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October 13, 2021

Patrick Prescott
City of Burbank Community Development Director
275 East Olive Avenue
Burbank, CA 91502

Dear Mr. Prescott:

We represent MW Investments (“Applicant”) in connection with a development proposal (“Project”) located at 1001 W. Riverside Drive and generally referred to as Pickwick Gardens (“Property”) in the City of Burbank (“City”). Applicant certifies that it will comply with the prevailing wage requirements of Senate Bill (“SB”) 35 and set forth in Section 65913.4 of the Government Code, including that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages or apprenticeship wages, as applicable.

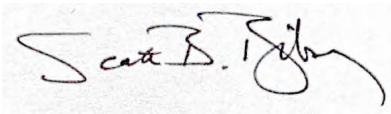
Specifically, Applicant certifies that:

1. The prevailing wage requirement of SB 35 will be included in all contracts for the performance of the work;
2. All contractors and subcontractors shall be required to pay to all construction workers and apprentices at least the general prevailing rate of per diem wages or apprenticeship wages, as applicable;
3. All contractors and subcontractors shall be required to maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided therein; and
4. The obligation of the contractors and subcontractors to pay prevailing wages may be enforced by the Labor Commissioner through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, which may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development, by an underpaid worker through an administrative complaint or civil action, or by a joint labor-management committee through a civil action under Section 1771.2 of the Labor Code. If a civil wage and penalty assessment is issued, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

In addition, and for the purposes of clarity, in accordance with the SB 35 Guidelines issued by the California Department of Housing and Community Development, the provisions of Section 65913.4(a)(8)(B) relating to skilled and trained workforce provisions do not apply to the Project because the City of Burbank population as determined under the last Centennial Census is not 225,000 or more.

We look forward to working with you on the Project.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott B. Birkey". The signature is written in a cursive style with a large, stylized initial "S".

Scott Birkey
Cox, Castle & Nicholson LLP

Cc: Matthew J. Waken, MW Investment Group, LLC