


Department of Public Works

Bureau of Engineering  
Bureau of Sanitation  
Joint Report No. 1

October 15, 2018  
CD No. 13

ADOPTED BY THE BOARD  
PUBLIC WORKS OF THE CITY  
of Los Angeles California  
AND REFERRED TO THE CITY COUNCIL  
OCT 15 2018

BPW-2018-0857

  
Executive Officer  
Board of Public Works

**5667 SANTA MONICA BOULEVARD - SEWERAGE FACILITIES CHARGE (SFC) CLAIM FOR REFUND**

**RECOMMENDATION**

Forward this report to the City Council with the recommendation that this claim for refund be approved for the amount of \$361,131.68 for the claimant, 5601-5667 Santa Monica Boulevard (LA) Owner, LLC at 4700 Wilshire Boulevard, Los Angeles, CA 90010.

**TRANSMITTALS**

1. Copy of SFC Certificate No. C2017500199.
2. Copy of Claim for Refund No. 140299.
3. Copy of building permit application showing the status of the application.
4. Copy of Assignment of Rights statement releasing interest of the refund by Bryan Nguyen of Brandow and Johnson.
5. Copy of the Limited Liability Company Agreement showing ownership of the property.

**DISCUSSION**

On February 2, 2017, Bryan Nguyen of Brandow and Johnson, an agent for the claimant paid a SFC of \$361,131.68 under Certificate No. C2017500199 (Transmittal No. 1) to the Central District office of the Bureau of Engineering. On April 24, 2018, the claimant filed claim for refund No. 140299 (Transmittal No. 2) for a refund of SFC fees paid. The claim cited that the project would not be proceeding as the reason for the request. The building permit has not been issued (Transmittal No. 3).

Per Los Angeles Municipal Code (L.A.M.C.) Section 64.19(a), 5, which states "payment was made under Section 64.16.1 and no house connection permit was obtained and said fees are no longer required, and this claim was filed within one year after expiration of the time for a plan check including any extension, as such expiration is determined by Section 98.0603 of the L.A.M.C.", we recommend that this refund be approved.

Because Bryan Nguyen of Brandow and Johnson, and not the claimant, was the applicant on the SFC, Mr. Nguyen signed an Assignment of Rights waiving any interest in the claim (Transmittal No. 4). Also, attached is a copy of the Limited Liability Company Agreement showing 5601-5667 Santa Monica Boulevard (LA) Owner, LLC as the current owner of the property (Transmittal No. 5).

**STATUS OF FUNDING**

Funds for the claim for refund for the amount of \$361,131.68 for the claimant, 5601-5667 Santa Monica Boulevard (LA) Owner, LLC, is available from Fund No. 208, Department No. 50, Revenue Source 439601.

( RS RMK TA AKN TM LBM )

Report reviewed by:

Respectfully submitted,

BOE (ADM) and BOS (FMD)

Report prepared by:



Central District

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City Engineer  
Bureau of Engineering

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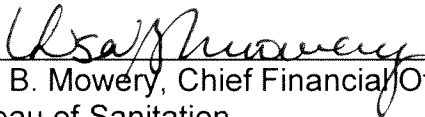


Statement as to Funds Approved by:

Enrique C. Zaldivar  
Director and General Manager  
Bureau of Sanitation



Victoria A. Santiago, Director  
Office of Accounting  
Fund Ref. 208/50/RSC439601/\$361,131.68  
Date: 10/11/2018



Lisa B. Mowery, Chief Financial Officer  
Bureau of Sanitation  
Date: 9.27.18

RS/AK/06-2018-0099.CEN.gva

Questions regarding this report  
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