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COMMISSIONER

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CITY OF LOS ANGELES

CALIFORNIA



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MAYOR

OFFICE OF THE
BOARD OF PUBLIC WORKS

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EXECUTIVE OFFICER

200 NORTH SPRING STREET
ROOM 361, CITY HALL
LOS ANGELES, CA 90012

TEL: (213) 978-0261
TDD: (213) 978-2310
FAX: (213) 978-0278

<http://bpw.lacity.org>

June 25, 2025

BPW-2025-0385

The Honorable City Council
Room No. 395
City Hall

CLAIM FOR REFUND – 6105 N. TOLTEC WAY

As recommended in the accompanying report of the City Engineer, which this Board has adopted, the Board of Public Works recommends that the City Council:

1. RECOMMENDING that Claim for Refund Reference No. 174344 for \$84,746.40, be approved and refunded to the Claimant, Toltec 9, LLC, 4210 Riverwalk Parkway, Suite 270, Riverside, California 92505.

Fiscal Impact: Funds for the claim for refund in the amount of \$84,746.40 for the claimant, Toltec 9, LLC, are available as follows:

Fund No.	Department No.	Department Revenue Source	Amount
41A	50	428601	\$84,746.40

Sincerely,

TJ KNIGHT,
Asst. Executive Officer, Board of Public Works

TK:lc



Department of Public Works

Bureau of Engineering
Report No. 1

June 25, 2025
CD No. 14

ADOPTED BY THE BOARD
PUBLIC WORKS OF THE CITY
of Los Angeles California

JUN 5 2025

Executive Officer
Board of Public Works
AND REFERRED TO THE CITY COUNCIL

6105 N. TOLTEC WAY - STREET DAMAGE RESTORATION FEE-CLAIM FOR REFUND CLAIM NO. 174344

RECOMMENDING THE BOARD OF PUBLIC WORKS:

REVIEW and FORWARD this report to the Los Angeles City Council (City Council) with the recommendation that Claim for Refund Reference No. 174344 for \$84,746.40, be approved and refunded to the Claimant, Toltec 9, LLC, 4210 Riverwalk Parkway, Suite 270, Riverside, California 92505.

TRANSMITTALS

1. Copy of Original Street Damage Restoration (SDR) Fee Estimate, dated April 13, 2020 in the amount of \$95,664.80.
2. Copy of Check No. 1011, dated July 20, 2020 in the amount of \$95,664.80.
3. Copy of Payment Receipt, dated July 30, 2020 in the amount of \$95,664.80.
4. Copy of B-Permit BR004222 Interim Change Authorization (ICA), dated July 14, 2022.
5. Copy of Revised SDR Fee Estimate in the amount of \$10,897.60.
6. Copy of Claim for Refund Claim No. 174344.
7. Memorandum No. 24-016 - Controller Adjusting Department Head Refund Authority.

DISCUSSION

On July 30, 2020, the claimant, Toltec 9, LLC, paid a \$95,664.80 SDR Fee for a B-Permit for the construction of a new sewer line located at 6101-6107 Toltec Way (Transmittal Nos. 1-3). Subsequently, an ICA (Transmittal No. 4) was submitted and approved by the BOE for redesign of the sewer connection, which eliminated the main line construction and reduced the scope of excavation. Therefore, a revised SDR Fee (Transmittal No. 5) was calculated for this design.

On December 3, 2024, Toltec 9, LLC, the permittee, filed a Claim for Refund No. 174344 with the City Clerk's Office per Los Angeles Municipal Code (LAMC) Section 22.12 (Transmittal No. 6).

Report No. 1

Page 2

The SDR Fee refund amount, \$84,746.40 is the original fee, \$95,664.80 minus the revised fee, \$10,897.60 and minus non-refundable administrative surcharges of \$20.80 (\$18.50 calculation surcharge per LAMC Section 62.06 plus 3 percent and 7 percent surcharges per LAMC Sections 61.12 and 61.03).

LAMC Section 22.13 sets the head of department refund authority of \$63,476 [Transmittal No. 7, Memorandum No. 24-016, adjusts the amount as authorized per LAMC Section 22.13(e)]. The refund exceeds this amount; therefore, it must be approved by the City Council, per LAMC Sections 22.12 and 22.13.

STATUS OF FUNDING

Funds for the claim for refund in the amount of \$84,746.40 for the claimant, Toltec 9, LLC, are available as follows:

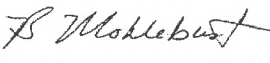
Fund No.	Department No.	Department Revenue Source	Amount
41A	50	428601	\$84,746.40

(CS VCA BM)

Report reviewed by:

Respectfully submitted,

BOE (ADM)

for 

Report prepared by:

Ted Allen, PE
City Engineer

Central District

Christine Sotelo, PE
District Engineer
Phone No. (213) 378-1268

Statement as to Funds Approved by:



Miguel De La Peña, Director
Office of Accounting
Fund Ref. 41A/50/DRS428601/\$84,746.40
Date: 6/02/2025

CS/DW/02-2025-0018_CEN.gva

Questions regarding this report
may be referred to:
Dale Williams, PE
Phone No. (213) 352-4826
Email: dale.williams@lacity.org

BR004222
6101-6107 Toltec Way.

Prepared by Terry Phan
4/13/2020



B-PERMIT SDRF

W.O. : JOB ADDRESS :	SDRF (\$/SF)	CUT (SF)	TOTAL
QC 203 MAJOR STREET (LAMC 62.06)	19.44	4920	95,644.00
QC 204 MINOR STREET (LAMC 62.06)	8.24	0	
QC 227 SLURRY SEAL DAMAGE RESTORATION (LAMC 62.06)			
QC 193 SDRF/SSDRF CALCULATION SURCHARGE (LAMC 62.06)	-	-	\$18.50
QC 502 3% 2% SURCHARGE (LAMC 61.12) [1]	-	-	\$1.00
QC 503 7% SURCHARGE (LAMC 61.03) [1]	-	-	\$1.30
Note: [1] - Minimum \$1.00			
TOTAL			\$95,664.80

Avenue 60
SF = (5+5+400)*(2+5+5) = 4,920 sq. ft.

Length of trench needs to verify prior to payment.

1011

TOLTEC 9 LLC
4210 RIVERWALK PKWY STE 270
RIVERSIDE, CA 92505-3313
951-774-0000

WELLS FARGO BANK, N.A.
www.wellsfargo.com
18-24/1220

07/20/2020

PAY TO THE ORDER OF City of Los Angeles \$ **95,664.80

Ninety-Five Thousand Six Hundred Sixty-Four and 80/100 DOLLARS

City of Los Angeles

MEMO VTTM: 74809-Street Dev Rest Fee-Ave 60

[Signature]

⑈0000001011⑈ ⑆122000247⑆ 8798062850⑈

Item ID	Item Type	Check Account#	RTN	Check#/Aux	Item Status	Item Amount
073120391388956	Check	8798062850	12200024 7	0000001011	Deposit Complete	\$ 95,664.80

City of Los Angeles
Transaction ID: 2020011517 (Completed)
City Copy

Transaction Date: 7/30/2020 3:28:33 PM | Cashier: Pamela Teneza | Location: BOE - Central District

QC	Description	Unit Price	Quantity	Subtotal
203	STREET DAMAGE RESTORATN-MAJ	\$95,644.00	1.00	\$95,644.00
193	SDRF/SSDRF CALCULATE SURCHARGE	\$18.50	1.00	\$18.50
503	Training and Equip. Surcharge	\$1.30	1.00	\$1.30
502	One Stop Surcharge	\$1.00	1.00	\$1.00
Total Surcharge 1				\$1.30
Total Surcharge 2				\$1.00
Subtotal				\$95,662.50
Grand Total				\$95,664.80
Tendered				\$95,664.80
Balance				\$0.00

Transaction Reference: BR004222 - SDRF 6101-6107 TOLTEC WAY

Check Payment(s)

Date	Description	Name on Check	Check Number	Transaction Type	Amount
7/30/2020 3:28:33 PM	Check Payment	TOLTEC 9 LLC	1011	SALE	\$95,664.80

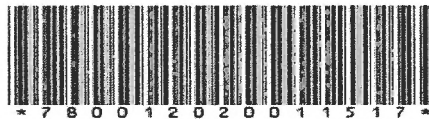
If my payment is returned due to Non Sufficient funds (NSF), the City of Los Angeles will charge a NSF fee as allowed by state law.

The City of Los Angeles reserves the right to issue a partial or full refund for this transaction. To request a refund, applicant has to submit a Claim for Refund.

Note: Some processing fees may not be refundable.

I Agree that I cannot reverse this charge and I agree to use the City's Claim for Refund process to request any refunds.

Customer Signature: _____



City of Los Angeles
Transaction ID: 2020011517 (Completed)
Customer Copy

Transaction Date: 7/30/2020 3:28:33 PM

QC	Description	Unit Price	Quantity	Subtotal
203	STREET DAMAGE RESTORATN-MAJ	\$95,644.00	1.00	\$95,644.00
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503	Training and Equip. Surcharge	\$1.30	1.00	\$1.30
502	One Stop Surcharge	\$1.00	1.00	\$1.00
Total Surcharge 1				\$1.30
Total Surcharge 2				\$1.00
Subtotal				\$95,662.50
Grand Total				\$95,664.80
Tendered				\$95,664.80
Balance				\$0.00

Transaction Reference: BR004222 - SDRF 6101-6107 TOLTEC WAY

Check Payment(s)

Date	Description	Name on Check	Check Number	Transaction Type	Amount
7/30/2020 3:28:33 PM	Check Payment	TOLTEC 9 LLC	1011	SALE	\$95,664.80

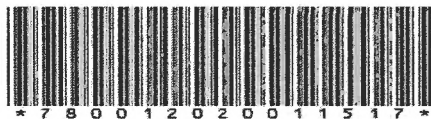
If my payment is returned due to Non Sufficient funds (NSF), the City of Los Angeles will charge a NSF fee as allowed by state law.

The City reserves the right to issue a partial or full refund for this transaction. To request a refund, applicant has to submit a Claim for Refund.

Note: Some processing fees may not be refundable.

I Agree that I cannot reverse this charge and I agree to use the City's Claim for Refund process to request any refunds.

Customer Signature: _____



INTERIM CHANGE AUTHORIZATION **CLASS "B" PERMIT PROJECTS**

Eng. 3.156 (Rev. 10-99)

City of Los Angeles

DEPARTMENT OF PUBLIC WORKS

Bureau of Engineering

DISTRIBUTION:

Original-Div./Dist. Office

Bureau of Engineering

Copies to:-Contract Admin.

Private Engineer

Contractor

Field Inspector

JOB TITLE TOLTEC WAY (W/S) FROM 443' TO 518' (S/O) HARDISON WAY (VTT-74809-SL)JOB NO. BR004222 PLAN REF. P-38893 SERIAL NO. CEN 2

This Interim Change Authorization constitutes authority for the contractor to proceed with work described below. Interim Change Authorization are not to be written when it is reasonable to expect that the cost change will exceed 10% of the bonded cost or on projects involving City financial participation.

After construction the plans shall be revised by the Private Engineer to incorporate all changes before final acceptance of the project.

Show as separate numbered paragraphs: 1. Reason for change – (Indicate how and by whom change was initiated)
2. Description of change

1. INITIATED TO REROUTE THE SEWER LINE

2. Sheet 4

- Reroute the sewer line from Ave. 60 to Toltec Way

3. Sheet 5

- Added sewer pump station details

JMC2

411 N. Harbor Blvd, #201

San Pedro, CA 90731

**APPROVALS**

Khaled Abdo, PE (57815)

7/8/22

Privat _____ tion No.)

Date

for _____ 07/14/2022

Divisi _____ Date

RECEIVED

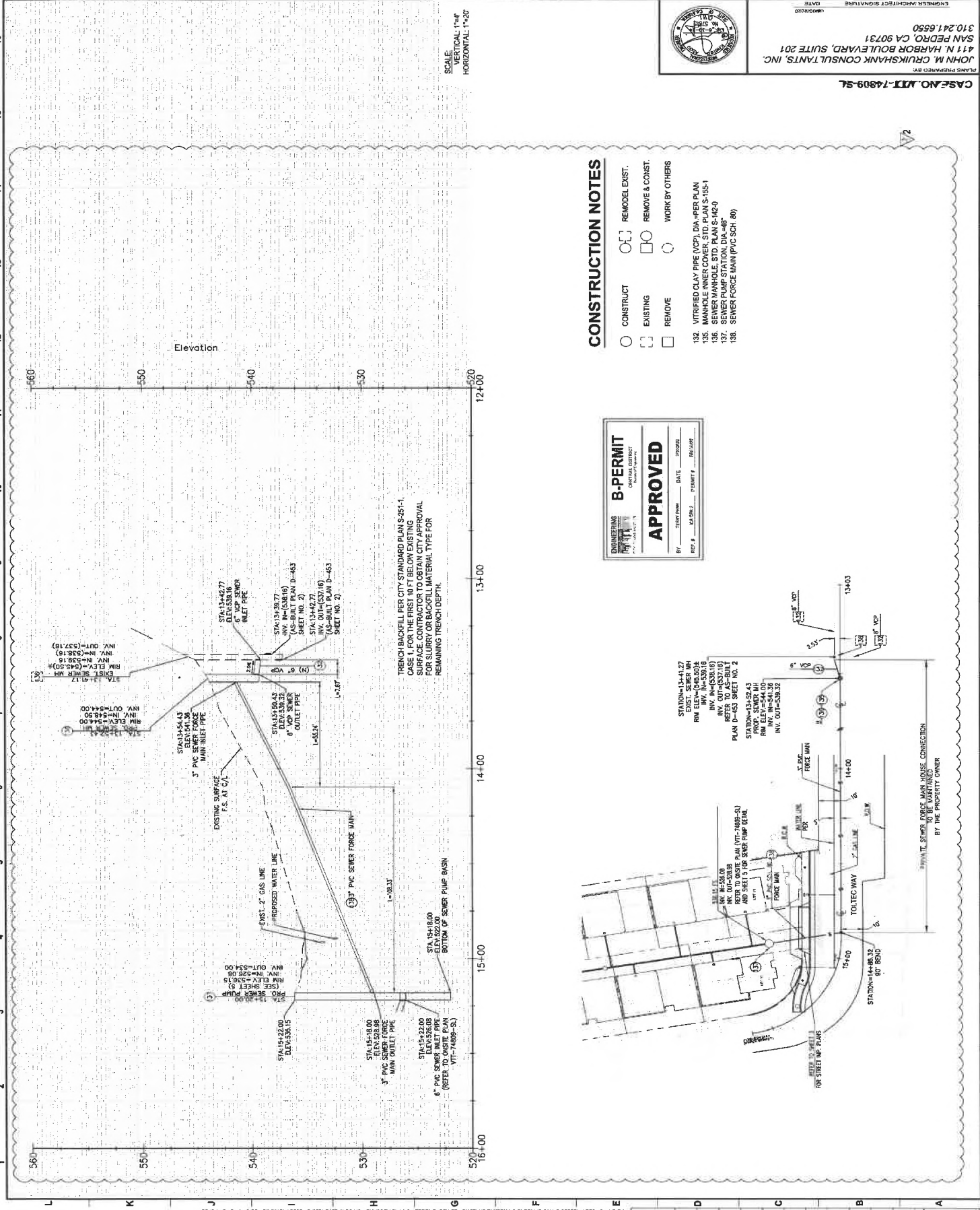
Contractor

Date

Field Inspector

Date

TRANSMITTAL NO. 4



BPW-
2025-
0385



SDRF (LAMC 62.06) (AMENDED BY ORD. NO. 185,818 EFF. 12/06/2018)			
B PERMIT NUMBER: 6107-101-6107 Lottec Way		BRU042-22	REF: 11259
JOB ADDRESS: 6101-6107 Lottec Way			
STREET CATEGORY	SDR (\$/SF)	(CU) (SF)	LOIA
MAJOR	19.4		
LOCA	8.24	132	108/6
SLURRY SEAL DAMAGE RESTORATION			
SDRF (LAMC 62.06) SURCHARGE			\$18.5
3% (LAMC 62.06) SURCHARGE			\$1.0
7% (LAMC 62.06) SURCHARGE			\$1.3
01.12/[1]			
01.03/[1]			
TOTAL			\$10,897.60

MINIMUM \$1.00
SDRF APPLY TO AN AREA = L (W) OF THE EXCAVATION CUT + 5 FEET ON ALL SIDES OF THE EXCAVATION.

12
110

132
0

TRANSMITTAL NO. 5

Form 600, 05 (Rev. 2/74)
DISTRIBUTION:
CITY - City Council
CITY - Controller (Approved)
TRIP - Claimant

CITY OF LOS ANGELES
CLAIM FOR REFUND OVER \$5000
Sec. 22.12 Los Angeles Municipal Code

BPW
2023
2038154344
CLAIM NO.

NOTE: A Claimant may be required to submit to examination under oath. (Charter Section 217.)
Presentation of a false claim is a felony. (California Penal Code Section 72.)

TO: CITY CLERK, Room 305, City Hall, Los Angeles 90012

1. PRINT NAME OF CLAIMANT (Last) (First) (Middle)
Van Daele, Patrick J., Manager of Toltec 9, LLC
2. BUSINESS ADDRESS (Street) (City) (State)
4210 Riverwalk Parkway, Suite 270, Riverside, California 92505
3. MAILING ADDRESS (Street) (City) (Zip Code) 4. PHONE NO.
Same as above (951) 319-2735
5. CITY DEPARTMENT TO WHICH PAYMENT WAS MADE 6. DATE PAID 7. AMOUNT CLAIMED
Department of Public Works 7/30/2020 \$ 84,767.20

8. STATE WHETHER RECEIPT, LICENSE OR PERMIT, ENTER NO. AND ATTACH
Street Damage Restoration Fee for B-Permit BR004222

9. LOCATION OF JOB
6101-6107 Toltec Way, Los Angeles, CA 90042

10. REASONS FOR FILING CLAIM (Use Supplementary sheets if necessary)

We paid a SDRF fee of \$95,664.80 on 7/30/2020. Then the B-Permit plans were later revised to reduce the scope of the project, which reduced the SDRF fee to \$10,897.60. Our previous payment of \$95,664.80 was applied to cover the new cost of \$10,897.60. We are owed a refund of the difference, which is \$84,767.20.

We have included the following backup documentation along with this refund request form:

Fee Receipt for \$95,664.80 SDRF fee paid on 7/30/2020.

Copy of cleared check for \$95,664.80.

Revised SDRF Fee Invoice for \$10,897.60.

This information can be confirmed by Amy Shum in Bureau of Engineering at (213) 645-9401.

STATE OF CALIFORNIA } ss.
County of Los Angeles }

being duly sworn, depose and say:

that _____, who is the claimant(s) in the above-entitled claim; that _____, who has read the foregoing claim and _____ sheets attached thereto, know(s) the contents thereof, and that the same is true of _____ own knowledge, except as to the matters which are therein stated on information or belief, and as to those matters that _____ believe(s) it to be true.

SIGNATURE AND TITLE OF CLAIMANT

DATE

SUBSCRIBED AND SWORN TO BEFORE ME

SIGNATURE OF DEPUTY CITY CLERK OR NOTARY PUBLIC

this _____ day of _____, 20____

SEE ATTACHED CERTIFICATE

TRANSMITTED
L NO. 6

CALIFORNIA JURAT

GOVERNMENT CODE § 8202

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

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on

this 2 day of DECEMBER, 2024, by
Date Month Year

(1) PATRICK J VAN DALE

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Place Notary Seal and/or Stamp Above

Signature [Signature]
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

CITY OF LOS
ANGELES
INTER-DEPARTMENTAL
CORRESPONDENCE

DATE: August 20, 2024 MEMORANDUM
NO. 24-016

TO: All City Office /
Department Heads

FROM: Rick Cole, Chief *Rick Cole*
SUBJECT: DEPARTMENT HEAD REFUND
AUTHORITY INCREASED TO \$63,476
FOR FISCAL YEAR 2024-25

Los Angeles Municipal Code Sections 22.12(a) and 22.13(a) authorize the head of any department or office to approve refunds of tax, license fee, permit fee or application fee, with and without prior approval of the City Council, if such refund does not exceed the \$29,457 limit. The \$29,457 limit shall be subject to adjustment at the beginning of each fiscal year after 1995-96. The adjustment shall be based upon the Consumer Price Index for all urban consumers for the Los Angeles area published by the United States Department of Labor, Bureau of Labor Statistics. Furthermore, the Controller shall calculate, starting May 14, 2002, adjustments in accordance with the methodology used to calculate Monetary Inflation 343. In accordance with said methodology, the refund authority is increased from \$29,457 to \$63,476. Please contact Director of Financial Analysis and Reporting, Rahoo Oyewole at (213) 978-7203.

TRANSMITTAL
NO. 7