.
4. Notifying the employee in the statement required by paragraph 1. that, as a condition of employment under this program, the employee will:
  - a. Abide by the terms of the statement, and
  - b. Notify the Contractor of any criminal drug statute convictions for a violation occurring in the workplace no later than five days after such conviction.
5. Notifying the County within ten days after receiving notice under subparagraph 4.b. from an employee or otherwise receiving actual notice of such conviction.
6. Taking one of the following actions, within 30 days of receiving notice under subparagraph 4.b. with respect to any employee who is so convicted by taking appropriate personnel action against such an employee, up to and including termination.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of the provision of this certification.

\_\_\_\_\_  
CONTRACTOR/AGENCY

\_\_\_\_\_  
NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED REPRESENTATIVE

\_\_\_\_\_  
DATE

**California Emergency Management Agency**

***FY2010 Grant Assurances***  
(All HSGP Applicants)

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Will assure that grant funds will support efforts related to providing an integrated mechanism to enhance the coordination of national priority efforts to prevent, respond to, and recover from terrorist attacks, major disasters and other emergencies.
2. Has the legal authority to apply for Federal assistance and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) and sub-granted through the State of California, California Emergency Management Agency (Cal EMA).
3. Will assure that grant funds are used for allowable, fair, and reasonable costs only and will not be transferred between grant programs (for example: State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, and Metropolitan Medical Response System) or fiscal years.
4. Will comply with any cost sharing commitments included in the FY2010 Investment Justifications submitted to DHS/FEMA/Cal EMA, where applicable.
5. Will give the Federal government, the General Accounting Office, the Comptroller General of the United States, the State of California, the Office of Inspector General, through any authorized representative, access to, and the right to examine, all paper or electronic records, books, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards and/or awarding agency directives.
6. Agrees that funds utilized to establish or enhance State and Local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines, follow the Federal and State approved privacy policies, and achieve (at a minimum) baseline level of capability as defined by the Fusion Capability Planning Tool.

7. Will provide progress reports, and other such information as may be required by the awarding agency, including the Initial Strategy Implementation Plan (ISIP) within 45 (forty-five) days of the award, and update via the Grant Reporting Tool (GRT) twice each year.
8. Will initiate and complete the work within the applicable time frame after receipt of approval from Cal EMA.
9. Will maintain procedures to minimize the time elapsing between the award of funds and the disbursement of funds.
10. Will comply with all provisions of DHS/FEMA's codified regulation 44, Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the payment of interest earned on advances.
11. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes, or presents the appearance of, personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business, or other ties.
12. Understands and agrees that Federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval from DHS/FEMA/Cal EMA.
13. Agrees that, to the extent contractors or subcontractors are utilized, will use small, minority-owned, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.
14. Will notify Cal EMA of any developments that have a significant impact on award-supported activities, including changes to key program staff.
15. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of structures.
16. Will comply with all Federal and State Statutes relating to Civil Rights and Nondiscrimination. These include, but are not limited to:
  - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin.
  - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of gender.
  - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps.
  - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age.
  - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse.
  - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism.

- g. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
  - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing.
  - i. Title 44 Code of Federal Regulations (CFR) Parts 7, 16, and 19 relating to nondiscrimination.
  - j. The requirements on any other nondiscrimination provisions in the specific statute(s) under which the application for Federal assistance is being made.
  - k. Will, in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national origin, gender, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
  - l. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
  - m. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements and all other provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.
17. Will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. [P.L. 91-646]) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of Federal participation in purchases. Will also comply with Title 44 CFR, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-assisted programs.
18. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is ten thousand dollars (\$10,000) or more.
19. Will comply with all applicable Federal, State, and Local environmental and historical preservation (EHP) requirements. Failure to meet Federal, State, and Local EHP requirements and obtain applicable permits may jeopardize Federal funding. Will comply with all conditions placed on any project as the result of the EHP review; any change to the scope of work of a project will require reevaluation of compliance with these EHP requirements.
20. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of DHS/FEMA/Cal EMA, including, but not limited to, ground disturbance, construction, modification to any structure, physical security enhancements, communications towers, and purchase and/or use of any sonar equipment. The subgrantee must comply with all conditions placed on the project as a result of the EHP review. Any construction-related activities initiated without the necessary EHP review and approval will result in a noncompliance finding, and may not be eligible for reimbursement with DHS/FEMA/Cal EMA funding. Any change to the scope of work will require re-evaluation of compliance with the EHP. If ground-disturbing activities occur during the project implementation, the subgrantee must ensure monitoring of the disturbance. If any potential archeological resources are

discovered, the subgrantee will immediately cease activity in that area and notify DHS/FEMA/Cal EMA and the appropriate State Historic Preservation Office.

21. Will ensure that the facilities under its ownership, lease or supervision, which shall be utilized in the accomplishment of this project, are not on the Environmental Protection Agency's (EPAs) List of Violating Facilities, and will notify Cal EMA and the Federal Grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating if a facility to be used in the project is under consideration for listing by the EPA.
22. Will provide any information requested by DHS/FEMA/Cal EMA to ensure compliance with applicable laws, including the following:
  - a. Institution of environmental quality control measures under the National Environmental Policy Act, National Historical Preservation Act, Archaeological and Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (EO12898) and Environmental Quality (EO11514).
  - b. Notification of violating facilities pursuant to EO 11738.
  - c. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.).
  - d. Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.).
  - e. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523).
  - f. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Section 15000-15007.
  - g. Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
  - h. Applicable provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
23. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447, and 2448.
24. Agrees that all publications created or published with funding under this grant shall prominently contain the following statement: *"This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."* The recipient also agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: *"Purchased with funds provided by the U.S. Department of Homeland Security."*
25. Acknowledges that DHS/FEMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: a) the copyright in any work developed under an award or sub-award; and b) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support.

26. The recipient agrees to consult with DHS/FEMA/Cal EMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
27. Has requested through the State of California, Federal financial assistance to be used to perform eligible work approved in the submitted application for Federal assistance and after the receipt of Federal financial assistance, through the State of California, agrees to the following:
  - a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by the Federal or State government.
  - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
  - c. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per Federal Fiscal Year.
28. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
29. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
30. Will comply, if applicable, with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
31. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
32. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.
33. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for Federally-assisted construction sub-agreements.
34. Agrees that:
  - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.
  - b. If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a Member

- of Congress in connection with the Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- c. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all sub recipients shall certify and disclose accordingly.
  - d. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
35. Agrees that equipment acquired or obtained with grant funds:
    - a. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant, and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
    - b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.
  36. Agrees that funds awarded under this grant will be used to supplement existing funds for program activities, and will not supplant (replace) non-Federal funds.
  37. Will comply with all applicable Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A102 and A-133, E.O. 12372 and the current Administrative Requirements, Cost Principles, and Audit Requirements.
  38. Will comply with all provisions of 2 CFR, including: Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110); Part 225 Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87); Part 220 Cost Principles for Educational Institutions (OMB Circular A-21); Part 230 Cost Principles for Non-Profit Organizations (OMB Circular A-122).
  39. Will comply with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.
  40. Agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
  41. Will comply with Federal Acquisition Regulations (FAR), part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.
  42. Will comply with the financial and administrative requirements set forth in the current edition of the DHS Financial Management Guide.

43. Agrees that all allocations and use of funds under this grant will be in accordance with the FY 2010 Homeland Security Grant Program Guidance and Application Kit, and the California Supplement to the FY 2010 Homeland Security Grant Program Guidance and Application Kit. All allocations and use of funds under this grant will be in accordance with the Allocations, and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies as well as the investments identified in the Investment Justifications which were submitted as part of the California FY2010 Homeland Security Grant Program application. Further, use of FY10 funds is limited to those investments included in the California FY10 Investment Justifications submitted to DHS/FEMA/Cal EMA and evaluated through the peer review process.
  
44. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension".
  
45. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions,
  - a. The applicant certifies that it and its principals:
    - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
    - ii. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
    - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
  - b. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
  
46. Agrees to comply with the Drug-Free Workplace Act of 1988, and certifies that it will or will continue to provide a drug-free workplace by:
  - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
  - b. Establishing an on-going drug-free awareness program to inform employees about:
    - i. The dangers of drug abuse in the workplace;
    - ii. The grantee's policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and

- iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
- d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
  - i. Abide by the terms of the statement; and
  - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:
  - Department of Justice, Office of Justice Programs
  - ATTN: Control Desk
  - 633 Indiana Avenue, N.W.
  - Washington, D.C. 20531
- f. Notice shall include the identification number(s) of each affected grant. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted.
  - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

47. Will comply with all applicable requirements of all other Federal and State laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.

48. Understands that failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: \_\_\_\_\_

Printed Name of Authorized Agent: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

# EXHIBIT E

ARNOLD SCHWARZENEGGER  
GOVERNOR

MATTHEW R. BETTENHAUSEN  
SECRETARY



3650 SCHRIEVER AVENUE  
MATHER, CA 95655

PHONE: (916) 845-8510  
FAX: (916) 324-5902

## CALIFORNIA EMERGENCY MANAGEMENT AGENCY OFFICE OF GRANTS MANAGEMENT

October 28, 2010

Ms. Carol Kindler  
Los Angeles County  
500 W. Temple St. Rm# 754  
Los Angeles, CA 90012

**SUBJECT: NOTIFICATION OF SUBGRANTEE APPLICATION APPROVAL**  
FY 2010 Homeland Security Grant Program (HSGP)  
Grant #2010-0085, Cal EMA ID# 037-00000  
Subgrantee Performance Period: October 28, 2010 to April 30, 2013

Dear Ms. Kindler:

The California Emergency Management Agency (Cal EMA) has approved your FY 10 Homeland Security Grant Program (HSGP) application in the amount of \$22,668,150. As of the date of this letter you may request reimbursement of eligible grant expenditures using the Cal EMA financial management forms workbook available at [www.calema.ca.gov](http://www.calema.ca.gov).

During the review process, a Cal EMA representative examined and evaluated your FY10 HSGP grant application. As a result of this review, some of your funded projects may have been assigned performance milestones shorter than the subgrantee performance period, based in part on information provided in your application and submitted workbook. Performance milestones will be used by Cal EMA to both determine the appropriate date to disencumber funds awarded under this grant and re-direct them to other needs across the State and as indicators of performance and grant management capacity in future competitive grant applications.

<u>Performance Milestones:</u>		<u>Amount</u>	<u>Completion Date</u>
PROJECT A REGIONAL PREPAREDNESS	EMG, FS	\$ 300,000	NOVEMBER 30, 2011
PROJECT B REGIONAL PUBLIC AWARENESS	LE	\$2,500,000	NOVEMBER 30, 2011
PROJECT C INTEROP COMM EQUIP	LE, EMS, FS	\$1,500,000	NOVEMBER 30, 2011
PROJECT D INFO GATHERING	LE, EMG, FS	\$1,750,000	NOVEMBER 30, 2011
PROJECT E PROTECT CI	LE, FS	\$1,400,000	NOVEMBER 30, 2011
PROJECT F CBRNE DETECTION	LE, FS, EMS	\$1,750,000	NOVEMBER 30, 2011
PROJECT G MMRS EQUIP/PLAN/TRAIN/EXER	PH, FS	\$ 450,000	NOVEMBER 30, 2011
PROJECT H RTTAC PLAN/EQUIP/TRAIN	LE	\$ 450,000	NOVEMBER 30, 2011

Additionally, Aviation/Watercraft requests, Establish/Enhance Emergency Operations Center (EOC) projects, projects requiring EHP review at FEMA/DHS and sole source procurement requests will require additional approvals from Cal EMA. For that reason, Projects B, C, D, E, F, and G are not approved at this time, pending receipt of required supplemental documentation and/or approval from DHS. Subgrantees

Ms. Carol Kindler  
Manager, Chief Executive Office  
Page Two

must obtain written approval for these activities prior to incurring any costs, in order to be reimbursed for any related costs under this grant. Subgrantees are required to obtain a performance bond for any equipment item over \$250,000, or any vehicle, aviation, or watercraft (regardless of the cost) financed with homeland security dollars.

Following acceptance of this award, you must enter your grant information into the US Office of Grants and Training, Grant Reporting Tool (GRT), for the December 2010 Biannual Strategy Implementation Report (BSIR) period. The GRT can be accessed online at <https://www.reporting.odp.dhs.gov/>. Semi-annual performance reports must be prepared and submitted to Cal EMA via the GRT for the duration of the grant period or until all activities are completed and the grant is formally closed. Failure to submit performance reports could result in grant reduction, termination, or suspension.

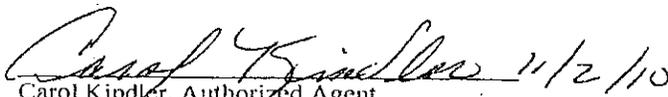
This grant is subject to all policies and provisions of the Federal Single Audit Act of 1984 and the Single Audit Act Amendments of 1996. Any funds received in excess of current needs, approved amounts, or those found owed as a result of a final review or audit, must be refunded to the State within 30 days upon receipt of an invoice from Cal EMA.

As in the past, your signature is required on this letter. Please sign and return the original to your Cal EMA program representative within ten days of receipt, and keep a copy for your files. For further assistance, please feel free to contact your Cal EMA program representative or the Homeland Security Grants Section (HSGS) at (916) 845-8510.

Sincerely,



MATTHEW R. BETTENHAUSEN



Carol Kindler, Authorized Agent,  
Los Angeles County

## 2010 SHSGP FUNDING ALLOCATION

Cities/Departments	Grand Total
Alhambra	229,975
Arcadia	99,318
Avalon	35,523
Bell	25,000
Beverly Hills	50,973
Burbank	110,430
Compton	28,773
Culver City	24,150
Downey	140,600
El Monte	260,000
El Segundo	8,550
Glendale	1,642,877
Glendora	110,000
Hermosa Beach	34,773
La Habra Heights	32,148
La Verne	31,473
Long Beach	388,650
Los Angeles City	756,149
Manhattan Beach	38,598
Monrovia	58,955
Montebello	9,450
Monterey Park	8,100
Pasadena	424,750
Redondo Beach	79,407
San Gabriel	93,762
San Marino	37,548
Santa Fe Springs	473,750
Santa Monica	25,575
Sierra Madre	33,498
South Gate	60,000
South Pasadena	2,925
Torrance	13,575
Vernon	43,800
West Covina	28,773
Am Red Cross (ARC)	90,000
LARICS	5,315,000
<b>Subtotal Cities</b>	<b>10,846,828</b>
Coroner	350,000
Fire	2,104,780
Health Services	1,802,304
Mental Health	300,000
OEM	750,000
Public Health	60,000
Sheriff	5,246,000
M&A	1,061,816
CEO	146,422
<b>Subtotal County</b>	<b>11,821,322</b>
<b>Grand Total</b>	<b>22,668,150</b>

**PART VIII.**  
**OTHER INFORMATION**  
**Section A - HSGP Allowable Costs**

**FY 2010 Allowable Cost Matrix**

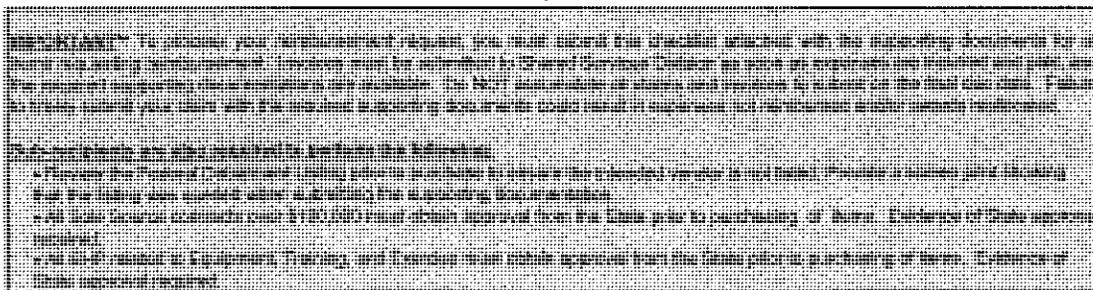
Allowable Program Activities Current as of FY 2010 Programs*  See the respective program guidance for additional details and/or requirements  *As of Publication	FEMA					
	HSGP					
	SHSP	UASI	OPSG	IMMRS	CCP	LETPA
<b>Allowable Planning Costs</b>						
Developing hazard/threat-specific annexes that incorporate the range of prevention, protection, response, and recovery activities	Y	Y		Y	Y	Y
Developing and implementing homeland security support programs and adopting ongoing DHS national initiatives	Y	Y		Y	Y	Y
Developing related terrorism prevention activities	Y	Y		Y	Y	Y
Developing and enhancing plans and protocols	Y	Y		Y	Y	Y
Developing or conducting assessments	Y	Y		Y	Y	Y
Hiring of full- or part-time staff or contract/consultants to assist with planning activities (not for the purpose of hiring public safety personnel fulfilling traditional public safety duties)	Y	Y		Y	Y	Y
Conferences to facilitate planning activities	Y	Y		Y	Y	Y
Materials required to conduct planning activities	Y	Y		Y	Y	Y
Travel/per diem related to planning activities	Y	Y		Y	Y	Y
Overtime and backfill costs (in accordance with operational Cost Guidance)	Y	Y	Y	Y	Y	Y
Other project areas with prior approval from FEMA	Y	Y	Y	Y	Y	Y
Issuance of WHTI-compliant tribal identification cards	Y					
<b>Allowable Organizational Activities</b>						
Reimbursement for select operational expenses associated with increased security measures at critical infrastructure sites incurred (up to 50 percent of the allocation)	Y	Y				Y
Overtime for information, investigative, and intelligence sharing activities (up to 50 percent of the allocation)	Y	Y	Y			Y
Hiring of new staff positions/contractors/consultants for participation in information/intelligence analysis and sharing groups or fusion center activities (up to 50 percent of the allocation)	Y	Y				Y
<b>Allowable Equipment Categories</b>						
Personal Protective Equipment		Y	Y	Y	Y	Y
Explosive Device Mitigation and Remediation Equipment	Y	Y	Y			Y
CBRNE Operational Search and Rescue Equipment	Y	Y	Y	Y	Y	Y
Information Technology	Y	Y	Y	Y	Y	Y

Allowable Program Activities Current as of FY 2010 Programs*	FEMA					
	HSGP					
	SHSP	UASI	OPSG	MMRS	CCP	LETPA
See the respective program guidance for additional details and/or requirements						
*As of Publication						
Cyber Security Enhancement Equipment	Y	Y	Y	Y	Y	Y
Interoperable Communications Equipment	Y	Y	Y	Y	Y	Y
Detection	Y	Y	Y	Y		Y
Decontamination	Y	Y	Y	Y		
Medical	Y	Y	Y	Y	Y	Y
Power	Y	Y	Y	Y	Y	Y
CBRNE Reference Materials	Y	Y	Y	Y		Y
CBRNE Incident Response Vehicles	Y	Y	Y	Y		Y
Terrorism Incident Prevention Equipment	Y	Y	Y			Y
Physical Security Enhancement Equipment	Y	Y	Y			Y
Inspection and Screening Systems	Y	Y	Y	Y		Y
Agriculture Terrorism Prevention, Response, and Mitigation Equipment	Y	Y		Y		
CBRNE Prevention and Response Watercraft	Y	Y				Y
CBRNE Aviation Equipment	Y	Y		Y		Y
CBRNE Logistical Support Equipment	Y	Y		Y	Y	Y
Intervention Equipment	Y	Y				Y
Other Authorized Equipment	Y	Y		Y	Y	Y
<b>Allowable Training Costs</b>						
Overtime and backfill for emergency preparedness and response personnel attending FEMA-sponsored and approved training classes	Y	Y	Y	Y	Y	Y
Overtime and backfill expenses for part-time and volunteer emergency response personnel participating in FEMA training	Y	Y	Y	Y	Y	Y
Training workshops and conferences	Y	Y	Y	Y	Y	Y
Full- or part-time staff or contractors/consultants	Y	Y		Y	Y	Y
Travel	Y	Y	Y	Y	Y	Y
Supplies	Y	Y	Y	Y	Y	Y
Tuition for higher education	Y	Y	Y	Y	Y	Y
Other items	Y	Y	Y	Y	Y	Y
<b>Allowable Exercise Related Costs</b>						
Design, Develop, Conduct, and Evaluate an Exercise	Y	Y		Y	Y	Y
Exercise planning workshop	Y	Y		Y	Y	Y
Full- or part-time staff or contractors/consultants	Y	Y		Y	Y	Y
Overtime and backfill costs, including expenses for part-time and volunteer emergency response personnel participating in FEMA exercises	Y	Y		Y	Y	Y
Implementation of HSEEP	Y	Y		Y	Y	Y
Travel	Y	Y		Y	Y	Y
Supplies	Y	Y		Y	Y	Y

<b>Allowable Program Activities</b> <b>Current as of FY 2010 Programs*</b>  See the respective program guidance for additional details and/or requirements  *As of Publication	<b>FEMA</b>  <b>HSGP</b>					
	SHSP	UASI	OPSG	MMRS	CCP	LETPA
	Other items	Y	Y			Y
<b>Allowable Management &amp; Administrative Costs</b>						
Hiring of full- or part-time staff or contractors/consultants to assist with the management of the respective grant program, application requirements, and compliance with reporting and data collection requirements	Y	Y	Y	Y	Y	Y
Development of operating plans for information collection and processing necessary to respond to FEMA data calls	Y	Y	Y	Y	Y	Y
Overtime and backfill costs	Y	Y	Y	Y	Y	Y
Travel	Y	Y	Y	Y	Y	Y
Meeting related expenses	Y	Y	Y	Y	Y	Y
Authorized office equipment	Y	Y	Y	Y	Y	Y
Recurring expenses such as those associated with cell phones and faxes during the period of performance of the grant program	Y	Y	Y	Y	Y	Y
Leasing or renting of space for newly hired personnel during the period of performance of the grant program	Y	Y	Y	Y	Y	Y



**REQUIRED SUPPORTING DOCUMENTS  
FOR CLAIM REIMBURSEMENT**



- Grant Reimbursement Form** with authorized signature and date
- Invoice:** Must be stamped or write "PAID", signed with authorized signature for payment, and dated. Circle, or designate on the invoice/receipt the items requesting reimbursement. Each item circled must have a project #, a funding SOURCE, and TOTAL. Purchase orders and price quotes will not be accepted as proof of purchase for reimbursement.
- Proof of Payment**
- Purchase Method**
  - Competitive bid
  - Sole Source under \$100,000
  - Sole Source over \$100,000 (Prior State approval attached)
- Invoice NO.:** \_\_\_\_\_
- Reviewed Federal Debarment Listing:** <http://www.epls.gov/epls/search.do>
  - No.
  - Yes, screen listing is attached.
- Environmental and Historic Preservation (EHP) required?**
  - No
  - Yes (Prior State approval attached)

**FOR EQUIPMENT :**

- Equipment Inventory Ledger**, completed the listing with all requested information, including: Project # & alpha, Equipment Description, AEL #, AEL Title, Invoice #, Vendor, Total Cost, Cash Request #, Invoice Date, Acquired Date, Serial #/ ID Tag #, Condition and Disposition, Deployed Location and Grant Year. [www.rkb.us](http://www.rkb.us)

**FOR TRAINING/EXERCISE/PLANNING:**

- Training/Exercise Summary** completed listing including: employee name, assignment (backfill for name of employee attending training/exercise), Job Title, Training Request #, Training date, Salary, total Hours, Overtime hours, regular rate, Overtime rate, employee benefits rate, total claim amount.
  - For Training – Training Request# is required
  - For Planning – Submit proof of products produced (i.e. mutual aid agreements, assessments, etc.)
  - For Exercise – Proof of AAR submission and State approval. Submit AAR into the ODP Portal within 60 days following the completion of event. [https://hseep.dhs.gov/DHS\\_SSO/?ReturnUrl=%2FToolkitHome.aspx](https://hseep.dhs.gov/DHS_SSO/?ReturnUrl=%2FToolkitHome.aspx)
- Roster:** Fill out a Training or Planning or Exercise Roster, whichever is applicable to this claim.
- Timecards:** indicating the # of hours charged per day, employee signature & supervisor signature
- Payroll register** indicating the salary, hourly rate, employee benefits, Overtime rate.
- Sign-in sheets** or attendance sheets or Certificate of Completion (if claiming for Backfill and/or Overtime); if sign-in sheets or certificates are not available, trainees should provide their own proof of attendance by completing their own sign-in sheet and have the Trainer sign the sheet indicating proof of attendance.

**Additional items:**

**Travel** –Receipts are required for itemized costs such as plane ticket/invoice, hotel invoices and training receipts with the dates of invoices agreeing with the training and exercise period.

**Workshop** –Invoices for instructor, facilities, contractor and consulting services.

\_\_\_\_\_  
\*AUTHORIZED SIGNATURE / DATE

\_\_\_\_\_  
\*AUTHORIZED SIGNER NAME/TITLE

Under Penalty of Perjury I certify that:  
- I am the duly authorized officer of the claimant herein.  
- This claim is in all respect true, correct, and all expenditures were made, in accordance with applicable laws, rules, regulations and grant conditions and assurances.



# CITY OF HUNTINGTON PARK

Public Works Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

## **LOS ANGELES COUNTY CLEAN WATER, CLEAN BEACHES MEASURE**

### **IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Receive and file the report by City staff regarding Los Angeles County's Clean Water, Clean Beaches Measure.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The Los Angeles County Flood Control District (LACFCD) is proposing to adopt a Clean Water, Clean Beaches Measure ("Measure") which would establish an annual fee on each real property within the LACFCD. The revenues from the fee will pay for storm water programs and projects to improve storm water quality and reduce the pollution that storm and urban runoff contribute to streams, lakes, beaches, and the ocean. The clean water fee would provide dedicated funding for local and regional programs and projects required to facilitate compliance with state and federal storm water quality regulations and mandates for improving storm water quality and reducing pollutants in runoff.

The proposed Measure is anticipated to generate between \$200M and \$300M in annual fee revenue district wide. The laws authorizing the implementation of the Measure also define the required distribution of the fee revenue collected. Cities and the County for unincorporated areas would receive 40 percent for local programs and projects, regional watershed authority groups would receive 50 percent for regional projects, and the LACFCD would receive 10 percent for overall program administration and other monitoring and research functions.

### FISCAL IMPACT/FINANCING

In compliance with Proposition 218, the proposed fee is based on "cost of service," which means that each property owner will pay a fee proportional to its "fair share" of the cost of the services/projects implemented to improve storm water quality. The required Engineer's Report was completed by the LACFCD and presents the supporting data for the establishment of the methodology for calculating the fee for each property. The basic formula is as follows:

$$\text{Fee Amount} = (\text{Parcel Size}) \times (\text{Applied Impervious Percentage}) \times (\text{Fee Rate})$$

**Parcel Size:** Area of Parcel (square feet, SF)

**Applied Impervious Percentage:** Amount of parcel expected to be covered by hard, impermeable surfaces based on land use type (percentage)

**Fee Rate:** Total estimated program budget divided by the total estimated impervious area in the service area (\$296,730,000 ÷ 11,332,072,380 SF = \$0.026185 per SF)

The data for the City of Huntington Park presented in the Engineer's Report includes 7,611 parcels with a total estimated impervious surface of 42,112,270 square feet. This area is anticipated to generate approximately \$1.1M in annual revenue. The City will receive approximately \$439,000 annually in local return funds from this Measure. The funds must be used for storm water quality projects and programs within the guidelines outlined in the proposed county ordinance that will be adopted following a Proposition 218 vote in favor of the Measure.

Government properties are not exempt from the fee. The City has received notices for 59 city-owned properties with an aggregate annual fee of \$42,697. Although an initial review has identified some errors that will eliminate properties, the errors are relatively minor and the City's annual aggregate fee as a result of the Measure is anticipated to exceed \$40,000 annually. This fee cannot be paid from local return revenues received from the program and a funding source will need to be identified in the City's annual budget should the voters approve the Measure.

If the Measure is approved by voters, the fee will appear in the 2014-2015 property tax bills. The fee is less than \$60 per year for the average single-family residential property and less than \$500 per year for the average commercial property. Some larger residential and commercial properties will pay significantly higher fees based on the formula described above.

### FACTS AND PROVISIONS/LEGAL REQUIREMENTS

California Assembly Bill 2554 ("AB 2554") became law on January 1, 2011. Codified in Section 2, subsection 8a, of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915 and subsequent amendments), AB 2554 authorized the LACFCD to impose a fee or charge on parcels within its district for the purposes of providing

## LOS ANGELES COUNTY CLEAN WATER, CLEAN BEACHES MEASURE

January 7, 2013

Page 3 of 4

services to improve storm water quality, subject to the provisions of Article XIID of the California Constitution (Proposition 218).

Proposition 218 requires that the proposed fee go through a two-step approval process, which includes both a public hearing and an election. As the governing body of the LACFCD, the Los Angeles County Board of Supervisors will hold a public hearing on January 15, 2013 at 9:30 am. The location of the hearing is the Board of Supervisors Hearing Room located at 500 West Temple Street, Los Angeles, CA 90012. The County mailed the notice for the hearing directly to property owners (see Enclosure 1). At the public hearing, the Board of Supervisors will receive oral and written testimony. Written protests must be submitted before the conclusion of the public hearing. If protests are received from a majority of the affected property owners, the fee cannot proceed to the next step, election.

If a majority protest is not received at the public hearing and the Board of Supervisors votes to proceed with the Measure, a ballot vote will be held. Proposition 218 allows for two types of mail ballot: 1) to property owners; and 2) to registered voters. The County has not determined the type of ballot that will be utilized. For a property owner ballot, all property owners receive a ballot in the mail. Property owners do not need to be registered voters to participate but must sign their ballots to verify they are authorized to cast a vote on behalf of the property, with each property limited to one vote. For a general election, voters registered within the affected area receive a ballot in the mail and will be required to sign the ballot verifying they are authorized to cast a vote. The implementation of the fee would be determined by the majority of the ballots returned and tabulated.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The proposed Measure would provide annual net revenue to the City in the amount of \$400,000 to fund storm water quality programs and projects. These programs and projects are essential in the City's efforts to achieve and maintain compliance with continuously evolving federal, state, and local regulations and mandates for improving water quality in storm and urban runoff. The evolution of existing regulations is leading toward more stringent contaminant thresholds and implementation of new regulations will likely add requirements for the monitoring and treatment of additional contaminants. This continues to increase the strain on city resources by requiring the implementation of new and expanded programs and projects.

Funding for current storm water programs and projects is inadequate and budgeted mostly in the General Fund, with limited funding available through various special funds and grants. The proposed Measure may potentially supplement current funding sources and could offset a portion of the General Fund monies currently budgeted for this purpose. However, there are numerous restrictions and guidelines for the use of the anticipated fee revenues by local cities. A more detailed analysis of the spending guidelines defined in the proposed County ordinance and development of a capital improvement program for storm water quality projects is required in order to fully assess

**LOS ANGELES COUNTY CLEAN WATER, CLEAN BEACHES MEASURE**

January 7, 2013

Page 4 of 4

the impact of the Measure on current city services and projects as it related to the City's ability to comply with current and anticipated storm water regulations.

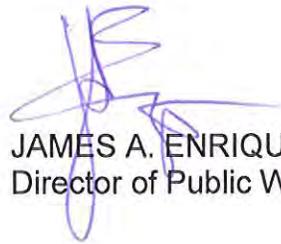
**CONCLUSION**

This item is a receive and file report by City staff regarding Los Angeles County's Clean Water, Clean Beaches Measure and the associated annual parcel fee. Staff will provide updates to the City Council as information becomes available throughout the County's effort to conduct a Proposition 218 vote on this matter.

Respectfully submitted,



RENÉ BOBADILLA, P.E.  
City Manager



JAMES A. ENRIQUEZ, P.E.  
Director of Public Works / City Engineer

# Los Angeles County

## clean water, clean beaches measure

The Los Angeles County Flood Control District is proposing to adopt a Clean Water, Clean Beaches Measure, which would establish an annual fee to pay for clean water programs. The proposed clean water fee would be imposed upon property owners within the Los Angeles County Flood Control District, which includes most of Los Angeles County (with the exception of portions of the Antelope Valley), for the purpose of improving water quality and reducing pollution from stormwater and urban runoff.

Stormwater and urban runoff flush bacteria, trash and other pollutants into gutters in streets and into storm drains and from there into lakes, rivers and the ocean and onto beaches. Waterways throughout Los Angeles County have been found to be polluted above acceptable levels under the federal Clean Water Act and other state and federal laws.



There are nine watersheds in the Los Angeles County Flood Control District in which the proposed clean water fee would be collected annually.

The proposed clean water fee would provide dedicated funding for local and regional projects and programs to help keep pollution out of stormwater and runoff, clean up pollution that flows into our waterways, and use stormwater and runoff to recharge groundwater supplies, which are an important source of drinking water. The fee could also be combined with other funding such as state and federal grants for multibenefit projects that improve water quality and provide other public benefits as well.

*(Continued on next page)*

### Notice to Property Owners of Public Hearing

The Board of Supervisors of the County of Los Angeles will hold a public hearing (details inside) on January 15, 2013 to consider a Clean Water, Clean Beaches Measure proposed by the Los Angeles County Flood Control District to establish an annual clean water fee, which would be collected with the property taxes beginning on the 2013-2014 County of Los Angeles property tax roll.

6324-018-902

N/A N/A  
N/A CA N/A

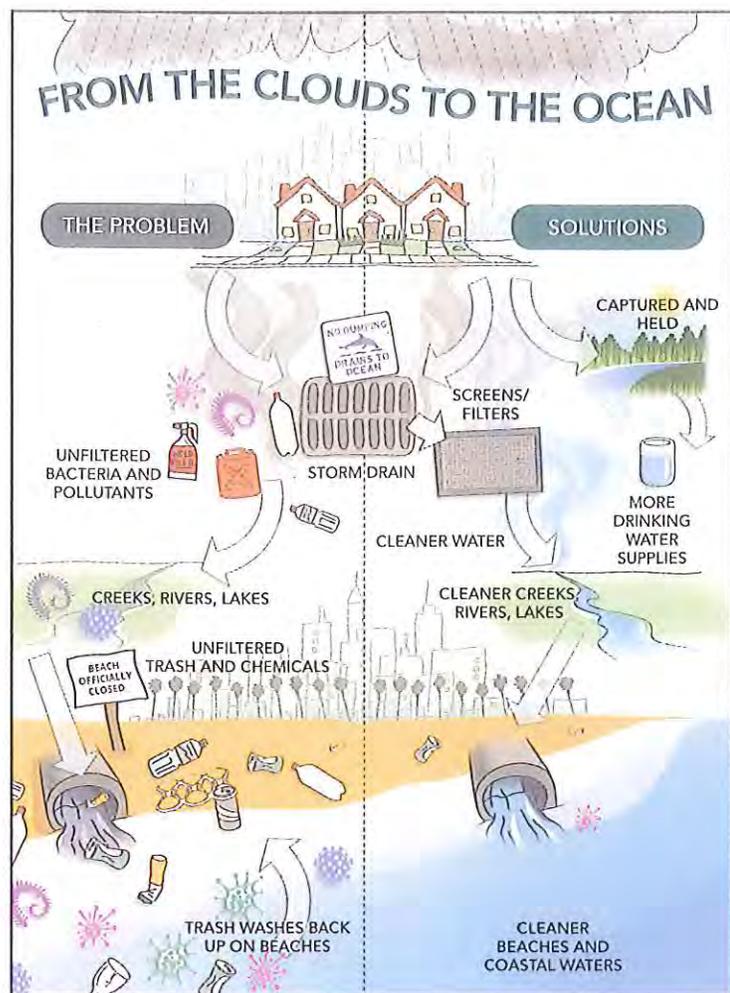
Your Proposed Clean Water Fee:

\$13996.75 a year.

### Lower Los Angeles River Watershed



You own property in the Lower Los Angeles River Watershed, which drains to the Los Angeles River and includes all the cities and unincorporated communities shown on this map.



## The Problem

On a typical rainy day, billions of gallons of untreated stormwater flow directly into rivers, creeks, lakes, the bay, and coastal waters. These polluted waters can contain toxic and other substances that affect our health and the health of fish and marine life. These pollutants can include:

- Industrial solvents, paints and chemicals
- Toxic metals, such as lead, mercury, chromium and arsenic
- Infection-causing bacteria and viruses
- Pesticides and fertilizers
- Trash, including plastics, cigarette butts, candy wrappers and syringes

The polluted runoff that flows into the waterways can cause a variety of problems. For example, high bacteria levels in the waterways can indicate a health risk to swimmers and sometimes result in beach closures. Trash in the waterways and polluted runoff can also be toxic to aquatic life.

## Solutions

Fee revenues collected in the Lower Los Angeles River Watershed would be used by cities, the County of Los Angeles, and an established watershed authority group for projects in the Lower Los Angeles River Watershed that would help protect public health by keeping toxic chemicals, harmful bacteria, and trash out of waterways such as the Los Angeles River, including projects to increase local groundwater supplies, which are an important source of drinking water.

The proposed fee would be used for projects that could generate thousands of local jobs in construction, engineering, landscaping, environmental work and other trades. By law, fees collected within the Lower Los Angeles River Watershed will be used for projects and programs to improve water quality within that watershed. Fees collected in the other watersheds will be used for water quality projects and programs within those watersheds.

The measure does not earmark funds for specific projects and programs, but establishes criteria for the use of the funds and allows local jurisdictions to determine how best to use those funds to achieve water quality benefits.

Over time, the projects that the fee pays for will significantly reduce the degradation of waterways in Los Angeles County and improve the quality of the water in those waterways.

The projects and programs that could be funded with the fee include:

- Installation and maintenance of catch basin screens and treatment devices to reduce trash, chemicals and other harmful substances in stormwater and urban runoff;
- Street sweeping to keep trash out of storm drains;
- Diversion of stormwater and urban runoff before it pollutes lakes, rivers, and the ocean; this water is held, filtered and cleansed (both naturally and using manmade filters) in groundwater basins, and used to recharge underground drinking water sources;
- Programs to educate children and adults about keeping trash and other pollutants out of streets and storm drains and about reducing water runoff from their properties.

Multibenefit projects can combine fee revenues with other funding sources to improve water quality and provide other benefits to the public, such as:

- Increase local drinking water supplies;
- Provide recreational areas such as parks and ball fields;
- Protect open space and natural areas;
- Irrigate neighborhood parks, ball fields and school grounds;
- Create, restore and improve wetlands and habitat; and
- Protect public health and safety.

# Notice to Property Owners of Public Hearing on Proposed Clean Water, Clean Beaches Measure

## Proposed Fee

A clean water fee is proposed that would generate over \$200 million annually in dedicated funding for reducing pollution from stormwater and urban runoff in Los Angeles County waterways.

The proposed fee would be paid by property owners within the Los Angeles County Flood Control District, which includes most of the County, excluding portions of the Antelope Valley. All properties generate runoff, and the more impervious surfaces that a parcel has (such as buildings and pavement), the more runoff it generates. The fee is determined by the average amount of runoff that properties generate, based on parcel size (but not property value) and land use classification, such as whether the property is residential, commercial, industrial or undeveloped, because this is an indication of the percentage of the parcel that has impermeable surfaces.

**The fee for your property is shown on the front page of this brochure.** An Engineer's Report explaining the fee calculations for all properties can be found at: [www.LACountyCleanWater.org](http://www.LACountyCleanWater.org).

As required by law, 40 percent of the fee revenues collected will be allocated to the city in which the properties are located, or to the County of Los Angeles for the unincorporated areas, for water quality improvement programs as determined by each city or the County. Another 50 percent of the fee revenues collected will be allocated to the watershed authority group established for the watershed in which the properties are located for water quality improvement programs in the watershed. The remaining 10 percent of the fee revenues must be used by the Los Angeles County Flood Control District for water quality monitoring, research, technical assistance and administration.

The fee will be collected every year with the property taxes and will continue annually until terminated by the County of Los Angeles Board of Supervisors. By law, fees cannot not be raised without another public hearing and election.

## Program Accountability

These funds could not be diverted or used for any other purpose. All expenditures would be subject to independent annual audits, and all project information would be available for public review. In addition, an independent Oversight Board will ensure that the funds are only used for projects that meet established criteria.

## Public Hearing

The California Constitution requires that the proposed fee go through a two-step approval process, which includes both a public hearing and an election. As the governing body of the Los Angeles County Flood Control District, the Board of Supervisors of the County of Los Angeles will hold a public hearing on:

**January 15, 2013 at 9:30 a.m.**  
**Board of Supervisors Hearing Room**  
**Kenneth Hahn Hall of Administration**  
**500 West Temple Street, Los Angeles, CA 90012**

Auxiliary aids and services for people with disabilities are available with three business days notice by calling: 800-218-0018 or TDD, 626-282-7829.

At the public hearing, the Board of Supervisors will receive oral and written testimony about the proposed clean water fee. Any property owner may testify or file a written protest with the Executive Officer of the Board of Supervisors at any time before the end of the public hearing. A written protest must identify the parcel address and assessor's parcel number, and must be signed by the property owner or an authorized representative. You may use the protest form included below or write a letter.

**Mail to:**  
**Executive Officer**  
**Board of Supervisors**  
**P.O. Box 866006**  
**Los Angeles, CA 90086**

**Or hand deliver to:**  
**Executive Officer**  
**Board of Supervisors**  
**Kenneth Hahn Hall of**  
**Administration, Room 383**  
**500 West Temple Street**  
**Los Angeles, CA 90012**

The Board of Supervisors may continue the hearing to a future date. If the Board of Supervisors has not received written protests against the proposed fee by a majority of property owners before the end of the public hearing, the Board of Supervisors may authorize an election to approve the fee.

For more information, please:

- Visit [www.LACountyCleanWater.org](http://www.LACountyCleanWater.org)
- Or call 800-218-0018 (8am-5pm, M-Th)
- Or email [water.info@dpw.lacounty.gov](mailto:water.info@dpw.lacounty.gov)

Para el Aviso o información en Español, por favor

- visite [www.LACountyCleanWater.org](http://www.LACountyCleanWater.org)
- o llame 1-626-458-6981

## Protest Form

Property owners or an authorized representative may complete this form or write a letter, and mail to the Executive Officer of the Board of Supervisors, P.O. Box 866006, Los Angeles, CA 90086 or hand deliver at the Kenneth Hahn Hall of Administration, Room 383, 500 West Temple Street, Los Angeles, CA. To be counted as a protest, this form or your letter must include the Assessor's Parcel Number and parcel address, be signed by the property owner or an authorized representative and be delivered no later than the end of the public hearing. Only one protest per property will be accepted and counted. (The barcode contains a parcel identifier.)

Assessor's Parcel Number: 6324-018-902

Parcel Address: N/A N/A  
N/A CA N/A

I protest the proposed clean water fee.

Print name \_\_\_\_\_

Sign name \_\_\_\_\_



Clean Water, Clean Beaches Program  
County of Los Angeles Flood Control District  
PO Box 861809  
Los Angeles, CA 90086

PRESORTED  
FIRST-CLASS MAIL  
U.S. POSTAGE  
PAID  
LAC BOS

**ELECTRONIC SERVICE REQUESTED**

\*\*\*\*\*AUTO\*\*5-DIGIT 90255



HUNTINGTON PARK CITY  
6550 MILES AVE  
HUNTINGTON PARK CA 90255-4302

## Los Angeles County Clean Water, Clean Beaches Measure Official Notice to Property Owners of Public Hearing



13-113892

LL3  
LL3

Notice of Public Hearing for:  
**Los Angeles County**  
clean water, clean beaches measure

### The Clean Water, Clean Beaches Measure would address water-related challenges in Los Angeles County:

- Polluted water is flowing through Los Angeles area rivers and creeks and into lakes, the bay and coastal waters.
- The Los Angeles area needs more local sources of water to use for drinking water.

The Clean Water, Clean Beaches Measure would fund projects to reduce pollution in Los Angeles County waterways, including projects that divert and cleanse stormwater and urban runoff to preserve and increase supplies of groundwater that are usable as local sources of drinking water.

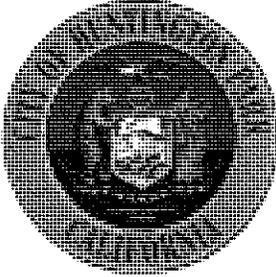
More Information:

[www.LACountyCleanWater.org](http://www.LACountyCleanWater.org)

1-800-218-0018



Printed on paper containing a minimum of 30% post-consumer content.



# CITY OF HUNTINGTON PARK

Community Development Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

**RESOLUTION OF THE HUNTINGTON PARK CITY COUNCIL TO CONDUCT A TAX EQUITY AND FISCAL RESPONSIBILITY ACT ("TEFRA") PUBLIC HEARING TO AUTHORIZE THE ISSUANCE OF MULTIFAMILY HOUSING REFUNDING REVENUE BONDS FOR THE REFINANCING OF THE RUGBY SENIOR HOUSING PROJECT**

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Conduct a TEFRA Public Hearing and authorize the issuance of multifamily housing revenue bonds for the purpose of financing the acquisition and rehabilitation of the Rugby Plaza Senior Housing Project

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

USA Properties Fund Inc. (the "Borrower") is requesting that the City Council conduct a public hearing and adopt a resolution that would approve the issuance of multifamily housing refunding revenue bonds in the amount of \$13,000,000. The tax-exempt bonds will be used to refinance a multifamily senior residential housing facility known as Rugby Plaza Senior Housing Project (the "Project").

The Project is located at 6330 Rugby Avenue, which is an age-restricted low-income rental facility comprised of 148 one-bedroom units and 36 two-bedroom units, with rents restricted at 50% and 60% of the area Annual Median Income ("AMI"). The property also includes a two level at-grade parking structure encumbered by a master lease with the City, as well as 11,900 square feet of commercial space, which has been sublet to AltaMed for its Adult Day Care facility located on the second level of the parking structure.

The Project was built and financed through the issuance of low-income housing tax credits and multifamily housing tax-exempt bonds issued by the California Statewide Communities Development Authority ("CSCDA"). The City, as a member of the CSCDA, authorized the issuance of tax-exempt bonds in 1996. This financing was a conduit issue, to which the City had no financial obligation, and for which the Borrower retained full financial responsibility for repayment.

### **FISCAL IMPACT/FINANCING**

This proposed bond issue is a conduit financing. The City is simply facilitating in the issuance of tax-exempt bonds and, therefore, is not a party to the financing nor does it have any financial obligation toward repayment of this bond issue. The bonds are payable solely by the Borrower from the revenues and rents received from the Project. The Borrower will provide comprehensive indemnification to the City and the CSCDA in the financing documents.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In order to issue private activity bonds, a private entity must go through a three-step government approval process:

1. The "applicable elected representatives" of the jurisdiction in which a project is located must conduct a TEFRA Public Hearing and approve a resolution authorizing the sale of tax-exempt bonds; subsequently,
2. The Borrower must receive a private activity bond "volume cap allocation" from the California Debt Limit Allocation Committee ("CDLAC");
3. The Borrower must obtain a resolution from the CSCDA approving the legal bond documents and authorizing the sale and delivery of bond.

The IRS Code of 1986 (the "Code") requires the TEFRA public hearing to be noticed in a newspaper of general circulation in the jurisdiction which the project is located. The City bears no required cost or other financing obligations related to this activity.

Notice for the TEFRA hearing was published in the Long Beach Press-Telegram. The hearing simply provides an opportunity for all interested persons to speak or to submit written comments concerning the proposal to issue tax-exempt bonds or regarding the nature/location of the Project. There is no obligation on the part of the City Council to respond to any specific comments made or submitted.

The attached resolution acts as the approval of the issuance of bonds for the proposed Project and will be included in the CDLAC application for "private activity bond" allocation. Once the City Council adopts the attached resolution, CSCDA will proceed with the submission to CDLAC of an application for "private activity bond" allocation for the purpose of financing the acquisition and rehabilitation of the Project.

The adoption of the attached Resolution is solely for the purpose of meeting the requirements of the IRS Code and shall not be construed in any other manner. The City staff has not fully reviewed or considered the financial feasibility of the Project nor the operation of the Project with regards to any State of California statutory requirements, and such adoption shall not obligate

1. The City to provide financing to the Borrower for the acquisition, rehabilitation and development of the Project or to execute and deliver the Obligations for purposes of such financing; or
2. The City or any department of the City to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the acquisition, rehabilitation, development or operation of the Project.

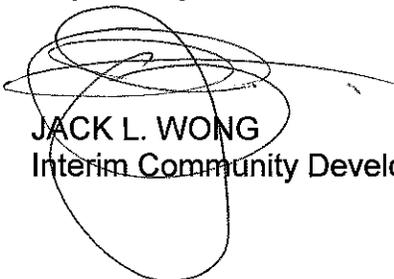
### **CONCLUSION**

If approved, the City Clerk of the City is being requested to forward a certified copy of the attached Resolution and a copy of the affidavit of publication of the public hearing notice to: Thomas A. Downey, The Orrick Building, Orrick, Herrington & Sutcliffe LLP, 405 Howard Street, San Francisco, California 94105.

Respectfully submitted,



RENÉ BOBADILLA  
City Manager, P.E.



JACK L. WONG  
Interim Community Development Director

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE HUNTINGTON PARK CITY COUNCIL TO  
CONDUCT A TEFRA PUBLIC HEARING TO AUTHORIZE THE  
ISSUANCE OF MULTIFAMILY HOUSING REFUNDING REVENUE  
BONDS FOR THE REFINANCING OF THE RUGBY SENIOR HOUSING  
PROJECT**

**WHEREAS**, there is a 184-unit multifamily residential rental project (the "Project"), currently known as Rugby Plaza Senior Housing Project, located at 6330 Rugby Avenue in the City of Huntington Park, California; and

**WHEREAS**, the California Statewide Communities Development Authority (the "CSCDA" or the "Authority") is authorized by the laws of the State of California to issue "qualified exempt facility bonds";

**WHEREAS**, the Project was financed through tax-exempt multifamily housing bonds issued by the CSCDA in 1996 (the "Prior Obligations), as "qualified exempt facility bonds", under Section 142 (a) of the Internal revenue Code of 1986, as amended (the "Code");

**WHEREAS**, the City of Huntington Park is a member of the Authority; and

**WHEREAS**, USA Properties Fund, Inc., the borrower on behalf of Huntington Park 607 LP, has requested the City as a member of the Authority to issue tax-exempt multifamily housing revenue bonds in an amount not-to-exceed \$13,000,000 (the "2013 Refunding Obligations"), the proceeds of which may only be used solely for the purpose of acquiring and refinancing the Project;

**WHEREAS**, the 1996 Prior Obligations and the 2013 Refunding Obligations are both conduit bond issues, to which the City has no financial obligation or otherwise, and for which the Borrower is solely responsible for the repayment of the Obligations; and

**WHEREAS**, Section 147(f) of the Code requires that the "applicable elected representatives" for the jurisdiction in which the Project is located hold a public hearing to comply with Tax Equity Fiscal Responsibility Act (TEFRA) requirements, 90 days prior to the issuance of tax-exempt obligations; and

**WHEREAS**, the City Council of the City of Huntington Park has held said public hearing at which all those interested in speaking with respect to the proposed financing of the Project were heard.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The City Council hereby finds and determines that the foregoing recitals are true and correct.

2. For purposes of the requirements of the Code only, the City Council hereby approves the proposed financing of the Project by the Authority with the proceeds of the Obligations.

3. The execution and delivery of the Obligations shall be subject to the approval by the Authority of all financing documents relating thereto to which the Authority is a party and subject to the sale of the Obligations by the Authority.

4. The adoption of this Resolution is solely for the purpose of meeting the TEFRA requirements stipulated in the Code and shall not be construed in any other manner, the City nor its staff having fully reviewed or considered the financial feasibility of the Project or the expected financing or operation of the Project with regards to any State of California statutory requirements, and such adoption shall not obligate (i) the City to provide financing to the Borrower for the acquisition, rehabilitation and development of the Project or to execute and deliver the Obligations for purposes of such financing; or (ii) the City or any department of the City to approve any application or request for, or take any other action in connection with, any environmental, General Plan, zoning or any other permit or other action necessary for the acquisition, rehabilitation, development or operation of the Project.

5. The City Clerk of the City shall forward a certified copy of this Resolution and a copy of the affidavit of publication of the public hearing notice to:

Thomas A. Downey  
The Orrick Building  
Orrick, Herrington & Sutcliffe LLP  
405 Howard Street  
San Francisco, California 94105

6. This resolution shall take effect upon its adoption.

**PASSED AND ADOPTED** this 7th day of January, 2013, by the following roll call vote:

Ayes: Councilmembers

Nays: Councilmembers

Abstain: Councilmembers

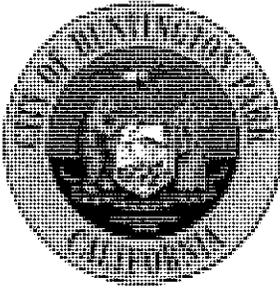
---

Mayor Andy Molina

ATTEST:

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City Clerk



# CITY OF HUNTINGTON PARK

Community Development Department  
*City Council Agenda Report*

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

**AN APPEAL OF A PLANNING COMMISSION DECISION APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT TO ESTABLISH AND OPERATE A LIGHT PROCESSING RECYCLING FACILITY AT 2148 E. SLAUSON AVENUE, IN THE MPD (MANUFACTURING PLANNED DEVELOPMENT) ZONE. (PC CASE NO. 1959-CUP)**

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Conduct a public hearing;
2. Consider all public testimony and staff's analysis; and
3. Adopt a resolution upholding the Planning Commission's decision to approve a request for a Conditional Use Permit to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On September 19, 2012, the Planning Commission considered a request by Mr. Manny Hernandez, owner of California Iron and Metal, LLC for a Conditional Use Permit (CUP) to establish a light processing recycling facility at 2148 E. Slauson Avenue in the MPD (Manufacturing Planned Development) Zone. Following extensive public testimony in favor and against the proposed facility, the Planning Commission discussed the potential impacts of the project. After much deliberation, the Planning Commission unanimously voted to approve Case No. 1959-CUP, subject to conditions of approval that would mitigate potential negative impacts associated with the proposed use. At the conclusion of the hearing, the public was advised of the appeal process.

On October 4, 2012, Mr. Jerry Torres, owner of the neighboring property located at 2100 Laura Avenue, Huntington Park, California, filed an application to appeal the Planning Commission's decision for Case No. 1959-CUP. The appellant is petitioning that the City Council overturn the decision of the Planning Commission and thereby deny the applicant's request for a CUP. The appellant opposes the proposed facility

and cites concerns of negative impacts resulting from traffic, trash, transients, varmints, food waste, and abandoned shopping carts.

Prior to presenting the applicant's request for Planning Commission consideration, Staff performed a comprehensive review of the request and found that the proposed use is able to meet all the requirements for a light processing recycling facility as prescribed in Huntington Park Municipal Code (HPMC) Section 9-3.1002(2)(D).

The applicant proposes to establish a light processing recycling facility on the subject site, where all related activities will be conducted within an enclosed permanent structure. As proposed, the facility will be open to the public and will collect food and beverage plastic and glass containers which will then be baled and processed.

The subject site is located on the south side of Slauson Avenue, between Regent Street and Santa Fe Avenue, and is approximately 93,650 square feet of lot area. The site is currently developed with a one-story, 40-foot high industrial building containing three tenant spaces totaling approximately 74,414 square feet. Primary access for the subject site is available from Slauson Avenue, which is both an arterial street and a designated truck route as defined by the Circulation Element of the City's General Plan. Laura Street, which borders the site's southerly boundary, provides additional secondary access to the property. Industrial uses surround the subject site to the north, south, east, and west.

The proposed use will occupy approximately 15,000 square feet and will consist of a ±360 square foot area for the collection of plastic recyclables via two metal containers, a ±384 square foot area for the collection of glass recyclables via two metal containers, a ±200 square foot area container with a baler for recyclable materials, and ±755 square feet dedicated for office space, storage and restrooms. The remaining area will be used for the storing/stacking of baled materials, indoor customer parking, and circulation area for trucks.

The applicant has indicated that small receptacles will be utilized for weighing incoming recyclables on a scale. The scale areas will be set away from the customer parking and circulation areas. The proposed metal containers for the collection of plastics and glass will measure 24'-0" long by 8'-0" wide by 6'-0" high, with various openings along the front to insert the recyclables. The containers will be emptied on an as-needed basis. It is conditioned that outbound truck shipments be limited to twice per day and that the facility operator provide personnel to control traffic and to avoid any traffic hazards to the public while the trucks are entering and exiting the site. Additionally, all trucks shall enter and exit the property in a forward manner to and from Slauson Avenue.

The existing warehouse and furniture manufacturing uses located in the adjacent tenant spaces will continue to operate; however, they will operate independently of the proposed recycling use. The warehouse use will be located to the rear of the proposed use. Currently there is no physical separation or partition between the two uses. The applicant has indicated that the Fire Department has required that no walls be placed between the two uses to facilitate emergency access. Therefore, to ensure separation

between uses, staff has conditioned that the applicant install a 6 to 8-foot high chain link fence with vehicle gates between the two uses.

Per HPMC Section 9-3.1002(2)(D)(8), a light processing recycling facility which is open to the public requires a minimum of five parking spaces at any one time, plus one employee space for each commercial vehicle operated by the processing center. Thus, the applicant will provide five parking spaces within the building available solely for the use of customers unloading and selling allowed recyclable materials. There are seven existing exterior parking spaces along the east side of the building that will remain and be used by employees. These parking calculations are summarized in the table below.

<b>Parking Calculations</b>		
	<b>Required</b>	<b>Provided</b>
Customer Parking	5 spaces	5 spaces
Employee Parking	2 spaces	7 spaces
<b>Total</b>	<b>7 spaces</b>	<b>12 spaces</b>

The proposed use will not reduce the amount of available off-street parking nor impede the provision of any required off-street parking. The applicant is proposing the construction of a 12-foot wide interior ramp at the main entrance to allow vehicles and trucks to enter the building.

In order to improve the appearance of the property, the exterior façades of the existing structure will be repaired where needed and repainted to comply with the City's Color Ordinance and eliminate any existing and future graffiti.

To address the potential for trash and debris, it is conditioned that the use be conducted and maintained in a clean, neat, quiet, and orderly manner at all times and that it comply with the City's property maintenance standards. In addition, a 48± square foot trash enclosure will be provided within the building and several decorative trash receptacles will be installed throughout the site for patron use. Additionally, the entire site shall be maintained in a clean, sanitary, odor-free and litter-free condition and shall be cleaned of loose debris on a daily basis. To address any potential unpleasant odors, the project is conditioned to provide an indoor odor filtration system. At no time shall any items, including recyclable materials be left or stored outdoors. The operator will be responsible for collecting any shopping carts left on or nearby the property. The operator shall designate a location within the facility to store/park any shopping carts until they are picked-up.

Furthermore, to mitigate any potential for loitering in the parking area, staff has conditioned that signs be posted on the site prohibiting loitering. The number, design, location and text of the signs shall be subject to approvals from the Planning Division and Huntington Park Police Department (HPPD). Additionally, staff is conditioning that the collection of recyclables occur only within the building. HPPD has conditioned that

the applicant install and maintain a video surveillance system. The recordings shall be made available to HPPD, upon request.

The issuance of a CUP is subject to review for compliance with conditions of approval at such intervals as the City deems appropriate and any violation of the conditions of approval may result in citations and/or the revocation of the permit. The CUP may also be subject to additional conditions after its original issuance to address problems of land use compatibility, operations, aesthetics, security, noise, safety, crime control, and/or to promote the general welfare of the City. The applicant shall also be required to obtain permits/approvals from all other applicable agencies including the City's Building and Safety Division, the Los Angeles County Fire Department, and the State of California Department of Resources Recycling and Recovery.

Staff is of the opinion that the proposed use, as conditioned by the Planning Commission, will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to HPMC Sections 9-3.1002(1) and 9-4.302, Table IV-8, light processing recycling facilities are allowed within the MPD Zone subject to Planning Commission approval of a CUP and compliance with developments standards found in HPMC Section 9-3.1002(2)(D).

Per HPMC Section 9-2.1105, following a public hearing, the Planning Commission shall record their decision in writing and shall recite the findings upon which the decision is based. The Planning Commission may approve and/or modify a Conditional Use Permit application in whole or in part, with or without conditions, only if all of the findings can be made.

In accordance with HPMC Section 9-2.1711(1), any determination or action taken by the Planning Commission, to approve or disapprove an application may be appealed to the Council. HPMC Section 9-2.1712(1) states that an appeal of a Planning Commission decision shall be filed in the office of the City Clerk within fifteen (15) days following the final date of action for which an appeal is made.

As required by State law and in accordance with the provisions of the HPMC, notification of the appeal was published, posted and mailed to affected property owners.

#### **ENVIRONMENTAL FINDINGS**

Per the California Environmental Quality Act (CEQA) Public Resources Code, the project was determined to be Categorical Exempt based on CEQA Section 15301, Existing Facilities.

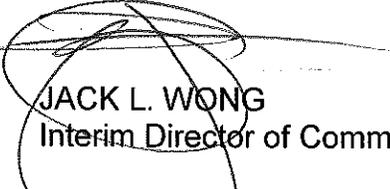
**CONCLUSION**

The proposal, as conditioned, meets all of the City's Zoning and Development Standards subject to the approval of a Conditional Use Permit, and is consistent with the City's General Plan. Therefore, staff recommends that the City Council approve the request for a Conditional Use Permit to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue.

Respectfully submitted,



RENÉ BOBADILLA  
City Manager, P.E.



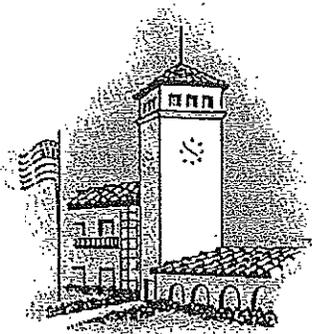
JACK L. WONG  
Interim Director of Community Development

**ATTACHMENTS**

- A: Appeal Application
- B: Planning Commission Resolution No. 1959
- C: Minutes of Planning Commission Meeting of September 19, 2012
- D: Planning Commission Report dated September 19, 2012
- E: Proposed City Council Resolution

# **APPEAL APPLICATION**

**ATTACHMENT: A**



City of

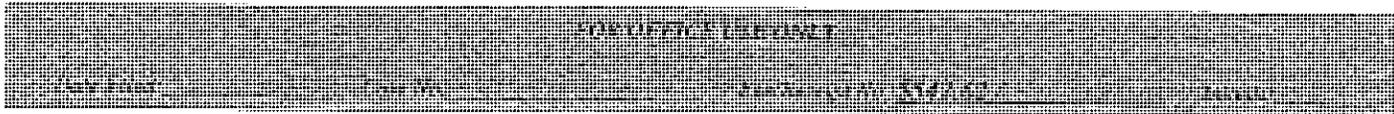
# HUNTINGTON PARK

CITY OF  
HUNTINGTON PARK  
CITY CLERK  
california  
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COMMUNITY DEVELOPMENT DEPARTMENT

6550 MILES AVENUE  
HUNTINGTON PARK, CA 90255  
TEL: (323) 584-6210 FAX: (323) 584-6244

## PLANNING COMMISSION APPEAL APPLICATION



*Note to the appellant: Pursuant to the Huntington Park Municipal Code, Section 9-2.1712, appeals may be filed with the Office of the City Clerk on this form within fifteen (15) days following the date of an action. Appeals shall be accompanied by a filing fee, which is indicated above.*

I/We, appellant(s) hereby appeal the decision of the Huntington Park Planning Commission on Sept. 19, 2012 for Case No. ~~1959-CLIP~~ and petition that the City Council modify the action or decision that was made.

### PROJECT INFORMATION

Property Address: 2148 E. STANBORN AVE HUNTINGTON PARK, CA 90255

### APPELLANT'S INFORMATION

Appellant(s): GENTRY TRUST  
Mailing Address: 2100 LAURA AVE. HUNTINGTON PARK, CA 90255  
Phone 1: (323) 620-5268 Phone 2: BA PLEASE SEE BACK Fax: →

### PROPERTY OWNER'S INFORMATION

Property Owner: ASHLEY JOFFE OF MAJOR PROPERTIES  
Mailing Address: 1200 W. DOLBY BLVD. LOS ANGELES, CA 90015  
Phone 1: \_\_\_\_\_ Phone 2: \_\_\_\_\_ Fax: \_\_\_\_\_

### REASON FOR APPEAL:

The action or decision is being appealed for the following reason(s): (Attach additional sheets if necessary)

We are very concerned about the environmental impact on Traffic, trash, transients, vermin, food left overs, abandoned shopping carts etc.

**CERTIFICATE AND AFFIDAVIT OF APPELLANT:** I/We, appellant(s) of the case involved in this application, dispose and say that I/we have prepared the foregoing appeal and that the statements and information contained therein are in all respects true and correct to the best of my/our knowledge and belief, and that said information, so far as I am/we are aware, is complete and represents all of the evidence and opinion that bears on the case and refers to no facts or evidence not introduced previously.

Signature: [Handwritten Signature]

Date: 10/4/2012

WIRE GUARD SYSTEMS INC.  
2050 E. STANSON AVE  
HUNTINGTON PARK, CA 90255

---

Yolanda Alvarez

YOLANDA ALVAREZ  
323) 588-2166

JAMES SPITZER  
2050 E. LAURA AVE  
HUNTINGTON PARK, CA 90255

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James Spitzer  
949) 246-5305

AMERICAN HVAC MFG. INC.,  
2070 E. STANSON AVE. HUNTINGTON PARK, CA 90255  
SHAWN GHAREMANI 323) 581-5600  
Shawn Ghahremani

\* Please Note: For mailing please use  
PO Box 2012 H.P.K. 90255  
Jul P. Torres

CITY OF HUNTINGTON PARK

\*\*\* CUSTOMER RECEIPT \*\*\*

Oper: HNTGVXM      Type: BC      Drawer: 1  
Date: 10/08/12 01      Receipt no: 22108

Description	Quantity	Amount
MS	MISCELLANEOUS	
	1.00	\$542.62
PLAN COMMS #1959 TURRES		

Tender detail	
CA CASH	\$600.00
Total tendered	\$600.00
Total payment	\$542.62
Change	\$57.38

Trans date: 10/04/12      Time: 16:51:20

\*\*\* THANK YOU FOR YOUR PAYMENT \*\*\*

**PLANNING COMMISSION  
RESOLUTION NO. 1959**

**ATTACHMENT: B**

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**RESOLUTION NO. 1959**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, GRANTING A CONDITIONAL USE PERMIT IN CONNECTION WITH REAL PROPERTY LOCATED AT 2148 SLAUSON AVENUE, HUNTINGTON PARK, CALIFORNIA**

**WHEREAS**, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California on Wednesday, September 19, 2012 at 6:30 p.m. pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code, upon an application from Mr. Manny Hernandez, requesting approval of a Conditional Use Permit to establish and operate a light processing recycling facility at 2148 Slauson Avenue, within the Industrial/Manufacturing Planned Development (MPD) Zone on the following described contiguous properties:

Assessor's Parcel No. 6321-002-004; City of Huntington Park, County of Los Angeles; and

**WHEREAS**, the Planning Commission has considered the environmental impact information relative to the proposed entitlement; and

**WHEREAS**, all persons appearing for or against the approval of the Conditional Use Permit were given the opportunity to be heard in connection with said matter; and

**WHEREAS**, all written comments received prior to the hearing, and responses to such comments, were reviewed by the Planning Commission; and

**WHEREAS**, the Planning Commission is required to announce its findings and recommendations.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS FOLLOWS:**

**SECTION 1:** Based on the evidence in the Environmental Assessment Questionnaire, the Planning Commission adopts the findings in said Questionnaire and determines that the project, as proposed, will have no significant adverse effect on the environment and adopts an Environmental Categorical Exemption (CEQA Guidelines, Section 15301, Existing Facilities).

1           **SECTION 2:** The Planning Commission hereby makes the following findings in connection  
2 with Conditional Use Permit No. 1959:

- 3           (A) The proposed use is conditionally permitted within, and would not impair the integrity  
4 and character of, the subject zoning district and complies with all of the applicable  
5 provisions of this Code (Huntington Park Zoning Code Title 9); and
- 6           (B) The proposed use is consistent with the General Plan; and
- 7           (C) The approval of the Conditional Use Permit for the proposed use is in compliance with  
8 the requirements of the California Environmental Quality Act (CEQA) and the City's  
9 Guidelines; and
- 10          (D) The design, location, size, and operating characteristics of the proposed use are  
11 compatible with the existing and planned future land uses within the general area in  
12 which the proposed use is to be located and will not create significant noise, traffic, or  
13 other conditions or situations that may be objectionable or detrimental to other permitted  
14 uses operating nearby or adverse to the public interest, health, safety, convenience, or  
15 welfare of the City; and
- 16          (E) The subject site is physically suitable for the type and density/intensity of the use being  
17 proposed; and
- 18          (F) There are adequate provisions for public access, water, sanitation, and public utilities  
19 and services to ensure that the proposed use would not be detrimental to public health  
20 and safety.

21           **SECTION 3:** The Planning Commission hereby grants Conditional Use Permit No. 1954  
22 subject to the execution and fulfillment of the following conditions:

- 23          1. That the applicant/property owner and each successor in interest to the property which is the  
24 subject of this project shall defend, indemnify and hold harmless the City of Huntington Park  
25 and its agents, officers, and employees from any claim, action or proceedings, liability cost,  
26 including attorney's fees and costs against the City or its agents, officers or employees, to  
27 attack, set aside, void or annul any approval of the City, City Council, or Planning  
28

1 Commission. The City shall promptly notify the applicant of any claim, action or proceeding  
2 and should cooperate fully in the defense thereof.

- 3 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department  
4 corrections and conditions, the property shall be developed substantially in accordance with  
5 the applications, environmental assessment, and plans submitted.
- 6 3. That all architectural detailing, including building materials, lighting, colors, façade  
7 improvements, finishes and other details proposed for the structure be consistent with the  
8 submitted plans as approved by the Planning Division.
- 9 4. That the proposed use shall comply with all applicable City, County, State and Federal codes,  
10 laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and  
11 Business License.
- 12 5. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and orderly  
13 manner at all times and comply with the property maintenance standards as set forth in  
14 Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.
- 15 6. That the use shall be maintained in a clean, sanitary, odor-free and litter-free condition and  
16 shall be cleaned of loose debris on a daily basis, including any shopping carts.
- 17 7. That at no time shall any items, including recyclable materials be left or stored outdoors.
- 18 8. That the applicant/operator install an indoor odor filtration system to mitigate any  
19 objectionable odors, as approved by the Planning Division and shall be installed prior to the  
20 commencement of the use.
- 21 9. That the use be developed, conducted, and maintained in accordance with the Huntington Park  
22 Municipal Code Section 9-3.1002(2)(D), Light Processing Recycling Facility.
- 23 10. That the light processing recycling facility shall be limited to accepting only glass and plastic  
24 food and beverage containers. At no time shall the operator collect/recycle any metals,  
25 including aluminum food and beverage containers, unless expressly approved by the City of  
26 Huntington Park Planning Division.
- 27 11. That the applicant/operator install an 8-foot high chain link fence with vehicle gates between  
28 the recycling facility and the furniture warehouse located to the south to ensure separation

1 between the two uses, as approved by the Planning Division, prior to the commencement of  
2 the use.

3 12. That the operator shall obtain a City of Huntington Park Business License prior to  
4 commencing business operations.

5 13. That applicant shall obtain and provide proof of obtaining all applicable State license(s) to  
6 operate a collection and processing facility at the location prior to the commencement of the  
7 use.

8 14. That the business be operated in compliance with the City of Huntington Park Noise  
9 Ordinance.

10 15. That current occupancy loads for the recycling facility be posted at all times.

11 16. That all graffiti be removed from all exterior walls and/or surfaces prior to the commencement  
12 of the use.

13 17. That an anti-graffiti finish, as approved by the Planning Division, shall be applied to all  
14 exterior surfaces that are visible to the public and likely to attract graffiti prior to the  
15 commencement of the use.

16 18. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code  
17 Section 5-27.02(d), shall be diligently removed within a reasonable time period.

18 19. That the property comply with the City's Standards for Exterior Colors, as set forth in Section  
19 9-3.103(3) of the Huntington Park Municipal Code, prior to the commencement of the use.

20 20. That the hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., Monday through  
21 Saturday and 7:00 a.m. to 4:00 p.m. on Sunday.

22 21. That all business activity shall occur within the building and that at no time shall recyclables  
23 be loaded or unloaded outside the recycling facility.

24 22. That outbound truck shipments be limited to twice per day. The operator shall provide  
25 personnel to control traffic and to avoid any traffic hazards to the public while the trucks are  
26 entering and existing the site. All trucks shall enter and exit the property in a forward manner.

27 23. That no loitering take place at the site or in surrounding parking area(s), and that signs be  
28 posted, in both English and Spanish, on the site prohibiting such activities. The number,

1 design, location, size and text of the signs shall be subject to Planning Division and Police  
2 Department review and approval. This condition must be complied with prior to the  
3 commencement of the use.

4 24. That the applicant/operator shall install and maintain a video surveillance system that  
5 monitors no less than the front and rear of the business, with full view of the public right-of-  
6 ways, and any parking lot under the control of the operator. The surveillance cameras shall  
7 record video for a minimum of 30 days and the recordings will be made available to the  
8 Huntington Park Police Department.

9 25. That all signs on the site be installed in compliance with the City's sign regulations and that  
10 approval be obtained through a Sign Design Review prior to installation.

11 26. That all existing and/or proposed mechanical equipment and appurtenances, including satellite  
12 dishes, gutters etc., whether located on the rooftop, ground level or anywhere on the property  
13 shall be completely shielded/enclosed so as not to be visible from any public street and/or  
14 adjacent properties. Such shielding/enclosure of facilities shall be of compatible design  
15 related to the building structure for which such facilities are intended to serve as approved by  
16 the Planning Division and shall be installed prior to the commencement of the use.

17 27. That any proposed on-site utilities, including cable, electrical and telephone, be installed  
18 underground and be completely concealed from public view as required by the Planning  
19 Division prior to the commencement of the use.

20 28. That the parking areas be repaired to eliminate all cracks and irregularities, slurry sealed and  
21 striped as approved by the Planning Division, prior to the commencement of the use.

22 29. That all required off-street parking spaces comply with the minimum dimensions as set forth  
23 within the Huntington Park Municipal Code prior to the commencement of the use.

24 30. That a trash enclosure be installed inside the recycling facility in compliance with HPMC  
25 Section 9-3.103(24) prior to the commencement of the use.

26 31. That decorative trash receptacles be installed throughout the site for patron use prior to the  
27 commencement of the use. The number, location, and design of these shall be approved by  
28 the Planning Division.

- 1 32. That decorative paving be installed at the driveway entrances along Slauson Avenue and  
2 Laura Street, as approved by the Planning Division, prior to the commencement of the use.
- 3 33. That landscape planters with 6"curbing and permanent irrigation be provided along the public  
4 right-of-way with the exception of driveways and walkways, and that landscaping be provided  
5 in areas not used for vehicle parking, vehicle circulation or pedestrian access, prior to the  
6 commencement of the use.
- 7 34. That a minimum of four (4) trees be installed on-site, as approved by the Planning Division  
8 per HPMC Section 9-3.408 and 9-3.809, prior to the commencement of the use.
- 9 35. That public improvements be completed per the City Engineer's requirements prior to the  
10 commencement of the use as follows:
- 11 a. Maintain all existing street trees with metal or plastic grates along Slauson Avenue as  
12 required by the City Engineer;
  - 13 b. Remove any unused driveway(s) and replace with new curb, gutter, and sidewalk;
  - 14 c. Remove and replace all public improvements damaged by construction per City  
15 Engineer's requirements; and
  - 16 d. Repair and/or replace any abutting substandard or damaged public improvements as  
17 required by the City Engineer.
- 18 36. That a landscape plan be provided for the entire property, showing planter design, schedule of  
19 plant material, planter location and method of automatic permanent irrigation. The plan shall  
20 be submitted to the Planning Division, and such landscaping shall be installed and planted  
21 according to the approved plan, prior to the commencement of the use, and shall thereafter be  
22 continuously and permanently maintained.
- 23 37. That a lighting plan be provided for all outdoor areas of the property. Such lighting shall be  
24 decorative and installed as approved by the Planning Division and to the satisfaction of the  
25 Building Official prior to the commencement of the use. The proposed light fixtures shall be  
26 decorative and energy efficient and the illumination of such shall be projected towards the site  
27 and away from all adjacent properties, public streets, and rights-of-way.
- 28

- 1 38. That any/all supporting water service connections shall include backflow prevention devices  
2 as approved by the City Engineering Department, prior to the commencement of the use.
- 3 39. That the applicant provide publicly visible art or pay art fees in accordance with the City of  
4 Huntington Park's Publicly Visible Art Ordinance (Ordinance No. 668-NS), prior to the  
5 commencement of the use.
- 6 40. That the applicant comply with all of the provisions of Title 7, Chapter 9 of the Huntington  
7 Park Municipal Code relating to Storm Water Management. The applicant shall also comply  
8 with all requirements of the National Pollutant Discharge Elimination System (NPDES),  
9 Model Programs, developed by the County of Los Angeles Regional Water Quality Board.  
10 This includes the SUSUMP requirements when applicable.
- 11 41. That the applicant comply with the requirements of County Sanitation District of Los Angeles  
12 prior to the commencement of the use.
- 13 42. That this entitlement shall be subject to review for compliance with conditions of the issuance  
14 at such intervals as the City Planning Commission shall deem appropriate.
- 15 43. That any violation of the conditions of this entitlement may result in citations and/or the  
16 revocation of the entitlement.
- 17 44. That the applicant be required to apply for a new entitlement if any alteration, modification, or  
18 expansion would increase the existing floor area of the establishment.
- 19 45. That this entitlement shall expire in the event it is not exercised within one (1) year from the  
20 date of approval, unless an extension has been granted by the Planning Commission.
- 21 46. That if the use ceases to operate for a period of six (6) months the entitlement shall be null and  
22 void.
- 23 47. That should the operation of this establishment be granted, deemed, conveyed, transferred, or  
24 should a change in management or proprietorship occur at any time, this Conditional Use  
25 Permit shall be reviewed.
- 26 48. That this entitlement shall be subject to review for compliance with conditions of the issuance  
27 at such intervals as the City Planning Commission shall deem appropriate.
- 28

1 49. That this entitlement may be subject to additional conditions after its original issuance. Such  
2 conditions shall be imposed by the City Planning Commission as deemed appropriate to  
3 address problems of land use compatibility, operations, aesthetics, security, noise, safety,  
4 crime control, or to promote the general welfare of the City.

5 50. The Director of Community Development is authorized to make minor modifications to the  
6 approved preliminary plans or any of the conditions if such modifications shall achieve  
7 substantially the same results, as would strict compliance with said plans and conditions.

8 51. That the business owner (applicant) and property owner agree in writing to the above  
9 conditions.

10 **SECTION 4:** This resolution shall not become effective until 15 days after the date of  
11 decision rendered by the Planning Commission, unless within that period of time it is appealed to the  
12 City Council. The decision of the Planning Commission shall be stayed until final determination of  
13 the appeal has been effected by the City Council.

14 **SECTION 5:** The Secretary of the Planning Commission shall certify to the adoption of this  
15 resolution and a copy thereof shall be filed with the City Clerk.

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1 PASSED, APPROVED, AND ADOPTED this 19<sup>th</sup> day of September, 2012 by the following

2 vote:

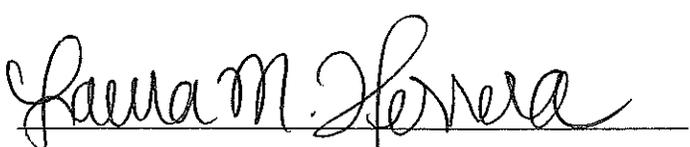
3 AYES: Commissioners Benitez, Anaya, Lopez, Herrera

4 NOES: None

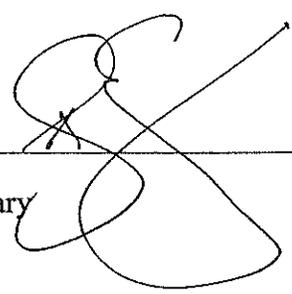
5 ABSTAIN: None

6 ABSENT: Chairman Carvajal

7 HUNTINGTON PARK PLANNING COMMISSION

8  
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10 \_\_\_\_\_  
11 Chairperson - Vice

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14 ATTEST:

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18 Secretary

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**PLANNING COMMISSION  
MEETING MINUTES OF 09/19/2012**

**ATTACHMENT: C**

**Minutes of the Regular Meeting of the  
Huntington Park Planning Commission held on September 19, 2012**

Vice Chair Herrera called the meeting to order at 6:32 p.m. Present: Commissioners Juan Anaya, Eddie Benitez, and Vice Chair Laura Herrera; Absent: Commissioner Veronica Lopez (declared unexcused) and Chairman Eddie Carvajal (declared excused). Also present: Interim Community Development Director Jack Wong, Senior Planner Albert Fontanez, Assistant Planner Juan Arauz, and Recording Secretary Genny Ochoa.

**Approval of Minutes**

Motion by Commissioner Benitez, seconded by Commissioner Anaya, to approve the minutes of the regular meeting held on August 15, 2012. The motion carried as follows: Ayes: Commissioners Anaya, Benitez, and Herrera; Noes: None; Absent: Commissioner Lopez and Chairman Carvajal.

**Public Appearances**

None.

**Continued Public Hearings**

None.

**Public Hearings**

A. CASE NO. 1959-CUP: Request by Manny Hernandez for approval of a Conditional Use Permit to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue, in the MPD (Manufacturing Planned Development) Zone.

Senior Planner Albert Fontanez reviewed staff's report, which included the Administrative Comments and Analysis, and Recommendations. Mr. Fontanez stated that the applicant proposed to occupy the front half portion of the building for the operation of the light processing facility; and to demolish the existing front entry and install a new entryway for vehicle access from Slauson Avenue. Mr. Fontanez stated that there would be no loading or unloading outside of the building and added that there was enough turning-radius space inside the building for trucks and vehicles.

*(Commissioner Lopez arrived and took her seat at 6:38 p.m.)*

Mr. Fontanez stated that the City currently has a moratorium prohibiting metal recycling facilities and that the proposed facility will process food and beverage plastic and glass containers only. Mr. Fontanez further stated that unless the City Council terminates the moratorium sooner, the moratorium is set to expire on May 4, 2013.

Mr. Fontanez added that the recommended Conditions of Approval included conditions from the Police Department Code Enforcement Division requiring the applicant to post “no loitering” signage and the installation of a security camera system. Mr. Fontanez stated that the proposed use required seven (7) parking spaces and that the applicant would provide five (5) interior and seven (7) exterior spaces, for a total of 12 parking spaces, exceeding the parking requirement by five (5) spaces. Mr. Fontanez further stated that in working with the applicant to mitigate potential issues related to traffic, the applicant proposed to install a ramp at the front entrance of the building. Mr. Fontanez added that staff did not foresee negative impacts from the proposed use and that staff recommended the approval of Case No. 1959-CUP, subject to the conditions outlined in staff’s report.

Vice Chair Herrera declared the public hearing open and called for those wishing to speak for or against Case No. 1959-CUP.

Mr. Manny Hernandez (2148 E. Slauson Ave., Huntington Park), applicant, came forward to speak in favor and stated that the proposed facility would be operated in a clean and professional manner and would bring needed jobs to the City. Mr. Hernandez added that he currently has successful contracts with several public agencies including the State Department of Transportation (CalTrans) and the Los Angeles Unified School District, as well as the San Manuel Casino in the private sector. Mr. Hernandez committed to be a friendly and cooperative neighbor to the surrounding businesses and requested the approval of Case No. 1959-CUP.

Mr. Jerry Torres (6308 Gentry/2100 Laura, Huntington Park), representing Gentry Living Trust, came forward to speak against Case No. 1959-CUP. Mr. Torres stated that he was opposed to having this type of business in “his” neighborhood. Mr. Torres added that the proposed facility would create noise, trash, odor and debris, and attract transients, which would increase criminal activity in the surrounding area. Mr. Torres distributed photographs of a local facility in close proximity to the subject site depicting lack of maintenance and stated that it was very likely that the proposed use would have similar maintenance issues. Mr. Torres added that a major concern he had was that the proposed use would greatly increase truck traffic on Slauson Avenue, which would be very hazardous to pedestrian traffic. Mr. Torres stated that the proposed recycling facility was not suited for the location and that he opposed the approval of Case No. 1959-CUP.

Mr. James Spitzer (Wire Guard Systems, Inc., 2050 Slauson Ave., Huntington Park), property/business owner, came forward to speak against Case No. 1959-CUP. Mr. Spitzer stated that the proposed use would increase vehicle, pedestrian and truck traffic and create hazardous traffic conditions on Slauson Avenue leading to increased accidents. Mr. Spitzer further stated that the subject site was not a good location for the proposed use and that using the Slauson Avenue as the entryway to building was not practical. Mr. Spitzer added that the homeless population in the area was “huge” and would worsen with the proposed use, resulting in increased criminal activity. Mr. Spitzer further added that the existing vermin condition in the building would become a “big problem” if the proposed use was allowed. Mr. Spitzer expressed his strong opposition to Case No. 1959-CUP.

Mr. Ashley Joffe and Nathan Joffe (property/business owner: 2100 E. Slauson Ave., Huntington Park), came forward to speak in favor of Case No. 1959-CUP. Mr. A. Joffe stated that he had been at his Slauson Avenue address for 20 years and that there were “no accidents” as reported by the previous speakers. Mr. Joffe stated that with the proposed security and improved building conditions, he did not oppose the approval of Case No. 1959-CUP.

Mr. Danut Popescu (13739 Magnolia Blvd., Sherman Oaks, CA 91423), local business owner, came forward to speak in favor Case No. 1959-CUP. Mr. Popescu state that businesses were not affected by the homeless and that he “did not see a problem” with this type of business at the subject site.

Mr. Shawn Ghahremani (American HVAC Manufacturing, Inc., 2070 E. Slauson Ave., Huntington Park), vice president, came forward to speak against Case No. 1959-CUP and stated that he has seen students in the area, as well as speeding vehicles on Slauson Avenue.

Ms. Yolanda Alvidrez (Wire Guard Systems, Inc., 2050 Slauson Ave., Huntington Park), came forward to speak against Case No. 1959-CUP. Ms. Alvidrez stated that the proposed recycling facility would increase and worsen traffic conditions on Slauson Avenue, increase the homeless population in the area resulting in an unsafe environment, and generate trash and debris in the area. Ms. Alvidrez stated that she was “totally against” the proposed project.

Mr. Manny Hernandez, applicant, came forward to address the concerns expressed by the audience members. Mr. Hernandez assured those in the audience, the Commission, and staff that he would conduct a clean and safe operation, provide adequate security to pedestrian and vehicular traffic, be a good neighbor to the surrounding businesses, and operate a good business in the City of Huntington Park.

With no one else wishing to speak for or against Case No. 1959-CUP, Vice Chair Herrera declared the public hearing closed.

Senior Planner Fontanez reviewed the Conditions of Approval and, after a discussion, it was concurred by the Commission and staff to modify the following conditions of approval as follows:

Condition No. 7: Require Planning Division approval for the installation of the indoor odor filtration system which shall be installed prior to the commencement of the use;

Condition No. 20: Extend the 7:00 a.m. to 7:00 p.m. Monday through Friday hours of operation to include Saturday;

Condition No.22: Require that all trucks entering and exiting the building shall enter and exit in a forward manner.

Motion by Commissioner Lopez, seconded by Commissioner Benitez, to APPROVE CASE NO. 1959-CUP, subject to Conditions No. 1-51 as modified.  
The motion carried as follows: Ayes: Commissioners Anaya, Herrera, Benitez, and Lopez; Noes: None; Absent: Chairman Carvajal.

Senior Planner Fontanez announced that the Commission's decision may be appealed to the City Council with the City Clerk's office within 15 calendar days.

**New Business**

None.

**Information Items**

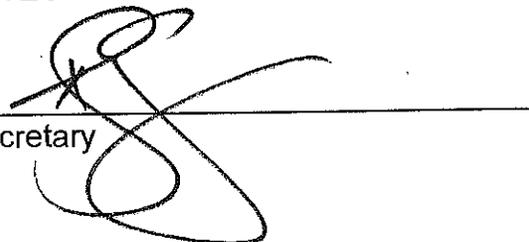
None.

**Adjournment**

There being no further business, Vice Chair Herrera adjourned the meeting at 7:35 p.m.

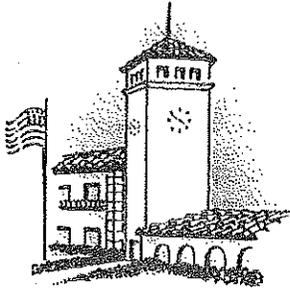
  
\_\_\_\_\_  
Vice Chair Herrera

ATTEST:

  
\_\_\_\_\_  
Secretary

**PLANNING COMMISSION  
STAFF REPORT**

**ATTACHMENT: D**



City of  
**HUNTINGTON PARK** california

COMMUNITY DEVELOPMENT DEPARTMENT

6550 MILES AVENUE  
HUNTINGTON PARK, CA 90255

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## ADMINISTRATIVE REPORT

**DATE:** September 19, 2012  
**TO:** Chairperson Carvajal and Members of the Planning Commission  
**FROM:** Jack Wong, Interim Director of Community Development  
**BY:** Albert G. Fontanez, Senior Planner *XGF*  
Juan Arauz, Assistant Planner  
**SUBJECT:** PLANNING COMMISSION CASE NO. 1959-CUP

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**REQUEST:** The applicant is requesting Planning Commission approval of a Conditional Use Permit to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue, in the Manufacturing Planned Development Zone.

**APPLICANT:** Manny Hernandez  
2148 E. Slauson Avenue  
Huntington Park, CA 90255

**PROPERTY OWNER:** Ashley Joffe of Major Properties  
1200 W. Olympic Boulevard  
Los Angeles, CA 90015

**PROJECT LOCATION:** 2148 E. Slauson Avenue

**ASSESSOR'S PARCEL NO.:** 6321-002-004

**PRESENT USE:** Manufacturing (Furniture)

**PROJECT SIZE:** ±15,000 Sq. Ft.

**BUILDING SIZE:** ±74,414 Sq. Ft.

**SITE SIZE:** ±93,650 sq. ft.

**ZONE:**

MPD

**GENERAL PLAN:**

Industrial/Manufacturing Planned Development

**SURROUNDING  
USES:**

North: Industrial  
West: Industrial  
South: Industrial  
East: Industrial

**DEFINITION OF A  
LIGHT PROCESSING  
RECYCLING FACILITY:**

Pursuant to the Huntington Park Municipal Code (HPMC) Section 9-3.1002(1)(E)(1), a light processing facility occupies an area of under 45,000 square feet of collection, processing and storage area and averages two (2) outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact or bale ferrous metals other than food and beverage containers.

**REQUIREMENTS FOR  
LIGHT PROCESSING  
RECYCLING FACILITY:**

Pursuant to HPMC Section 9-3.1002(2)(D), light processing facilities and heavy processing facilities shall be permitted only in the MPD zoning district subject to the approval of a Conditional Use Permit and the following standards:

1. The facility shall not be located adjacent to any residential zoning district/use;
2. Processors shall operate within a completely enclosed structure if located within 500 feet of any residential zoning district or a C-N zoning district;
3. Power-driven processing shall be permitted provided all noise levels are in compliance with Article 5 of this Chapter (Noise Standards). Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials;
4. A light processing facility shall be no larger than 45,000 square feet and shall have no more than an average of two (2)

outbound truck shipments of material each day and shall not shred, compact or bale ferrous metals other than food and beverage containers. A heavy processor may exceed 45,000 square feet and two (2) outbound truck shipments each day, and may perform those functions not allowed at light processing facilities;

5. Structure setbacks and landscape requirements shall comply with those provided for the MPD zoning district;
6. All exterior storage of material shall be in sturdy containers or enclosures which are covered, secured, and maintained in good condition at all times. Storage containers for flammable materials shall be constructed of nonflammable materials. Outdoor storage shall be screened by a seven (7) foot high, solid decorative masonry wall, or as determined by the Commission. No storage, excluding truck trailers, shall be visible above the height of the required wall;
7. The premise shall be maintained in a clean, sanitary, odor-free and litter-free condition. Loose debris shall be collected on a daily basis and the site shall be secured from unauthorized entry and removal of materials when attendants are not present;
8. Space shall be provided on-site for the anticipated peak load of customers to circulate, park and deposit recyclable materials. If the facility is open to the public, an on-site parking area shall be provided with a minimum of five (5) spaces at any one time;
9. One employee parking space shall be provided on-site for each commercial vehicle operated by the processing center;
10. Noise levels shall not exceed sixty (60) dBA as measured at the property line of the nearest residential zoning district(s)/uses, in compliance with Article 5 of this Chapter (Noise Standards);
11. If the facility is located within 500 feet of property zoned or used for residential purposes, it shall not be in operation between the hours of 7:00 p.m. and 7:00 a.m. The facility shall be administered by on-site personnel during normal business hours;
12. Any containers provided for "after hours" donation of recyclable materials shall be permanently located at least 100

feet from any residential zoning district/use, constructed of sturdy, rustproof materials, with sufficient capacity to accommodate materials collected;

13. Donation areas shall be kept free of litter and any other undesirable material and the containers shall be clearly marked to identify the type of material that may be deposited. The facility shall display a notice stating that no material shall be left outside the recycling containers;
14. The facility shall be clearly marked with the name and phone number of the facility operator and the hours of operation. Signs shall be installed in compliance with Article 12 of this Chapter (Sign Standards);
15. No dust, fumes, smoke, vibration or odor above ambient levels shall be detectable from adjacent parcels; and
16. Adequate refuse containers shall be maintained on-site for the disposal of nonhazardous waste.

**REQUIRED FINDINGS  
FOR A CONDITIONAL  
USE PERMIT:**

Pursuant to HPMC Section 9-2.1105, following a public hearing, the Planning Commission shall record their decision in writing and shall recite the findings upon which the decision is based. The Planning Commission may approve and/or modify a Conditional Use Permit application in whole or in part, with or without conditions, only if all of the following findings are made:

1. The proposed use is conditionally permitted within, and would not impair the integrity and character of, the subject zoning district and complies with all of the applicable provisions of this Code;
2. The proposed use is consistent with the General Plan;
3. The approval of the Conditional Use Permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA) and the City's Guidelines;
4. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and planned future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be

objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City;

5. The subject site is physically suitable for the type and density/intensity of use being proposed; and
6. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

**REQUIREMENTS FOR  
OFF-STREET PARKING:**

Pursuant to HPMC Section 9-3.1002(2)(D)(8), the off-street parking requirement for a light processing recycling facility which is open to the public is a minimum of five (5) spaces at any one time, plus one employee space for each commercial vehicle operated by the processing center.

**ENVIRONMENTAL  
REVIEW:**

Categorical Exemption; CEQA Section 15301, Existing Facilities.

**ADMINISTRATIVE  
COMMENTS AND  
ANALYSIS:**

The applicant, Mr. Manny Hernandez, is requesting Planning Commission approval of a Conditional Use Permit (CUP) to establish and operate a light processing recycling facility at 2148 E. Slauson Avenue, within the MPD (Industrial/Manufacturing Planned Development) Zone. The proposed facility will be open to the public and will collect and process food and beverage plastic and glass containers. Metal recycling, including aluminum food and beverage containers will not be allowed to be collected as per the City's current moratorium prohibiting the establishment of metal recycling facilities. The moratorium is set to expire on May 4, 2013 or may be terminated at an earlier date.

The subject site is located on the south side of Slauson Avenue, between Regent Street and Santa Fe Avenue, and is approximately 93,650 square feet in size. The site is currently developed within a one-story, 40-foot high industrial building containing three (3) tenant spaces totaling approximately 74,414 square feet. The proposed use will occupy approximately 15,000 square feet. Industrial uses surround the subject site to the north, south, east, and west.

The property at 2148 E. Slauson Avenue is physically suitable for the proposed use and has adequate provisions for public access. Primary access is available from Slauson Avenue, which is both an arterial street and a designated truck route as defined by the Circulation Element of the City's General Plan. Laura Street, which borders the site on the south, provides additional secondary access to the property.

The applicant proposes to establish a light processing recycling facility, where all associated activities will be conducted within an enclosed permanent structure. As proposed, the applicant will only collect plastic and glass food and beverage recyclable containers. The recyclable materials will then be processed for shipping by means of baling. In accordance with Table IV-8: Allowed Land Uses, Light Processing Recycling Facilities are permitted within the MPD Zone subject to Planning Commission approval of a Conditional Use Permit (CUP). "Processing Facilities" as defined by HPMC Section 9-3.1002(1)(E) means a facility used for the collection and processing of recyclable materials to prepare for either efficient shipment or to an end-user's specifications by means of baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning and remanufacturing. Processing facilities can be classified as either a light processing facility or a heavy processing facility. The proposed use will fall within the parameters of a "light processing facility" since it proposes to occupy an area of under 45,000 square feet of collection, processing and storage area and will average two (2) outbound truck shipments each day.

The facility will consist of a ±360 square foot area for the collection of plastic recyclables via two (2) metal containers, a ±384 square foot area for the collection of glass recyclables via two (2) metal containers, a ±200 square foot area container with a baler for recyclable materials, and ±755 square feet dedicated for office space, storage and restrooms. The remaining area will be used for the storing/stacking of baled materials, indoor customer parking, and circulation area for trucks picking-up shipments.

The facility operator will utilize small receptacles for weighing incoming recyclables on a scale. The scale areas will be set away from the customer parking and circulation areas. The proposed metal containers for the collection of plastics and glass will measure 24'-0" long by 8'-0" wide by 6'-0" high, with various openings along the front to insert the recyclables. The container emptied on an as-needed basis.

The existing warehouse and furniture manufacturing uses located in the adjacent tenant spaces will continue to operate; however, they will operate independently of the proposed recycling use. The warehouse use will be located to the rear of the proposed use. Currently there is no physical separation or partition between the two uses. The applicant has indicated that the Fire Department has required that no walls be placed between the two uses to facilitate emergency access. Therefore, to ensure separation between uses, staff has conditioned that the applicant install a 6 to 8-foot high chain link fence with vehicle gates between the two uses. The applicant is proposing the construction of a 12-foot wide interior ramp at the main entrance to allow vehicles and trucks to enter the building. In order to improve the appearance of the property, the exterior façades of the existing structure will be repaired where needed and repainted to comply with the City's Color Ordinance and eliminate any existing graffiti.

Per HPMC Section 9-3.1002(2)(D)(8), a light processing recycling facility which is open to the public requires a minimum of five (5) parking spaces at any one time, plus one employee space for each commercial vehicle operated by the processing center. Thus, the applicant will provide five (5) parking spaces within the building available solely for the use of customers unloading and selling allowed recyclable materials. The applicant has also provided two (2) additional unloading zones directly in front of the building. There are seven (7) existing exterior parking spaces along the east side of the building that will remain and be used for employees. These parking calculations are summarized in the table below.

<b>Parking Calculations</b>		
	<b>Required</b>	<b>Provided</b>
Customer Parking	5 spaces	5 spaces
Employee Parking	2 spaces	7 spaces
<b>Total</b>	<b>7 spaces</b>	<b>12 spaces</b>

The proposed use will not reduce the amount of available off-street parking nor impede the provision of any required off-street parking.

To address the potential for trash and debris, it is conditioned that the use be conducted and maintained in a clean, neat, quiet, and orderly manner at all times and that it comply with the City's property maintenance standards. In addition, a 48± square foot trash enclosure will be provided within the building near the

entrance. Additionally, the entire site shall be maintained in a clean, sanitary, odor-free and litter-free condition and shall be cleaned of loose debris on a daily basis. To address any potential unpleasant odors, the project is conditioned to provide an indoor odor filtration system. At no time shall any items, including recyclable materials be left or stored outdoors.

In order to mitigate any potential for loitering in the parking area, staff has conditioned that signs be posted on the site prohibiting loitering. The number, design, location and text of the signs shall be subject to approvals from the Planning Division and Huntington Park Police Department (HPPD). Additionally, staff is conditioning that the collection of recyclables occur only during regular business hours and within the building only.

Power-driven processing equipment is permitted provided all noise levels are in compliance with the City of Huntington Park Noise Ordinance. Therefore, it is conditioned that all noise emanating from the premises shall not exceed sixty (60) dBA, as measured at the property line, or shall not be audible 50 feet or more from the property line.

As proposed and conditioned, the use will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City. This proposal, as conditioned, meets all of the City's Zoning and Development Standards subject to the approval of a Conditional Use Permit by the City's Planning Commission, and is consistent with the City's General Plan. The applicant shall also be required to obtain permits/approvals from all other applicable agencies including the Building and Safety, Fire Department, Health Department.

**COMMENTS FROM OTHER DEPARTMENTS AND/OR AGENCIES:**

<b>Los Angeles County Fire Department:</b>	No response.
<b>Huntington Park Engineering Division:</b>	No response.
<b>Huntington Park Building and Safety Division:</b>	No response.
<b>Huntington Park Parks and Recreation:</b>	No response.
<b>Huntington Park Water Division:</b>	No comments.

<b>Huntington Park License Division:</b>	No comments.
<b>Huntington Park Police Department:</b>	Provided recommendations for several conditions of approval to mitigate potential nuisances.
<b>Huntington Park Code Enforcement Division:</b>	Provided recommendations for several conditions of approval to mitigate potential nuisances.

**RECOMMENDATIONS:** Based on the evidence presented, it is the recommendation of the Planning Division Staff that the Planning Commission conduct a public hearing; make the required findings; affirm compliance with the requirements set forth in the Huntington Park Municipal Code; **adopt** the Categorical Exemption; and **approve** Conditional Use Permit No. 1959, subject to the following conditions and/or additional limitations the Planning Commission may wish to add:

**Conditions of Approval**

1. That the applicant/property owner and each successor in interest to the property which is the subject of this project shall defend, indemnify and hold harmless the City of Huntington Park and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, City Council, or Planning Commission. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.
2. Except as set forth in subsequent conditions, all-inclusive, and subject to department corrections and conditions, the property shall be developed substantially in accordance with the applications, environmental assessment, and plans submitted.
3. That all architectural detailing, including building materials, lighting, colors, façade improvements, finishes and other details proposed for the structure be consistent with the submitted plans as approved by the Planning Division.
4. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License.
5. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and orderly manner at all times and comply with the property maintenance standards as set forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.

ADMINISTRATIVE REPORT

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6. That the area shall be maintained in a clean, sanitary, odor-free and litter-free condition and shall be cleaned of loose debris on a daily basis, including any shopping carts.
7. That the applicant/operator install an indoor odor filtration system to mitigate any objectionable odors
8. That at no time shall any items, including recyclable materials be left or stored outdoors.
9. That the use be developed, conducted, and maintained in accordance with the Huntington Park Municipal Code Section 9-3.1002(2)(D), Light Processing Recycling Facility.
10. That the light processing recycling facility shall be limited to accepting only glass and plastic food and beverage containers. At no time shall the operator collect/recycle any metals, including aluminum food and beverage containers, unless expressly approved by the City of Huntington Park Planning Division.
11. That the applicant/operator install an 8-foot high chain link fence with vehicle gates between the recycling facility and the warehouse to ensure separation between the two uses, as approved by the Planning Division, prior to the commencement of the use.
12. That the operator shall obtain a City of Huntington Park Business License prior to commencing business operations.
13. That applicant shall obtain and provide proof of obtaining all applicable State license(s) to operate a collection facility at the location prior to the commencement of the use.
14. That the business be operated in compliance with the City of Huntington Park Noise Ordinance.
15. That current occupancy loads for the recycling facility be posted at all times.
16. That all graffiti be removed from all exterior walls and/or surfaces prior to the commencement of the use.
17. That an anti-graffiti finish, as approved by the Planning Division, shall be applied to all exterior surfaces that are visible to the public and likely to attract graffiti prior to the commencement of the use.
18. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code Section 5-27.02(d), shall be diligently removed within a reasonable time period.
19. That the property comply with the City's Standards for Exterior Colors, as set forth in Section 9-3.103(3) of the Huntington Park Municipal Code, prior to the commencement of the use.
20. That the hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Friday and 7:00 a.m. to 4:00 p.m. on Sunday.

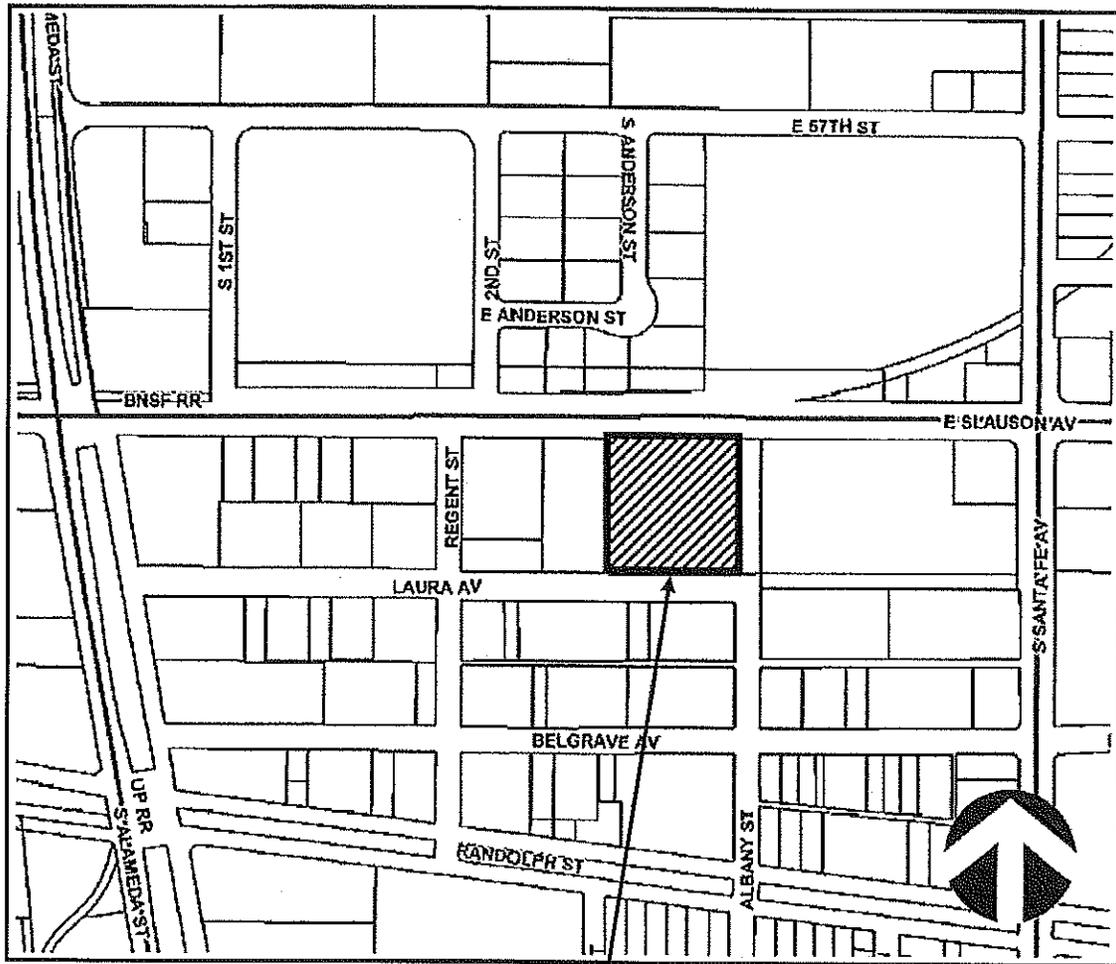
21. That all business activity shall occur within the building and that at no time shall recyclables be stored outside the recycling facility.
22. That outbound truck shipments be limited to twice per day. The operator shall provide personnel to control traffic and to avoid any traffic hazards to the public while the trucks are entering and existing the site.
23. That no loitering take place at the site or in surrounding parking area(s), and that signs be posted, in both English and Spanish, on the site prohibiting such activities. The number, design, location, size and text of the signs shall be subject to Planning Division and Police Department review and approval. This condition must be complied with prior to the commencement of the use.
24. That the applicant/operator shall install and maintain a video surveillance system that monitors no less than the front and rear of the business, with full view of the public right-of-ways, and any parking lot under the control of the operator. The surveillance cameras shall record video for a minimum of 30 days and the recordings will be made available to the Huntington Park Police Department.
25. That all signs on the site be installed in compliance with the City's sign regulations and that approval be obtained through a Sign Design Review prior to installation.
26. That all existing and/or proposed mechanical equipment and appurtenances, including satellite dishes, gutters etc., whether located on the rooftop, ground level or anywhere on the property shall be completely shielded/enclosed so as not to be visible from any public street and/or adjacent properties. Such shielding/enclosure of facilities shall be of compatible design related to the building structure for which such facilities are intended to serve as approved by the Planning Division and shall be installed prior to the commencement of the use.
27. That any proposed on-site utilities, including cable, electrical and telephone, be installed underground and be completely concealed from public view as required by the Planning Division prior to the commencement of the use.
28. That the parking and unloading areas be repaired to eliminate all cracks and irregularities, slurry sealed and striped as approved by the Planning Division, prior to the commencement of the use.
29. That all required off-street parking spaces comply with the minimum dimensions as set forth within the Huntington Park Municipal Code prior to the commencement of the use.
30. That a trash enclosure be installed inside the recycling facility in compliance with HPMC Section 9-3.103(24) prior to the commencement of the use.
31. That decorative trash receptacles be installed throughout the site for patron use prior to the commencement of the use. The number, location, and design of these shall be approved by the Planning Division.
32. That decorative paving be installed at the driveway entrances along Slauson Avenue and Laura Street, as approved by the Planning Division, prior to the commencement of the use.

33. That landscape planters with 6" curbing and permanent irrigation be provided along the public right-of-way with the exception of driveways and walkways, and that landscaping be provided in areas not used for vehicle parking, vehicle circulation or pedestrian access, prior to the commencement of the use.
34. That a minimum of four (4) trees be installed on-site, as approved by the Planning Division per HPMC Section 9-3.408 and 9-3.809, prior to the commencement of the use.
35. That public improvements be completed per the City Engineer's requirements prior to the commencement of the use as follows:
  - a. Maintain all existing street trees with metal or plastic grates along Slauson Avenue as required by the City Engineer;
  - b. Remove any unused driveway(s) and replace with new curb, gutter, and sidewalk;
  - c. Remove and replace all public improvements damaged by construction per City Engineer's requirements; and
  - d. Repair and/or replace any abutting substandard or damaged public improvements as required by the City Engineer.
36. That a landscape plan be provided for the entire property, showing planter design, schedule of plant material, planter location and method of automatic permanent irrigation. The plan shall be submitted to the Planning Division, and such landscaping shall be installed and planted according to the approved plan, prior to the commencement of the use, and shall thereafter be continuously and permanently maintained.
37. That a lighting plan be provided for all outdoor areas of the property. Such lighting shall be decorative and installed as approved by the Planning Division and to the satisfaction of the Building Official prior to the commencement of the use. The proposed light fixtures shall be decorative and energy efficient and the illumination of such shall be projected towards the site and away from all adjacent properties, public streets, and rights-of-way.
38. That any/all supporting water service connections shall include backflow prevention devices as approved by the City Engineering Department, prior to the commencement of the use.
39. That the applicant provide publicly visible art or pay art fees in accordance with the City of Huntington Park's Publicly Visible Art Ordinance (Ordinance No. 668-NS), prior to the commencement of the use.
40. That the applicant comply with all of the provisions of Title 7, Chapter 9 of the Huntington Park Municipal Code relating to Storm Water Management. The applicant shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES), Model Programs, developed by the County of Los Angeles Regional Water Quality Board. This includes the SUSUMP requirements when applicable.
41. That the applicant comply with the requirements of County Sanitation District of Los Angeles prior to the commencement of the use.

42. That this entitlement shall be subject to review for compliance with conditions of the issuance at such intervals as the City Planning Commission shall deem appropriate.
43. That any violation of the conditions of this entitlement may result in citations and/or the revocation of the entitlement.
44. That the applicant be required to apply for a new entitlement if any alteration, modification, or expansion would increase the existing floor area of the establishment.
45. That this entitlement shall expire in the event it is not exercised within one (1) year from the date of approval, unless an extension has been granted by the Planning Commission.
46. That if the use ceases to operate for a period of six (6) months the entitlement shall be null and void.
47. That should the operation of this establishment be granted, deemed, conveyed, transferred, or should a change in management or proprietorship occur at any time, this Conditional Use Permit shall be reviewed.
48. That this entitlement shall be subject to review for compliance with conditions of the issuance at such intervals as the City Planning Commission shall deem appropriate.
49. That this entitlement may be subject to additional conditions after its original issuance. Such conditions shall be imposed by the City Planning Commission as deemed appropriate to address problems of land use compatibility, operations, aesthetics, security, noise, safety, crime control, or to promote the general welfare of the City.
50. The Director of Community Development is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results, as would strict compliance with said plans and conditions.
51. That the business owner (applicant) and property owner agree in writing to the above conditions.

**EXHIBITS:**

- A: Vicinity Map
- B: Assessor's Parcel Map
- C: Site Plan
- D: Elevations
- E: Conditional Use Permit Application/Environmental Assessment Checklist
- F: Resolution No. 1959

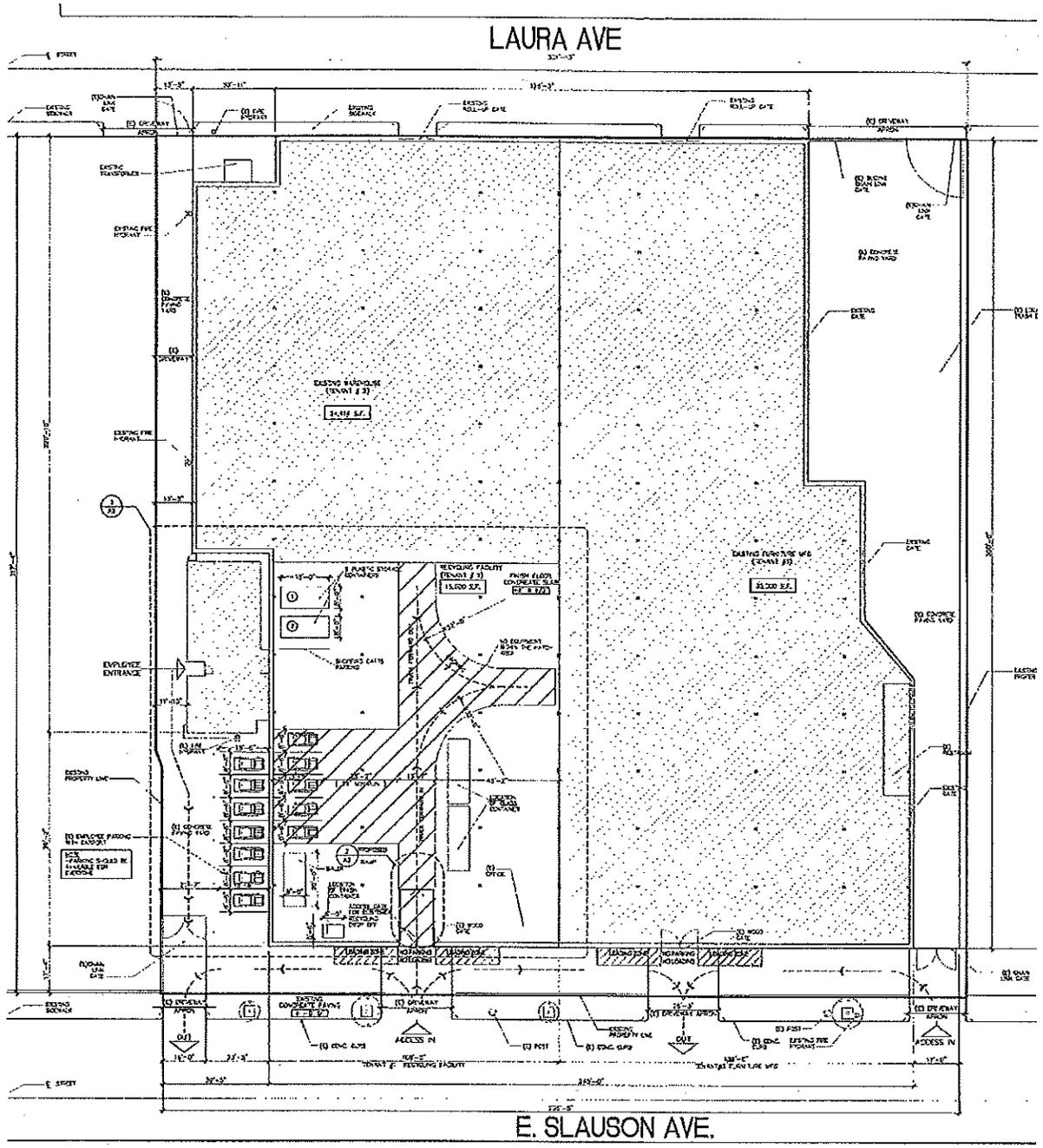


**SUBJECT SITE:**  
2148 E. Slauson Avenue  
Huntington Park, CA 90255

## VICINITY MAP

**EXHIBIT A**

**CASE NO. 1959-CUP**

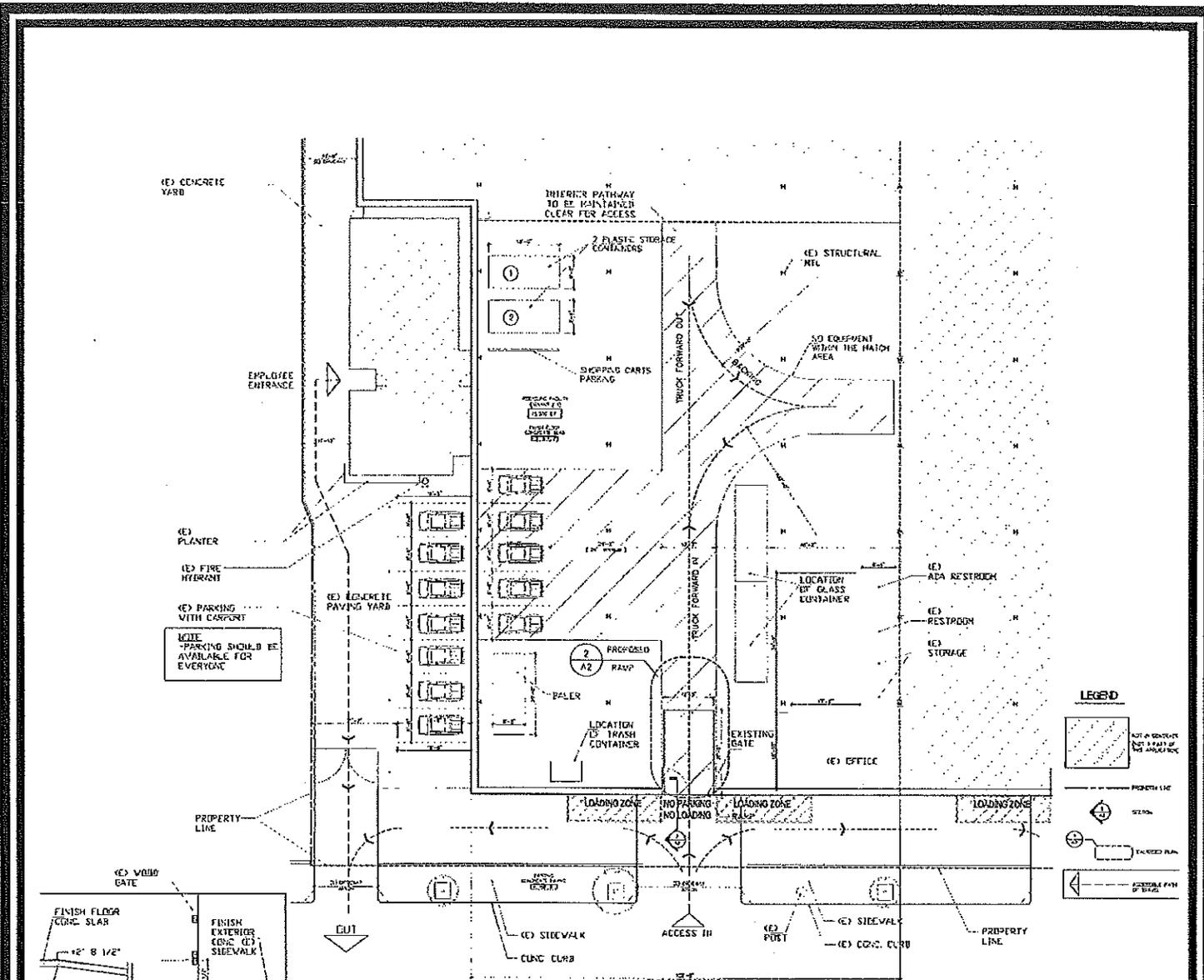


# SITE PLAN



EXHIBIT B

CASE NO. 1959-CUP

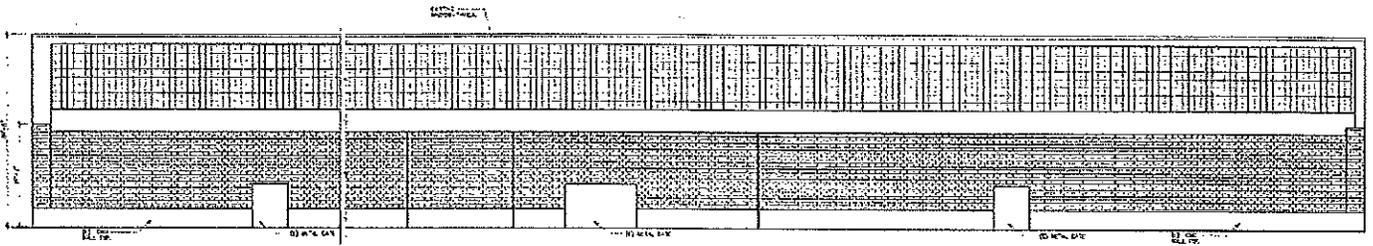


# FLOOR PLAN

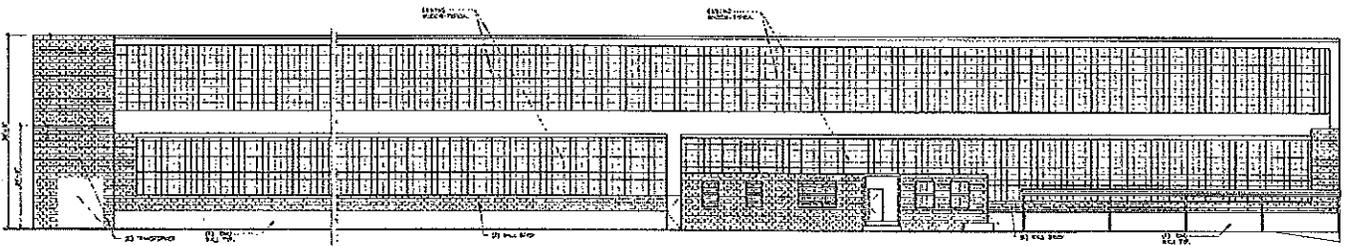


**EXHIBIT C**

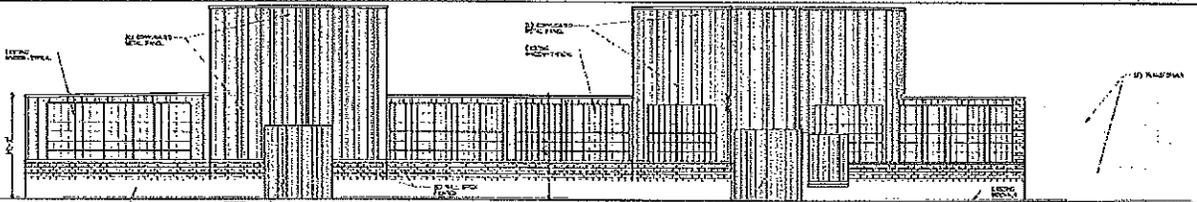
**CASE NO. 1959-CUP**



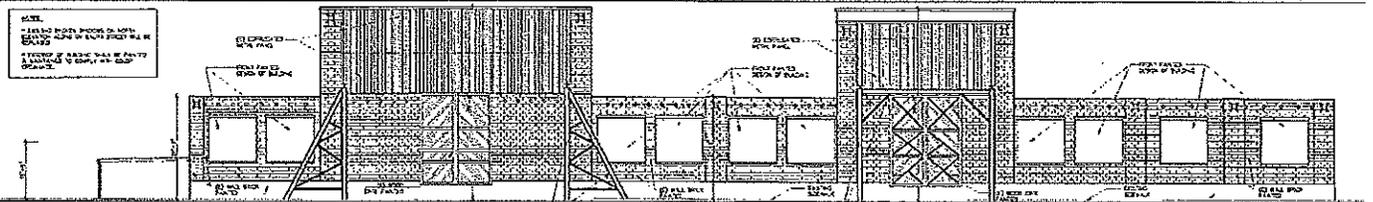
WEST EXISTING ELEVATION SCALE: 1/8" = 1'-0"



EAST EXISTING ELEVATION SCALE: 1/8" = 1'-0"



SOUTH EXISTING ELEVATION (LAURA AVE) SCALE: 1/8" = 1'-0"



NORTH EXISTING ELEVATION (GLAUSON AVE) SCALE: 1/8" = 1'-0"

NOTE:  
 - EXISTING BRICK WORK SHOWN IN  
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# ELEVATIONS

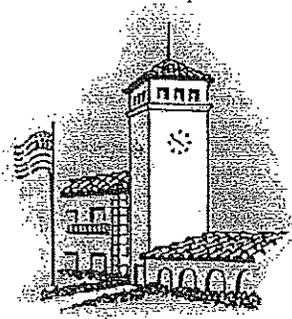
EXHIBIT D

CASE NO. 1959-CUP

**CONDITIONAL USE PERMIT APPLICATION  
&  
ENVIRONMENTAL ASSESSMENT CHECKLIST**

**EXHIBIT E**

**CASE NO. 1959-CUP**



City of

# HUNTINGTON PARK california

COMMUNITY DEVELOPMENT DEPARTMENT

6550 MILES AVENUE

HUNTINGTON PARK, CA 90255

TEL: (323) 584-6210 FAX: (323) 584-6244

## CONDITIONAL USE PERMIT (CUP) APPLICATION

### PROJECT INFORMATION

Project Address: 2148 E. Slauson Ave., Huntington Park, CA 90255  
General Location: 2148 E. Slauson Ave., Huntington Park, CA 90255  
Assessors Parcel Number (APN): 6321-002-004

### APPLICANT'S INFORMATION

Applicant: Manny Hernandez  
Mailing Address: 2148 E. Slauson Ave., Huntington Park, CA 90255  
Phone 1: (323) 788-3152 Phone 2: \_\_\_\_\_ Fax: (323) 488-0198

### PROPERTY OWNER'S INFORMATION

Property Owner: Ashley Joffe of Major Properties  
Mailing Address: 1200 W. Olympic Blvd., Los Angeles, CA 90015  
Phone 1: (323) 243-2821 Phone 2: \_\_\_\_\_ Fax: \_\_\_\_\_

### REQUEST

I/We hereby request a Conditional Use Permit (CUP) for the following purpose:

We plan to ~~change~~ This building used to be a manufacturing building for constructing tanks used by the armed forces during World War II. We plan to change it to a recycling and processing center. The processing activity will consist on purchasing the following materials; ~~cans,~~ plastic bottles, ~~paper,~~ cardboard, and glass. The way the processing center procedure works is that we first buy the recyclables from the public which we would then store in 5'ft. bags. After all bags are filled, we then move onto the processing area which contains a large baler that works to smash these materials into a well and compact organized bale weighing 1000 lbs. These bales are then transported soon after processing to a large processor for shipping to melting companies.

In order for the Planning Commission to approve a CUP, the Huntington Park Municipal Code requires that all of the following findings be made:

- A. That the proposed use is conditionally permitted within, and would not impair the integrity and character of, the subject zoning district and complies with all of the applicable provisions of this Code;
- B. That the proposed use is consistent with the General Plan;
- C. That the approval of the Conditional Use Permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA) and the City's Guidelines;
- D. That the design, location, size, and operating characteristics of the proposed use are compatible with the existing and planned future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City;
- E. That the subject site is physically suitable for the type and density/intensity of use being proposed; and
- F. That there are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

In order for the Planning Commission to determine if these findings are present in your case, the following questions must be answered by the applicant:

1. The site for this proposed use is adequate in size and shape. (Explain)  
The property in question is adequate in both size and shape for its proposed use by California Iron & Metal, LLC. The existing structure is not and will not be altered in any way by our company. As always the purpose of our recycling/processing center is to help the environment in a positive way.  
This square shaped building size is 84,000 sq. ft. We plan to accommodate 16,000 sq. ft. of the building for our business purposes. It is 40 ft. high.
2. The site has sufficient access to street and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. (Explain)  
The location offers a generous amount of access to East Slawson Ave. With three entrances (or driveways if you will) we are more than sufficient to carry out our business, which involves 2 incoming and outgoing freight trucks, 2 incoming and outgoing box trucks, a daily count of 20+ civilian drive-ins, and a 10+ civilian walk-ins. The 8ft. wide concrete sidewalk provides adequate space for public access and city services to complete their duties.

3. The proposed use will not be materially detrimental, nor have an adverse effect upon adjacent uses, buildings, or structures. (Explain)

No, we won't be doing any type of construction or alteration of which will disturb or annoy any neighbors in the vicinity. Anything regarding noise level, traffic, aesthetics from our business will be considered low.

4. The proposed Conditional Use Permit will not be in conflict with the General Plan. (Explain)

The land use designation of this property is MPD. (Industrial/Manufacturing) California Iron & Metal, LLC. has no intention of any further development than our proposed use of this facility as a recycling and processing center.

California Iron & Metal, LLC. will only operate to purchase materials from customers using containers to accommodate them and transfer them to our Baler for prompt processing. We will not change the existing structure.

**CERTIFICATE AND AFFIDAVIT OF APPLICANT:** I/We certify that all statements made on this application are true and complete to the best of my knowledge. I/We understand that any false statements may result in denial of the requested permit or revocation of any issued permit. I/We further certify that I am, or have permission by, the property owner to conduct the proposed development applied for herein.

Applicant Signature (Required)

Date 04/12/12

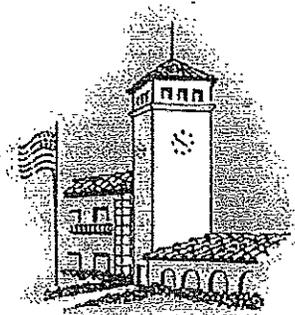
Manny Hernandez  
Print Name

Note: If the applicant is not the property owner, the owner of the property must sign the application or a written authorization must be submitted so that the applicant may file the application.

Property Owner Signature (Required)

Date 04/12/12

Ashley Jaffe  
Print Name



City of

# HUNTINGTON PARK california

COMMUNITY DEVELOPMENT DEPARTMENT

6550 MILES AVENUE

HUNTINGTON PARK, CA 90255

TEL: (323) 584-6210 FAX: (323) 584-6244

## ENVIRONMENTAL INFORMATION FORM

(To be completed by the applicant)

1. Applicant (please circle whether Owner, Leasee, Purchaser or Representative):

Name: Manny Hernandez

Address: 2148 E. Slauson Ave., Huntington Park, CA 90255

Telephone: (323) 788-3152

Fax: (323) 488-0198

2. Contact Person concerning this project:

Name: Manny Hernandez

Address: 2148 E. Slauson Ave., Huntington Park, CA 90255

Telephone: (323) 788-3152

Fax: (323) 488-0198

3. Address of project: 2148 E. Slauson Ave.

Huntington Park, CA 90255

4. Assessor's Parcel Number (APN): 6321-002-004

5. Indicate type of permit application(s) (i.e. Conditional Use Permit, Development Permit, Variance, etc.) for the project to which this form pertains:

California Iron & Metal, LLC. requires a conditional use permit for our recycling/processing center.

6. List any other permits and/or other public agency approvals required for this project, including those required by City, County, State and/or Federal agencies:

Huntington Park Business License, County Fire Department, Building and Safety.

7. Existing Zone: Industrial/manufacturing planned development (MPD)

8. Proposed use of site: Recycling center / Processing center

9. Site size (lot dimensions and square footage):

The lot is a total of 93,650 sq. ft.

16,000 sq. ft. is how much of the space we'd be occupying.

10. Project size:

Square feet to be added/constructed to structure(s):

None.

Total square footage of structure(s): 84,000 sq. ft. is the size of the structure or the dimension.  
The structure is 40 ft. high.

11. Number of floors of construction:

Existing: One.

Proposed: None.

12. Parking:

Amount required: 1000 sq. ft. 6 parking spaces

Amount provided: 2000 sq. ft. 12 parking spaces

13. Anticipated time scheduling of project: We started in the second week of April, and

our project plan to end in the first week of June; we are completing our lease contract with our previous property. In the second week of June we plan to set up for business and by the third week we plan to open for business.

14. Proposed phasing of development: We are basically finishing out the

contract at our previous warehouse and we are moving our property to the new location for the remainder of the time, and we plan to prepare to open considering permit approvals, maybe second week of July 2012.

15. If residential, include number of units, schedule of unit sizes, range of sale/rent prices, and type of household size expected:

N/A.

16. If commercial, indicate the type of commercial use, estimated employment per shift, proposed hours of operations, indicate whether neighborhood, City or Regionally oriented, square footage of sales area, and loading locations:

N/A

17. If industrial, indicate type of industrial or manufacturing use, estimated employment per shift, proposed hours of operations, and loading locations:

We have a total of 8 employees for 1 full-time shift.

Our operating hours are from 8:00 am to 6:00 pm Mon. - Sat.

and 8:00 am to 4:00 pm Sundays. No after hours.

Loading is on Laura St. and Slauson Ave.

18. If institutional, indicate type of institutional use, estimated employment per shift, proposed hours of operations, estimated occupancy, loading locations, and community benefits to be derived from the project:

N/A.

Please complete numbers 19 through 33 by marking "A" through "D" and briefly discuss any items marked "A" "B" or "C" (attach additional sheets as necessary). Items marked "D" do not need discussion.

A) Potentially Significant Impact

B) Potentially Significant Impact Unless Mitigation Incorporated

C) Less than Significant Impact

D) No Impact

AESTHETICS

19. Would the proposed project:

a. Affect a scenic vista?

D.

b. Have a demonstrable negative aesthetic effect?

D.

c. Create light or glare?

D.

AIR QUALITY

20. Would the proposed project:

- a. Affect air quality or contribute to an existing or projected air quality violation?
- b. Create or cause smoke, ash, or fumes in the vicinity?
- c. Create objectionable odors?

D.  
D.  
D.

BIOLOGICAL RESOURCES

21. Would the proposed project:

- a. Remove of any existing trees or landscaping?

D.

CULTURAL RESOURCES:

22. Would the proposed project:

- a. Affect historical resources?
- b. Have the potential to cause a significant physical change which would affect unique ethnic cultural values?

D.  
D.

GEOLOGY AND SOILS

23. Would the proposed project:

- a. Result in erosion, changes in topography or unstable soil conditions from excavation, grading or fill?
- b. Be located on expansive soils?
- c. Result in unique geologic or physical features?

D.  
D.  
D.

HAZARDS

24. Would the proposed project:

- a. Create a risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?
- b. The use or disposal of potentially hazardous materials (i.e. toxic or flammable substances)?
- c. The creation of any health hazard or potential health hazard?

D.  
D.  
D.

- d. Exposure of people to existing sources of potential health hazards? D.

HYDROLOGY AND WATER QUALITY

25. Would the proposed project:

- a. Change water drainage patterns? D.
- b. Change the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capabilities? D.
- c. Impact groundwater quality? D.
- d. Substantially reduce the amount of groundwater otherwise available for public water supplies? D.

LAND USE AND PLANNING

26. Would the proposed project:

- a. Conflict with the Zoning or General Plan designation? D.
- b. Be incompatible with existing land use in the vicinity? D.
- c. Disrupt or divide the physical arrangement of an established community? D.

MINERAL AND ENERGY RESOURCES

27. Would the proposed project:

- a. Conflict with the conservation of water? D.
- b. Use non-renewable resources in a wasteful and/or inefficient manner? D.
- c. Substantially increase energy consumption (i.e. electricity, oil, natural gas, etc.)? D.

NOISE

28. Would the proposed project result in:

- a. Increase to existing noise levels? D.
- b. Exposure of people to severe noise levels? D.

POPULATION AND HOUSING

29. Would the proposed project:

- a. Induce substantial growth in an area either directly or indirectly (i.e. through population growth or infrastructure use)?
- b. Displace existing housing, especially affordable housing?

D.  
D.

PUBLIC SERVICES

30. Would the proposal result in a need for new or altered government services for any of the following public services:

- a. Fire protection?
- b. Police protection?
- c. Schools?
- d. Maintenance of public facilities, including roads?
- e. Other governmental services?

A  
A  
A  
A  
A

RECREATION

31. Would the proposed project:

- a. Increase the demand for neighborhood or regional parks or other recreational facilities?
- b. Affect existing recreational opportunities?

A  
A

TRANSPORTATION AND TRAFFIC

32. Would the proposed project:

- a. Increase vehicle trips or traffic congestion?
- b. Increase hazards to safety from design features (i.e. sharp curves or dangerous intersections)?
- c. Inadequate access to nearby uses?
- d. Insufficient on-site parking capacity?
- e. Hazards or barriers for pedestrians or bicyclists?

A  
A  
A  
A  
A

UTILITIES AND SERVICE SYSTEMS

33. Would the proposed project result in a need for new systems or supplies, or alterations to the following utilities:

- a. Power or natural gas?
- b. Communications systems?
- c. Local or regional water treatment or distribution facilities?
- d. Sewer or septic tanks?
- e. Storm water drainage?
- f. Solid waste disposal?
- g. Local or regional water supplies?

D  
D  
D  
D  
D  
D  
D

34. Describe the project site as it exists before the project, including any existing structures on the site, and the use of the structures (i.e. residential, commercial, industrial, etc.) Attach photographs of the site and of the surrounding land uses.

There was the main building and it contained two restrooms and four offices.

The main building is mainly going to be used for the recycling/processing center. Two of the offices will be used as both a receptionist office and a personal office.

The other two offices will be used for bath storage.

The restrooms will be provided for both employees and customer use.

35. Describe the intensity of land use (i.e. single-family, apartment dwellings, shopping center, etc.), and specifications of development (i.e. height, primary frontage, secondary frontage, setbacks, rear yard, etc.).

It is going to be a recycling center/processing center. There are specific entrances for walk-ins and deliveries. We'll have trucks entering on the Eastern side of the entrance, and customers will be asked to enter through the western side to avoid any conflict regarding safety. Though the front dock is large enough for both to access. This building is set as one structure which consists of a 20ft. front setback with a height of 20ft.

The primary property frontage is (Slawson) is 300ft. as is the secondary frontage (Lava Ave.)

ENVIRONMENTAL INFORMATION FORM - PAGE 8

**CERTIFICATION:** I hereby certify that the statements furnished above and in the attached plans present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

  
\_\_\_\_\_  
Applicant (Signature)

04/12/12  
\_\_\_\_\_  
Date



1           **WHEREAS**, all persons appearing in favor or against the appeal were given the  
2 opportunity to be heard in connection with said matter; and

3           **WHEREAS**, all evidence, comments, both written and testimonial, were reviewed by  
4 the City Council; and

5           **WHEREAS**, the City Council is required to announce its findings and  
6 recommendations.

7           **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK**  
8 **DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:**

9           **SECTION 1:** The City Council after reviewing all evidence and comments both written  
10 and testimonial received as part of the duly noticed public hearing on this date, including the  
11 review of the Planning Commission report and action, hereby upholds the decision of the  
12 Planning Commission granting a Conditional Use Permit to establish and operate a light  
13 processing recycling facility at 2148 E. Slauson Avenue. The City Council concurs with the  
14 findings of the Planning Commission in Planning Commission Resolution No. 1959 and the  
15 imposition of the conditions of approval contained therein.

16           **SECTION 2:** The decision of the City Council is final and shall become effective  
17 immediately.

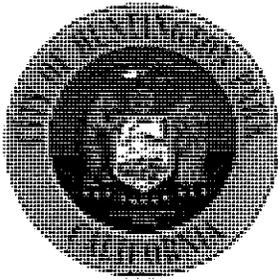
18           **SECTION 3:** The City Clerk shall certify to the adoption of this Resolution.

19  
20           **PASSED, APPROVED, AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2013  
21 by the following vote:

22  
23 \_\_\_\_\_  
24 Andy Molina, Mayor

25 **ATTEST:**

26  
27 \_\_\_\_\_  
28 Rosanna Ramirez, City Clerk



# CITY OF HUNTINGTON PARK

Finance Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

## **AUTHORIZATION TO REFINANCE 2006 HUNTINGTON PARK FINANCING AUTHORITY INSTALLMENT SALE AGREEMENT FOR STREET LIGHT REPLACEMENT PROJECT (MEASURE L)**

### **IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Authorize the City Manager and the Finance Director to amend existing Installment Sale Agreement with Capital One for the purpose of generating interest rate savings and execute the necessary documents.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

In 2004 the City voters passed Measure L, which replaced the former Lighting and Landscaping Maintenance District with a parcel tax designed to upgrade the City's aging street lights, pay for operating costs, and to provide tree and landscape maintenance throughout the City. The annual levy is collected on the annual property tax bill, which generates approximately \$1.4 million per annum.

In 2006 the City Council approved a \$10 million Installment Sale Agreement (the "Loan") with All Points Public Funding LLC, a subsidiary of Capital One, to finance the costs of a street light conversion project from low pressure sodium to high pressure multiple circuit system.

*Private Placement Loan* - This financing was sold on a private placement basis to a single investor, as opposed to a traditional public bond offering, which is sold to the entire capital markets. These direct loans are often utilized for smaller capital projects; private placement loans have three primary advantages

1. Quicker and simpler documentation process
2. Limited disclosure (no ratings or Official Statement required)
3. More flexibility with loan structure/terms

These advantages often prove more cost-effective for long-term capital financing of \$7-\$10 million and under.

*Refinancing Option* - This loan was structured with a standard 10-year call provision in 2016 (i.e., bond feature that allows refinancing). Typically this loan could not be refinanced for an additional three years. However, since this loan was sold on a private placement basis, the City was able to negotiate directly with the investor, Capital One, to refinance the loan under favorable borrowing terms today.

### **FISCAL IMPACT/FINANCING**

The proposed amendment will simply lower the interest rate on the private placement loan from 4.90% to 3.60%. The interest cost savings will be approximately \$834,000 over the remaining life of the issue (until 2025), or approximately \$70,000 per annum. All legal fees will be paid by Capital One. These savings will reduce the annual funding shortfall in the Landscape and Lighting Fund.

*Comparison to Traditional Bond Offering* - In comparison, the estimated interest rate for a 12-year A-rated traditional bond is approximately 3.00%. To this yield, additional premiums must be added for costs of issuance (1.5-2.0%), call premium (2.0%), and credit (20-70 bps), which would push the borrowing cost for a traditional bond issue up to 3.60% to 4.00%.

More important, amending the loan today allows the City to take advantage of current low interest rates, without utilizing an advance refunding structure. If the City were to issue a traditional bond offering, the City would issue \$8.5 million in "advance refunding bonds", which would need to be held in escrow for 3.5 years until the existing 2006 bonds could be called on August 1, 2016. The City would be required to "carry" the new bonds for 3.5 years, invested in Treasuries @ 0.35%, which effectively eliminate all the costs savings from refinancing (i.e., the cost of negative carry is ~\$900,000).

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Huntington Park Financing Authority entered into an installment sale agreement with All Points Public Funding, LLC. This loan was structured with the following basic terms:

Interest Rate	4.90%
Interest Payment	August 1/ February 1
Principal Payment	August 1/ February 1
Call Provision	August 1, 2016 @ 102%
Final Maturity	August 1, 2025 (19 years)

The loan was also structured with escalating debt service of 3% per annum, increasing from \$700,000 to \$1,100,000, to match the 3% increase in the annual parcel tax. The City has negotiated a new lower rate of 3.60%, prior to the optional call date (refinancing date) in 2016. The proposed loan amendment would simply lower the interest rate from 4.90% to 3.60%; all other terms will remain the same.

Capital One has provided an approval letter for the proposed amendment, a City Council resolution is required authorizing the City Manager and the Finance Director to execute this amendment.

**CONCLUSION**

Staff recommends that the City Council authorize the City Manager and the Finance Director to amend existing Installment Sale Agreement with Capital One for the purpose of generating interest rate savings.

Respectfully submitted,



RENÉ BOBADILLA  
City Manager, P.E.



JULIO F. MORALES  
Director of Finance

Attachments: Installment Sale Agreement  
Debt Service Spreadsheet



December 13, 2012

Mr. Julio Morales  
Director of Finance  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

via email: [jmorales@huntingtonpark.org](mailto:jmorales@huntingtonpark.org)

**Subject: Installment Sale Agreement, dated March 17, 2006 by and between Huntington Park Public Financing Authority and the City of Huntington Park (the "City"), assigned to All Points Public Funding, LLC (the "Agreement")**

Dear Julio:

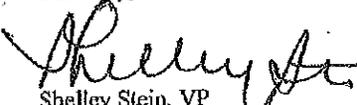
All Points Public Funding, LLC (now known as Capital One Public Funding, LLC, "COPF") is the 100% assignee of the above-referenced Agreement entered in 2006. Consistent with our recent conversations with you, we are pleased to offer you this proposal to amend the Agreement for the purpose of generating interest savings for the City. The key features of the amended Agreement would be as follows:

- The interest rate would be reduced from its current 4.90% to 3.60%.
- Existing prepayment restrictions would be waived by COPF without penalty to the City.
- Agreement payments would be reduced approximately proportionately (or, at the option of the City, converted to level payments).
- The term of the Agreement would remain the same with the final payment due August 1, 2025.
- COPF will pay all costs associated with the restructuring (and "reissuance" under IRS rules) of the Agreement, including those of outside counsel.
- The new Agreement will be subject to early redemption beginning in 2020.

This proposal assumes that the amendment becomes effective no later than January 31, 2013. Should the amendment not close by said date, this proposal shall expire unless extended at the sole discretion of COPF.

We look forward to working with you on the amendment. Please countersign below and return to me and we will contact the appropriate parties to begin the process. Should you have any questions, please do not hesitate to contact me at 631-531-2862 or [rochelle.dincosen@capitalone.com](mailto:rochelle.dincosen@capitalone.com).

Sincerely,

  
Shelley Stein, VP

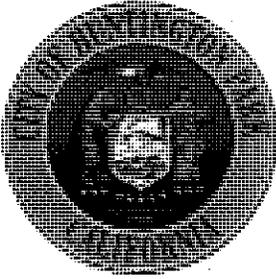
ACCEPTED BY:

**HUNTINGTON PARK PUBLIC FINANCING AUTHORITY**  
Measure L (Street Lighting & Landscaping)

Series 2006

2013 Refinancing

Date	Principal	Coupon	Interest	Debt Service	Principal	Coupon	Interest	Debt Service	Savings
2/1/2007	-		427,389	427,389	-		427,389	427,389	
8/1/2007	-	4.90%	245,000	245,000			153,722	153,722	
2/1/2008	84,542.17	4.90%	245,000	339,542			153,722	153,722	
8/1/2008	96,858.45	4.90%	242,684	339,542			153,722	153,722	
2/1/2009	109,417.76	4.90%	240,311	349,728			153,722	153,722	
8/1/2009	112,098.49	4.90%	237,630	349,728			153,722	153,722	
2/1/2010	125,336.75	4.90%	234,884	360,220			153,722	153,722	
8/1/2010	128,407.50	4.90%	231,813	360,220			153,722	153,722	
2/1/2011	142,360.10	4.90%	228,667	371,027			153,722	153,722	
8/1/2011	145,847.92	4.90%	225,179	371,027			153,722	153,722	
2/1/2012	160,552.00	4.90%	221,606	382,158			153,722	153,722	
8/1/2012	164,485.53	4.90%	217,672	382,158			153,722	153,722	
2/1/2013	179,880.15	4.90%	213,542	393,622			153,722	153,722	
8/1/2013	184,389.67	4.90%	209,233	393,622	184,389.67	3.60%	153,722	338,112	55,511
2/1/2014	200,715.88	4.90%	204,715	405,431	200,715.88	3.60%	150,403	351,119	54,312
8/1/2014	205,633.42	4.90%	199,798	405,431	205,633.42	3.60%	146,790	352,424	53,008
2/1/2015	222,834.37	4.90%	194,760	417,594	222,834.37	3.60%	143,069	365,923	51,671
8/1/2015	228,293.81	4.90%	189,300	417,594	228,293.81	3.60%	139,078	367,372	50,223
2/1/2016	246,414.84	4.90%	183,707	430,122	246,414.84	3.60%	134,968	381,363	48,739
8/1/2016	252,452.01	4.90%	177,670	430,122	252,452.01	3.60%	130,533	382,985	47,137
2/1/2017	271,540.73	4.90%	171,485	443,026	271,540.73	3.60%	125,989	397,530	45,496
8/1/2017	278,193.48	4.90%	164,832	443,026	278,193.48	3.60%	121,101	399,295	43,731
2/1/2018	298,299.99	4.90%	158,016	456,316	298,299.99	3.60%	116,094	414,394	41,923
8/1/2018	305,608.34	4.90%	150,708	456,316	305,608.34	3.60%	110,724	416,333	39,984
2/1/2019	326,785.23	4.90%	143,221	470,006	326,785.23	3.60%	105,223	432,008	37,997
8/1/2019	334,791.47	4.90%	135,214	470,006	334,791.47	3.60%	99,341	434,133	35,873
2/1/2020	357,094.03	4.90%	127,012	484,106	357,094.03	3.60%	93,315	450,409	33,697
8/1/2020	365,842.84	4.90%	118,263	484,106	365,842.84	3.60%	86,887	452,730	31,376
2/1/2021	389,329.17	4.90%	109,300	498,629	389,329.17	3.60%	80,302	469,631	28,998
8/1/2021	398,867.73	4.90%	99,761	498,629	398,867.73	3.60%	73,294	472,162	26,467
2/1/2022	423,598.86	4.90%	89,989	513,588	423,598.86	3.60%	66,114	489,713	23,875
8/1/2022	433,977.03	4.90%	79,611	513,588	433,977.03	3.60%	58,490	492,467	21,121
2/1/2023	450,017.11	4.90%	68,979	528,996	450,017.11	3.60%	50,678	510,695	18,300
8/1/2023	471,287.53	4.90%	57,708	528,996	471,287.53	3.60%	42,398	513,685	15,310
2/1/2024	498,703.94	4.90%	46,162	544,866	498,703.94	3.60%	33,915	532,619	12,247
8/1/2024	510,922.19	4.90%	33,943	544,866	510,922.19	3.60%	24,938	535,860	9,005
2/1/2025	539,785.75	4.90%	21,426	561,211	539,785.75	3.60%	15,741	556,527	5,884
8/1/2025	334,733.75	4.90%	8,201	342,935	334,733.75	3.60%	6,025	340,759	2,176
<b>TOTAL</b>	<b>\$ 10,000,000</b>		<b>\$ 6,354,489</b>	<b>\$ 16,354,489</b>	<b>\$ 8,540,113</b>		<b>\$ 4,581,206</b>	<b>\$ 13,121,319</b>	<b>\$ 833,661</b>



# CITY OF HUNTINGTON PARK

Police Department  
City Council Agenda Report

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

## **PURCHASE OF EMC VNX5300 STORAGE AREA NETWORK**

### **IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Approve the purchase of an EMC VNX5300 Storage Area Network from CDW-G in the amount of \$41,895.36 using Citizens' Option for Public Safety (COPS) program funds.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Currently the Police Department, like many private and public entities, uses numerous physical servers, individual desktop computers and software to assist in their professional productivity. The purchase and maintenance of this computer system process is expensive and the Police Department has not been able to sustain the cost. Our data servers are to capacity, desktops are slow to process, and our software is outdated.

As a result, the Police Department has decided to return to a traditional central main frame system, but with a virtualization component. With the use of the EMC VNX5300, the Police Department will save operational costs and physical space by replacing the current physical servers with virtual servers within the EMC VNX5300. Additionally, the Police Department will be able to remove individual computer desktops by using storage space within the EMC VNX5300. This will improve efficiency and eliminate computer desktop replacement costs. Therefore, returning to a central system allows for a more efficient and cost effective solution for software upgrades and maintenance.

## PURCHASE OF EMC VNX5300 STORAGE AREA NETWORK

January 7, 2013

Page 2 of 3

### **FISCAL IMPACT/FINANCING**

Each year the City of Huntington Park receives funding from the State from the Citizens' Option for Public Safety (COPS) program. Funding for this purchase will be from grant funding provided from these program funds. The cost of the item requested is \$41,895.36.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

According to Section V, D, "Purchase Order Requirements and Procedures" contained in the Finance Department Policy and Procedures, the City Council must approve purchase orders in excess of \$15,000.00. The requested purchase is in excess of this amount.

Generally, purchases in excess of \$15,000.00 require a formal bid procedure. Exceptions to this requirement include purchasing items from sole source vendors (HPMC 2-5.13). The Police Department submits this request for purchase as a sole source vendor as explained in the next section.

### **CONTRACTING PROCESS**

EMC is a manufacturer and single source supplier of this item. The chosen vendor for the purchase of this product is CDW-G. CDW-G has registered this product with EMC for the sale to the Police Department placing a "lead lock" on this item. Essentially, this prevents other dealers of EMC products from being able to bid on this item.

CDW-G provided a government price quote for this product in the amount of \$41,895.36.

EMC's VNX5300 Storage Area Network is the preferred solution and recommended by Alvaka Networks. The VNX5300 is currently considered the "best in class" solution for the project the Police Department has undertaken. No other product on the market currently offers the same value, performance and scalability required for the needs of the Police Department.

### **CONCLUSION**

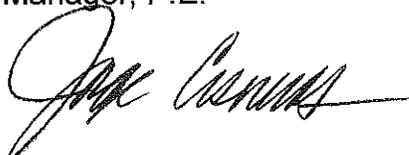
Please return one approved copy of this letter to the City Manager's Office and to the Police Department.

PURCHASE OF EMC VNX5300 STORAGE AREA NETWORK  
January 7, 2013  
Page 3 of 3

Respectfully submitted,



RENE BOBADILLA  
City Manager, P.E.



JORGE CISNEROS  
Chief of Police

**ATTACHMENTS**

- Attachment A: Price quote from CDW-G
- Attachment B: Price quote from EMC.

# ATTACHMENT A

LPVW.COM | 800.294.4233

OE400SPS

## SALES QUOTATION

QUOTE NO.	ACCOUNT NO.	DATE
DDL763	5534441	12/17/2012

**BILL TO:**  
 HUNTINGTON PARK POLICE DEPT.  
 6542 MILES AVE

**SHIP TO:**  
 HUNTINGTON PARK POLICE DEPT.  
 Attention To: NEIL MONGAN  
 6542 MILES AVE

Accounts Payable  
 HUNTINGTON PARK , CA 90255-4386

HUNTINGTON PARK , CA 90255-4386  
 Contact: NEIL MONGAN 323.826.6691

Customer Phone #323.584.6254

Customer P.O. # EMC SAN QUOTE

ACCOUNT MANAGER	SHIPPING METHOD	TERMS	EXEMPTION CERTIFICATE
ROCCO LAMACCHIA 877.863.3202	DROP SHIP-COMMON CARRIER	Net 30 Days-Govt State/Local	

QTY	ITEM NO.	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1	2313220	EMC VNX5300 DPE, 15X3.5 DRIVES - Mfg#: VNX53D156015M Contract: Standard Pricing	14,336.90	14,336.90
1	2289383	EMC 3U DAE W/15X3.5IN DRIVE SLOTS Mfg#: V31-DAE-N-15 Contract: Standard Pricing	1,598.31	1,598.31
1	2313223	EMC VNX5300 CONTROL STATION - 2ND CS Mfg#: VNX5300CS2M Contract: Standard Pricing	887.30	887.30
1	2313225	EMC VNX5300 CONTROL STATION Mfg#: VNX5300CSM Contract: Standard Pricing	0.00	0.00
2	2313227	EMC 1GBE DM MODULE 4 PORT FOR Mfg#: VDMM1GCUAS Contract: Standard Pricing	677.15	1,354.30
1	2313230	EMC VNX 5300 DME: 1 DATA MOVER+FC Mfg#: VNX5300DMEM Contract: Standard Pricing	0.00	0.00
1	2313231	EMC-2313231 00 ADD ON DATA MOVER+FC Mfg#: VNX5300DMM Contract: Standard Pricing	1,014.56	1,014.56
7	2294028	EMC 600GB 15K SAS DISK DRIVE Mfg#: V3-VS15-600 Contract: Standard Pricing	704.00	4,928.00
6	2313244	EMD 2TB 7200RPM 6GB SAS DISK DRIVE Mfg#: V3-VS07-020 Contract: Standard Pricing	595.43	3,572.58
1	2313247	EMC VNX CABLE KIT FOR DPE + 2 DM; 1 Mfg#: VNXDMCBLD2S2S Contract: Standard Pricing	0.00	0.00
1	2313252	EMC ADDITIONAL 8 G FC SFP FOR VNX Mfg#: VNXFCSFPS Contract: Standard Pricing	270.86	270.86
1	2294050	EMC DOCUMENTATION KIT FOR VNX5300 Mfg#: VNX53-KIT Contract: Standard Pricing	0.00	0.00
1	1700350	EMC ENHANCED SOFTWARE SUPP 2500-5K Mfg#: M-ENHSW-001-2 Contract: Standard Pricing	3,522.35	3,522.35
1	2294036	Electronic distribution - NO MEDIA EMC 2ND OPTIONAL SPS FOR VNX 51/53 Mfg#: VNXSPSAS Contract: Standard Pricing	332.74	332.74
1	2313262	EMC UNISPHERE FOR UNIFIED AND VNX OE Mfg#: UNIU-V53 Contract: Standard Pricing	5,549.13	5,549.13
1	2313263	Electronic distribution - NO MEDIA EMD BASE FILE LICENSE (CIFS AND FTP) Mfg#: BASEP-V53 Contract: Standard Pricing	0.00	0.00

1	2322143	Electronic distribution - NO MEDIA EMD ADV FILE LICENSE (NFS; MPFS AND Mfg#: ADVP-V53 Contract: Standard Pricing	0.00	0.00
1	2316594	Electronic distribution - NO MEDIA EMC LOCAL PROTECTION SUITE FOR Mfg#: LPS-V53 Contract: Standard Pricing	2,052.47	2,052.47
1	2773047	Electronic distribution - NO MEDIA EMC-VNX BLK & FILE OE INYO Mfg#: VNXOE32 Contract: Standard Pricing Electronic distribution - NO MEDIA	0.00	0.00
SUBTOTAL				39,419.50
FREIGHT				0.00
TAX				2,475.86
<b>TOTAL</b>				<b>41,895.36</b>

US CURRENCY

CDW Government  
230 North Milwaukee Ave.  
Vernon Hills, IL 60061

Fax: 847.371.2127

**Please remit payment to:**  
CDW Government  
75 Remittance Drive  
Suite 1515  
Chicago, IL 60675-1515

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at  
<http://www.cdw.com/content/terms-conditions/product-sales.asp>  
For more information, contact a CDW account manager.

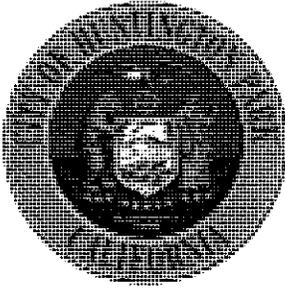
# ATTACHMENT B

Prepared by: Brittany Marshall  
 508.346.9802  
[brittany.marshall@emc.com](mailto:brittany.marshall@emc.com)

Quote #: 1004901669  
 Date: 12/17/2012

Prepared for: HPPD  
 542 Miles Ave., Huntington Park, CA 90255

<u>Qty</u>	<u>Part #</u>	<u>Description</u>	<u>Total Price</u>
1	VNX53D156015M	VNX5300 DPE, 15X3.5 Drives - 8X600G, 15k	\$21,173.00
1	V31-DAE-N-15	3U DAE with 15X3.5 Inch Drive Slots	\$2,360.00
1	VNX5300CS2M	VNX5300 2nd Control Station - Mini Rack	\$1,039.00
1	VNX5300CSM	VNX5300 CONTROL STATION -MINIRACK	\$0.00
2	VDMM1GCUAS	1GBE DM MODULE 4 PORT FOR VNX5300	\$2,000.00
1	VNX5300DMEM	VNX 5300 DME: 1 DM+FC SLIC-MINI RCK	\$0.00
1	VNX5300DMM	VNX5300 ADD ON DM+FC SLIC-MINI RCK	\$1,499.00
7	V3-VS15-600	600GB 15K SAS DISK DRIVE	\$7,280.00
6	V3-VS07-020	2TB 7200RPM 6GB SAS DISK DRIVE	\$5,280.00
1	VNXDMCBLD2S2S	VNX CABLE KIT FOR DPE+2 DM; 1 CS; 2 SPS	\$0.00
1	VNXFCSFPS	ADDITIONAL 8 G FC SFP FOR VNX 51/53	\$400.00
1	VNX53-KIT	DOCUMENTATION KIT FOR VNX5300	\$0.00
1	M-ENHSW-001	ENHANCED SOFTWARE SUPPORT	\$5,388.00
1	VNXSPSAS	2ND OPTIONAL SPS FOR VNX 51/53	\$492.00
1	UNIU-V53	ISPHERE UNIFIED & VNX OE VNX5300	\$8,194.00
1	BASEP-V53	BASE FILE LICENSE (CIFS/FTP) FOR VNX5300	\$0.00
1	ADV-P-V53	ADV FILE LIC (NFS; MPFS & PNFS) FOR 5300	\$0.00
1	LPS-V53	LOCAL PROTECTION SUITE FOR VNX5300	\$3,031.00
1	VNXOE32	VNX BLK & FILE OE INYO	\$0.00
		Sub-total (excludes freight)	\$58,136.00
		Freight Costs	\$330.00
		<b>Total</b>	<b>\$58,466.00</b>



# CITY OF HUNTINGTON PARK

Community Development Department

*City Council Agenda Report*

January 7, 2013

Honorable Mayor and Members of the City Council  
City of Huntington Park  
6550 Miles Avenue  
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

**CONSIDERATION OF A PROPOSED INTERIM URGENCY ORDINANCE ESTABLISHING A MORATORIUM ON THE ISSUANCE OF ANY PERMITS TO SUBDIVIDE ANY 10,000+ SQUARE FOOT COMMERCIAL BUILDING/STRUCTURE INTO SMALLER TENANT SPACES WITHIN THE CITY'S BUSINESS IMPROVEMENT DISTRICT.**

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Adopt the proposed Interim Urgency Ordinance establishing a moratorium on the issuance of any permits to subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces within the City's Business Improvement District.

## **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Staff has received numerous inquiries from commercial property owners wishing to subdivide their current tenant spaces into smaller tenant spaces to attract prospective businesses seeking smaller locations. While the City welcomes and encourages business activity, the City is concerned about the long term effects that such subdivisions will cause, especially in commercial buildings located within the Business Improvement District (BID) and having a floor area over 10,000 square feet. The loss of commercial spaces having an area of 10,000 square feet or larger will be detrimental and greatly impact the feasibility of attracting larger national retailers.

The City recognizes the importance of having a healthy balance of small and large retailers within the downtown and is in the process of preparing a Revitalization Strategy for the City's Downtown, which is primarily located within the BID. The City desires the BID to have more pedestrian amenities, enhanced aesthetics, and an overall improved identity. A Revitalization Strategy will be the most efficient and effective manner to achieve the goals of the City. Allowing the subdivision of larger commercial tenant spaces without having commenced any revitalization efforts may prove to be counter-productive in implementing the overall vision for the BID.

The proposed interim Urgency Ordinance recommends the establishment of a moratorium on any permits to subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces within the City's BID. Establishment of the moratorium will allow staff time to complete the Revitalization Strategy and to develop appropriate review procedures and standards addressing the subdivision of tenant spaces within the BID.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In accordance with California Government Code Section 65858(1), "the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time." The urgency ordinance requires a four-fifths vote of the legislative body (City Council) for adoption. The interim urgency ordinance shall be in effect for 45 days from the date of adoption. After a duly noticed public hearing, an interim urgency ordinance may be extended by the legislative body for an additional 10 months and 15 days and subsequently extended for an additional one-year period. Therefore, not more than two extensions totaling a maximum of two years may be adopted. Any extension shall also require a four-fifths vote for adoption.

Pursuant to California Government Code Section 36937(b), an urgency ordinance shall take effect immediately, if it is an ordinance for the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the city council.

The proposed interim Urgency Ordinance has been approved as to form by the City Attorney's Office.

### **CONCLUSION**

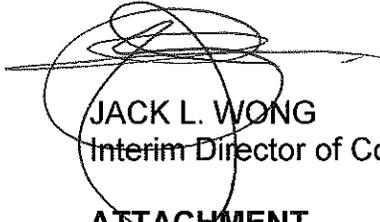
Currently there is no process or level of review in the City's Municipal Code to prohibit or restrict the subdivision of tenant spaces of any size. Therefore, staff needs time to study the possible impacts of such improvements, and possible alternatives to the present process, including either to restrict such proposals, impose a discretionary review, or create development standards and conditions for such proposals. Staff recommends that the City Council adopt the proposed interim Urgency Ordinance in order to establish a moratorium to allow staff necessary time to further analyze and recommend a strategy that will continue to enhance and preserve the City's ability to revitalize the downtown area within the BID.

BID Tenant Space Subdivisions  
January 7, 2013  
Page 3 of 3

Respectfully submitted,



RENÉ BOBADILLA  
City Manager, P.E.



JACK L. WONG  
Interim Director of Community Development

**ATTACHMENT**

A: Proposed Interim Urgency Ordinance



1 desirable features of the City; and

2       **WHEREAS**, in the interest of the public's health, safety and general welfare, the City  
3 Council desires to establish this moratorium on the issuance of any permits to subdivide any  
4 10,000+ square foot commercial building/structure into smaller tenant spaces within the  
5 City's BID in order to study the potential impacts and complete the preparation of the  
6 Downtown Revitalization Strategy.

7       **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK**  
8 **DOES RESOLVE AS FOLLOWS:**

9       **SECTION 1:** Except as expressly provided in this Ordinance, no permits shall be  
10 issued for subdivision of any 10,000 square foot or larger commercial building/structure into  
11 smaller tenant spaces within the City's Business Improvement District.

12       **SECTION 2:** The City Council finds that there is a current and immediate threat to the  
13 public health, safety or welfare from the potential issuance of permits to subdivide any  
14 10,000+ square foot commercial building/structure into smaller tenant spaces within the  
15 City's BID. The City Council adopts the recitals set forth above as legislative findings of the  
16 threat to public health, safety, and welfare.

17       **SECTION 3:** This Ordinance is adopted pursuant to the provisions of Section 65858  
18 of the California Government Code, shall be adopted by a four-fifths vote of the City Council,  
19 and shall take effect immediately upon its adoption and remain in effect for forty-five (45)  
20 days.

21       **SECTION 4:** The City Clerk shall certify to the passage and adoption of this  
22 Ordinance and shall cause the same to be posted in at least three (3) public places in the  
23 City, and published in a newspaper of general circulation published and circulated in the City  
24 of Huntington Park, such posting and publishing to be completed not later than fifteen (15)  
25 days after the passage hereof.

26 //  
27 //  
28 //

1 PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

2  
3 \_\_\_\_\_  
4 Andy Molina, Mayor

5 ATTEST:

6  
7 \_\_\_\_\_  
8 Rosanna Ramirez, City Clerk

9  
10 STATE OF CALIFORNIA )  
11 ) ss.  
12 COUNTY OF LOS ANGELES )

13  
14 I, ROSANNA M. RAMIREZ, CITY CLERK OF THE CITY OF HUNTINGTON PARK, DO  
15 HEREBY CERTIFY that the foregoing Ordinance, being Ordinance No. \_\_\_\_\_,  
16 was passed and adopted by the City Council of the City of Huntington Park, signed by the  
17 Mayor of said City, and attested by the City Clerk, all at the regular meeting of the City  
18 Council held on the \_\_\_\_ day of \_\_\_\_\_, 2013, and that the same was passed  
19 and adopted by the following vote, to wit:

20  
21 AYES:

22  
23 NOES:

24  
25 ABSENT:

26  
27 \_\_\_\_\_  
28 City Clerk

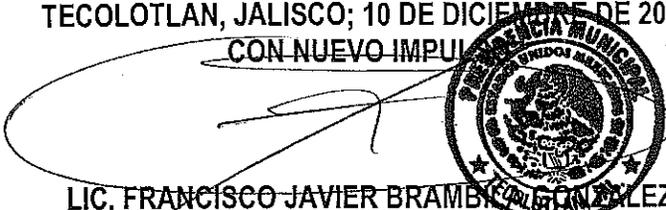
**C. ANDY MOLINA**  
**MAYOR DE LA CIUDAD DE HUNTINGTON PARK, CALIFORNIA.**  
**PRESENTE**

Por este medio le envío un cordial y afectuoso saludo y lo hago propicio para de manera oficial SOLICITAR el hermanamiento formal del PUEBLO DE TECOLOTLAN, JALISCO, MEXICO, con LA CIUDAD DE HUNTINGTON PARK, CALIFORNIA, lo anterior con la intencion de lograr intercambios culturales, educativos, deportivos y de asistencia social entre ambas ciudades.

Sin otro particular por el momento, me despido de usted quedando a sus ordenes y reiterandole la mas alta de mis consideraciones.

Dejo el siguiente correo y numero de telefono para estar en comunicacion:  
[javierglez30@hotmail.com](mailto:javierglez30@hotmail.com), 011 52 1 375 760 58 80.

FRATERNAL Y ATENTAMENTE  
TECOLOTLAN, JALISCO; 10 DE DICIEMBRE DE 2012  
CON NUEVO IMPULSO

  
LIC. FRANCISCO JAVIER BRAMBILA GONZÁLEZ  
PRESIDENTE MUNICIPAL  
DE TECOLOTLAN, JALISCO, MEXICO



Con Copia Para: ELBA GUERRERO, Vice Mayor, OFELIA HERNANDEZ, Concejal, ROSA E. PEREZ, Concejal, MARIO GOMEZ, Concejal, RENE BOBADILLA, City Manager, ANGEL NIEVES, Presidente de la Asociacion de Ciudades Hermanas, todos de la Ciudad de Huntington Park, California.