

NOTICE

COMPTON CITY COUNCIL AGENDA Tuesday, December 15, 2015 3:30 PM

OPENING

MOMENT OF SILENCE

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

CONSENT AGENDA

Consent items are routine and expected to be non-controversial. They will be acted upon by the Council at one time without discussion unless a Council Member requests an item be removed or discussed.

APPROVAL OF MINUTES

1. NOVEMBER 17, 2015
DECEMBER 1, 2015

REPORTS OF OFFICERS AND COMMISSIONS

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

2. AN UPDATE REPORT OF THE PUBLIC FINANCE AUTHORITY LEASE
REVENUE BONDS SERIES 2008 **(Receive/File)**
3. REPORT OF THE SALES TAX REVENUES **(Receive/File)**

Total Amount Received for Fiscal Year 2015/2016 - \$1,169,911.00
4. A REPORT OF THE CITY OF COMPTON 2015/2016 TAX AND REVENUE
ANTICIPATION NOTES **(Receive/File)**

5. REPORT OF LICENSE FEE REVENUES (BASED ON THE GROSS REVENUES COMPUTATION) RECEIVED FROM CELEBRITY CASINOS, INC. FOR THE FISCAL YEAR 2015/2016 **(Receive/File)**

RISK MANAGEMENT

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO RENEW THE COMPTON DOLLARHIDE COMMUNITY CENTER SPECIAL EVENTS POLICY (\$4,750)

END CONSENT AGENDA

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES AND CITY COUNCIL

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

CLOSED SESSION

7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Property: 600 N. Alameda Street, Compton
Negotiating Parties: City of Compton/The ARC of Mid-Cities
Under Negotiation: Terms and Price
Pursuant to California Government Code Section 54956.8

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Sipple, et al. v. City of Alameda, et al, LASC Case No. BC462270
Pursuant to California Government Code Section 54956.9(a)

UNFINISHED BUSINESS

8. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 2-1.2 TO ESTABLISH A STANDARD MEETING TIME OF 5:30 P.M. FOR ALL REGULAR MEETINGS OF THE CITY COUNCIL (Second Reading)

NEW BUSINESS

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE ALL MATTERS RELATING TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE CITY OF COMPTON'S SAFE ROUTE TO SCHOOL TRANSPORTATION GRANT
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AUTHORIZE PAYMENT OF THE ANNUAL FEES TO THE STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS FOR CONTINUED ADMINISTRATIONS OF THE CITY'S WORKERS' COMPENSATION SELF-INSURANCE PROGRAM
11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE RENEWAL OF THE CONTRACTUAL AGREEMENTS WITH ALL CITY MANAGEMENT SERVICES, INC. AND COMPTON UNIFIED SCHOOL DISTRICT REGARDING THE PROVISION OF CROSSING GUARD SERVICES AND THE ISSUANCE OF A PURCHASE ORDER FOR FISCAL YEAR 2015-2016 IN THE AMOUNT OF \$284,649.75
12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH DUDEK TO PERFORM CORRECTIVE ACTION SERVICES IN ACCORDANCE THE JUNE 22, 2015 DIRECTIVE OF THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD REGARDING REMEDIATION AT COMPTON FIRE STATION NO. 1 (\$165,138)
13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING PARCEL MAP NO. 72903 FOR RECORDATION, BEING A PORTION OF THE NORTHWEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF COMPTON, STATE OF CALIFORNIA
14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2015-2016 FISCAL YEAR BUDGET AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT TO LEASE UP TO 2,000 ACRE-FEET OF WATER RIGHTS FROM THE CITY OF SOUTH GATE FOR FISCAL YEARS 2015-2016, 2016-2017 AND 2017-2018 (\$340,000)

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN INSTALLMENT PAYMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.6 IN CONNECTION WITH THE DUE DILIGENCE REVIEWS OF THE UNENCUMBERED FUND AND ACCOUNT BALANCES OF THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS

APPROVAL OF WARRANTS

16. Warrant #230863 - Date - 11/19/15 - Name - CEMEX - Services - Delivery of sand/water - Amount - \$1,280.08 - Requested by: Water Department
Warrant #230934 - Date - 11/25/15 - Name - Evan Brooks Associates - Services - Signage Grant Pilot Program Application - Amount - \$4,800.00 - Requested by: Grants Department

Warrant #231037 - Date - 12/01/15 - Name - Blue Diamond Materials - Services - Purchase of 3.98 tons of Asphalt - Amount - \$264.78 - Requested by: Public Works Department

Warrant #231046 - Date - 12/01/15 - Name - Civil Source Inc. - Services - Pavement Resurfacing Design - Amount - \$19,317.50 - Requested by: Public Works Department

Warrant #231156 - Date - 12/03/15 - Name - Trimming Land Co. Inc. - Services - Crown Reduction on Ficus Trees - Amount - \$990.00 - Requested by: Public Works Department

Total Amount - \$26,652.40

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, December 22, 2015 @ 5:45 PM.

Visit our website at <http://www.comptoncity.org>

View Meetings Live at <mms://livemedia.comptoncity.org:8080>

NOVEMBER 17, 2015

The City Council meeting was called to order at 3:52 p.m. in the Council Chambers of City Hall by Mayor Aja Brown. The Pledge of Allegiance and Moment of Silence ceremonies were also led by Mayor Aja Brown.

ROLL CALL

Council Members Present: Galvan, Sharif, Brown

Council Members Absent: Zurita, Arceneaux

Other Officials Present: C. Cornwell, A. Godwin, R. Haley

SPECIAL PRESENTATION - HEALTHY COMPTON EMPLOYEE FITNESS CHALLENGE - Mayor & City Council - Jerry Durant

Mayor Brown and the City Council presented Jerry Durant with a \$1,000 check for his participation in the Healthy Compton Employee Fitness Challenge.

3:45 P.M. PUBLIC HEARING - CONSIDER A PROPOSED ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE CALIFORNIA PUBLIC AUTHORITY FOR ACQUISITION AND REHABILITATION OF E. BOYD ESTERS MANOR LOCATED AT 1101 N. CENTRAL AVENUE, COMPTON (Items 5 & 6)

On motion by Zurita, seconded by Galvan, the public hearing was opened at 4:00 p.m., by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

Kofi Sefa-Boakye, Director of the Successor Agency, offered a brief overview on the City of Compton's proposed issuance of Multi-family Housing Revenue Bonds by the California Public Authority for the purposes of acquiring and rehabilitating E. Boyd Esters Manor located at 1101 North Central Avenue, Compton, California.

Existing Conditions

E. Boyd Esters Manor, a 50-unit senior rental housing development, was built in 1983. Without the benefit of this redevelopment, the property will not receive the upgrades that are usually needed for a 31 year-old building. BlueGreen Preservation and Development, LLC. ("BlueGreen"), representing the owners of E. Boyd Esters Manor, has proposed a financing plan involving the issuance of tax exempt revenue bonds in the amount of \$7,500,000 in combination with private funding sources for a total amount of \$12,532,000 to facilitate the acquisition and rehabilitation of the property.

TEFRA Public Hearing

Pursuant to Tax and Equity Fiscal Responsibility Act ("TEFRA") Section 147(f) of the Internal Revenue Code of 1986, the governmental unit having jurisdiction over the area in which the facility is located must conduct a TEFRA public hearing to consider the proposed bonds issuance to finance the acquisition and rehabilitation of the subject property.

Development Team

BlueGreen Preservation and Development, LLC

- Will Act As Development/Advisor/Guarantor
 - Committed to Maintenance and Preservation of Non-Profit and Local Community Ownership by Nonprofit Organizations
 - 20 Plus Years of Experience and Over 3,000 units
- E. Boyd Esters Manor Preservation, LP (to be formed)

◦ General Partner:

Rosecrans Manor, a California Nonprofit Corporation (Existing)

#1.

30 Plus Years of Ownership Experience

- Limited Partner

City Real Estate Advisors (CREA)

Property Summary

E. Boyd Esters Manor

- Address:

1101 North Central Avenue Compton, CA 90222

- Five Story Building

- 50 Senior Units

12 Studios

37 One Bedrooms

1 Manager's Unit (one bedroom)

- 1.5 acres

- Built 1983

Proposed Upgrades

Apartment Rehabilitation

- New Kitchen Cabinets

- Energy Star Appliances in every unit

- New Kitchen Counters

- New Bathroom Cabinets

- New Fixtures in bathrooms and kitchens

- Paint all interior surfaces

- New Flooring

Common Areas

- Widen Exterior Pathways to Current Standards

- Refurbishment of Community Room, kitchen and adjacent barbecue area

- Resurface/Restripe Parking Area

- Update elevators and other key systems such as chillers

Exterior

- Drought Resistant Landscaping

- New Paint

- Upgrade Patio Area

Proposed Investment in Property

\$1,275,000 in Hard Construction

- (Approximately \$25,500/Unit)

100% Private Investment and ongoing

Federal Funds from HUD

Job Opportunities

“JOIN” Program (Job Opportunities in Neighborhoods)

- At least 50 New Jobs Through Construction

- Up to 40% of workforce to be hired from local community and/or benefit local subcontractors

Time Frame

First Quarter - 2016 - Close Financing

Second Quarter - 2016 - Start Construction

Fourth Quarter - 2016 - Finish Construction

Dr. Sefa-Boakye made note that the City of Compton must bring in some form of financing that will enable investors to come into the community - and one of those elements is to be able to generate revenue at a low interest rate so that the rents from the project can be affordable.

Additionally, the project will not cause any indebtedness to the City of Compton; revenue from the project will be used to fund the investor's initial purchase of the bonds.

PUBLIC COMMENTS ON THE PUBLIC HEARING

David Irons, Compton resident, petitioned the members of the City Council to address why business investors can come into the City of Compton and get tax-exemption when the citizens of Compton cannot apply for that same benefit.

Joyce Kelly, Compton resident, asked that someone explain, in writing, how and why “BlueGreen” can come to the City of Compton without any money looking for \$8M in bonds. She requested the authority of this action and affirmed that nothing has been explained to the people. She also asked that the members of the City Council find out exactly what this project is about and how it will impact the residents in the Compton.

Lynn Boone, Compton resident, informed the Council that this public hearing pertains to two items; Item No. 5 and Item No. 6, and that Dr. Sefa-Boayke only addressed Item No. 6. She went on to ask Councilperson Sharif if she understood the logistics of Item No. 5 – that 1) the City of Compton will be joining powers with the California Public Authority 2) the Board of Supervisors will be the only authority to speak on behalf of the \$8M bond 3) the City of Compton will be a member of the California Public Authority but will not have a voice on the \$8M bond 4) Board Supervisor Mark Riddley Thomas will be able to designate activities related to the \$8M bond and once he terms out he will still be a member of the Authority.

Mayor Brown asked the developer to confirm or deny that this allocation will serve as a tax credit, not a bond on the citizens of Compton.

Alicia confirmed that this allocation will serve as a tax credit and added that the purpose of this public hearing is so that the local jurisdiction will understand that the federal government is going to allocate \$8M to the City of Compton and use that for rehabilitation and affordable housing.

Latosha Cole, Compton resident, stated as a parent, resident, and concerned citizen she wonders if the members of this City Council asked the senior citizens their opinion on what and how the facility should be renovated.

On motion by Zurita, seconded by Galvan, the public hearing was closed at 4:17 p.m., by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

COUNCIL COMMENTS ON THE PUBLIC HEARING

Councilperson Sharif asked that someone address whether or not there will be a debt-service to be paid by the residents.

Dr. Sefa-Boakye answered that payments for the debt service will be paid from the project, additionally the Public Finance Authority will be funding any debt service plus the receipts from the project.

Councilperson Sharif asked if payments for the debt service will impact the residents living in the facility.

Dr. Sefa-Boakye stated that the purpose of the tax exempt bond issuance is so that the rents remain below the market rate.

Councilperson Zurita articulated her support for the project and asked that the City Manager address how the \$8M bond issuance will impact the General Fund.

City Manager Haley remarked that this project will not impact the General Fund.

#1.

Councilperson Zurita asked if the residents will be displaced during the renovation. Dr. Sefa-Boayke stated that tenants will be moved into a temporary unit on the property until their unit is renovated.

Councilperson Zurita requested the project completion date. Dr. Sefa-Boayke stated that the project is scheduled to be completed in October 2016.

Mayor Brown praised “BlueGreen” development for their efforts and actions to renovate E. Boyd Esters Manor.

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY TO JOIN THE CALIFORNIA PUBLIC FINANCE AUTHORITY AS AN ADDITIONAL MEMBER FOR THE PURPOSE OF ISSUING REVENUE BONDS TO FINANCE THE ACQUISITION AND REHABILITATION OF E. BOYD ESTERS MANOR AND CERTAIN OTHER MATTERS RELATED THERETO

On motion by Zurita, seconded by Galvan, **Resolution # 24,253** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY TO JOIN THE CALIFORNIA PUBLIC FINANCE AUTHORITY AS AN ADDITIONAL MEMBER FOR THE PURPOSE OF ISSUING REVENUE BONDS TO FINANCE THE ACQUISITION AND REHABILITATION OF E. BOYD ESTERS MANOR AND CERTAIN OTHER MATTERS RELATED THERETO**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION AND REHABILITATION OF E. BOYD ESTERS MANOR LOCATED AT 1101 N. CENTRAL AVENUE AND OTHER MATTERS RELATING THERETO

On motion by Zurita, seconded by Sharif, **Resolution # 24,254** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION AND REHABILITATION OF E. BOYD ESTERS MANOR LOCATED AT 1101 N. CENTRAL AVENUE AND OTHER MATTERS RELATING THERETO**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

4:00 P.M. PUBLIC HEARING - AN APPEAL OF THE PLANNING COMMISSION DECISION ON CONDITIONAL USE PERMIT CASE NO. 2781, A REQUEST TO ALLOW THE SALE OF ALCOHOL, BEER AND WINE (A TYPE 21 ALCOHOL LICENSE), AN ACCESSORY USE TO A CONVENIENCE STORE LOCATED AT 200 W. ROSECRANS AVE., COMPTON (Item #3)

On motion by Galvan, seconded by Sharif, the public hearing was opened at 4:27 p.m., by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

City Attorney Craig Cornwell reported that this public hearing pertains to an appeal to the Planning Commission's decision to deny conditional use permit case no. 2781 - a request to allow the sale of alcohol, beer and wine (a type 21 alcohol license) an accessory use to a convenience store located at 200 West Rosecrans Avenue, Compton, California held pursuant to Compton Municipal Code 30-26.5. The City Council has multiple options as it relates to making a decision in regards to this appeal - 1) affirm or agree with the decision from the Planning Commission, 2) amend the decision from the Planning Commission 3) disagree and reverse the decision from the Planning Commission or 4) refer the matter back to the Planning Commission for further consideration. Once staff receives direction from the City Council they will come back with said action at a subsequent meeting.

Robert Delgadillo, representative of the Planning Department, indicated that the property at 200 West Rosecrans Avenue, Compton, California is currently developed with a 2,220 square foot convenience store and a separate rear building used as a Super Pizza take-out restaurant. CUP 2781 pertains to a request by Mr. Ju to sell off-site alcohol, beer and wine as an accessory use to a convenience store by which the Planning Commission denied. According to the Department of Alcohol Beverage Control (ABC), Census Tract 5426.02 is allotted a maximum of three (3) off-sale alcohol licenses. There are currently two active licenses (Jerry's Liquor and Superior Grocers). With the subject CUP the total licenses in census tract 5426.02 will be three and at the maximum allowed by ABC.

Rob Catherman, spoke on behalf of David Ju (operator of an existing convenience market located at 217 North Long Beach Boulevard), presented the City Council with a revised site plan and brief letter of 25 voluntary conditions formulated and prepared since the Planning Commission's public hearing. Mr. Catherman petitioned the City Council to reverse the decision of the Planning Commission for the following reasons 1) current track record of the applicant, 2) volunteered 25 conditions 3) plans to spend over \$250,000 improving the site, adding three additional parking spaces, nine floodlights outside, limiting the alcohol sales area to no more than 10% of the site, security and video monitoring system (inside and outside the building), all sales employees will undergo state alcohol sales training, installation of an electronic scanning system for identification when alcohol is purchased, signage outside, an agreement with the Sheriff's Department to arrest individuals loitering in or around the site, 24hour hotline to report complaints, and lastly Mr. Ju agrees to returning within a year for a status report on their operations.

David Ju, managing partner for DJDP Enterprise, reported that two years ago they opened their business at 217 North Long Beach Boulevard which had a history of public nuisance problems. Mr. Ju indicated that after taking corrective actions on the property for six months, they have yet to receive a complaint or citation from the City, the Department of ABC, or the Sheriff's Department. And as a result, Mr. Ju has requested permission from the City to sell alcohol, beer and wine at another convenience store located at 200 West Rosecrans Avenue and pledges to operate in the same manner that they have been for the past two years at 217 North Long Beach Boulevard.

PUBLIC COMMENTS ON THE PUBLIC HEARING

The following persons spoke in support of the City Council reversing the Planning Commission's decision to deny conditional use permit case no. 2781 - a request to allow the sale of alcohol, beer and wine (a type 21 alcohol license) an accessory use to a convenience store located at 200 West Rosecrans Avenue, Compton, California: David Irons, Cynthia Nun, Brian Jordan, Lisa Lang, Floyd Smith, James Hamilton, Rodney Lomack, Ricky Biden, Melvin Hoard, Kim Corns, Desiree Ellis, Stella L., Emilio Morales, Benjamin Holifield, Mike Chattom, D. Reyes, Chef Basil, Ernie Bennett, and Ms. K.

#1.

The following persons spoke in opposition to the City Council reversing the Planning Commission's decision to deny conditional use permit case no. 2781 - a request to allow the sale of alcohol, beer and wine (a type 21 alcohol license) an accessory use to a convenience store located at 200 West Rosecrans Avenue, Compton, California: Tajai Cole, LaTosha Cole, Juan Ruiz, Hector Flores, Jose Ramirez, Marjorie Shipp, Pablo Arroyo, Marilyn Lamas, Val Dudley, Curt Turner, Maurice Collins, Joanna Flores, Lisa Flores, Joyce Kelly, and Lynn Boone.

On motion by Zurita, seconded by Galvan, the public hearing was closed at 5:20 p.m., by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

COUNCIL COMMENTS ON THE PUBLIC HEARING

City Attorney Cornwell stated that members of the City Council received the letter referred to by Rob Catherman on November 16, 2015.

Councilperson Galvan articulated his support for the sale of alcohol, beer and wine at 200 Rosecrans Avenue due to the positive change that have taken place at Mr. Ju's convenience store located at 217 Long Beach Boulevard which was previously known for being a public nuisance. Mr. Galvan contended that the business owner is legitimate, has a business degree from the University of Southern California, and has a genuine desire to improve the community.

Councilperson Zurita explained the differences in the process of convenience store owners obtaining a permit to sell alcohol, beer and wine versus larger retail markets. Ms. Zurita voiced her support for the applicant's request to sell alcohol, beer and wine and asked that everyone give Mr. Ju a chance to expand and enrich the business at 200 Rosecrans Avenue before subjecting their judgments.

Councilperson Sharif acknowledged the comments and concerns expressed by the residents and further articulated her reservations for an over-concentration of alcohol related products being sold in the City of Compton. She went on to cite the City's policy and ABC guidelines on businesses selling alcohol in a particular census tract – and stated that because Food4Less sells liquor-related products, three alcohol licenses have already been issued in that area (Jerry's liquor, Superior Grocers, and Food4Less.)

Robert Delgadillo maintained that Food4Less is not under this census tract.

Councilperson Sharif stated that there seems to be an over-abundance of liquor stores in the City of Compton and asked whether or not Mr. Ju's business can be successfully operated without the liquor license.

Mr. Ju acknowledged the concerns expressed by Councilperson Sharif and the residents and further invited them to observe his operations at 217 North Long Beach Boulevard.

Mayor Brown began discussions with Mr. Delgadillo regarding the conditions surrounding this application, the number of liquor licenses issued per census tract, the historical use of this store, and the requirements for small businesses to obtain a conditional use permit to sell alcohol, beer and wine as per the Compton Municipal Code.

Mayor Brown thanked everyone for expressing themselves on this issue and for being a part of the public process. She contended that this is not a liquor store but a convenience store that is proposing to allow only 10% of the area to sell liquor. Mayor Brown suggested that Mr. Ju return in one year for a final approval to address any instances of crime and flagrancy in the event this item is approved by the City Council.

3. REQUESTING CITY COUNCIL'S ACTION TO AFFIRM, AMEND OR REVERSE THE PLANNING COMMISSION'S DECISION TO DENY CONDITIONAL USE PERMIT CASE NO. 2781 - A REQUEST TO ALLOW THE SALE OF ALCOHOL, BEER AND WINE (A TYPE 21 ALCOHOL LICENSE) AS AN ACCESSORY USE TO A CONVENIENCE STORE LOCATED AT 200 WEST ROSECRANS AVENUE, COMPTON (ACTION ITEM)

On motion by Galvan, seconded by Zurita, to reverse the Planning Commission's decision to deny conditional use permit case no. 2781 - a request to allow the sale of alcohol, beer and wine (a type 21 alcohol license) an accessory use to a convenience store located at 200 West Rosecrans Avenue, Compton and (include the 25 voluntary conditions), by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Brown

NOES: Council Members - Sharif

ABSENT: Council Members - Arceneaux

Councilperson Galvan proposed that the City designate someone to inspect the maintenance and activities at local liquor stores to ensure that they uphold a certain standard.

Mayor Brown agreed with Councilperson Galvan and proposed that the City Attorney bring back a liquor store ordinance that provides standards for signage, lighting, surveillance, and methods of operations.

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

David Irons, Compton resident, contended that the City Charter was never intended to uphold the rights of African Americans and suggested it be amended. He also asked that the City Council consider the rehabilitation of the Martin Luther King Jr./Cesar Chavez monument and affirmed that were it not for their works, women would not have the right to vote or have opportunities to work in certain positions. He cited the need for entrepreneurs in leadership and management positions and further emphasized the need for the City to finish projects before beginning new ones.

Benjamin Holifield, Compton resident, commended the members of the City Council for voting to reverse the decision by the Planning Commission to deny an alcohol, beer and wine permit to a business owner. He went on to state that he supports the idea of renovating and illuminating the areas surrounding liquor stores, particularly the store on Alondra Boulevard and Long Beach Boulevard. He suggested that certain individuals "stay in their lane" as it relates to designated areas of expertise and responsibility. He further asked that the City Manager work with solution-minded longstanding residents in the community to help move the City forward.

Floyd Smith, Compton resident and Midland Park representative, petitioned the City Council to help him circumvent the permit process for hosting a carnival show in the City of Compton November 5-8, 2015 to help raise money for the benefit of a non-profit youth organization. He indicated that after telling a Compton city employee his intentions and returning his application on September 16, 2015, he did not receive a (denied) response until October 29, 2015. Mr. Smith mentioned speaking to this City employee again on Tuesday, November 3, 2015 but was denied again without any written recourse. He further stated that due to the absence of a councilperson and Mayor Brown at a regularly scheduled City Council meeting, he was unable to bring the matter before them to get the issue resolved.

Mayor Brown clarified that she was sick on November 3, 2015 and not evading her duties as an elected official.

Shantell Blais, carnival vendor, petitioned the City Council to pardon a \$1421.68 citation she received from code enforcement for attempting to host a carnival at 2100 Rosecrans Avenue on Friday, November 6, 2015. Ms. Blais maintained that she followed the City's protocol for pulling a permit to host the carnival but was unable to complete the process due to the unavailability of staff members and the City's closure on Fridays.

#1.

City Attorney Cornwell stated that he would review the matter with Ms. Blais at a later date.

Joyce Kelly, Compton resident, questioned why the mayor would recommend that a youth organization share the kitchen with a facility that sells alcohol. She went on to state that she was astounded to hear an African American woman in an elected official capacity speak about Willie Lynch in a manner that places value on its claims. Ms. Kelly affirmed that when she referred to Willie Lynch years ago she did so to mock the leadership in the City of Compton during that time.

Lynn Boone, Compton resident, referenced Item No. 7 and contended that there was no nationwide search for a city manager - that Roger Haley is a "throwback" who lacks the ability to move the City forward. She indicated that the first issue of the day for City Manager Haley will be to bring the one percent sales tax forward and then address the Alameda Corridor. She went on to thank Councilperson Arceneaux and Councilperson Sharif for listening to the residents and maintained that this is the first administration to reject public comments and elude addressing City business.

CONSENT AGENDA

On motion by Zurita, seconded by Galvan, Consent Agenda was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

APPROVAL OF MINUTES - There were no minutes to be approved.

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

1. INVESTMENT REPORT - September 2015 (**Received/Filed**)

END CONSENT AGENDA

REGULAR AGENDA

CITY MANAGER'S REPORT

2. POWER POINT PRESENTATION - Pavement Management Program

City Manager Haley presented a PowerPoint on the City of Compton's City-Wide Pavement Management Program.

Pavement Management Study (PMS)

The PMS reviewed all streets city-wide that included the following:

- Field review the existing road inventory and condition data (2002 PMS).
- Develop a database inventory of all pavement including:
 - o Computed Pavement Condition Index (PCI)
 - o Optimized project list priority
 - o Evaluation & suggested maintenance action for each segment
 - o Project cost analysis & cost estimate of maintenance action for each section

Establish PCI guidelines for rating paved roads in accordance with MicroPaver guidelines.

- MicroPaver – developed in the late 1970s to help the Department of Defense manage Maintenance & Repair (M&R) of its vast inventory of pavements. It uses inspection data and a pavement condition index (PCI™) rating from zero (failed) to 100 (excellent).

- Collect, evaluate, verify & transfer all data to makeup PMS and Geographic Information System (GIS) report.
- Develop a fully integrated PMS report.
- Develop a dynamic link between MicroPaver and GIS.
- Provide color coded maps.
- The PMS report shall utilize the database to develop annual recommendations indicating the rehabilitation strategy, year of implementation, cost, and improved serviceability. (The pavement condition index (PCI) is the rating system developed through the United States Army Corps of Engineers (USACE).)

City-wide Pavement Condition

- There is about 19,720,000 square feet of arterial street pavement and 24,278,900 square feet of local street pavement in need of some form of rehabilitation.
- There is approximately 173 centerline miles in the City, which equates to 427 lane miles.
- This is due to that while residential streets have one lane in each direction, arterials and major streets may have multiple lanes in each direction.
- The PMS identified and recommended streets that require rehabilitation. The overall condition of the City’s pavement network has a “poor” condition rating.

Funding Sources to pay for Street Improvements

The “approximate” annual funding sources the City receives for its’ Street Maintenance and Rehabilitation efforts are:
Proposition C \$1M
Proposition A \$1M
Gas Tax \$450K
Measure R \$1M
Total: \$3.45M

Of the \$3.45M, approximately \$2M is available for annual street improvements and maintenance.

Pavement Rehabilitation Costs

- A cost analysis of the PMS data for both the arterials (\$47,400,900) and the local streets (\$63,940,000), estimates a combined total of \$111,340,900 is required.
- Based upon available funding (\$2M), it would require approximately +60 years to completely rehabilitate the entire roadway network (see table). This assumes no further deterioration occurs to the pavement.
- Stated differently, the longer it takes to repair roads, the more it costs to repair roads, or if repairs are made sooner, it costs less to make repairs.

Funds/year	Pavement Costs	Est. Completion Time
(%)	(%)	(years)
\$ 2,000,000	\$ 111,338,401.22	64.02
\$ 3,000,000	\$ 111,338,401.22	42.68
\$ 4,000,000	\$ 111,338,401.22	32.01

Staff indicates that additional funding is greatly needed to reduce the overall costs and time to effect the needed pavement improvements throughout the City to achieve a quality roadway system.

***Images of the streets to be repaired are available in the Public Works Department.**

Councilperson Sharif asked the City Manager if lighting will be included in this study.

#1.

City Manager Haley stated that this study pertains solely to the condition of residential streets and major thoroughfares.

Mayor Brown requested an item be brought back to the City Council regarding the City's street lighting program. Mayor Brown also recommended as part of the street improvement program, the inclusion of the cost to install power lines underground as new development comes in.

CITY ATTORNEY'S REPORTS

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Nieves v. City of Compton, LASC BC 549270
Amada v. City of Compton, LASC BC 565567
Pursuant to California Government code Section 54956.9

On motion by Zurita, seconded by Galvan, closed session was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
APPROVING A THREE (3) YEAR EMPLOYMENT AGREEMENT WITH ROGER L.
HALEY TO SERVE AS CITY MANAGER OF THE CITY OF COMPTON

On motion by Zurita, seconded by Galvan, **Resolution # 24,255** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING A THREE (3) YEAR EMPLOYMENT AGREEMENT WITH ROGER L. HALEY TO SERVE AS CITY MANAGER OF THE CITY OF COMPTON**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

APPROVAL OF WARRANTS - There were no warrants to be approved.

COUNCIL COMMENTS

Councilperson Zurita offered the following communications/announcements:

- Welcomed Roger Haley to the City of Compton.
- Announced the grand opening of the first Chase Bank in the City of Compton.
- Asked that code enforcement address the vacant lot located behind the liquor store on the 600 block of Compton Boulevard.
- Asked the City Manager to bring back a policy that addresses the removal of campaign signs.
- Asked the City Manager to bring back a monthly report on the amount of gaming revenues received by the Crystal Casino.

Meeting Adjournments

Paul Brookshire

Councilperson Galvan offered the following communications/announcements:

- Thanked the public for coming out and voicing their concerns.
- Invited the community to participate in the Demar Derozan Gymnasium Recognition Ceremony to be held Saturday, November 21, 2015 at Lueders Park.
- Announced that he would be partnering with Compton College to give away Thanksgiving turkeys on Tuesday, November 24, 2015.

***Councilperson Galvan exited the meeting at 6:47 p.m.**

Councilperson Sharif offered the following communications/announcements:

- Commended Senita Farley for her efforts to continue the 9th Annual Community Resource Fair at East Rancho Dominguez Park.
- Requested a record of the census tracts in the City that sell alcohol.
- Attended the grand opening of the first Chase Bank in the City of Compton.

Mayor Brown offered the following communications/announcements:

- Commented on the success of the first Monthly Mayor's Conference Call and listening party.
- Attended the grand opening of the first Chase Bank in the City of Compton wherein thirty percent of the workforce will consist of local residents.
- Represented the City during the Southern California Gas Company Clean Truck Media Conference with mayors from the five southeast cities advocating and showing their support for clean gas emissions.
- Participated in Sweet Alice's 50 Years of Service Celebration.
- Participated in a policy conference at the White House with President Obama's senior advisors to discuss legislative priorities for the middle class.
- Assemblyman Isadore Hall III will be hosting his "11th Annual Healthy Family Legislative Update & Turkey Giveaway" to be held Wednesday, November 24, 2015 at the Compton College Urban Youth Major League Baseball Academy from 9 a.m. to 1 p.m.
- "Compton's Got Talent Community Unity Talent Show" will be held Saturday, November 21, 2015.
- "Compton's Annual Thanksgiving Dinner Service" will be held Wednesday, November 25, 2015 at the Dollarhide Community Center from 11 a.m. to 4 p.m.
- Reported that criminal homicides in the City of Compton are down 42% per the Compton's Sheriff's Monthly Crime Report.

Meeting adjournments

Kandress Lewis

CITY COUNCIL MEETING RECESSED TO CLOSED SESSION AT 7:01 P.M.

On motion by Zurita, seconded by Sharif, the meeting recessed at 7:01 p.m., by the following vote on roll call:

AYES: Council Members - Zurita, Sharif, Brown
NOES: Council Members - None
ABSENT:Council Members - Galvan, Arceneaux

***The City Council meeting reconvened at 8:14 p.m.**

REPORT OUT OF CLOSED SESSION

City Attorney Craig Cornwell reported out that conference met with legal counsel to discuss existing litigation regarding Nieves v. City of Compton, LASC BC 549270. Unanimous settlement parameters were given in that matter - no reportable action was taken. In the case regarding Amada v. City of Compton, LASC BC 565567 - there was a unanimous rejection of plaintiff's 998 offer. These discussions were held pursuant to California Government code Section 54956.9. Present in closed session was Zurita, Sharif, and Brown.

ADJOURNMENT

The meeting adjourned at 8:14 p.m. in memory of **Paul Brookshire** and **Kandress Lewis** for lack of a quorum.

AYES: Council Members - None
NOES: Council Members - None
ABSENT:Council Members - Zurita, Galvan, Arceneaux, Sharif, Brown

Clerk of the City of Compton

Mayor of the City of Compton

DECEMBER 1, 2015

The City Council meeting was called to order at 3:44 p.m. in the Council Chambers of City Hall by Mayor Aja Brown. The Pledge of Allegiance and Moment of Silence ceremonies were also led by Mayor Aja Brown.

ROLL CALL

Council Members Present: **Zurita, Sharif, Brown**

Council Members Absent: **Galvan*, Arceneaux**

Other Officials Present: **C. Cornwell, V. McDaniel, R. Haley**

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

John Scoggins, Compton resident, petitioned the City Council to assist him in the process of obtaining a roofing permit for his church located at 1128 South Acacia Street.

Mayor Brown instructed the City Manager to resolve this issue as El Nino is quickly approaching.

Muhammad Mubarak, former Compton resident and mural artist, thanked the Mayor and City Council for their support and prayers while he buried his daughter last week. He went on to invite them to review a new design that he is developing for the mural on the Council Chambers.

Floyd Smith, Compton resident, petitioned the City Council to start the parade on Bullis Road as the participants leave Lueders Park to allow the residents and youth living on that street to experience the festivities.

Roberto Rodriguez, teacher at Compton YouthBuild, thanked the community members who attended and participated in the success of YouthBuild's "Open House & Social Justice Townhall" meeting. He announced that they would be supporting the "Toy Drive" scheduled for Saturday, December 5, 2015 at Wilson Park and participating in the Christmas parade; as well as hosting another Open House event on Wednesday, December 16, 2015.

***Councilperson Galvan entered the meeting at 3:50 p.m.**

Joyce Kelly, Compton resident, stated that she is certain that the decrease in the council's stipends has contributed to some of their newfound absences. She also stated that it goes to show what they think and feel about the City of Compton. She went on to ask that the City Manager investigate some of the contracts on the agenda, alleging that money is being spent prior to work being performed. She also spoke in opposition to the council's approval of an alcohol, beer and wine permit to a store located across the street from an elementary school. She contended that it is contrary to the idea that education is important and affirmed that the City already has a bad reputation. She went on to question why the City Manager would consider issuing a contract to TrueBlue or anyone else when the City should have ample employees qualified to perform the duties assigned to their staffing agency. Lastly, she asked the City Manager to address whether or not the City of Compton maintains the railways for Union Pacific, on account of a warrant on the agenda requesting asphalt to maintain the railway.

Lynn Boone, Compton resident, made reference to Item No. 7 and held that the grant would be paid with funds approved by the previous administration. She went on to state that the summary in Item No. 8 suggests that it is about construction for the senior citizen center, but the resolution addresses the Dollarhide Community Center. She stated that there is no senior citizen facility and held that what is addressed in the summary and background is different than what the council will be signing as it relates to the resolution. She maintained that the warrant under Item No. 12 is a lie and that on October 20, 2015 the City Manager promised to bring the item back as an optional resolution due to an existing case against Labor Ready and also TrueBlue. Lastly, she stated that the pavement management report was concise and fair, and held that she feels the City is not seeking grant funding to fix the City's streets like they should.

F.C. Herbert, Compton resident, asked that the City Council assist him in addressing the discrepancies in a parking situation in the 400 block of Magnolia Street.

Mayor Brown asked the City Manager to add this item to the report back log.

Kennedy Milo, bingo operator, requested the status of the Samoan Congregational Church's permit to operate bingo within the Crystal Casino located in the City of Compton. He mentioned speaking briefly with Councilperson Zurita and Councilperson Sharif last week regarding directions and an extension to their contract.

Latosha Cole, Compton resident, asked the City Council to announce what their plans are for residents that cannot afford to purchase Christmas trees. She also asked that flyers be distributed to the community letting them know that the City contracts with the Los Angeles County Sheriff's Department to provide law enforcement services. She went on to suggest that residents be allowed to park underground when attending City Council meetings. She also suggested that the City's elected officials make appointments with their constituents and follow-up to show proper protocol.

Mayor Brown asked the City Manager to research what the additional insurance cost will be to allow residents to park underground.

CONSENT AGENDA

On motion by Zurita, seconded by Sharif, the Consent Agenda was approved, by the following vote on roll call:

- AYES: Council Members - Zurita, Galvan, Sharif, Brown**
NOES: Council Members - None
ABSENT: Council Members - Arceneaux

APPROVAL OF MINUTES

1. NOVEMBER 10, 2015 **(Approved)**

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

2. AN UPDATE REPORT OF THE PUBLIC FINANCE AUTHORITY LEASE REVENUE BONDS SERIES 2008 **(Received/Filed)**
3. REPORT OF THE SALES TAX REVENUES **(Received/Filed)**
- Total Amount Received for Fiscal Year 2015/2016 - \$646,911.00
4. A REPORT OF THE CITY OF COMPTON 2015/2016 TAX AND REVENUE ANTICIPATION NOTES **(Received/Filed)**
5. REPORT OF LICENSE FEE REVENUES (BASED ON THE GROSS REVENUES COMPUTATION) RECEIVED FROM CELEBRITY CASINOS, INC.FOR THE FISCAL YEAR 2015/2016 **(Received/Filed)**

END CONSENT AGENDA

REGULAR AGENDA

CITY ATTORNEY’S REPORTS

6. POWER POINT PRESENTATION - Code Enforcement Fiscal Year 2015-2016 Update

City Attorney Cornwell offered a PowerPoint presentation on code enforcement’s mission, activities, and accomplishments.

MISSION

- Code enforcement identifies and addresses existing property maintenance violations in order to preserve and improve the appearance and health of the Compton community.

ABOUT OUR MISSION

- Educate the public and encourage citizens who are in violation of a variety of codes in order to obtain compliance.
- Inspect the exterior of residential and commercial structures for compliance
- Receive input from city management, city officials, and citizens to address the various areas of exterior compliance.

ACCOMPLISHMENTS

- 10 complaints a day (average)
- Responded to 890 complaints
- Opened 729 cases
- Conducted sweeps on 72 commercial business license violations
- Abated 356 illegal vendor matters

City Attorney Cornwell explained the process for citing violations.

Common Residential Violations

Tall weeds and grass, unpermitted animals, debris and trash visible from the street, inoperable vehicles, and unpermitted vending.

Common Business & Industrial Violations

Temporary signs, banners, window signs, outside storage of goods or equipment and lack of landscape maintenance.

Other Common Code Violations include: Recreational vehicles parked in the wrong place, commercial vehicle parking, and parking in yards.

CitizenServe – is a software that will allow Building, Planning and code enforcement to work from the same software to identify property owners, violations, and other information.

Mayor Brown requested the policy and procedure for inspecting vacant properties after a fire.

City Attorney Cornwell stated that from a code enforcement standpoint, vacant properties are patrolled - and officers are assigned a District, so any issues that arise on a vacant property include the attainment of a warrant.

#1.

Mayor Brown requested that an ordinance be brought back to address the assessment of fees for the cost to the City for abating hazards on vacant commercial and industrial properties. Mayor Brown also requested a demonstration of the Citizen Serve software on behalf of the community.

Councilperson Sharif requested the status of the property that was burned down at Mayo and Compton Boulevard, citing that it represents likely liability concerns. Ms. Sharif went on to request the process and procedure for opening a business in the City of Compton.

City Attorney Cornwell explained to Councilperson Sharif that the process for applying for a business license in the City of Compton begins in the Business and License Division and within that division inspectors investigate properties. Moreover, Mr. Cornwell clarified that illegal business owners operate in the same manner that squatters do in residential homes and that there has also been instances wherein landlords have advertised for a certain type of business that the City does not permit.

Bryan Batiste, Fire Chief, presented an update on the status of the vacant building that was burned down two weeks ago at Mayo and Compton Boulevard – this is the third fire to happen within the last eighteen months. Previously, Mr. Batiste stated that they were required to contact the owner and perform a "cause and origin" procedure but then discovered that the property was placed on sale a year ago, had no fire insurance, and in probate under dispute with family members. Mr. Batiste confirmed that the most recent fire damaged the building severely so that it needs to be demolished - staff has made another attempt to contact the owner this week to inquire about their intentions on the property and so far, they have yet to receive a response. Alternatively, the City can demolish the building and possibly put a tax lien on it to recoup costs. Additionally, homeless persons have been found to inhabit the building.

Councilperson Sharif stated that she would like the City Manager to stay on top of this issue, as there are safety issues present.

City Attorney Cornwell stated that he could get court authority to demolish the building.

Mayor Brown spoke in support of the City moving forward on this issue as soon as possible as it represents a public safety hazard.

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT \$59,098 FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY NATIONAL TRANSIT DATA FUNDS, AMEND THE PUBLIC WORKS/MUNICIPAL UTILITIES BUDGET AND ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2012-2013 (\$59,098)

It was moved by Zurita, seconded by Sharif, for discussion.

Mayor Brown asked the City Manager to issue a brief explanation of this resolution on behalf of the members of the public.

City Manager Haley reported that this item pertains to payment from the Metropolitan Transportation Authority to the City for charges related to fixed route transit services provided by the City.

On motion by Zurita, seconded by Sharif, **Resolution # 24,256** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT \$59,098 FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY NATIONAL TRANSIT DATA FUNDS, AMEND THE PUBLIC WORKS/MUNICIPAL UTILITIES BUDGET AND ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2012-2013 (\$59,098)**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR LICENSE AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY IN REGARD TO USE OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY-OWNED PROPERTY ADJACENT TO THE MARTIN LUTHER KING JR. TRANSIT CENTER PROJECT

On motion by Zurita, seconded by Galvan, **Resolution # 24,257** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR LICENSE AGREEMENT WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY IN REGARD TO USE OF LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY-OWNED PROPERTY ADJACENT TO THE MARTIN LUTHER KING JR. TRANSIT CENTER PROJECT**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXCHANGE EXCESS MOTOROLA PORTABLE RADIOS TO SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS FOR NEW RADIOS FOR THE FIRE DEPARTMENT

It was moved by Zurita, seconded by Galvan, for discussion.

Mayor Brown asked the City Manager to issue a brief explanation of this item.

City Manager Haley explained that the City has thirty-one surplus Motorola portable radios without antennas or batteries; and the Fire Chief has indicated that these radios do not meet the needs of the department - so he is requesting that the City authorize an exchange of those radios for new radios with the SouthBay Regional Public Communications.

Councilperson Zurita asked the Fire Chief to address whether or not the radios are old or new.

Bryan Batiste, Fire Chief, answered that the radios were purchased several years ago and damaged in a fire at Fire Station One. They were initially purchased as police radios when the City was anticipating bringing back the Compton Police Department; however now the Fire Department is proposing to trade them in for store credit for new radios for use by the Fire Department.

Councilperson Zurita requested a full count on all Fire Department equipment including defibrillators, radios, and electronic devices used to document field reports; as well as an inventory count on all Parks & Recreation equipment.

Mayor Brown also requested an inventory count on City vehicles.

#1.

On motion by Galvan, seconded by Zurita, **Resolution # 24,258** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXCHANGE EXCESS MOTOROLA PORTABLE RADIOS TO SOUTH BAY REGIONAL PUBLIC COMMUNICATIONS FOR NEW RADIOS FOR THE FIRE DEPARTMENT**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVERSING THE DECISION BY THE PLANNING COMMISSION AND APPROVING CONDITIONAL USE PERMIT CASE NO. 2781 - A REQUEST BY APPLICANT DAVID JU FOR OFF-SITE ALCOHOL, BEER AND WINE SALES AS AN ACCESSORY USE TO A CONVENIENCE STORE LOCATED AT 200 WEST ROSECRANS AVENUE

It was moved by Zurita, seconded by Galvan, for discussion.

Councilperson Galvan stated that he had a conversation with Mr. Ju in his office yesterday and he asked that one of the conditions be removed from the resolution which indicates that he cannot post a sign in the storefront.

City Manager Haley stated that it is his understanding that the applicant is allowed to post signs at his business however he cannot advertise alcohol-related products.

Mayor Brown stated that she drove by and observed a sign on the exterior that said "liquor".

Robert Mr. Delgadillo, Planning department representative, confirmed that any use of the word "alcohol" or "liquor" or any brand name is prohibited.

Councilperson Sharif stated that she observed the sign "liquor" on the building prior to the permit being issued.

Mr. Delgadillo stated that staff will have to check and see whether or not a permit was issued for the sign, and if the sign is an older sign it may be a legal non-conforming sign.

Mayor Brown questioned how the sign could be a legal non-conforming sign if per the code and conditional use permit, displaying liquor on any type of signage is prohibited.

Mr. Delgadillo stated that the prohibition is in the alcohol sales policy, not the City's actual zoning code - if the liquor store is old enough it could have the word "liquor store" in its name and it would be classified a legal non-conforming sign.

On motion by Zurita, seconded by Galvan, **Resolution # 24,259** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVERSING THE DECISION BY THE PLANNING COMMISSION AND APPROVING CONDITIONAL USE PERMIT CASE NO. 2781 - A REQUEST BY APPLICANT DAVID JU FOR OFF-SITE ALCOHOL, BEER AND WINE SALES AS AN ACCESSORY USE TO A CONVENIENCE STORE LOCATED AT 200 WEST ROSECRANS AVENUE**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Brown

NOES: Council Members - Sharif

ABSENT: Council Members - Arceneaux

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
ADOPTING THE UPDATED 2014-2019 PAVEMENT MANAGEMENT PROGRAM
THAT WAS PERFORMED ON ALL ROADS WITHIN THE CITY LIMITS

It was moved by Zurita, seconded by Sharif, for discussion.

Councilperson Zurita asked the City Manager if the approval of this pavement management plan will tie the City into the previous pavement management plan that documented the condition of the streets and the order in which they will be repaired.

City Manager Haley assured Councilperson Zurita that the streets will be addressed in order from bad to good based upon this specific pavement management plan.

Councilperson Sharif stated that it is difficult for her to navigate through the pavement management plan because she cannot see the streets or recognize which streets in the 4th District have been repaired under this grant. Ms. Sharif went on to request the number of severely damaged streets in each District and the order in which they will be addressed.

City Manager Haley stated that upon receipt of the grant funds he will be better able to accurately report to Councilperson Sharif the identity, number, and order of streets to be repaired.

Mayor Brown instructed the City Manager to ensure that staff takes before and after photographs of the streets to be repaired in an effort to document the use of funding - and that copies of the notice of completions be forwarded to the members of the City Council.

Councilperson Sharif also requested the identity of the streets recently repaired in the 4th District.

City Manager Haley discussed the development of street reconstruction and the work that needs to happen prior to the progression of the actual labor taking place.

Mayor Brown asked that this data be dropped into a GIS map so that the information is available online and so that staff can use it as a tool to address additional funding options, timelines, and schedules.

On motion by Zurita, seconded by Sharif, **Resolution # 24,260** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE UPDATED 2014-2019 PAVEMENT MANAGEMENT PROGRAM THAT WAS PERFORMED ON ALL ROADS WITHIN THE CITY LIMITS**" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

12. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING
SECTION 2-1.2 TO ESTABLISH A STANDARD MEETING TIME OF 5:30 P.M. FOR
ALL REGULAR MEETINGS OF THE CITY COUNCIL (First Reading)

On motion by Zurita, seconded by Galvan, to waive the reading of the ordinance in full, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

#1.

On motion by Zurita, seconded by Galvan, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 2-1.2 TO ESTABLISH A STANDARD MEETING TIME OF 5:30 P.M. FOR ALL REGULAR MEETINGS OF THE CITY COUNCIL (First Reading)" was placed on first reading by title only, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE 2015/16 FISCAL YEAR BUDGET REVENUE PROJECTIONS AND EXPENDITURES APPROPRIATIONS BASED ON THE FIRST QUARTER BUDGET REVIEW

On motion by Zurita, seconded by Galvan, **Resolution # 24,261** entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE 2015/16 FISCAL YEAR BUDGET REVENUE PROJECTIONS AND EXPENDITURES APPROPRIATIONS BASED ON THE FIRST QUARTER BUDGET REVIEW" was approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

SUBSEQUENT NEED ITEM - REQUEST TO WAIVE FEES (\$405.56) FOR USE OF THE COMMUNITY CENTER FOR THE REPAST OF FORMER CITY EMPLOYEE PAUL BROOKSHIRE FOR THURSDAY, DECEMBER 3, 2015 FROM 4 P.M. TO 6 P.M.

On motion by Zurita, seconded by Galvan, to consider the subsequent need item, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

On motion by Zurita, seconded by Galvan, to approve SUBSEQUENT NEED ITEM - REQUEST TO WAIVE FEES (\$405.56) FOR USE OF THE COMMUNITY CENTER FOR THE REPAST OF FORMER CITY EMPLOYEE PAUL BROOKSHIRE FOR THURSDAY, DECEMBER 3, 2015 FROM 4 P.M. TO 6 P.M., by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

APPROVAL OF WARRANTS

14. Warrant #230195 - 10/14/15 - TRUEBLUE Inc. - Service Performed by Labor Ready Staff - \$15,360.00 - Requested by: Public Works

Warrant #230601 - 11/03/15 - Trimming Land Co. Inc. - Clean up and Hauling Tree Debris - \$6,272.00 - Requested by: Public Works

Warrant #230605 - 11/04/15 - Blue Diamond Materials - Asphalt to maintain Roadways - \$6,760.68 - Requested by: Public Works

Warrant #230856 - 11/19/15 - Wintech Resources Inc. - Emergency ambulance billing - \$25,982.14 - Requested by: Fire Department

Total Amount - \$54,374.80

Councilperson Sharif asked the City Manager to provide a brief overview of warrant number 230195.

City Manager Haley stated that warrant number 230195 pays for activities performed by TrueBlue during the month of August 2015 wherein they assisted the Public Works Department with street maintenance.

Councilperson Sharif asked the City Manager to address whether or not the Trimming Land Co. Inc. is responsible for tree trimming, cleaning, and hauling away debris as it relates to warrant number 230601.

City Manager Haley remarked that the company is required to perform the services of tree trimming, cleaning, and the hauling away of debris.

Councilperson Sharif instructed the City Manager to provide a list of contracts maxed out at \$25,000 and over so that she can have an idea as to what the General Fund budget and expenditures entails.

Mayor Brown also asked that the City maintain a record of all standard services contracted out.

On motion by Zurita, seconded by Galvan, the above warrants were approved, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux

COUNCIL COMMENTS

Councilperson Zurita offered the following communications/announcements:

- Compton Unified School District will be hosting an informational orientation for prospective applicants interested in enrolling their children into the Compton Early College High School. Orientation is scheduled to be held Saturday, December 5, 2015 from 10 a.m. to 12 p.m. in the Compton High School auditorium. For more information please call (310) 604-2706.
- Asked the City Manager to conduct a cost analysis on how much it will cost the City to add an annual or bi-annual bulky waste pick-up for all residents throughout the City.
- Asked that the Magnolia Alley be placed on the clean-up list. Also asked that the City research a way in which the landlord for the Magnolia apartments can be held responsible for the illegal dumping that occurs in the Magnolia Alley.
- Asked the City Manager to look into giving the tax-payers a break now that City employees are required to pay into their own retirement benefits.
- Asked the City Manager to readjust the cameras so that they can assist law enforcement officials in stopping crime.
- Asked the City Manager to figure out how the City can advertise its rewards for information leading to the arrest of person(s) involved in criminal activities.
- Recognized the Sheriffs' deputy and the women responsible for finding the abandoned baby in the brush along the Compton Creek.

Meeting adjournment

Judge Ellen DeShazer

Councilperson Galvan offered the following communications/announcements:

- Recognized City staff for their efforts to make the unveiling of the Demar DeRozan gymnasium ceremony a success.
- Partnered with Senator Isadore Hall III to host his 11th Annual Thanksgiving Turkey Giveaway at Compton College as well as Cynthia Nun's Angels For Sight Turkey Giveaway.
- "2nd Annual Christmas Toy Giveaway" will be held Saturday, December 19, 2015 from 11:30 a.m. to 2:30 p.m. at Caesar Chavez Park.

***Councilperson Galvan exited the meeting at 5:36 p.m.**

Councilperson Sharif offered the following communications/announcements:

- Commended Judge Filer for continuing and expanding the Drug Diversion program at Compton Superior Court.
- "First Annual Christmas Toy Giveaway" will be held Saturday, December 5, 2015 at Wilson Park from 11 a.m. to 5 p.m.

Mayor Brown offered the following communications/announcements:

- Thanked Senator Isadore Hall III for continuing his Thanksgiving Turkey Giveaway in the City of Compton. Thanked the organizations that partnered to make the "Compton's Got Talent Show" a success: Compton Empowered, MadMac Foundation, LaLa Foundation, and Urban Vision.
- Commented on the success of the "2nd Annual Compton Thanksgiving Community Dinner" wherein over 600 dinners were served to Compton residents. Thanked the 400 Ways Foundation and Shani Jackson mother of rapper "YG" Jackson for cooking the food.
- "City of Compton's Annual Tree Lighting Ceremony" will be held December 8, 2015 at 4:30 p.m. in the Council foyer.
- "Compton Christmas Parade" and "Christmas Toy Giveaway" will be held Saturday, December 12, 2015 at 11 a.m. and 2 p.m.

Items Requested

City of Compton's Filming Fee Schedule

Before & After photographs for street improvements

Parks and Recreation Fee Schedule to use the Dollarhide Community Center

Culture & Arts Commission

Historical Preservation Commission for Council consideration

ADJOURNMENT

On motion by Zurita, seconded by Sharif, the meeting was adjourned at 5:39 p.m. in memory of **Compton Superior Court Judge Ellen DeShazer**, by the following vote on roll call:

AYES: Council Members - Zurita, Sharif, Brown

NOES: Council Members - None

ABSENT: Council Members - Galvan, Arceneaux

City Clerk of the City of Compton

Mayor of the City of Compton

December 15, 2015

TO: **CHAIRPERSON & DIRECTORS**

FROM: **CITY CONTROLLER**

SUBJECT: **BOARD OF DIRECTORS OF THE PUBLIC FINANCE
AUTHORITY – AN UPDATE REPORT OF THE PUBLIC
FINANCE AUTHORITY LEASE REVENUE BONDS SERIES
2008**

SUMMARY

This update report contains the balance of the bond obligation, the associated bond interest payable and the proceeds of the bond not yet spent but held with the Bond Trustee (US Bank) as of **November 30, 2015** in respect of the Public Finance Authority Lease Revenue Bonds Series 2008.

BACKGROUND

The Public Finance Authority (PFA) was established for the purpose of financing public capital improvements, and to provide working capital for the City and the former Community Redevelopment Agency. PFA currently has only one outstanding bond - the Public Finance Authority Lease Revenue Bonds Series 2008 which was issued on May 1, 2008. The PFA Lease Revenue Bonds Series 2008 was approved by the City Council with Resolution No. 22,536 dated 3/11/2008 to fully pay off an earlier bond issued in 1997 and to finance the following capital projects (2008 Projects):

1. Rehabilitation of Compton City Hall for **\$5,200,000**
2. Facilities improvement and equipment purchase for the City's Parks in the amount of **\$3,134,000**
3. Purchase and installation of City-wide surveillance cameras for **\$2,000,000**
4. Design and construction of Senior Citizen Center for **\$11,200,000**
5. Design and construction of Parking Structure as part of the Transit Center revitalization project for **\$8,366,000.**

Pursuant to Resolution No 22,901 of July 28, 2009, the City Council made certain changes to the definition of "2008 Projects" and reallocated funds in the PFA 2008 Lease Revenues Bonds account for the purpose of financing those changes. Specifically, the City Council mandated that the construction of the Senior Citizen Center and Parking Structure should be funded by the then Community Redevelopment Agency (CRA) and not from the Lease Revenue Bond. Therefore, the amounts originally allocated for the Senior Citizen Center project (**\$11,200,000**) and Parking Structure project (**\$8,366,000**) were reallocated to finance the Compton Police Project. After commencement of the project, the City Council subsequently mandated that the Compton Police Project should be discontinued, and ratified all costs incurred on the project.

Public Finance Authority
Page 2 of 4

Resolution No 23,422 of November 8, 2011 made further changes to the “2008 Projects” and reallocated funds for the purpose of financing the changes. Specifically, the City Council mandated that funds should be reallocated to finance the Martin Luther King Multimodal Transit center in the amount of **\$4,000,000**, the Compton Dispatch Center for **\$700,000** and debt service payment of the Lease Revenue Bond in the amount of **\$7,000,000**.

On July 2, 2013, the City Council approved further change to the “2008 Projects” with Resolution No. 23,789 to include financing of further improvements to the Martin Luther King Multimodal Transit Center in an additional amount not to exceed **\$665,000**.

On July 28, 2015, the City Council approved the commencement of arrangements to refund the Lease Revenue Bonds by using the unspent proceeds of the Bond for the partial repayment of the Bond. The resolution authorized the allocation of an amount not-to-exceed **\$4,000,000** of the unspent proceeds of the Bond to specifically pay the principal and interest of the Bond due on September 1, 2015.

STATEMENT OF ISSUE

The table below shows the amount allocated to the initial projects (“2008 Projects”) approved by the City Council with Resolution No. 22,536 dated 3/11/2008, the amounts of reallocation made by the City Council with Resolution No. 22901 of 7/28/2009, the amounts of further reallocation by the Council with Resolution No. 23,422 of 11/8/2011, the additional amount reallocated for the MLK Transit Center with Resolution No. 23,789 of 7/2/2013, the amount spent on each project and the balances not yet spent or reallocated.

Project	Initial Allocation Resolution # 22,536	Second Reallocation Resolution # 22,901	Third Reallocation Resolution # 23,422	Amount Spent To-date	Unspent Balance To-date	Remarks
City Hall Rehabilitation	\$ 5,200,000	\$ 5,200,000	\$ 5,200,000	\$ 457,117	\$ 4,742,883	
Parks Rehabilitation	3,134,000	3,134,000	3,134,000	2,048,899	1,085,101	
Surveillance Cameras	2,000,000	2,000,000	2,000,000	1,736,419	263,581	
Senior Citizen Center	11,200,000	-	-	-	-	
Parking Structure	8,366,000	-	-	-	-	Resolution No. 22,901 (2009) erroneously indicated \$8,701,000.
Compton Police Project	-	19,566,000	1,792,902	1,792,902	-	The unspent amount of \$17.77m was reallocated by Res. 23,422.
MLK Project	-	-	4,000,000	3,990,525	9,475	
MLK Improvements	-	-	665,000	658,772	6,228	Additional allocation per Resolution No. 23,789.
Debt Service Payments	-	-	7,000,000	6,959,663	40,337	Resolution 23,422
Debt Service Payments	-	-	4,000,000	2,784,944	1,215,056	Resolution 24,211 allocated \$4 million for debt service payment
Compton Dispatch Center	-	-	700,000	-	700,000	
Unallocated	-	-	1,408,098	-	1,408,098	Amount not yet reallocated to any project.
Total	\$ 29,900,000	\$ 29,900,000	\$ 29,900,000	\$20,429,241	\$ 9,470,759	

The MLK Project has been completed and put to use by the City. The City-wide camera project was in progress as of time of this report. Several cameras have been installed and are currently functioning.

Public Finance Authority
Page 3 of 4

Some of the specific tasks under the Parks Rehabilitation Project have been completed. The City Council approved during the 2014/2015 Fiscal Year that the unspent balance under the Parks Rehabilitation Project should be utilized to complete other aspects of the City's park improvement. The amounts allocated for the debt service payments have been utilized to make the debt payments.

The actual amount of cash at US Bank (Bond Trustee) representing total proceeds of the PFA Lease Revenue Bonds Series 2008 not yet spent as of **November 30, 2015** was **\$12,895,165**. The bank balance comprised the following:

Bank Balance 11/30/2015	
Capital Project Account	\$ 8,946,027
Reserve Account (Lease Revenue Bonds Fund)	<u>3,949,138</u>
Total balance at US Bank	<u>\$ 12,895,165</u>

The amounts of the outstanding principal obligation and the associated bond interest payable for the duration of the PFA Lease Revenue Bonds Series 2008 are shown below:

Fiscal Year	Principal Payment	Interest Payment	Total Payment	Remarks
2008-2009	\$ 1,130,000	\$ 788,362.50	\$ 1,918,362.50	Bond payment made by the City
2009-2010	-	2,319,887.50	2,319,887.50	Bond payment made by the City
2010-2011	-	2,319,887.50	2,319,887.50	Bond payment made by the City
2011-2012	-	2,319,887.50	2,319,887.50	Bond payment made by the City
2012-2013	-	2,319,887.50	2,319,887.50	Bond payment made by the City
2013-2014	-	2,319,887.50	2,319,887.50	Bond payment made by the City
2014-2015	-	2,319,887.50	2,319,887.50	Bond payment made by the City
2015-2016	1,625,000	2,319,887.50	3,944,887.50	\$2,784,943.75 paid, \$1,159,943.75 due on 3/1/2016
2016-2017	1,710,000	2,238,387.50	3,948,387.50	Not yet due for payment
2017-2018	1,795,000	2,153,137.50	3,948,137.50	Not yet due for payment
2018-2019	1,885,000	2,063,387.50	3,948,387.50	Not yet due for payment
2019-2020	1,980,000	1,969,137.50	3,949,137.50	Not yet due for payment
2020-2021	2,075,000	1,870,137.50	3,945,137.50	Not yet due for payment
2021-2022	2,180,000	1,766,387.50	3,946,387.50	Not yet due for payment
2022-2023	2,290,000	1,657,387.50	3,947,387.50	Not yet due for payment
2023-2024	2,405,000	1,542,887.50	3,947,887.50	Not yet due for payment
2024-2025	2,530,000	1,416,625.50	3,946,625.50	Not yet due for payment
2025-2026	2,665,000	1,283,800.00	3,948,800.00	Not yet due for payment
2026-2027	2,805,000	1,143,887.50	3,948,887.50	Not yet due for payment
2027-2028	2,950,000	996,625.00	3,946,625.00	Not yet due for payment
2028-2029	3,105,000	841,750.00	3,946,750.00	Not yet due for payment
2029-2030	3,260,000	686,500.00	3,946,500.00	Not yet due for payment
2030-2031	3,425,000	523,500.00	3,948,500.00	Not yet due for payment
2031-2032	3,595,000	352,250.00	3,947,250.00	Not yet due for payment
2032-2033	3,450,000	172,759.50	3,622,759.50	Not yet due for payment
	\$46,860,000	\$ 39,706,122.50	\$ 86,566,122.50	

#2.

**Public Finance Authority
Page 4 of 4**

RECOMMENDATION

It is recommended that the Chairperson and Board of Directors receive and file this report.

**STEPHEN AJOBIEWE
CITY CONTROLLER**

APPROVED FOR FORWARDING:

**ROGER L. HALEY
CITY MANAGER**

December 15, 2015

TO: **THE HONORABLE MAYOR & COUNCIL MEMBERS**

FROM: **CITY CONTROLLER**

SUBJECT: **REPORT OF SALES AND USE TAX REVENUES – AS OF
NOVEMBER 30, 2015**

This report contains an update of the Sales and Use Tax revenues received by the City of Compton as of November 30, 2015. The City's Sales and Use Tax Rate is currently **9.00%**. This rate comprises the following:

	Fiscal Year 2015/2016	Fiscal Year 2014/2015
Sales Tax Rate Imposed by State of California	7.50%	7.50%
Sales Tax Rate Imposed by Los Angeles County	1.50%	1.50%
Sales Tax Rate Imposed by City of Compton	<u>0.00%</u>	<u>0.00%</u>
Total Sales Tax Rate	<u>9.00%</u>	<u>9.00%</u>
 Actual Sales Tax amount received as of Nov. 30	 <u>\$ 1,169,111</u>	 <u>\$ 1,586,799</u>

The portion of the **9%** sales tax rate receivable by the City of Compton is approximately **1%**. The City has received **\$1,169,111** as part of the Sales and Use Tax revenue for the 2015/2016 Fiscal Year. The City budgeted to receive a total of **\$7,560,540** in Sales and Use Tax revenue during Fiscal Year 2015/2016.

Thank you.

STEPHEN AJOBIWE
CITY CONTROLLER

ROGER L. HALEY
CITY MANAGER

December 15, 2015

TO: **THE HONORABLE MAYOR & COUNCIL MEMBERS**

FROM: **CITY CONTROLLER**

SUBJECT: **REPORT OF THE CITY OF COMPTON 2015/2016
TAX AND REVENUE ANTICIPATION NOTES**

SUMMARY

This report contains relevant information about the City of Compton **2015/2016 Tax and Revenue Anticipation Notes (TRANS)** issued in August 2015. The TRANS represents obligation of the General City.

BACKGROUND

For several years, the City experienced cash flow problem during the first half of each fiscal year (i.e. from July to December of each year). The cash flow issue was a result of the fact that the City received bulk of its General Fund revenues (especially the Motor Vehicle License Fee and Property Tax revenues) during the second half of the year. The City received smaller amounts of General Fund revenues during the first half of each fiscal year. This situation meant that the City had to delay payments to its vendors (during the first half of each year) which resulted in strained relationship with the City's critical vendors.

To ensure that the City does not experience the annual cash flow problem, the City Council authorized the issuance of **\$10.00 million Tax and Revenue Anticipation Notes (TRANS)** to provide cash for financing the City's operations during the first half of the 2015/2016 fiscal year.

The City will utilize the proceeds of the 2015/2016 TRANS to remain current in paying its monthly bills until the revenue collections increased significantly in the second half of the fiscal year. The TRANS will be fully repaid (principal and interest) in **June 2016** utilizing the General Fund secured revenues accumulated in a lock box from July1, 2015 to May 31, 2016.

STATEMENT OF ISSUE

The net proceeds of the TRANS of **\$9,712,500** (after deducting underwriter's discount of \$90,000, and total issue expense of \$197,500 as detailed below) was deposited with the City's Trustee (US Bank).

#4.

The total issue expense of \$197,500 represents professional fees of the Attorneys, Bond Consultants, Capital Market Specialist, and Trustee engaged for the issuance of the TRANS. The services of the professionals were necessary to ensure that the issuance of the TRANS was properly documented, marketed to investors, registered with the necessary Agencies and that all legal requirements were complied with. The fees were verified and paid directly by the Trustee (US Bank) and the fees were deducted from the proceeds of the TRANS deposited in the City's US Bank account. Details of the professional services regarding the TRANS are:

Name	Professional Service	Fee Amount
Gonzalez, Saggio & Harlan LLP	Bonds Counsel for the TRANS	\$ 60,000
Butler Snow LLP	Special Counsel review of the TRANS	50,000
Comer Capital Group	Capital Market Services	60,000
CCG Asset Management	Cash Investment Services	8,500
IFC Securities	Bond Underwriters	7,500
Bell & Washington, LLP	Underwriter's Counsel Services	7,500
US Bank	Trustee Services	1,500
Dorsey & Whitney, LLP	Corporate and Business Law Services	2,500
	Total	\$ 197,500

As of November 30, 2015 the total amount of **\$6,479,658** from the proceeds of the TRANS has been utilized to pay the Los Angeles County Sheriff for the law enforcement services within the City. The breakdown of the amount is as follows:

Description	Month Paid	Amount
LA County Sheriff	September 2015	\$ 3,207,611
LA County Sheriff	October 2015	1,641,079
LA County Sheriff	October 2015	<u>1,630,968</u>
	Total	<u>\$ 6,479,658</u>

The balance of the proceeds of the TRANS not yet spent as of November 30, 2015 was **\$3,243,145**. The analysis of the balance is as follows:

	Amount
Net proceeds of the TRANS	\$ 9,712,500
Add: Interest and other amount credited	<u>10,303</u>
	9,722,803
Less: Payments to LA County Sheriff	<u>6,479,658</u>
Balance of the TRANS not yet spent	<u>\$ 3,243,145</u>

Public Finance Authority
Page 3 of 3

RECOMMENDATION

It is recommended that the Chairperson and Board of Directors receive and file this report.

STEPHEN AJOBIEWE
CITY CONTROLLER

APPROVED FOR FORWARDING:

ROGER L. HALEY
CITY MANAGER

December 15, 2015

TO: **THE HONORABLE MAYOR & COUNCIL MEMBERS**

FROM: **CITY CONTROLLER**

SUBJECT: **REPORT OF LICENSE FEE REVENUES (BASED ON
THE GROSS REVENUES COMPUTATION)
RECEIVED FROM CELEBRITY CASINOS, INC. FOR
THE 2015/2016 FISCAL YEAR**

SUMMARY

This report contains details of the license fee revenues received by the City (based on the gross revenues computation) from Celebrity Casinos, Inc. for the 2015/2016 Fiscal Year.

BACKGROUND

Celebrity Casinos, Inc. (doing business as Crystal Casino and Hotel) is the licensee for Card Club License No. 97-1. California Casino Management operated Crystal Casino and Hotel until 2006.

Section 9-10 (titled “Card Clubs”) of the City of Compton Municipal Code established regulations for the licensing and operations of gaming businesses within the City. Section 9-10.12 requires each licensee to pay the City a monthly fee, which shall be the greater of a minimum amount of \$104,166.66 or a percentage of the total monthly gross revenues of the card game business as follows:

1. A minimum gross revenue license fee of \$104,166.66 per month; or
2. A percentage of the monthly gross revenues of the Casino’s gaming business as indicated below:

<u>Gaming Revenue</u>	<u>Fee</u>
• Less than \$300,000.00	5.7%
• \$300,000.01 to \$400,000.00	6.7%
• \$400,000.01 to \$1,200,000.00	7.7%
• \$1,200,000.01 to \$3,000,000.00	10.0%
• \$3,000,000.01 to \$7,000,000.00	12.0%
• \$7,000,000.01 and over	14.0%

Due to the company operating at a loss in the past, the City adopted resolutions to modify the license fee computation. On December 18, 2007, the City adopted resolution number 22,497 which established the license fee as follows:

#5.

The Casino License Fee
Page 2 of 3

<u>Gaming Revenue</u>	<u>Fee</u>
• \$0 to \$850,000.00	\$20,000
• \$850,000.01 to \$1,200,000.00	16.0%
• Over \$1,200,000.01	17.0%

The above license fee calculations were modified with resolution number 23,743 on April 23, 2013 to cover the period from January 1, 2013 to June 30, 2014 as follows:

1. A minimum gross revenue license fee of \$104,166.66 per month = = WAIVED
2. A percentage of the monthly gross revenues of the Casino's gaming business as indicated below:

<u>Gaming Revenue</u>	<u>Fee</u>
• Less than \$300,000.00	5.0%
• \$300,000.01 to \$400,000.00	6.7%
• \$400,000.01 to \$1,200,000.00	7.7%
• \$1,200,000.01 to \$3,000,000.00	10.0%
• \$3,000,000.01 to \$7,000,000.00	12.0%
• \$7,000,000.01 and over	14.0%

Sequel to expiration of resolution number 23,743 on June 30, 2014, the license fee computation formula reverted to the rates stipulated in the City of Compton Municipal Code.

STATEMENT OF ISSUE

The total Gaming revenues of the Casino for the period from July 2015 to November 2015 were within the 10% fee range. The amounts of the fee received by the City for July 2015 to November 2015 and for the corresponding months of prior year are as follows:

<u>Month</u>	<u>Fiscal Year 2015/2016 Amount</u>	<u>Fiscal Year 2014/2015 Amount</u>
July	\$ 147,349	\$ 195,413
August	150,712	204,135
September	141,910	188,296
October	150,283	196,079
November	144,958	175,385
Total	<u>\$ 735,212</u>	<u>\$ 959,308</u>

The Casino License Fee
Page 3 of 3

Celebrity Casino Inc. usually provides the fee payment and the accompanying report of revenue collections of the gaming business, to the City of Compton on the tenth day after the end of each relevant month.

FINANCIAL IMPACT

The total license fee receivable by the City from Celebrity Casinos, Inc. for the 2015 / 2016 fiscal year was included in the City's fiscal year 2015/2016 budget.

RECOMMENDATION

It is recommended that the Honorable Mayor and Council Members receive and file this report.

**STEPHEN AJOBIEWE
CITY CONTROLLER**

APPROVED FOR FORWARDING:

**ROGER L. HALEY
CITY MANAGER**

December 15, 2015

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
TO RENEW THE COMPTON DOLLARHIDE COMMUNITY CENTER
SPECIAL EVENTS POLICY (\$4,750)**

SUMMARY:

The City Council will consider adopting a resolution authorizing the City Manager to renew; through the City's insurance broker, AON Risk Insurance Services ("AON"); the Dollarhide Community Center Special Events policy for 2015-2016.

BACKGROUND:

Through our insurance broker, AON, the City of Compton maintains various policies of insurance coverage. The Dollarhide Community Center hosts various classes such as Tai Chi, pottery, aerobics, line dancing and events such as the Black History program, Father and Mother's day programs and other seasonal events. The City's Dollarhide Center Special Events policy covers liability for events held at the Center, as outlined above. Also, with advance notice, other events may be added to the policy if they fall within the parameters established by the insurance underwriters. The City's current Dollarhide Center Special Events policy extends from December 5, 2014 through December 4, 2015.

STATEMENT OF ISSUE:

It is routine for municipalities to maintain the type of insurance coverage described above to protect all municipal interests, and transfer risks. The current Dollarhide Center Special Events policy is due for renewal on December 5, 2015 and will extend until December 4, 2016. AON has been able to reduce the City's policy rate from **\$5,793.00 to \$4,750.00, a savings of \$1,043.00.**

FINANCIAL IMPACT:

Funds for the renewal of this policy in the amount of \$4,750.00 have been allocated in the 2015-2016 Fiscal Year Budget of the City Attorney's Office, Account No. 6400 420 000 4268.

#6.

Staff Report – Resolution Authorizing Renewal
Dollarhide Community Center Special Events Policy
December 5, 2015 through December 4, 2016
December 15, 2015, page 2

ALTERNATIVE:

Failure to pay the insurance premium will result in cancellation of the above insurance policy leaving the City exposed and fully liable for any acts, omissions and incidents that this policy covers.

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution.

**MONICA TURNER
RISK MANAGER**

**CRAIG CORNWELL
CITY ATTORNEY**

CJC:MT:mt:rar

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON TO RENEW THE COMPTON DOLLARHIDE CENTER
SPECIAL EVENTS POLICY (\$4,750)

WHEREAS, the City is insured for various types of insurance, including the Dollarhide Community Center Special Events policy, through the City’s broker, AON Risk Insurance Services; and

WHEREAS, the insurance policy expires on December 5, 2015, thus it is vital to renew this policy in order to continue the protections afforded thereby; and

WHEREAS, AON Risk Insurance Services has been effective in securing coverage that reduces the City’s rate from last year; and

WHEREAS, the cost to renew coverage for the Dollarhide Community Center Special Events policy from December 5, 2015 through December 4, 2016 will be \$4,750.00; and

WHEREAS, funds for this expenditure are available in the 2015-2016 Fiscal Year budget.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Manager is authorized to renew the Dollarhide Community Center Special Events insurance policy for 2015-2016 (i.e. December 5, 2015 through December 4, 2016).

SECTION 2. That the City Manager is authorized to issue a purchase order(s) to Aon Insurance Services for payments for renewal of said insurance policy in the amount of \$4,750.00.

SECTION 3. That funds are available in the 2015-2016 Fiscal Year budget in Account No. 6400 420 000 4268.

SECTION 4. That a certified copy of this Resolution will be filed in the offices of the City Manager, City Attorney, City Controller and the City Clerk.

SECTION 5. That the Mayor shall sign and the City Clerk shall attest to this Resolution.

ADOPTED this ____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

Resolution No. _____
Page 2

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2015.

That said Resolution was adopted by the following vote:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAINS: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO RENEW THE COMPTON DOLLARHIDE COMMUNITY CENTER SPECIAL EVENTS POLICY (\$4,750)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

12/1/2015 4:13:42 PM
DATE

REVIEW / APPROVAL

Craig Cornwell
CITY ATTORNEY

12/3/2015 12:13:32 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

12/2/2015 6:31:59 PM
DATE

Roger Haley
CITY MANAGER

12/2/2015 5:30:39 PM
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

December 15, 2015

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 2-1.2 TO ESTABLISH A STANDARD MEETING TIME OF 5:30 P.M. FOR ALL REGULAR MEETINGS OF THE CITY COUNCIL

SUMMARY

The City Council will consider adopting an ordinance that will amend section 2-1.2 of Chapter II of the Compton Municipal Code so as to establish a set fixed time for all regular meetings of the City Council. The ordinance, if adopted, will enable more citizens to attend City Council meetings by providing a more convenient fixed time for all meetings to commence after most work and/or school hours have concluded. Additionally, the proposed change in start times may decrease confusion regarding City Council meeting start times by establishing a standard fixed time for all regularly held council meetings.

BACKGROUND

The City Council of the City of Compton currently holds its regular meetings on the first four (4) Tuesdays of each month. The regular meetings held on the first (1st) and third (3rd) Tuesdays of each month commence at 3:30 p.m. and the regular meetings held on the second (2nd) and fourth (4th) Tuesdays of each month commence at 5:45 p.m. Regular meetings falling on days of primary or general municipal elections are held on the next succeeding business day at the same hour and place.

STATEMENT OF ISSUE

Recently, the City Council adopted legislation that abolished the Housing Development Commission and the Gaming Commission – both bodies met on the second (2nd) and fourth (4th) Tuesdays of each month. The Council further adopted legislation which revised the regular meeting schedule of the Public Finance Authority, Urban Community Development Commission and Successor Agency to the Community Redevelopment Agency of the City of Compton to an “as-needed” meeting basis – meaning that these agencies will be scheduled for meetings only when there is business to be transacted. Thus, unless otherwise indicated, the only legislative body that will be regularly scheduled to meet each of the first four Tuesdays of the month shall be the City Council.

In an effort to better serve the citizens of the City of Compton and increase citizen attendance at City Council meetings, it is proposed that Chapter II of the Compton Municipal Code be amended so as to establish a set fixed time for all regularly held meetings in the City Council.

The residents of the City of Compton will have greater freedom to attend Council meetings if the meetings commence at a time that is more convenient in the day where most work and/or school hours have concluded. The proposed change in start time to 5:30 p.m. for all regular City Council meetings may also decrease confusion from the current scheduled start times of 3:30 p.m. on the first and third Tuesdays of each month and 5:45 p.m. on the second and fourth Tuesdays of each month.

The attached Ordinance will amend Chapter II of the Compton Municipal Code by amending Section 2-1.2 in its entirety to establish a standard fixed time for all regularly held City Council meetings on the first four (4) Tuesdays of each month.

RECOMMENDATION

It is the recommendation of this office that the Council adopt the attached Ordinance.

CRAIG J. CORNWELL
CITY ATTORNEY

Attachment: Proposed Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY
AMENDING SECTION 2-1.2 TO ESTABLISH A STANDARD MEETING TIME
OF 5:30 P.M. FOR ALL REGULAR MEETINGS OF THE CITY COUNCIL**

WHEREAS, the Compton City Charter Section 603 allows the City Council to decide on the time for City Council regular meetings to be held by Ordinance or Resolution; and

WHEREAS, currently the regular meetings of the City Council are held on the first and third Tuesdays of each month at 3:30 p.m. and the regular meetings held on the second and fourth Tuesdays of each month at 5:45 p.m.; and

WHEREAS, the City Council has adopted legislation that abolished the Housing Development Commission and the Gaming Commission – both bodies met on the second (2nd) and fourth (4th) Tuesdays of each month, in addition to the City Council; and

WHEREAS, the City Council further adopted legislation which revised the regular meeting schedule of the Public Finance Authority, Urban Community Development Commission and Successor Agency to the Community Redevelopment Agency of the City of Compton to an “as-needed” meeting basis – meaning that these agencies will be scheduled for meetings only when there is business to be transacted, thus, unless otherwise indicated, the only legislative body that will be regularly scheduled to meet each of the first four Tuesdays of the month shall be the City Council; and

WHEREAS, in an effort to better serve the citizens of the City of Compton and increase citizen attendance at City Council meetings, it is proposed that Chapter II of the Compton Municipal Code be amended so as to establish a set fixed time for all regularly held meetings in the City Council; and

WHEREAS, the residents of the City of Compton will have greater freedom to attend Council meetings if the meetings commence at a time that is more convenient in the day where most work and/or school hours have concluded; and

WHEREAS, the proposed change in start time to 5:30 p.m. for all regular City Council meetings may also decrease confusion from the current scheduled start times of 3:30 p.m. on the first and third Tuesdays of each month and 5:45 p.m. on the second and fourth Tuesdays of each month; and

WHEREAS, the City Council desires to set a fixed time for all regular meetings to be held in the Council Chamber of the City Hall.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES ORDAIN AS FOLLOWS:

Section 1. That Section 2-1.2 (Regular Meetings; Adjournment) of Chapter II of the Compton Municipal Code is hereby amended in its entirety to read as follows:

2-1.2 Regular Meetings; Adjournment. Regular meetings of the Council shall be held on the first four (4) Tuesdays of each month. All regular City Council meetings shall be scheduled to begin at 5:30 p.m., except that those regular meetings falling on days of primary or general municipal elections shall be held on the next succeeding business day at the same hour and place. (For purposes of clarification, this exception shall not constitute a City holiday.) Regular meetings may

Ordinance No. _____
Page 2

be adjourned or readjourned to a date certain, which date shall be specified in the order of adjournment, and, when so specified in the order of adjournment, and, when so adjourned, each adjourned meeting shall be a regular meeting for all purposes.

Section 2. That a copy of this Ordinance shall be filed in the offices of the City Clerk and all Departments and agencies of the City of Compton.

Section 3. That this Ordinance shall take effect thirty (30) days after its adoption.

Section 4. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this ____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Ordinance was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on ____ day of _____, 2015.

That said Ordinance was adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 2-1.2 TO ESTABLISH A STANDARD MEETING TIME OF 5:30 P.M. FOR ALL REGULAR MEETINGS OF THE CITY COUNCIL (Second Reading)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

11/23/2015 12:28:38 PM
DATE

REVIEW / APPROVAL

Craig Cornwell
CITY ATTORNEY

11/25/2015 1:57:06 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

11/25/2015 1:25:24 PM
DATE

Johnny Ford
CITY MANAGER

11/25/2015 11:41:25 AM
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

December 15, 2015

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: RENEA FERRELL
GRANTS MANAGER**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE
ALL MATTERS RELATING TO THE STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION FOR THE CITY OF
COMPTON'S SAFE ROUTE TO SCHOOL TRANSPORTATION
GRANT**

SUMMARY

Adoption of this resolution authorizes the City Manager to execute all matters relating to the State of California, State Highway Account-Sustainable Communities, including Program Supplements, Master Agreements and grant documents, including but not limited to applications, agreements, amendments, and request for payment necessary to secure grant funds thereto with the California Department of Transportation.

BACKGROUND

The City of Compton plans to develop a comprehensive Safe Routes to School (SRTS) plan aimed at increasing the number of children that walk and ride their bicycle to school. The City will work with the school district, individual schools, parents and youth to identify barriers to walking and bicycling to school sites. The collective findings will be compiled into a plan with detailed design recommendations for physical changes to streets, sidewalks and intersections to support safe and active transportation to all the schools. This project will benefit the underprivileged and underrepresented minority population who have had a lack of confidence in the safety of their streets and neighborhoods.

The need for this project came from Honorable Mayor and City Council as well as the citizens from the community and the Compton Unified School District regarding safe crossing of students at various intersections.

The primary objective will be to develop recommendations for infrastructure changes to improve safe walking and bicycling to all 33 schools in the City. The plan will also include recommendations for non-infrastructure programs such as "walking school buses" or "rewards programs" that make use of the other SRTS "E"s, namely Encouragement, Education and Enforcement. These programs can be implemented in the short term to motivate parents and children to walk and

#9.

Staff Report – Resolution Authorizing the City Manager to Execute All Matters for DOT Safe Routes to School Transportation Grant
December 15, 2015, page 2

ride a bicycle to school and have been proven to be very successful in other cities in the nation.

STATEMENT OF ISSUE

In April 2015, the staff received an official notice that the City of Compton was awarded a State Transportation Planning Grant for its submittal of the Safe Routes to School Planning Project. As a part of the submittal of 360 Package to begin the project, the City must provide an authorizing resolution approved by the governing board that states the title of the person authorized to enter into contracts with Caltrans on the City's behalf.

The grant was awarded at \$222,600 from Caltrans with an in-kind match of \$28,840 for total of \$251,440.

ALTERNATIVE

There is no recommended alternative. This resolution is required by the State of California Department of Transportation in order to accept this grant funding.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution.

RENEA FERRELL
GRANTS MANAGER

APPROVED FOR FORWARDING:

ROGER L. HALEY
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO EXECUTE ALL MATTERS
RELATING TO THE STATE OF CALIFORNIA DEPARTMENT OF
TRANSPORTATION FOR THE CITY OF COMPTON'S SAFE ROUTE TO
SCHOOL TRANSPORTATION GRANT**

WHEREAS, the City of Compton applied for the State of California, State Highway Account-Sustainable Communities Grant; and

WHEREAS, the program provides funding to development plans for Safe Routes to Schools; and

WHEREAS, the City Council of the City Compton is eligible to receive Federal and/or State funding for certain transportation planning related plans, through the California Department of Transportation; and

WHEREAS, April 2015, the staff received an official notice that the City of Compton was awarded a State Transportation Planning Grant for its submittal of the Safe Routes to School Planning Project in the amount of \$222,600.00 from Caltrans with an in-kind match of \$28,840 for total of \$251,440.00 .

WHEREAS, as a part of the submittal of 360 Package to begin the project, the City must provide an authorizing resolution that approved by the governing board that states the title of the person authorized to enter into contracts with Caltrans on the City's behalf; and

WHEREAS, the various agreements include the Program Supplemental Agreements, Master Agreements and Right-of-Way Certifications, Grant documents, including but not limited to, applications, agreements, amendments, and request for payment necessary to secure grant funds and implement the approved grant project thereto with the California Department of Transportation before such funds could be claimed; and

WHEREAS, a Fund Transfer Agreement is needed to be executed with the California Department of Transportation before such funds can be claimed through the Transportation Planning Grant Programs; and

WHEREAS, the City of Compton wishes to delegate authorization to execute these agreements and any amendments thereto;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. That the City Manager, on the advice and approval of the City Attorney, is hereby authorized to execute all necessary Program Supplemental Agreements, Master Agreements and Right-of-Way Certifications, Grant documents, including but not limited to, applications, agreements, amendments, and request for payment necessary to secure grant funds and implement the approved grant project thereto with the California Department of Transportation for the Safe Routes to School Planning Project.

SECTION 2. That a certified copy of this Resolution be filed in the offices of the City Manager, City Attorney, Public Works/Municipal Utilities, City Controller, Grants Division and City Clerk.

Resolution No. _____
Page 2

SECTION 3. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON: ss

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2015.

That said Resolution was adopted by the following vote:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

City Management

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE ALL MATTERS RELATING TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE CITY OF COMPTON'S SAFE ROUTE TO SCHOOL TRANSPORTATION GRANT

Roger Haley

DEPARTMENT MANAGER'S SIGNATURE

11/25/2015 2:33:29 PM

DATE

REVIEW / APPROVAL

Craig Cornwell

CITY ATTORNEY

12/10/2015 4:36:13 PM

DATE

Stephen Ajobiewe

CITY CONTROLLER

12/8/2015 11:05:07 AM

DATE

Roger Haley

CITY MANAGER

12/7/2015 4:42:33 PM

DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney's review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

December 15, 2015

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AUTHORIZE PAYMENT OF THE ANNUAL FEES TO THE STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS FOR CONTINUED ADMINISTRATION OF THE CITY'S WORKERS' COMPENSATION SELF-INSURANCE PROGRAM

SUMMARY:

The City Council will consider adopting a Resolution authorizing the City Manager to authorize payment of the annual fees to the State of California Department of Industrial Relations for continued administration of the City's Workers' Compensation Self-Insurance Program.

BACKGROUND:

The City of Compton is self-insured/administered for provision of workers' compensation benefits to City employees who are injured on the job.

STATEMENT OF ISSUE:

As an employer who is permissibly self-insured for workers' compensation liabilities in California, the City is required to pay certain assessments. This consists of the following: Workers' Compensation Administration Revolving Fund Assessment, Uninsured Employers Benefits Trust Fund Assessment, Subsequent Injuries Benefits Trust Fund Assessment, Occupational Safety and Health Fund Assessment, Workers' Compensation Fraud Account Assessment and Labor Enforcement and Compliance Fund. These fees are required by the state, to legally administer a workers' compensation program at the City. The City of Compton's assessment is dated December 1, 2015 and was received December 09, 2015. Payment is due within 30 days of receipt, to avoid a 10% penalty.

We are requesting payment be processed as soon as possible, in order to make the deadline.

#10.

FINANCIAL IMPACT:

The City of Compton's fees for fiscal year July 1, 2015 through June 30, 2016 have been assessed at **\$68,674.18** based on the state 2014/2015 Annual Report as submitted by the Risk Management Division of the City Attorney's Office.

Funds for this payment have been allocated in the 2015-2016 Fiscal Year Budget of the City Attorney's Office budget in Account No. 6300-42-0000- 4265.

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution authorizing the City Manager to authorize payment of the assessed annual fees to the State of California Department of Industrial Relations for continued administration of the City's Workers' Compensation Self-Insurance program.

CRAIG CORNWELL
CITY ATTORNEY

APPROVED FOR FORWARDING:

ROGER L. HALEY
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AUTHORIZE PAYMENT OF THE ANNUAL FEES TO THE STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS FOR CONTINUED ADMINISTRATION OF THE CITY'S WORKERS' COMPENSATION SELF-INSURANCE PROGRAM

WHEREAS, the City of Compton is self-insured and administered for provision of workers' compensation benefits to City employees who are injured on the job; and

WHEREAS, the City is required to pay certain assessments as required by the State of California, pursuant to the City's self-insured/administered status for Workers' Compensation; and

WHEREAS, the City of Compton's fees for fiscal year July 1, 2015 through June 30, 2016 have been assessed at \$68,674.18 based on the 2014/2015 Annual Report as presented to the State, by the Risk Management Division of the City Attorney's Office; and

WHEREAS, staff recommends the annual fees to the State of California for continued administration of the City's self-insured workers' compensation program be authorized for payment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Manager is hereby authorized to authorize payment of the annual fees to the State of California for continued administration of the City's self-insured workers' compensation program.

SECTION 2. That the funds for these services are allocated in account fund number 6300-420-000-4265 for the Fiscal Year 2015-2016 in the City Attorney's budget.

SECTION 3. That a certified copy of this resolution will be filed in the offices of the City Manager, City Attorney, and the City Clerk.

SECTION 4. That the Mayor shall sign and the City Clerk shall attest to this resolution.

ADOPTED this _____ day of _____, 2015

MAYOR OF THE CITY OF COMPTON

RESOLUTION NO. _____
Page 2

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____day of _____, 2015.

That said resolution was adopted by the following vote:

AYES:	COUNCIL MEMBERS-
NOES:	COUNCIL MEMBERS-
ABSENT:	COUNCIL MEMBERS-
ABSTAIN:	COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

December 15, 2015

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE RENEWAL OF THE CONTRACTUAL AGREEMENTS WITH ALL CITY MANAGEMENT SERVICES, INC. AND COMPTON UNIFIED SCHOOL DISTRICT REGARDING THE PROVISION OF CROSSING GUARD SERVICES AND THE ISSUANCE OF A PURCHASE ORDER FOR FISCAL YEAR 2015-2016 IN THE AMOUNT OF \$284,649.75

SUMMARY

Adoption of this resolution will authorize the renewal and continuance of the agreement with All City Management Services, Inc. ("All City") for provision of private crossing guard services and responsibilities during Fiscal Year 2015-2016 for the total sum Two Hundred Eighty Four Thousand Six Hundred Forty Nine Dollars and Seventy-Five Cents (\$284,649.75) and the agreement with Compton Unified School District for sharing in the cost of providing the private crossing guard services.

BACKGROUND

On October 7, 2014, the City Council adopted Resolution No. 24,029, authorizing the City Manager to enter into two (02) contractual agreements; one with All City to provide private crossing guard services for specified locations with the Compton Unified School District, in addition to entering into a contract with the Compton Unified School District to equally share the cost of the services provided by All City.

All City currently provides Two Thousand Five Hundred (2,500) crossing guards in the state for 130 agencies, including surrounding cities and the county areas. All City is the only viable vendor to provide crossing guard services in the State of California. An internet search for other private crossing guard services has revealed that most of the trained crossing guard services are operated through the cities school districts and not through private companies, and All City is the only company that provides crossing guard services exclusively.

STATEMENT OF FACT

The City of Compton and the Compton Unified School District wish to renew and continue the agreement with All City Management Services, Inc. for 2015-2016 school year. All City shall provide crossing guard services at twenty-two (22) crossing sites for four (4) hours per day at the cost of \$17.05 per hour per crossing guard and crossing guard services at one (1) crossing site for 4.75 hours per day at the cost of \$17.05 per hour per crossing guard. The total projected hours to be provided is 16,695 at the total cost for the school year (August 2015 to June 2016) at \$284,649.75. The School District will be responsible to reimburse the City half of the total cost or \$142,324.88.

FINANCIAL IMPACT

The City of Compton and the Compton Unified School District will pay equal shares of One Hundred Forty Two Thousand Three Hundred Twenty Four Dollars and Eighty-Eight Cents (\$142,324.88) of the contractual agreement total amount for said services. Funds for crossing guard services have been allocated in the Code Enforcement Division's 2015-2016 Fiscal Year Budget, Account No. 1001 670 000 4269.

#11.

Staff Report – Resolution Renewing Contracts with
All City Management Services, Inc. & Compton Unified
School District/School Crossing Guard Services (FY 2015-2016)
December 15, 2015, page 2

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

CRAIG CORNWELL
CITY ATTORNEY

APPROVED AND FORWARDING:

ROGER L. HALEY
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE RENEWAL OF THE CONTRACTUAL AGREEMENTS WITH ALL CITY MANAGEMENT SERVICES, INC. AND COMPTON UNIFIED SCHOOL DISTRICT REGARDING THE PROVISION OF CROSSING GUARD SERVICES AND THE ISSUANCE OF A PURCHASE ORDER FOR FISCAL YEAR 2015-2016 IN THE AMOUNT OF \$284,649.75

WHEREAS, in an effort to provide for the safety and welfare of children who must cross busy thoroughfares and streets to reach their schools, the City of Compton and Compton Unified School District have collaborated to provide crossing guard services at designated locations within the City of Compton; and

WHEREAS, on October 7, 2014, the City Council adopted Resolution No. 24,029, authorizing the City Manager to enter into two (02) contractual agreements; one with All City Management Services to provide private crossing guard services for specified locations within the Compton Unified School District, in addition to entering into a contract with the Compton Unified School District to equally share the cost of the services provided by All City Management; and

WHEREAS, the City of Compton and the Compton Unified School District wish to renew and continue this contractual collaboration and the contractual agreement with All City Management Services, Inc. for Fiscal Year 2015-2016 to provide Sixteen Thousand Six Hundred Ninety Five (16,695) hours of crossing guard services for a cost not to exceed Two Hundred Eighty Four Thousand Six Hundred Forty Nine Dollars and Seventy-Five Cents (\$284,649.75); and

WHEREAS, the City of Compton and the Compton Unified School District will pay equal shares of One Hundred Forty Two Thousand Three Hundred Twenty Four Dollars and Eighty-Eight Cents (\$142,324.88) of the contractual agreement amount of Two Hundred Eighty Four Thousand Six Hundred Forty Nine Dollars and Seventy-Five Cents (\$284,649.75); and

WHEREAS, funds for this expenditure have been allocated in the Code Enforcement Division's budget for Fiscal Year 2015-2016 in Account No. 1001-670-000-4269.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Manager, on the advice and approval of the City Attorney is hereby authorized to renew the contractual agreements with All City Management Services, Inc. and Compton Unified School District for providing crossing guards for designated locations within the City of Compton during the 2015-2016 school year.

SECTION 2. That the cost of these crossing guard services shall be rendered for the sum of Two Hundred Eighty Four Thousand Six Hundred Forty Nine Dollars and Seventy-Five Cents (\$284,649.75); with the City of Compton and the Compton Unified School District paying equal shares of One Hundred Forty Two Thousand Three Hundred Twenty Four and Eighty-Eight Cents (\$142,324.88)

SECTION 3. That funds in the amount of \$272,373.75 for this expenditure are available in Account No. 1001-670-000-4269.

SECTION 4. That a purchase order in the amount of \$272,373.75 is authorized to be issued for All City Management Services, Inc.

SECTION 5. That a copy of this Resolution shall be filed in the Offices of the City Manager, City Attorney, City Controller and the Code Enforcement Division.

SECTION 6. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested to by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2015.

That said Resolution was adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

**CROSSING GUARD SERVICES AGREEMENT
BETWEEN
CITY OF COMPTON
AND
ALL CITY MANAGEMENT SERVICES, INC.**

This **AGREEMENT** is entered into by and between the **CITY OF COMPTON**, a municipal corporation of the State of California (hereinafter referred to as "**CITY**") located at 205 South Willowbrook Avenue, Compton, California 90220, and **ALL CITY MANAGEMENT SERVICES, INC.** (hereinafter referred to as "**CONTRACTOR**"), located at 10440 Pioneer Boulevard, suite 5, Santa Fe Springs, California 90670.

RECITALS:

WHEREAS, the City of Compton and the Compton Unified School District ("CUSD") wish to provide for the safe crossing of school children at busy thoroughfares and streets near CUSD school sites; and

WHEREAS, the City has identified a need to retain the services of a qualified and experienced company to provide trained and experienced individuals to provide crossing guard services; and

WHEREAS, Contractor warrants that it is specifically trained, experienced, competent, and has the resources to provide such services which will be required by this Agreement; and

WHEREAS, by Resolution No. _____ adopted on the ___ day of _____ 2015, the City Council authorized the City Manager to award a contract to Contractor to provide school crossing guard services for specified location within the Compton Unified School District; and

WHEREAS, Contractor is willing to render such services, as hereinafter defined, on the following terms and conditions.

NOW, THEREFORE, CONTRACTOR and CITY, for the consideration, terms and conditions herein described, mutually agree as follows:

AGREEMENT:

1. **Scope of Services to be Rendered by Contractor.** It is the mutual understanding of the parties that the Contractor shall perform and be responsible for rendering **SCHOOL CROSSING GUARD SERVICES** for the number of hours per day, days per year at each of the locations identified within All City's "**Client Worksheet 2015-2016 and Client Matrix**" which are attached hereto and incorporated herein. Subject to written notice to the Contractor, the City shall have the right to add to, delete from or revise the work schedule/locations at any time during the term of this Agreement. The Contractor shall be responsible to render services pursuant to this Agreement as follows:

- Contractor shall provide personnel properly trained as herein specified for the performance of duties of Crossing Guards. In the performance of their duties, Contractor and its employees shall conduct themselves in accordance with the

conditions of this Agreement and the laws and codes of the State of California and the City of Compton.

- Contractor shall train, schedule, provide and supervise personnel in accordance with this Agreement and the rules and regulations of the City of Compton. Crossing Guards shall perform their duties as trained and within the City's rules for such guards.
- Contractor shall train persons provided as Crossing Guards in the laws and codes of the State of California and the City of Compton pertaining to general pedestrian safety and school crossing areas.
- Contractor shall provide Crossing Guard services at the designated locations and at the designated hours on all days on which the designated schools of CUSD are in session.
- Contractor shall schedule and provide supervisory personnel to see that guard activities are taking place at the required places and times, and in accordance with all items of this Agreement.
- Contractor shall maintain adequate reserve personnel to be able to furnish alternative Crossing Guards in the event that any person fails to report to work at the assigned time and location.
- Contractor shall provide all Crossing Guards with uniformed apparel by which they are readily visible and easily recognized as Crossing Guards. Such apparel shall be uniform for all persons performing the duties of Crossing guards and shall be worn at all times while performing said duties. This apparel must be appropriate for weather conditions. Contractor shall also provide all Crossing Guards with hand held Stop signs and any and all other safety equipment that shall be necessary to fulfill the terms and conditions of this Agreement. Apparel and equipment shall be pre-approved by the City Manager or his/her designee.

Contractor acknowledges that in entering into this Agreement the City is relying on Contractor's skills and experience to do and perform the services in accordance with best standards of professional practice. While performing the services, Contractor agrees to perform all the said work and furnish all the necessary materials and equipment at its own cost and expense necessary to complete said services in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Contractor shall bear all costs associated with this work, including but not limited to all professional, technical, clerical services, materials, equipment, transportation, telephone, etc., used by Contractor in connection with this work.

Contractor will be responsible for employing or engaging all persons necessary to perform the services. All of Contractor's staff will be qualified by training and experience to perform their assigned tasks. Contractor will give its personal attention to the fulfillment of the provisions of this Agreement by all of its employees and subcontractors, if any, and will keep the services under its control. On demand of City, if any employee or subcontractor of Contractor fails or refuses to carry out the provisions of this Agreement or appears to be incompetent or to act in a disorderly or improper manner, he or she will be discharged immediately from performing services pursuant to this Agreement.

2. **Duration of Contract.** This Agreement shall extend for the term of the Compton Unified School District school year – August 2015 through June 2016, unless this Agreement is extended or terminated as provided herein.

3. **Compensation.** Compensation to Contractor shall be based on the following billing rates, with a maximum not-to-exceed total compensation of **Two Hundred Eighty Four Thousand Six Hundred Forty Nine Dollars and Seventy-Five Cents (\$284,649.75)**:

- **Seventeen Dollars and Five Cents (\$17.05) per hour of guard services provided, with a maximum total of 16,695 hours of services provided during term of Agreement.**

The total sum paid Contractor include compensation for all work, including travel, materials, equipment, supplies, vendor services, expenses and subcontracted work. No additional compensation will be paid to the Contractor, unless there is a change in the scope of the work. In the instance of a change in the scope of work, adjustment to the compensation will be negotiated between Contractor and the City. Adjustment in the total compensation will not be effective until authorized by contract amendment and approved by Contractor and the City.

Contractor shall be reimbursed within thirty (30) days, or as promptly as fiscal procedures may permit, upon receipt by the City of itemized invoices for services completed. Invoices shall be submitted no later than 45 calendar days after the performance of work for which the Contractor is billing. If Contractor fails to provide the services required pursuant to this Agreement, except for those amounts that are due and not reasonably in dispute, the City shall have the right to delay payment and/or terminate this Agreement in accordance with the provisions noted herein. Invoices shall detail the work performed and shall be delivered or mailed to the **City Attorney or his/her authorized designee** at the following address: **City of Compton, 205 South Willowbrook Avenue, Compton, California 90220.**

In the event of termination, the Contractor shall be entitled to compensation for the undisputed reasonable value of services performed to the effective date of termination, including any noncancellable obligations incurred prior to termination; provided, however, that the City may condition payment of such compensation upon the Contractor's delivery to the City of any and all City property, documents, reports, records, materials and work product associated with the performance of this Agreement.

4. **Independent Contractor Status.** Contractor, its officers, employees, subcontractors, agents and volunteers (collectively hereinafter the "Contractor"), will perform the services in Contractor's own way and pursuant to this Agreement as an independent contractor and in pursuit of Contractor's independent calling, and not as an employee of City. The persons used by Contractor to provide the services under this Agreement will not be considered employees of City for any purposes. Neither the City nor any of its officers, employees, agents or volunteers shall have any control over the conduct of the Contractor, except as expressly set forth in this Agreement. Contractor expressly warrants that while engaged in carrying out and complying with any terms and conditions of this Agreement that Contractor shall not at any time or in any manner, represent that Contractor is in any manner officers, employees, agents or volunteers of the City. Contractor shall obtain no rights to retirement, health care or any other benefit that accrue to City officials, officers, or employees. Contractor expressly waives any claim to such rights.

The payment(s) made to Contractor pursuant to the Agreement will be the full and complete compensation to which Contractor is entitled. City will not make any federal or state tax withholdings on behalf of Contractor or its agents, employees or subcontractors. City will not pay any workers' compensation insurance, retirement contributions or unemployment contributions on behalf of Contractor or its employees or subcontractors. Contractor agrees to indemnify and pay City within thirty (30) days for any tax, retirement contribution, social security, overtime payment, unemployment payment or workers' compensation payment which City may be required to make on behalf of Contractor or any agent, employee, or contractor of Contractor for work done under this Agreement. At the City's election, City may deduct the amounts paid pursuant to this section, from any balance owing to Contractor.

5. Successors, Assignment and Delegation. City and the Contractor each binds themselves, their partners, successors, assigns and legal representatives to the other hereto and to partners, successors, assigns and legal representatives of such other party in respect to all covenants, agreements and obligations contained in this Agreement.

The expertise and experience of Contractor are material considerations for this Agreement. Contractor shall not assign or transfer any interest in this Agreement or the performance of any of Contractor's obligations under this Agreement without the prior written consent of the City. Any attempted assignment or transfer of any of Contractor's rights, duties or obligations arising under this Agreement shall be null and void.

6. Nondiscriminatory Employment Practices. During the performance of this Agreement, the Contractor agrees not to discriminate against any employee or applicant for employment because of race, sex, creed, color, religion, age, sexual orientation, marital status, national origin, political affiliation, handicap or belief in accordance with requirements of City, State or Federal laws and regulations. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, sex, creed, color, religion, age, sexual orientation, marital status, national origin, political affiliation, handicap or belief in accordance with requirements of City, State or Federal laws and regulations. Such actions shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees, applicants and subcontractors for employment, notices setting forth the provisions of this non-discrimination clause.

In the event of the Contractor's non-compliance with the non-discrimination clause of this Agreement, this Agreement may be immediately canceled, terminated or suspended in whole or in part.

7. Subcontracting. Contractor's services are unique and personal. Except as may be agreed to by the City, Contractor will not subcontract any portion of the services without prior written approval of City Manager or his/her designee. If Contractor subcontracts any of the services, Contractor will be fully responsible to City for the acts, errors and omissions of Contractor's subcontractor and of the persons either directly or indirectly employed by the subcontractor, as Contractor is for the acts and omissions of persons directly employed by Contractor. Nothing contained in this Agreement will create any contractual relationship between any subcontractor of Contractor and City. Contractor will be responsible for payment of subcontractors. Contractor will bind every subcontractor and every subcontractor of a

subcontractor by the terms of this Agreement applicable to Contractor's work unless specifically noted to the contrary in the subcontract and approved in writing by City.

8. Other Contractors. The City reserves the right to employ other Contractors in connection with the services.

9. Indemnification. Contractor shall indemnify and save harmless the City, its officials, officers, employees, agents and volunteers (collectively hereinafter the "City"), against any and all damages to property or injuries to or death of any person or persons, including property and employees or agents of the City and shall indemnify and save the City from any and all liability and expense including reimbursement of reasonable defense costs and legal fees, and claims, demands, suits, actions or proceedings of any kind or nature, including Workers' Compensation claims, of or by anyone whomsoever to the extent resulting from or arising out of the negligent, reckless or willful misconduct for the Contractor, its officers, employees, subcontractors or agents in the performance of the duties undertaken by Contractor pursuant to this Agreement.

This indemnification and hold harmless obligation does not extend to claims arising out of the negligence or willful misconduct of the City.

10. Insurance. Without limiting the Contractor's indemnification of the City, Contractor shall obtain and maintain, at its cost and expense, for the duration of the Agreement and any and all amendments, insurance against claims for injuries to persons or damage to property which may arise out of or in connection with performance of the services by Contractor or Contractor's agents, representatives, employees or subcontractors. The insurance will be obtained from an insurance carrier admitted and authorized to do business in the State of California. Such evidence shall specifically identify this Agreement and shall contain express conditions that the City is to be given written notice at least thirty (30) days in advance of any termination or implementation of a reduction of limits or material change of insurance coverage as specified herein. ***Failure on the part of the Contractor to procure or maintain insurance shall constitute a material breach upon which the City may immediately terminate this Agreement.*** All insurance required hereunder shall be primary with respect to any insurance maintained by the City.

Coverages and Limits. Contractor will maintain the types of coverage's and minimum limits indicated below, unless the Risk Manager or City Manager, in consultation with the City Attorney approves a lower amount. These minimum amounts of coverage will not constitute any limitations or cap on Contractor's indemnification obligations under this Agreement. City, its officers, agents, volunteers and employees make no representation that the limits of the insurance specified to be carried by Contractor pursuant to this Agreement are adequate to protect Contractor. The coverage will contain no special limitations on the scope of its protection to the below-designated insured's except for Workers Compensation insurance. Contractor will obtain occurrence coverage. If Contractor believes that any required insurance coverage is inadequate, Contractor will obtain such additional insurance coverage, as Contractor deems adequate, at Contractor's sole expense.

10.1 Commercial General Liability Insurance. \$1,000,000 combined single-limit per occurrence for bodily injury, personal injury, property damage and contractual liability. If the submitted policies contain aggregate limits, general aggregate limits shall apply separately to the work under this Agreement or the general aggregate shall be twice the required per occurrence limit. Claims-made coverage is not acceptable.

10.2 Workers' Compensation and Employer's Liability. Workers' Compensation limits as required by the California Labor Code and Employer's Liability limits of \$1,000,000 per accident for bodily injury and which specifically covers all persons providing services by or on behalf of the Contractor and all risks to such persons under the Agreement. Workers' Compensation and Employer's Liability insurance will not be required if Contractor has no employees and provides, to City's satisfaction, a declaration stating this.

Endorsements. For Commercial General Liability Insurance, Contractor will ensure that the policies are endorsed to name the "City of Compton and its respective elected and appointed officers, officials, employees, agents and volunteers" as "**additional insured's**" with respect to liability arising out of the activities of the Contractor. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City. ***Prior to City's execution of this Agreement, Contractor shall furnish certificates of insurance and endorsements to City.***

Waiver of Subrogation. The policies shall contain a waiver of subrogation for the benefit of City.

11. Permits and Licenses. Contractor, at its own expense, during the term of this Agreement, shall obtain and maintain all appropriate business and professional permits, licenses and certificates that may be required in connection with the performance of services by the Contractor. Upon execution of this Agreement, the Contractor shall show evidence of a business license permit in conformance with *Section 9-1.2 of the Compton Municipal Code*.

12. Maintenance of Records. Contractor will maintain complete and accurate records with respect to costs incurred under this Agreement. All records will be clearly identifiable. Contractor will allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of records and any other documents created pursuant to this Agreement. Contractor will allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years, or longer if required by law, from the date of final payment under this Agreement.

13. Warranties. Contractor represents and warrants (i) that Contractor has no obligations, legal or otherwise, inconsistent with the terms of this Agreement or with Contractor's undertaking this relationship with City, (ii) that the performance of the services called for by this Agreement do not and will not violate any applicable law, rule or regulation or any proprietary or other right of any third party, (iii) that Contractor will not use in the performance of his responsibilities under this Agreement any confidential information or trade secrets of any other person or entity and (iv) that Contractor has not knowingly entered into or will enter into any agreement (whether oral or written) in conflict with this Agreement.

14. Federal and State Withholding Taxes. Contractor shall be responsible for paying when due all federal and state income withholding taxes for all earning under this Agreement. Contractor agrees to indemnify City for any claims, costs, losses, fees, penalties, interest, or damages suffered by City resulting from Contractor's failure to comply with this provision.

15. General Compliance with Laws. Contractor will keep fully informed of federal, state and local laws and ordinances and regulations which in any manner affect those employed by Contractor, or in any way affect the performance of the services by Contractor. Contractor will at all times observe and comply with these laws, ordinances, and regulations and will be

responsible for the compliance of the services with all applicable laws, ordinances and regulations. In the event the Contractor encounters any conflict between such laws and ordinances, Contractor shall notify the City in writing and the parties agree to work cooperatively to resolve the conflict.

16. Termination. In the event of the Contractor's failure to deliver or perform the services, after giving written notice of default and two (2) days to correct the same, then, in addition to any other remedies, City may terminate this Agreement for nonperformance by notifying Contractor in writing. Contractor has five (5) business days to deliver any documents owned by City to the City address contained in this Agreement.

The City's obligation is payable only from funds appropriated for the purpose of this Agreement. All funds for payments after the end of the current fiscal year are subject to the City's legislative appropriation for this purpose. In the event this Agreement extends into succeeding fiscal year periods and the City Council does not allocate sufficient funds for the next succeeding fiscal year payments, this Agreement shall terminate immediately upon written notice from the City.

Either Party, upon tendering thirty (30) calendar days written notice to the other Party, may terminate this Agreement for convenience. Contractor will be paid for work performed to the termination date; however, the total will not exceed the lump sum fee payable under this Agreement. City will make the final determination as to the portions of tasks completed and the compensation to be made.

17. Jurisdiction, Venue and Governing Law. Any action at law or in equity brought by either of the Parties for the purpose of enforcing a right or rights provided for by this Agreement will be tried in a court of competent jurisdiction in the County of Los Angeles, State of California, and the Parties waive all provisions of law providing for a change of venue in these proceedings to any other county. This agreement will be governed by the laws of the State of California.

18. Waivers. The waiver by either Party of any breach or violation of any term, covenant, or condition of this Agreement or of any applicable law will not be deemed to be a waiver of such term, covenant, condition or law or of any subsequent breach or violation of same or of any other term, covenant, condition or law. The acceptance by either Party of any fee or other payment which may become due under this Agreement will not be deemed to be a waiver of any preceding breach or violation by the other Party of any term, covenant, or condition of this Agreement or any applicable law.

19. Authority. The individuals executing this Agreement and the instruments referenced in it on behalf of Contractor each represent and warrant that they have the legal power, right and actual authority to bind Contractor to the terms and conditions of this Agreement.

20. Severability. If any term, provision, condition or covenant of this Agreement or its application to any party or circumstances shall be held, to any extent, invalid or unenforceable, the remainder of this Agreement, or the application of the term, provision, condition or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected, and shall be valid and enforceable to the fullest extent permitted by law.

21. Amendments. This Agreement may be modified or amended only be written document executed by both Contractor and City's City Manager and approved as to form by the

City Attorney. Such document shall expressly state that it is intended by the parties to amend the terms and conditions of this Agreement.

22. Confidentiality. All documents, reports, information, data, and exhibits prepared or assembled by Contractor in connection with the performance of the Services pursuant to the Agreement are confidential until released by the City to the public, and the Contractor will not make any of these documents or information available to any individual or organization not employed by the Contractor or the City without the written consent of the City before any such release.

23. Entire Agreement. This Agreement, together with any other written document referred to or contemplated by it embody the entire Agreement and understanding between the parties relating to the subject matter of it. The City Manager is authorized, in consultation with the City Attorney, to agree to non-material amendments to this Agreement. Neither this Agreement nor any of its provisions may be amended, modified, waived or discharged except in a writing signed by both parties.

24. Notices. Any notices required or permitted under this Agreement shall be effective when delivered in person; and effective one (1) business day after delivery by facsimile transmission; and effective five (5) days after mailing by U.S. Mail, postage prepaid and properly addressed as follows:

To Contractor:

**All City Management Services, Inc.
10440 Pioneer Boulevard, Suite 5
Santa Fe Springs, California 90670
Attn: Demetra Farwell, Administrative Services
Manager
(310) 202-8284
(310) 202-8325 – fax.**

To City:

**City of Compton
205 South Willowbrook Avenue
Compton, California 90220
Attn: City Attorney
(310) 605-5582
(310) 763-0895 – fax.**

Copy to:

**City of Compton
205 South Willowbrook Avenue
Compton, California 90220
Attn: City Manager**

25. Miscellaneous. No provision of this Agreement is to be interpreted for or against either party because that party or that party's legal representative drafted such provision.

Should either party hereto, or any representative, successor or assign of either party hereto, resort to litigation to enforce the provisions of this Agreement, the party or parties prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to recover its or their reasonable attorney's fees and costs in such litigation from the party or parties against whom enforcement is sought.

IN WITNESS WHEREOF, CONTRACTOR has executed this Agreement, and the **CITY**, by its City Manager, who is authorized to do so, has executed this Agreement.

ALL CITY MANAGEMENT SERVICES, INC.
CONTRACTOR

Dated: _____

By _____
**Demetra Farwell, Administrative
Services Manager**

CITY OF COMPTON
Approved by:

Dated: _____

By _____
Roger L. Haley, City Manager

Approved as to form:

By _____
Craig J. Cornwell, City Attorney

Dated: _____

ATTEST:

Dated: _____

By _____
Alita Godwin, City Clerk

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE RENEWAL OF THE CONTRACTUAL AGREEMENTS WITH ALL CITY MANAGEMENT SERVICES, INC. AND COMPTON UNIFIED SCHOOL DISTRICT REGARDING THE PROVISION OF CROSSING GUARD SERVICES AND THE ISSUANCE OF A PURCHASE ORDER FOR FISCAL YEAR 2015-2016 IN THE AMOUNT OF \$284,649.75

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

December 15, 2015

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH DUDEK TO PERFORM CORRECTIVE ACTION SERVICES IN ACCORDANCE WITH THE JUNE 22, 2015 DIRECTIVE OF THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD REGARDING REMEDIATION AT COMPTON FIRE STATION NO.1 (\$165,138)

SUMMARY

This resolution authorizes the City Manager to amend the professional services agreement with and issue a purchase order in the amount of \$165,138.00 to Dudek for performance of corrective action services (i.e. Preliminary Site Assessment, Soil and Water Investigation, Corrective Action Plan Implementation and Verification Monitoring) in accordance with the June 22, 2015 directive from the Los Angeles Regional Water Quality Control Board ("Regional Board") in regards to the City's continuing remediation efforts at Compton Fire Station No. 1.

BACKGROUND

The City's Fire Station No. 1, located at 201 South Acacia Avenue was found to have groundwater contaminated with petroleum products that apparently leaked from underground gasoline storage tanks that were used to refill fire trucks. Remediation has been taking place at Fire Station No. 1 since 1998. The City initially contracted with Amnat Environmental but ended the contract in 2010 after receiving a directive from the Regional Board on June 10, 2010 to develop a more aggressive remedial approach.

Staff solicited proposals from environmental engineering firms and Dudek was awarded a contract pursuant to Resolution No. 23,241, adopted by the City Council on November 9, 2010, to review existing data, evaluate the effectiveness of the existing remediation system and prepare a Remedial Action Plan ("RAP") for submission and approval of the Regional Board.

In accordance with a 2012 Regional Board directive, on December 3, 2013, the City Council adopted Resolution No. 23,880, which authorized the City Manager to enter into another agreement with Dudek to continue conducting annual and semi-annual groundwater samplings, destruction of 6 vapor extraction wells and rehabilitation of 4 monitoring wells.

#12.

Staff Report – Resolution Authorizing Contract Amendment (2nd)
Dudek – Groundwater Remediation at Fire Station No. 1
December 15, 2015

The Regional Board issued another directive to the City on December 17, 2013, requesting a revised Interim Remedial Action Plan (“IRAP”) pursuant to their review of the City’s Annual Groundwater Monitoring Report and the Revised Interim Remedial Action Plan, prepared by Dudek on the City’s behalf. The City was also required to submit a workplan to conduct soil gas investigations by February 17, 2014. The Regional Board issued a directive on March 12, 2014, concurring with Dudek’s workplan and requiring the City to include historical groundwater analytical data by July 15, 2014. On February 27, 2015, the Regional Board further required the City to take corrective action pursuant to the Semi-Annual Groundwater Monitoring Report.

In the Regional Board’s directive of March 12, 2014, it was also required that the City perform soil vapor samples, a Soil Vapor Investigation, Soil Vapor Extraction (“SVE”) and High Vacuum Dual Phase Extraction (“HVDPE”). Dudek conducted the work as outlined by the Regional Board’s directive and submitted a plan. Dudek performed the work on June 11, 2014, October 15, 2014 and February 13, 2015.

STATEMENT OF THE ISSUE

The Regional Board responded to the above reports on February 27, 2015, and issued a directive dated June 22, 2015, requiring the City to:

1. Submit a revised IRAP for in-situ chemical oxidation (“ISCO”) injection to address cleanup of the groundwater contamination plume; including a timeline of project milestones for site assessment onsite and offsite remediation, post-remediation monitoring and case closure.
2. Submit a Health and Safety Plan with the IRAP.
3. Separate injection points/wells must be installed at the site for the proposed hydrogen peroxide injection.
4. Prior to implementing ISCO injection pilot tests or any chemical oxidant injection in the field, a WDR application must be filed and obtained from the Regional Board.
5. Conduct over-purge events in wells MV-1 and MV-8, until a WDR permit is issued for the proposed ISCO injection.
6. Continue a semi-annual groundwater monitoring program and submit semi-annual groundwater monitoring reports.

Due to the time constraints in complying with the directives of the Regional Board, staff recommends authorization of an amendment to the current agreement with Dudek rather than seeking further competitive proposals at this time. Dudek is intimately knowledgeable of and familiar with the remediation efforts and status of the subject site, thus retaining their services will assure critical continuity on the project. Additionally, Dudek has assisted the City in complying with the various and numerous directives issued by the Regional Board in a manner satisfactory to the City and, more importantly, the Regional Board.

FINANCIAL IMPACT

Dudek has estimated the cost of materials and time for the annual and semi-annual events to be \$115,138.00. Estimated costs for the over-purge events, ISCO injection, IRAP and Health and Safety Work Plan are estimated at \$50,000.00. Funds in the amount of \$165,138.00 are available in the Risk Management Account Fund No. 6400-420-0000-4269 for Fiscal Year 2015-16.

ALTERNATIVE

No alternative is proposed at this time. Should Council decide not to authorize the contract amendment, the Regional Board may impose fines and the City may be exposed to protracted litigation regarding the possible groundwater contamination.

RECOMMENDATION

Staff recommends the adoption of the attached Resolution.

MONICA TURNER
RISK MANAGER

CRAIG J. CORNWELL
CITY ATTORNEY

CJC:MT:RAR:rar

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH DUDEK TO PERFORM CORRECTIVE ACTION SERVICES IN ACCORDANCE WITH THE JUNE 22, 2015 DIRECTIVE OF THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD REGARDING REMEDATION AT COMPTON FIRE STATION NO.1 (\$165,138)

WHEREAS, the City's Fire Station No. 1, located at 201 South Acacia Avenue was found to have groundwater contaminated with petroleum products that apparently leaked from underground gasoline storage tanks that were used to refill fire trucks; and

WHEREAS, Dudek was awarded a contract pursuant to Resolution No. 23,241, adopted by the City Council on November 9, 2010, to review existing data, evaluate the effectiveness of the existing remediation system and prepare a Remedial Action Plan ("RAP") for submission and approval of the Los Angeles Regional Water Quality Control Board ("Regional Board"); and

WHEREAS, in accordance with a 2012 Regional Board directive, on December 3, 2013, the City Council adopted Resolution No. 23,880, which authorized the City Manager to enter into another agreement with Dudek to continue conducting annual and semi-annual groundwater samplings, destruction of 6 vapor extraction wells and rehabilitation of 4 monitoring wells; and

WHEREAS, the Regional Board issued another directive to the City on December 17, 2013, requesting a revised Interim Remedial Action Plan ("IRAP") pursuant to their review of the City's Annual Groundwater Monitoring Report and the Revised Interim Remedial Action Plan, prepared by Dudek on the City's behalf, in addition to submittal of a workplan to conduct soil gas investigations by February 17, 2014; and

WHEREAS, the Regional Board issued a directive on March 12, 2014, concurring with Dudek's workplan and requiring the City to include historical groundwater analytical data by July 15, 2014 and on February 27, 2015, the Regional Board further required the City to take corrective action pursuant to the Semi-Annual Groundwater Monitoring Report; and

WHEREAS, in the Regional Board's directive of March 12, 2014, it was also required that the City perform soil vapor samples, a Soil Vapor Investigation, Soil Vapor Extraction ("SVE") and High Vacuum Dual Phase Extraction ("HVDPE"). Dudek conducted the work as outlined by the Regional Board's directive and submitted a plan; and

WHEREAS, the Regional Board responded to the reports submitted by Dudek and issued a directive dated June 22, 2015, requiring the City to perform additional cleanup, continue semi-annual and annual sampling, in-situ chemical oxidation injection, submit a Health and Safety Work Plan and provide an updated Remedial Action Plan; and

WHEREAS, Dudek will conduct the work as directed by the Regional Board to ensure proper well monitoring and submit information to the Regional Board for their review and determination of the scope of continued remediation, timelines for remediation, post remediation and site closure; and

WHEREAS, due to the time constraints in complying with the directives of the Regional Board, staff recommends authorization of an amendment to the current agreement with Dudek, particularly since Dudek is intimately knowledgeable of and familiar with the remediation efforts and status of the subject site, thus retaining their services will assure critical continuity on the project; and

WHEREAS, Dudek has estimated the cost of materials and time for the annual and semi-annual events to be \$115,138.00 and the estimated costs for the over-purge events, ISCO injection, IRAP and Health and Safety Work Plan are estimated at \$50,000.00; and

WHEREAS, funds for this expenditure are available in the Fiscal Year 2015-2016 budget.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the City Manager, on the advice and approval of the City Attorney is hereby authorized to enter into a second amendment (effective retroactive to August 1, 2015) to the Professional Services Agreement with Dudek to perform the work specified within the June 22, 2015 directive of the Los Angeles Regional Water Quality Control Board regarding the Compton Fire Station No. 1.

Section 2. That funds for this expenditure are available in the Risk Management Account Fund No. 6400-420-0000-4269 for Fiscal Year 2015-16.

Section 3. That a purchase order is authorized to be issued in the amount of \$165,138.00.

Section 4. That copies of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk and City Attorney.

Section 5. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF COMPTON)

Resolution No. _____
Page 3

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested to by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2015.

That said Resolution was adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

**SECOND AMENDMENT
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
CITY OF COMPTON
AND
DUDEK**

This **SECOND AMENDMENT** is entered into by and between the **CITY OF COMPTON**, a municipal corporation of the State of California (hereinafter referred to as “**CITY**”) and **DUDEK** (hereinafter referred to as “**CONSULTANT**”).

RECITALS

WHEREAS, the City’s Fire Station No. 1, located at 201 South Acacia Avenue, Compton (the “Site”), was found to have groundwater contaminated with petroleum products that apparently leaked from underground gasoline storage tanks that were used to fuel the fire trucks; and

WHEREAS, the Los Angeles Regional Water Quality Control Board (“Regional Board”) has issued a directive to the City on June 22, 2015, pursuant to reports prepared by Consultant on behalf of the City, requiring that additional cleanup and continued semi-annual and annual sampling and in-situ chemical oxidation (“ISCO”) injection be performed, and submission of a Health and Safety Work Plan and updated Remedial Action Plan for the Site; and

WHEREAS, pursuant to Resolution No. 23,880, adopted by the City Council on December 3, 2013, the City and Consultant entered into a Professional Services Agreement wherein the Consultant is to continue the remediation services at the Site, including groundwater monitoring and reporting, well destruction and monitoring well rehabilitation, review existing data, evaluate the effectiveness of the existing remediation system and prepare a revised Remedial Action Plan for submission and approval of the Regional Board; and

WHEREAS, subsequent to Dudek performing the work and submitting the reports required by the Regional Board, the Regional Board issued another directive to perform further remediation and corrective action at the Site, thus on March 25, 2014, the City Council adopted Resolution No. 23,920, approving a first amendment to the agreement authorizing Dudek to perform the services required by the Board’s directive: and

WHEREAS, there is a need to amend the Agreement with the Consultant to revise the scope of services to provide for implementation of the additional services required by the June 22, 2015 directive issued by the Regional Board and provide for additional compensation for such services to be rendered; and

WHEREAS, Section 26 of the original Agreement provides that the Agreement may be amended by a written document executed by both parties.

Second Amendment to Professional Services Agreement – Dudek
Environmental Remediation Services/Fire Station #1
Risk Management/City Attorney's Office
(Resolution No. _____)

NOW, THEREFORE, the parties do hereby mutually agree to amend the Agreement as follows:

AMENDMENTS

1. The parties agree to amend **Section 1 – Services to be Rendered by Consultant** of the original Agreement to include the following additional services to be performed by the Consultant pursuant to the June 22, 2015 directive of the Los Angeles Regional Water Quality Control Board:

- a. Submit a revised IRAP for in-situ chemical oxidation (“ISCO”) injection to address cleanup of the groundwater contamination plume; including a timeline of project milestones for site assessment onsite and offsite remediation, post-remediation monitoring and case closure.
- b. Submit a Health and Safety Plan with the IRAP.
- c. Separate injection points/wells must be installed at the site for the proposed hydrogen peroxide injection.
- d. Prior to implementing ISCO injection pilot tests or any chemical oxidant injection in the field, a WDR application must be filed and obtained from the Regional Board.
- e. Conduct over-purge events in wells MV-1 and MV-8, until a WDR permit is issued for the proposed ISCO injection.
- f. Continue a semi-annual groundwater monitoring program and submit semi-annual groundwater monitoring reports.

2. The parties agree to amend **Section 2 – Duration of Contract** of the original Agreement to revise the duration of the contract by adding the provision that Consultant has began performing the additional services as provided for within this Second Amendment, retroactively since at least August 1, 2015, and shall continue to perform said services in a diligent and professional manner until the work required by the June 22, 2015 directive of the Los Angeles Regional Water Control Board are completed, unless this Second Amendment and/or the original agreement is terminated.

3. The parties agree to amend **Section 3 – Compensation** of the original Agreement to revise the maximum amount of compensation payable to **CONSULTANT** for services performed and completed pursuant to this Second Amendment by adding that City agrees to pay and Consultant agrees to accept as full and complete compensation for satisfactory performance of all additional services performed by the Consultant pursuant to the provisions of this Second Amendment the following maximum sums:

- a. Materials and time for the annual and semi-annual events - **\$115,138.00**
- b. Over-purge events, ISCO injection, IRAP and Health and Safety Work Plan - **\$50,000.00**

4. Except as provided for above, all other terms and conditions of the original Agreement and any amendments thereto between the City and the Consultant all remain in effect.

Second Amendment to Professional Services Agreement – Dudek
Environmental Remediation Services/Fire Station #1
Risk Management/City Attorney's Office
(Resolution No. _____)

IN WITNESS WHEREOF, the authorized representatives of the parties have executed this **FIRST AMENDMENT** to the above-identified **PROFESSIONAL SERVICES AGREEMENT**.

DUDEK/CONSULTANT

By _____ Dated: _____
George Litzinger, P.E., Principal

CITY OF COMPTON
Recommended for Approval:

By _____ Dated: _____
Monica Turner, Risk Manager
Risk Management/City Attorney's Office

Approved by:

Dated: _____ By _____
Roger L. Haley, City Manager

Approved as to form:

By _____ Dated: _____
Craig J. Cornwell, City Attorney

ATTEST:

Dated: _____ By _____
Alita Godwin, City Clerk

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Risk Management

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH DUDEK TO PERFORM CORRECTIVE ACTION SERVICES IN ACCORDANCE THE JUNE 22, 2015 DIRECTIVE OF THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD REGARDING REMEDIATION AT COMPTON FIRE STATION NO. 1 (\$165,138)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

12/1/2015 1:10:11 PM
DATE

REVIEW / APPROVAL

Craig Cornwell
CITY ATTORNEY

12/3/2015 12:13:06 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

12/2/2015 6:34:35 PM
DATE

Roger Haley
CITY MANAGER

12/2/2015 5:34:00 PM
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

December 15, 2015

TO: MAYOR AND CITY COUNCIL

**FROM: GLEN W.C. KAU, P.E., DIRECTOR OF PUBLIC WORKS
/MUNICIPAL UTILITIES**

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON, ACCEPTING PARCEL MAP NO. 72903 FOR RECORDATION, BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF COMPTON, STATE OF CALIFORNIA

SUMMARY

Staff is requesting that the City Council adopt this resolution accepting Parcel Map No. 72903 for recordation, located at 13633/13801/13805 North Central Avenue in the City of Compton, for the construction of a light industrial complex development.

BACKGROUND

Parcel Map No. 72903 is a parcel of land subdivided for light industrial complex development purposes. The Vesting Tentative Parcel Map No. 72903 was approved by the City Council on March 24, 2015 following staff recommendation for approval by the Subdivision Committee and the Planning Commission.

The property owner has met all conditions of the Parcel Map and staff is recommending adoption. Attachment A is a reduced copy of Tract Map No. 72903.

ALTERNATIVE

Staff has no recommended alternative to the adoption of this resolution.

FISCAL IMPACT

Development of the site will result in an increase in property and sales tax revenues to the City.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution.

#13.

GLEN W.C. KAU, P.E., DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES DEPARTMENT

APPROVED FOR FORWARDING:

ROGER L. HALEY
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING PARCEL MAP NO. 72903 FOR RECORDATION, BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH RANGE 13 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF COMPTON, STATE OF CALIFORNIA

WHEREAS, the Planning Commission of the City of Compton conducted a duly noticed public hearing to consider the application for approval of Tentative Parcel Map No. 72903 and, upon conclusion of said public hearing, the Planning Commission adopted its resolution approving Tentative Parcel Map No. 72903; and

WHEREAS, on March 24, 2015, the City Council approved Tentative Parcel Map No. 72903, following staff's recommendation for approval by the Subdivision Committee and the Planning Commission

WHEREAS, an application has been filed for approval of Parcel Map No. 72903, as described in this Resolution; and

WHEREAS, the Parcel Map's surveyor stated that the Final Parcel Map No. 72903 conforms to the requirements of State Subdivision Map Act and to the conditionally approved Tentative Parcel Map; and

WHEREAS, the Building & Safety Department-retained Consultant "Interwest Consulting Group" has reviewed Parcel Map No. 72903 and determined that the Parcel Map is technically correct; and

WHEREAS, the City Engineer has reviewed Parcel Map No. 72903 and determined that the Map conforms to the approved Tentative Parcel Map No. 72903 and is in compliance with applicable provisions of Chapter 28 of the Compton Municipal Code and of the State Subdivision Map Act; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred and it is necessary that the City Council approve Parcel Map No. 72903.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby finds that all of the facts set forth in this Resolution are true and correct.

SECTION 2. That the City Council finds the Final Parcel Map No. 72903 to be in substantial compliance with the Tentative Parcel Map, with the State Subdivision Map Act and with the applicable provisions of Chapter 28 of the Compton Municipal Code.

SECTION 3. That based on the foregoing finding, the City Council hereby adopts this Resolution approving Parcel Map No. 72903 as presented and further authorizes and directs the City Clerk to certify the adoption of this Resolution.

SECTION 4. That copies of this resolution shall be filed in the offices of the City Manager, Planning and Economic Development Department, City Clerk, and Public Works/ Municipal Utilities Department.

SECTION 5. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on this _____day of _____, 2015.

That said Resolution was adopted by the following vote, to wit:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

2 NUMBERED PARCELS
56.41 ACRES NET

PARCEL MAP NO. 72903

SHEET 1 OF 3 SHEETS

IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 AND A PORTION OF THE
SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF
COMPTON, STATE OF CALIFORNIA

PETER WEILBACHER

P.L.S. 8403

CANYON CONSULTING

OWNER'S STATEMENT:

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

WE HEREBY IRREVOCABLY OFFER TO DEDICATE TO THE CITY OF COMPTON FOR PUBLIC USE AND ROAD PURPOSES SAN LITTLETON STREET AND MCKINLEY AVENUE SO DESIGNATED ON THIS MAP AND ALL USES INCIDENT THEREOF.

WE HEREBY REQUEST THAT THE FOLLOWING EASEMENT(S), WHICH ARE NOT SHOWN ON THE ATTACHED MAP, BE ABANDONED IN ACCORDANCE WITH SECTION 66445 (I) OF THE SUBDIVISION MAP ACT:

1. THAT CERTAIN PUBLIC USE EASEMENT FOR ROAD PURPOSES IN A DOCUMENT RECORDED DECEMBER 17, 1971 AS INSTRUMENT NO. 2860, OF OFFICIAL RECORDS.

LA BRICKYARD, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: TC BRICKYARD ASSOCIATES, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS MEMBER

BY: TC LA DEVELOPMENT, INC., A DELAWARE CORPORATION, ITS SOLE MEMBER

BY: _____
NAME: _____
TITLE: _____

BY: LA BRICKYARD REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS MEMBER

BY: PRINCIPAL ENHANCED PROPERTY FUND, L.P., ITS MANAGING MEMBER

BY: PRINCIPAL ENHANCED PROPERTY FUND GP, LLC, ITS GENERAL PARTNER

BY: PRINCIPAL REAL ESTATE INVESTORS, LLC, AUTHORIZED SIGNATORY

BY: _____
NAME: _____
TITLE: _____

BY: _____
NAME: _____
TITLE: _____

NOTARY ACKNOWLEDGMENT:

STATE OF _____
COUNTY OF _____

ON _____, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY

APPEARED: _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: _____
NAME OF NOTARY: _____
COUNTY IN WHICH COMMISSIONED: _____
DATE COMMISSION EXPIRES: _____
COMMISSION NO. _____

NOTARY ACKNOWLEDGMENT:

STATE OF _____
COUNTY OF _____

ON _____, BEFORE ME, _____, A NOTARY PUBLIC, PERSONALLY

APPEARED: _____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: _____
NAME OF NOTARY: _____
COUNTY IN WHICH COMMISSIONED: _____
DATE COMMISSION EXPIRES: _____
COMMISSION NO. _____

CITY CLERK'S STATEMENT:

CITY OF COMPTON
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

I, ALITA GOODWIN, CITY CLERK OF THE CITY OF COMPTON, DO HEREBY STATE THAT THIS MAP PRESENTED FOR APPROVAL TO THE CITY OF COMPTON CITY COUNCIL AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 20____, AND THAT SAID COUNCIL DID, BY ORDER DULY PASSED AND ENTERED, APPROVE SAID MAP.

I HEREBY IRREVOCABLY ACCEPT FOR PUBLIC USE AND ROAD PURPOSES SAN LITTLETON STREET AND MCKINLEY AVENUE SO DESIGNATED ON THIS MAP AND ALL USES INCIDENT THEREOF.

I ALSO HEREBY STATE THAT THE FOLLOWING EASEMENT(S) ARE HEREBY ABANDONED IN CONFORMANCE WITH SECTION 66445(I) OF THE SUBDIVISION MAP ACT:

1. THAT CERTAIN PUBLIC USE EASEMENT FOR ROAD PURPOSES IN A DOCUMENT RECORDED DECEMBER 17, 1971 AS INSTRUMENT NO. 2860, OF OFFICIAL RECORDS.

ALITA GOODWIN, CITY CLERK
CITY OF COMPTON

SPECIAL ASSESSMENT'S STATEMENT

I HEREBY STATE THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF COMPTON TO WHICH THE LAND INCLUDED WITHIN THE SUBDIVISION OR ANY PART THEREOF IS SUBJECT, AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

DOUGLAS SANDERS, CITY TREASURER
CITY OF COMPTON

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____
DEPUTY: _____
DATE: _____

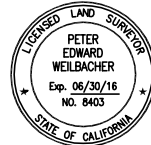
I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF PARCEL MAP NO. 72903 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY: _____
DEPUTY: _____
DATE: _____

SURVEYOR'S STATEMENT:

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF LA BRICKYARD, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN FEBRUARY 2015. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP. I ALSO STATE THAT THE MONUMENTS OF THE CHARACTER AND LOCATIONS SHOWN HEREON ARE IN PLACE OR WILL BE IN PLACE WITHIN 24 MONTHS FROM THE FILING DATE OF THIS MAP; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE READILY RETRACED AND THAT THE NOTES TO ALL CENTERLINE MONUMENTS SHOWN AS "TO BE SET" WILL BE ON FILE IN THE OFFICE OF THE CITY ENGINEER WITHIN TWENTY-FOUR MONTHS FROM THE FILING DATE SHOWN HEREON.



PETER E. WEILBACHER
P.L.S. NO. 8403

CITY ENGINEER'S STATEMENT:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT IT CONFORMS SUBSTANTIALLY TO THE TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF STATE LAW AND SUBDIVISIONS ORDINANCE OF THE CITY OF COMPTON, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT SECTION 66442 (a)(1), (2) AND (3) HAVE BEEN COMPLIED WITH.

GLEN W.C. KAU, RCE 56857
PUBLIC WORKS DIRECTOR/CITY ENGINEER, CITY OF COMPTON

CONSULTANT SURVEYOR:

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP ON BEHALF OF THE CITY OF COMPTON AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

JON G. CRAWFORD
R.C.E. NO. 32935



SIGNATURE OMISSIONS NOTE:

THE FOLLOWING SIGNATURES HAVE BEEN OMITTED PURSUANT TO THE PROVISIONS OF SECTIONS 66436 (a) 3 (C), AND 66436 (a) 3A(i-vii) OF THE SUBDIVISION MAP ACT, AS THEIR INTEREST CANNOT OPEN INTO A FEE.

AN EASEMENT GRANTED TO STANDARD OIL COMPANY, A CORPORATION, FOR A RIGHT OF WAY ACROSS TO LAY, CONSTRUCT AND MAINTAIN PIPE LINES FOR THE TRANSPORTATION OF OIL, PETROLEUM, GAS OR WATER AND TO ERECT, MAINTAIN AND OPERATE TELEGRAPH OR TELEPHONE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED IN BOOK 4666 PAGE 147 AND IN BOOK 4684 PAGE 232 BOTH OF DEEDS.

AN EASEMENT GRANTED TO EDWARD FLICK AND MYRA H. FLICK, FOR THE PURPOSE OF PUBLIC UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED MARCH 26, 1930 IN BOOK 9883 PAGE 41 OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO RUBY LAMON AND OTHERS, FOR ROAD PURPOSES AND RIGHTS INCIDENTAL THERETO, RECORDED OCTOBER 4, 1941 IN BOOK 18835 PAGE 61, OFFICIAL RECORDS.

AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED FEBRUARY 17, 1950 AS INSTRUMENT NO. 4201-S, OF TORRENS.

THE OIL AND GAS RIGHTS, WITHOUT RIGHT OF ENTRY TO EXTRACT THE SAME, AS RESERVED BY JOAQUIN LOPEZ AND LUCIA LOPEZ, HUSBAND AND WIFE, IN DEED REGISTERED JUNE 5, 1946 AS DOCUMENT NO. 12600-0 OF OFFICIAL RECORDS.

AN OIL AND GAS LEASE FOR THE TERM THEREIN PROVIDED WITH CERTAIN COVENANTS, CONDITIONS AND PROVISIONS, TOGETHER WITH EASEMENTS, IF ANY AS SET FORTH THEREIN, AS RESERVED BY LOGAN H. GOODKNIGHT, SUCCESSOR OR ASSIGNEE, RECORDED MARCH 24, 1948 AS INSTRUMENT NO. 2716 IN BOOK 26761, PAGE 374, OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT REGISTERED APRIL 13, 1949 AS DOCUMENT NO. 7037-R OF TORRENS.

AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT REGISTERED FEBRUARY 17, 1950 AS DOCUMENT NO. 4201-S, OF TORRENS.

A ONE-HALF INTEREST IN ALL OIL, GAS OR HYDROCARBON SUBSTANCES AS RESERVED IN THE DEED FROM ROSE ANNA GEORGE, A WIDOW, FILED JUNE 8, 1949 ON DOCUMENT NO. 19930-R AND ENTERED IN CERTIFICATE NO. V1-75080, BOTH OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO THE SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED OCTOBER 26, 1951 AS INSTRUMENT NO. 2238, IN BOOK 37308, PAGE 143, OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO ICHIO EGASHIRA AND KIUCHI EGASHIRA, FOR THE PURPOSE OF UNDERGROUND PIPES AND OTHER CONDUITS FOR WATER AND OTHER UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JANUARY 8, 1952 AS INSTRUMENT NO. 3364 OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO JOHN MOMI, FOR ROAD PURPOSES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JANUARY 8, 1952 AS INSTRUMENT NO. 3366 OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO PARK WATER COMPANY, A CALIFORNIA CORPORATION, FOR THE PURPOSE OF PIPE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED OCTOBER 26, 1954 AS INSTRUMENT NO. 3255 OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO STANDARD OIL COMPANY OF CALIFORNIA, A CORPORATION AND STANDARD GASOLINE COMPANY, A CORPORATION, FOR THE PURPOSE OF PIPE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED APRIL 22, 1955 AS INSTRUMENT NO. 3910 OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION, FOR THE PURPOSE OF PIPE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT, RECORDED APRIL 29, 1955 AS INSTRUMENT NO. 3939 OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, FOR THE PURPOSE OF COVERED STORM DRAIN AND APPURTENANT STRUCTURES, AND INCIDENTAL PURPOSES, CONDEMNED BY FINAL DECREE, RECORDED APRIL 6, 1976 AS INSTRUMENT NO. 2509, OF OFFICIAL RECORDS.

AN UNRECORDED LEASE WITH CERTAIN TERMS, COVENANTS, CONDITIONS AND PROVISIONS AS SET FORTH THEREIN AS DISCLOSED BY A DOCUMENT ENTITLED "MEMORANDUM OF LEASE" IN FAVOR OF COX CALIFORNIA PCS, INC., A DELAWARE CORPORATION, RECORDED NOVEMBER 4, 1996 AS INSTRUMENT NO. 96-1785988, OF OFFICIAL RECORDS.

A COVENANT AND AGREEMENT UPON AND SUBJECT TO THE TERMS AND CONDITIONS THEREIN RECORDED MARCH 5, 1998 AS INSTRUMENT NO. 98-363236, OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO OF STC ONE LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR THE PURPOSE OF ACCESS AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED NOVEMBER 3, 2010 AS INSTRUMENT NO. 20101582251 OF OFFICIAL RECORDS.

OIL AND MINERAL RIGHTS, AS RESERVED BY BERNARD LEVINE, AS TRUSTEE, RONALD LEVINE, AS SUCCESSOR TRUSTEE, AND WELDON E. LEVINE, AS TRUSTEES, UNDER THE WILL OF HANAN LEVINE, DECEASED AND EMMA LEVINE, DECEASED, SUCCESSOR OR ASSIGNEE, AS DISCLOSED IN A DEED RECORDED FEBRUARY 21, 2014 AS INSTRUMENT NO. 20140183859, OF OFFICIAL RECORDS.

AN EASEMENT GRANTED TO SOUTHERN CALIFORNIA EDISON FOR UTILITY PURPOSES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED MAY 12, 2015 AS INSTRUMENT NO. 2015-0547323 OF OFFICIAL RECORDS.

2 NUMBERED PARCELS
56.41 ACRES NET

PARCEL MAP NO. 72903

SHEET 2 OF 3 SHEETS

IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 AND A PORTION OF THE
SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF
COMPTON, STATE OF CALIFORNIA

PETER WEILBACHER

P.L.S. 8403

CANYON CONSULTING

MONUMENT NOTES:

- 1) ● INDICATES FOUND MONUMENT AS NOTED
- 2) ○ SET 1" I.P. W/ TAG, SPIKE & WASHER, OR LEAD TACK & TAG "P.L.S. 8403", FLUSH, OR AS NOTED.
- 3) () MEASURED AND RECORD DATA PER R.S.B. 113 / 24, UNLESS OTHERWISE NOTED.
- 4) [] MEASURED AND RECORD DATA PER TR. 12999, M.B. 258 / 42, UNLESS OTHERWISE NOTED.
- 5) < > MEASURED AND RECORD DATA PER TR. 14124, M.B. 406 / 15-20, UNLESS OTHERWISE NOTED.
- 6) { } MEASURED AND RECORD DATA PER TR. 51653, M.B. 1223 / 32-34, UNLESS OTHERWISE NOTED.
- 7) [] MEASURED AND RECORD DATA PER TR. 17141, M.B. 402 / 10-15, UNLESS OTHERWISE NOTED.
- 8) << >> MEASURED AND RECORD DATA PER P.M. NO. 25607, P.M.B. 287 / 94-96, UNLESS OTHERWISE NOTED.
- 9) > < MEASURED AND RECORD DATA PER TR. NO. 23077, M.B. 645 / 77-79, UNLESS OTHERWISE NOTED.
- 10) { } MEASURED AND RECORD DATA PER TR. NO. 9295, M.B. 132 / 67-69, UNLESS OTHERWISE NOTED.
- 11) >> << MEASURED AND RECORD DATA PER P.M. NO. 17597, P.M.B. 189 / 81-82, UNLESS OTHERWISE NOTED.
- 11) (R1) DENOTES A GRANT DEED IN FAVOR OF LA BROOKLYN, LLC, A DELAWARE LIMITED LIABILITY COMPANY, RECORDED 02/21/2014 AS INSTRUMENT NO. 2014-0183559, OFFICIAL RECORDS.

INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP

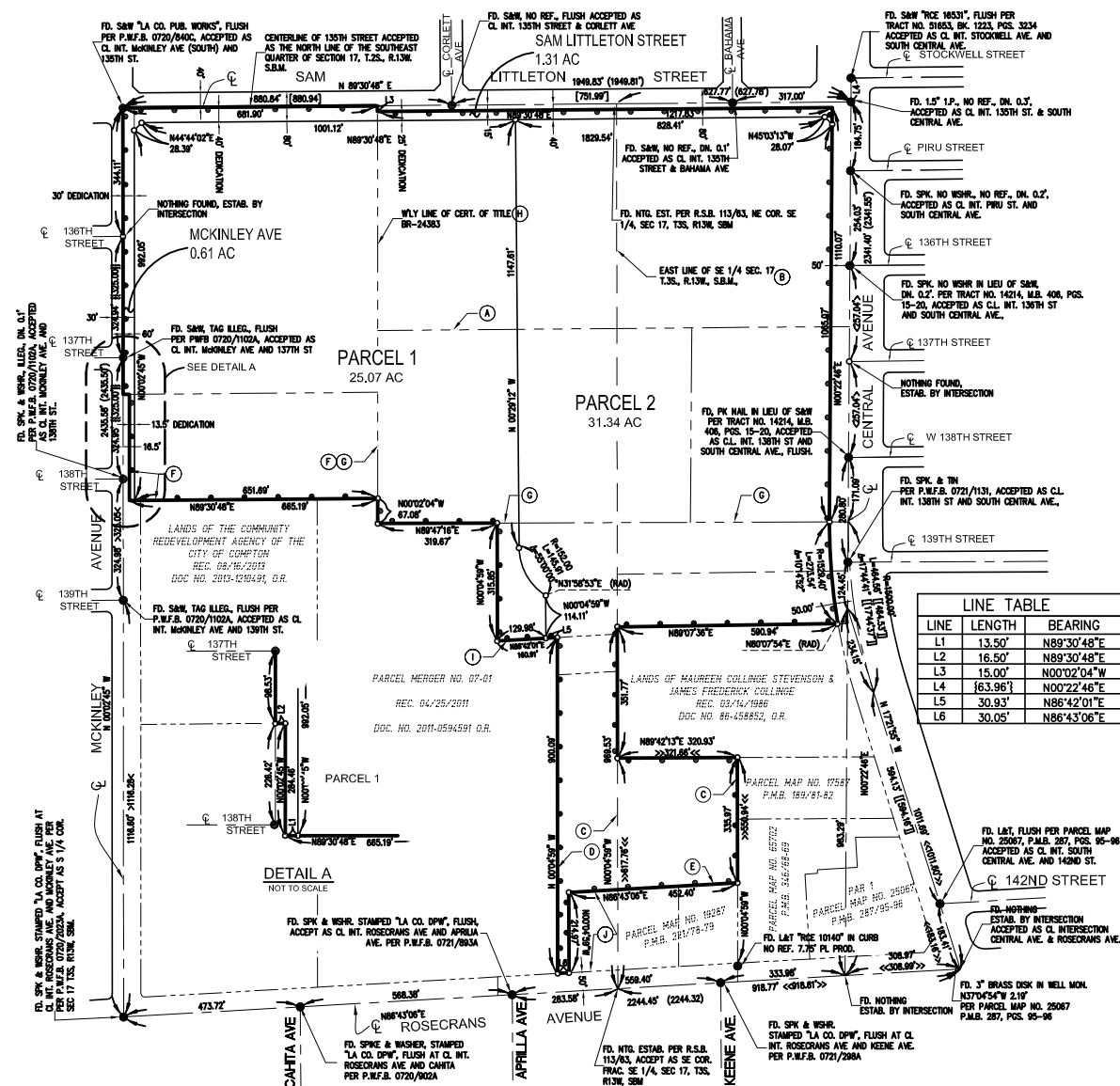
BASIS OF BEARINGS:

THE BEARING NORTH 89°30'48" EAST OF THE CENTERLINE OF SAM LITTLETON STREET AS SHOWN ON A RECORD OF SURVEY FILED IN BOOK 113, PAGE 24, RECORDS OF LOS ANGELES COUNTY, WAS TAKEN AS THE BASIS OF BEARINGS FOR THIS SURVEY.

BOUNDARY NOTES:

- (A) THE SOUTH LINE OF PARCELS 1 AND 2 OF (R1) ARE SET SOUTHERLY AND PARALLEL WITH THE CENTERLINE OF 135TH STREET (SAM LITTLETON STREET)
- (B) THE EAST LINE OF SEC. 17 WAS ESTABLISHED ALONG 135TH STREET SET AT RECORD DISTANCE FROM THE NORTHEAST CORNER AND PRODUCED SOUTHERLY THROUGH MONUMENT TO THE CENTERLINE OF ROSECRANS.
- (C) THE WEST AND EAST LINES OF PARCEL 7A OF (R1), ESTABLISHED. PARALLEL WITH THE EAST LINE OF SEC. 17 AND FOUND MONUMENT ON ROSECRANS.
- (D) THE WEST LINE OF PARCEL 7B OF (R1), O.R., ESTABLISHED PARALLEL WITH THE EAST LINE OF SEC. 17.
- (E) THE SOUTH LINE OF PARCEL 7 OF (R1), ESTABLISHED PARALLEL WITH THE CENTERLINE OF ROSECRANS, 265.05 N.T.Y.
- (F) THE WEST AND SOUTH LINE OF PARCEL 3 OF (R1), ESTABLISHED FROM THE CENTER 1/4 OF SEC. 7. THE EAST LINE OF PARCEL 3 OF (R1), ESTABLISHED BY THE WEST LINE OF CERT. OF TITLE BR-24383.
- (G) THE SOUTH LINE OF PARCEL 4 AND PARCEL 9 OF (R1), ESTABLISHED AT PRORATED DISTANCE ALONG CENTRAL AVENUE.
- (H) THE WEST LINES OF PARCEL 1 AND PARCEL 9 OF (R1), ESTABLISHED ALONG THE WEST LINE OF CERT. OF TITLE - BR-24383.
- (I) THE SOUTH LINE OF PARCEL 7C OF (R1), ESTABLISHED BY PRORATION OF E'LY LINE NE 1/4 SEC. 17 PER M.B. 28/42 AND MEAS. DISTANCE FROM 135TH STREET TO ROSECRANS ALONG SAID E'LY LINE.
- (J) THE LANDS OF WILLIAM AND JO ANNE PAGE PER GRANT DEED RECORDED 03/31/1983 AS INSTRUMENT NO. 83-355698, O.R.

SCALE: 1"=200'



2 NUMBERED PARCELS
56.41 ACRES NET

PARCEL MAP NO. 72903

SHEET 3 OF 3 SHEETS

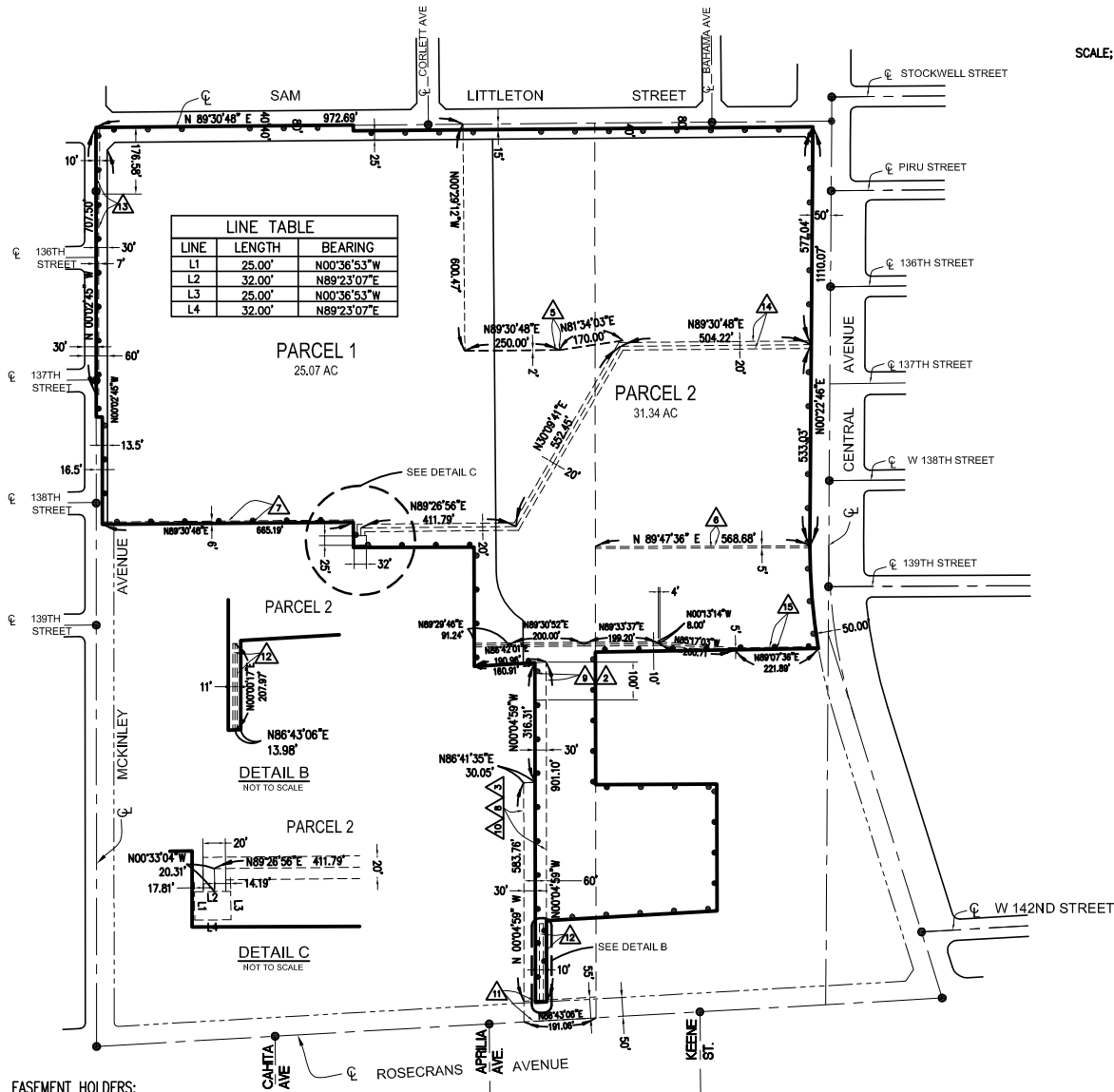
IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 AND A PORTION OF THE
SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 SOUTH, RANGE 13 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF
COMPTON, STATE OF CALIFORNIA

PETER WEILBACHER

P.L.S. 8403

CANYON CONSULTING

SCALE: 1"=200'



EASEMENT HOLDERS:

1. AN EASEMENT FOR A RIGHT OF WAY ACROSS TO LAY, CONSTRUCT AND MAINTAIN PIPE LINES FOR THE TRANSPORTATION OF OIL, PETROLEUM, GAS OR WATER AND TO ERECT, MAINTAIN AND OPERATE TELEGRAPH OR TELEPHONE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED IN BOOK 4686 PAGE 147 AND IN BOOK 4684 PAGE 232 BOTH OF DEEDS. (NOT PLOTTABLE; LOCATION CANNOT BE DETERMINED.)
2. AN EASEMENT FOR THE PURPOSE OF PUBLIC UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED MARCH 26, 1930 IN BOOK 9883 PAGE 41 OF OFFICIAL RECORDS.
3. AN EASEMENT FOR ROAD PURPOSES TO BE USED IN COMMON WITH OTHERS AS CREATED BY VARIOUS DEEDS OF RECORD, ONE OF WHICH WAS RECORDED OCTOBER 4, 1941 IN BOOK 18835 PAGE 61, OF OFFICIAL RECORDS.
4. AN EASEMENT FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED IN BOOK 20233, PAGE 219, OF OFFICIAL RECORDS. (NOT PLOTTABLE)
5. AN EASEMENT FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT REGISTERED APRIL 13, 1949 AS DOCUMENT NO. 7037-R, OF TORRENS.
6. AN EASEMENT FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT REGISTERED FEBRUARY 17, 1950 AS DOCUMENT NO. 4201-S, OF TORRENS.
7. AN EASEMENT GRANTED TO THE SOUTHERN CALIFORNIA EDISON COMPANY, FOR THE PURPOSE OF POLE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED OCTOBER 26, 1951 AS INSTRUMENT NO. 2238, IN BOOK 37309, PAGE 143, OF OFFICIAL RECORDS.
8. AN EASEMENT FOR THE PURPOSE OF UNDERGROUND PIPES AND OTHER CONDUITS FOR WATER AND OTHER UTILITIES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JANUARY 8, 1952 AS INSTRUMENT NO. 3364 OF OFFICIAL RECORDS.
9. AN EASEMENT FOR ROAD PURPOSES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED JANUARY 8, 1952 AS INSTRUMENT NO. 3366 OF OFFICIAL RECORDS.
10. AN EASEMENT FOR THE PURPOSE OF PIPE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED OCTOBER 26, 1954 AS INSTRUMENT NO. 3255 OF OFFICIAL RECORDS.
11. AN EASEMENT FOR THE PURPOSE OF PIPE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED APRIL 22, 1955 AS INSTRUMENT NO. 3910 OF OFFICIAL RECORDS.
12. AN EASEMENT FOR THE PURPOSE OF PIPE LINES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED APRIL 29, 1955 AS INSTRUMENT NO. 3939 OF OFFICIAL RECORDS.
13. AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSE OF COVERED STORM DRAIN AND APPURTENANT STRUCTURES, AND INCIDENTAL PURPOSES, CONDEMNED BY FINAL DECREE, RECORDED APRIL 6, 1976 AS INSTRUMENT NO. 2509, OF OFFICIAL RECORDS.
14. AN EASEMENT FOR THE PURPOSE OF ACCESS AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED NOVEMBER 3, 2010 AS INSTRUMENT NO. 2010-1582251 OF OFFICIAL RECORDS.
15. AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA EDISON FOR UTILITY PURPOSES AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT RECORDED MAY 12, 2015 AS INSTRUMENT NO. 2015-0547323 OF OFFICIAL RECORDS.

December 15, 2015

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: GLEN W. C. KAU, P.E., DIRECTOR
DEPARTMENT OF PUBLIC WORKS & MUNICIPAL UTILITIES

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2015-2016 FISCAL YEAR BUDGET AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT TO LEASE UP TO 2,000 ACRE- FEET OF WATER RIGHTS FROM THE CITY OF SOUTH GATE FOR FISCAL YEARS 2015-2016, 2016-2017 AND 2017-2018 (\$340,000)

SUMMARY

Adoption of this resolution to authorize the City Manager to amend the 2015-2016 Fiscal Year budget to transfer funds between accounts, execute the multi-year agreement with the City of South Gate to lease up to 2,000 acre-feet of water rights for Fiscal Years 2015-2016, 2016-2017 and 2017-2018, and issue a purchase order to the City of South Gate in the amount of \$340,000.00 (Three Hundred Forty Thousand Dollars and Zero Cents) for the lease of water rights for Fiscal Year 2015-2016.

BACKGROUND

The Compton Water Utility Division ("Division") of the Public Works/Municipal Utilities Department delivers a total annual demand of approximately 8,000 acre-feet of water. Historically, water demands have been met through groundwater pumping rights of 5,780 acre-feet of water (75%) and purchasing approximately 2,220 acre-feet (25%) of imported water Metropolitan Water District of Southern California ("MWD"). The Division produces groundwater from City water wells using its available water rights, augmented with additional leased-in groundwater rights from other entities, and combines this with imported water purchased from MWD to meet the total water demand.

The cost to purchase imported water from MWD is nearly three times the cost of pumping groundwater. However, over the past few years the Division has aggressively pursued and obtained sufficient additional groundwater pumping rights through leasing of water rights with other agencies. As a result, the Division was able to minimize or outright eliminate the need to purchase imported water and saved a minimum of \$1,000,000 in water supply costs annually.

**Staff Report – Resolution Authorizing Agreement
Lease 2000 Acre-Feet Water from South Gate (FY 2015-2018)
December 15, 2015, page 2**

STATEMENT OF THE ISSUE

The City of South Gate commonly has excess water rights than is necessary to meet its customer demands on an annual basis. Those unused water rights are often leased to other agency toward the end of each fiscal year. During Fiscal Year 2014-2015, the City of Compton entered into a 1-year lease agreement with the City of South Gate for 2,000 acre-feet of leased water rights at a cost of \$165 per acre-foot (\$330,000).

City staff has been working with the City of South Gate on negotiating a new multi-year lease agreement in order to lock up needed water rights for future years. However, City of South Gate staff expressed a desire to develop an agreement that provides flexibility in determining the amount of water rights that are available on an annual basis to ensure it can meet City of South Gate customer demands. City staff has now developed and secured the terms for a multi-year agreement with the City of South Gate to provide up to 2,000 acre-feet (minimum 1,000 acre-feet) of leased water rights for Fiscal Years 2015-2016, 2016-2017 and 2017-2018.

Per the conditions of the agreement, the City of South Gate will determine and provide written notification and invoice to the City of Compton by February 1 of each year the total acre-feet of groundwater rights available for lease to the City of Compton (minimum of 1,000 acre-feet to a maximum of 2,000 acre-feet). The City of Compton shall pay the City of South Gate a fee per acre-feet of groundwater that City of Compton extracts of City of South Gate's allowed pumping rights pursuant to the lease agreement as follows:

<u>Fiscal Year</u>	<u>Leased Price</u>	<u>Min/Max Cost</u>
2015-2016	\$170/Acre Foot	\$170,000/\$340,000
2016-2017	\$175/Acre Foot	\$175,000/\$350,000
2017-2018	\$180/Acre Foot	\$180,000/\$360,000

Please note these leased water rights are needed to meet the water demands for Fiscal Years 2015-16, 2016-17 and 2017-2018. If the City of Compton received the maximum 2,000 acre-feet in lease water rights each year, this will place the City in a position to utilize 100% groundwater for the next three consecutive years and reduce the overall water supply cost by an estimated \$1,000,000 during each year of the lease agreement. A copy of the proposed lease agreement for up to 2,000 acre-feet of water rights is attached.

ALTERNATIVE

None proposed.

**Staff Report – Resolution Authorizing Agreement
Lease 2000 Acre-Feet Water from South Gate (FY 2015-2018)
December 15, 2015, page 3**

FISCAL IMPACT

Funds are available in the 2015-16 Fiscal Year budget and need to be transferred as follows:

From:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
5000-850-000-4252	Water Purchase – MWD	\$100,000.00
5000-860-000-4229	Automotive Repairs	\$100,000.00
5000-880-000-4229	Automotive Repairs	\$140,000.00

To:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
5000-890-000-4262	Other Professional Services	\$340,000.00

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to transfer funds between accounts, execute the multi-year agreement with the City of South Gate to lease up to 2,000 acre-feet of water rights for Fiscal Years 2015-2016, 2016-2017 and 2017-2018, and issue a purchase order to the City of South Gate in the amount of \$340,000.00 (Three Hundred Forty Thousand Dollars and Zero Cents) for Fiscal Year 2015-2016.

**CHAD BLAIS, DEPUTY DIRECTOR
DEPARTMENT OF PUBLIC WORKS & MUNICIPAL UTILITIES
WATER UTILITY DIVISION**

**GLEN W. C. KAU, P.E., DIRECTOR
DEPARTMENT OF PUBLIC WORKS & MUNICIPAL UTILITIES**

APPROVED FOR FORWARDING:

**ROGER L. HALEY
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2015-2016 FISCAL YEAR BUDGET AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT TO LEASE UP TO 2,000 ACRE-FEET OF WATER RIGHTS FROM THE CITY OF SOUTH GATE FOR FISCAL YEARS 2015-2016, 2016-2017 AND 2017-2018 (\$340,000)

WHEREAS, the Compton Water Utility Division of the Public Works/Municipal Utilities Department pumps 75% of its water from the City’s water supply and purchases 25% of imported water from the Metropolitan Water District of Southern California; and

WHEREAS, the Water Utility Division has been working with the City of South Gate on negotiating a new multi-year lease agreement in order to lock up needed water rights for future years; and

WHEREAS, City staff has now developed and secured the terms for a multi-year agreement with the City of South Gate to provide up to 2,000 acre-feet (minimum 1,000 acre-feet) of leased water rights for Fiscal Years 2015-2016, 2016-2017 and 2017-2018; and

WHEREAS, by leasing these water rights, the City will realize a saving of approximately \$1,000,000.00 during each fiscal year over the cost of purchasing the same quantity of water from the Metropolitan Water District; and

WHEREAS, the cost to lease up to 2,000 acre-feet of water rights are described as follows; and

<u>Fiscal Year</u>	<u>Leased Price</u>	<u>Min/Max Cost</u>
2015-2016	\$170/Acre Foot	\$170,000/\$340,000
2016-2017	\$175/Acre Foot	\$175,000/\$350,000
2017-2018	\$180/Acre Foot	\$180,000/\$360,000

WHEREAS, the funds are available in the Water Utility Division’s 2015-2016 Fiscal Year budget and need to be transferred between accounts as follows:

From:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
5000-850-000-4252	Water Purchase – MWD	\$100,000.00
5000-860-000-4229	Automotive Repairs	\$100,000.00
5000-880-000-4229	Automotive Repairs	\$140,000.00

To:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
5000-890-000-4262	Other Professional Services	\$340,000.00

WHEREAS, staff recommends Council authorize the City Manager to transfer funds between accounts, execute the multi-year agreement with the City of South Gate to lease up to 2,000 acre-feet of water rights for Fiscal Years 2015-2016, 2016-2017 and 2017-2018, and issue a purchase order to the City of South Gate in the amount of \$340,000.00 (Three Hundred Forty Thousand Dollars and Zero Cents) for Fiscal Year 2015-2016.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Manager, on advice and approval of the City Attorney is hereby authorized to enter into a multi-year agreement with the City of South Gate to lease up to 2,000 acre-feet of water rights for Fiscal Years 2015-2016, 2016-2017 and 2017-2018.

SECTION 2. That the City Manager is hereby authorized to issue a purchase order to the City of South Gate in the amount of \$340,000.00 (Three Hundred Thirty Thousand Dollars and Zero Cents) for the lease of water rights for Fiscal Year 2015-2016.

SECTION 3. That funds are available in the Water Utility Division’s 2015-16 Fiscal Year budget and shall be transferred between accounts as follows:

<u>From:</u>	<u>Description</u>	<u>Amount</u>
5000-850-000-4252	Water Purchase – MWD	\$100,000.00
5000-860-000-4229	Automotive Repairs	\$100,000.00
5000-880-000-4229	Automotive Repairs	\$140,000.00
<u>To:</u>	<u>Description</u>	<u>Amount</u>
5000-890-000-4262	Other Professional Services	\$340,000.00

SECTION 4. That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and Water Utility Division of the Public Works/Municipal Utilities Department.

SECTION 5. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON: ss

Resolution No. _____
Page 3

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____ 2015.

That said Resolution was adopted by the following vote to wit:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

**GROUNDWATER PUMPING RIGHTS LICENSE AGREEMENT
BETWEEN
CITY OF SOUTH GATE
AND
CITY OF COMPTON**

For a valuable consideration, the **CITY OF SOUTH GATE ("Licensor")** hereby grants to the **CITY OF COMPTON (Licensee)**; a License to extract up to 2,000 acre-feet for fiscal years 2015-2016, 2016-2017 and 2017-2018 of Licensor's Allowed Pumping Allocation allocated to Licensor (or predecessors in interest) under and pursuant to Judgment dated October 11, 1965, and entered in Los Angeles Superior Court Case No. 786656 entitled "*Central and West Basin Water Replenishment District vs. Charles E. Adams, et al.*" ("Judgment") during the period commencing July 1, 2015 and continuing to and including June 30, 2018. Said License is granted subject to the following conditions:

(1) Licensor shall determine and provide written notification and invoice to Licensee by February 1 of each year the total acre-feet of groundwater available for lease to the Licensee (minimum of 1,000 acre-feet to a maximum of 2,000 acre-feet).

(2) Licensee shall pay to Licensor a fee per acre-feet of groundwater that Licensee extracts of Licensor's Allowed Pumping Allocation pursuant to this License Agreement as follows:

Fiscal Year 2015-16 = \$170.00 per acre foot

Fiscal Year 2016-17 = \$175.00 per acre foot

Fiscal Year 2017-18 = \$180.00 per acre foot

(3) Licensee shall exercise said right and extract the same on behalf of Licensor during the period above specified and put the same to beneficial use and Licensee shall not by the exercise hereunder of said right acquire any right to extract water independent of the rights of Licensor.

(4) Licensee shall pay assessments levied on the pumping of said groundwater by the Water Replenishment District of Southern California.

(5) Licensee shall notify the District and the Watermaster that said pumping was done pursuant to this License and provide the Watermaster with a copy of this document.

(6) Licensee shall note, in any recording of water production for the period of agreement that said pumping was done pursuant to this License.

(7) Licensee's Allowed Pumping Allocation shall be increased by the amount hereby Licensed when computing carryover or allowable overextraction as provided by Part III, Subpart A and B in said Judgment.

#14.

(8) Licensors and Licensees represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this License Agreement.

(9) Licensors and Licensees shall each indemnify, defend and hold the other harmless from and against all claims, losses, liabilities, damages, costs, and expenses (including reasonable attorneys' and consultants' fees, costs and expenses) (collectively "Losses") arising from the indemnifying party's breach of any term or condition of this Agreement or from the negligence or willful misconduct of the indemnifying party or its agents or employees.

The City of South Gate warrants that it has up to 2,000 acre-feet of Allowed Pumping Allocation and that it has not pumped and will not pump or permit Licensee of any other person to pump any part of said 2,000 acre-feet during each fiscal year commencing July 1, 2015 and continuing to and including June 30, 2018.

Dated:
CITY OF SOUTH GATE (Licensor)

Dated:
CITY OF COMPTON (Licensee)

By _____
Name: Jorge Morales
Title: Mayor

By _____
Name: Roger L. Haley
Title: City Manager

Dated:

Dated:

By _____
Name: Raul F. Salinas
Title: City Attorney

By _____
Name: Craig J. Cornwell
Title: City Attorney

Dated:

Dated:

By _____
Name: Carmen Avalos
Title: City Clerk

By _____
Name: Alita Godwin
Title: City Clerk

Dated:

Dated:

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2015-2016 FISCAL YEAR BUDGET AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MULTI-YEAR AGREEMENT TO LEASE UP TO 2,000 ACRE-FEET OF WATER RIGHTS FROM THE CITY OF SOUTH GATE FOR FISCAL YEARS 2015-2016, 2016-2017 AND 2017-2018 (\$340,000)

Chad Blais
DEPARTMENT MANAGER’S SIGNATURE

12/3/2015 3:46:58 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

12/8/2015 4:29:27 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

12/8/2015 10:46:32 AM
DATE

Roger Haley
CITY MANAGER

12/7/2015 4:33:45 PM
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

December 15, 2015

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN INSTALLMENT PAYMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.6 IN CONNECTION WITH THE DUE DILIGENCE REVIEWS OF THE UNENCUMBERED FUND AND ACCOUNT BALANCES OF THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS

SUMMARY

The attached Resolution approves an installment payment plan in connection with the City remitting to the County Auditor-Controller amounts representing the unencumbered fund and account balances of the former Community Redevelopment Agency of the City of Compton as determined by the State Department of Finance pursuant to due diligence reviews.

BACKGROUND

The Community Redevelopment Agency of the City of Compton (the “Former Agency”) was a redevelopment agency duly formed pursuant to the Community Redevelopment Law, as set forth in Part 1 of Division 24 of the California Health and Safety Code (“HSC”). Pursuant to AB X1 26 (which became effective in June 2011, and as amended by subsequent legislation is referred to as the Dissolution Act) and the California Supreme Court’s decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal. 4th 231 (2011), the Former Agency was dissolved as of February 1, 2012, and the Successor Agency to the Former Agency was constituted. Pursuant to HSC Section 34175(b), all assets, properties, contracts, leases, books and records, buildings, and equipment of the Former Agency transferred to the control of the Successor Agency by operation of law.

Pursuant to HSC Section 34171(d), the Successor Agency is required to remit unencumbered balances of the Former Agency funds, specifically the amount of cash and cash equivalents, to the County Auditor-Controller for distribution to the taxing entities, including the unencumbered balance of the Former Agency’s Low and Moderate Income Housing Fund (the “Housing Fund”) and all other unencumbered fund and account balances (the “OFA”). In furtherance of HSC Section 34171(d), the Successor Agency caused to be conducted due diligence reviews pursuant to HSC Section 34179.5 to determine the unobligated balances of Former Agency funds available for transfer to the taxing entities (the “Housing DDR” and the “OFA DDR”).

Pursuant to HSC Section 34179.6, the State Department of Finance (the “DOF”) adjusted the determinations of the amount of cash and cash equivalents available for distribution to the taxing

Staff Report – Resolution re Installment Payment Plan

Page 2

entities set forth in the Housing DDR and OFA DDR. The DOF made a final determination that the cash and cash equivalents available for distribution to the taxing entities as a result of the Housing DDR (the “Housing DDR Remittance Amount”) is \$6,159,729. The Successor Agency previously made a payment of \$287,556 of cash on hand and the City previously made a payment of \$544,173 and a payment of \$700,000. Thus, prior payments totaling \$1,531,729 were made toward such amount and the outstanding balance is now \$4,628,000.

The DOF made a final determination that the cash and cash equivalents available for distribution to the taxing entities as a result of the OFA DDR (the “OFA DDR Remittance Amount”) is \$5,516,641. The City previously made a payment of \$4,105,700 in connection with the State Controller’s review of asset transfers made by the former Agency and the DOF applied this payment toward the OFA DDR Remittance Amount. Therefore, the outstanding balance is now \$1,410,941.

The DOF has determined that it is not appropriate for the Housing DDR Remittance Amount or the OFA DDR Remittance Amount to be treated as enforceable obligation of the Successor Agency. This means that these amounts cannot be included on the Recognized Obligation Payment Schedule (ROPS) to be paid out of the property tax revenues that are allocated to the Successor Agency under the Dissolution Act. The DOF maintains that the repayment of such amounts is the obligation of the City because the Former Agency transferred funds to the City without an enforceable obligation. Pursuant to HSC Section 34179.9, the City must return all cash and cash equivalents transferred to the City by the Former Agency that were not required by an enforceable obligation as determined pursuant to the due diligence reviews. Until a pending Court of Appeal case is resolved, it is not certain whether the DOF has the power under the Dissolution Act to withhold the City’s sales taxes or property taxes in order to satisfy the Due Diligence Remittance Amounts. However, the Dissolution Act provides the DOF the authority to bring an action against the City to compel compliance with the Dissolution Act.

Pursuant to HSC 34179.6, if the DOF determines that payment of the full amount of the Housing DDR Remittance Amount and the OFA DDR Remittance Amount are not currently feasible, the DOF may agree to an installment plan. The DOF previously approved a 5-year installment payment plan with respect to the Housing DDR Remittance Amount. However, the City did not make the \$1,000,000 installment payment that was due on August 1, 2015.

The City’s current fiscal condition prevents the City from paying the full amount of the outstanding balances of the Housing DDR Remittance Amount and the OFA Remittance Amount (\$6,038,941) at this time. Along with other cities in California, the City of Compton continues on a path to recovery from the worst recession in recent history. However, the fiscal emergency which has existed in the City for a number of years still continues to exist. Given such fiscal emergency, described below, coupled with the State’s cuts in funding for local services, it is not feasible for the City to pay the DDR Remittance Amounts except in installments over a 7-year period.

Staff Report – Resolution re Installment Payment Plan
Page 3

The City's fiscal emergency is well-documented. As set forth in the official statement prepared in connection with the issuance by the City of its 2013-14 tax and revenue anticipation notes, for fiscal years 2009-2013, total City-wide expenditures exceeded total City-wide revenues and for fiscal years 2009-2012, General Fund expenditures exceeded General Fund revenues. The City's unaudited 2011 financial statements set forth a negative fund balance as of June 30, 2011 for the General Fund of approximately \$41.2 million. The Independent Auditors' Report related to the 2011 Financial Statements noted, among other things, that the amount of deficits, interfund liabilities, accounts payable and accrued liabilities within the General Fund indicated "significant liquidity problems" as of June 30, 2011. During the fiscal year ended June 30, 2012, the City experienced continued stress on its General Fund. The City's unaudited, internally prepared financial statements for the fiscal year ended June 30, 2012 reflected an approximate \$3.63 million deficiency of General Fund revenues under General Fund expenditures. During the fiscal year ended June 30, 2013, the City Council adopted measures projected to reduce expenditures and increase revenues. The City's General Fund experienced an approximate \$1.2 million surplus of revenues over expenditures for the fiscal year ended June 30, 2013, but as of June 30, 2013, the City's General Fund still suffered from a cumulative negative fund balance of approximately \$43.15 million.

As set forth in the official statement prepared in connection with the issuance by the City of its 2014-15 tax and revenue anticipation notes, in fiscal year 2013-14, General Fund revenues exceeded General Fund expenditures, and the City's General Fund budget was balanced for the 2014-15 fiscal year with revenues of approximately \$53.01 million and expenses of approximately \$52.98 million. The 2014-15 budget was the first City budget since 2011 that did not necessitate reductions in employees. The 2014-15 budget included an increase in expenditures which included a General Fund payment for lease revenue bonds, an internal deficit repayment, and a restoration of funding for full employee labor costs (no furloughs).

However, even though the City appears to be on the path to recovery based on more recent trends, including adopting a policy to put money aside each year for a reserve, the City's General Fund still suffers from a substantial cumulative negative fund balance. Based on the City's unaudited, internally prepared financial statement for the 2014-15 fiscal year, the City's General Fund had a cumulative negative fund balance of \$35.07 million as of June 30, 2014. This amount included the cumulative deficit of \$43.11 million from prior years less an adjustment recommended by the City's independent auditors for internal fund payments (\$6.50 million) less the current year surplus of \$1.54 million recorded as of June 30, 2014. The General Fund cumulative negative balance is anticipated to take at least 15 years to eliminate. In that regard, on December 20, 2011, the City Council approved a resolution delineating a 20-year repayment schedule to enable the General Fund to erase the prior years' accumulated deficit and to repay amounts owed to other funds (including sewer, water and retirement funds). On June 17, 2014, the City Council adopted a resolution approving a revised plan reducing the repayment period to 15 years.

Staff Report – Resolution re Installment Payment Plan

Page 4

As noted above, the City's fiscal emergency has required the City to cut services, programs, and employees. Such cuts have been dramatic, and include the laying off of one-third of the City employees in 2011, and the renegotiation of labor contracts. While the 2014-15 budget did not necessitate further reductions in employees, the General Fund deficit has made it impossible for the City to reverse previous cuts and restore the City's services and programs to an adequate level. The majority of the City's General Fund expenditures have been for public safety and general government services. The lack of funding for programs and services is particularly dire in light of the City's high unemployment rate, as of May of 2015, of 11.3% (compared to a State unemployment rate of only 6.2%) and the City's high poverty (the average household income in the City is under \$43,000 compared to \$61,000 for the State). The City has been forced to reduce funding for youth and vocational training programs.

The City's fiscal emergency caused the City Council to abandon its plans to establish its own police department. Instead, the City continues to contract its police services with the Los Angeles County Sheriff's Department. Through 2011, the City fell behind on its monthly payments to the County and accumulated \$369,000 in late fees.

The City currently does not have the funding to provide an additional fire station for the east side of the City. Because there is only one fire station to serve the east side, the City is limited in the volume of service calls the City can respond to and in the fire protection and ambulatory services it can provide. In the event of a major disaster, all mutual aid agencies would likely be at their maximum capacity and be unable to come to the aid of the City. The addition of a fire station for the east side would allow the City to provide additional fire protection and ambulatory services, reduce response times by three to five minutes on average, reduce the City's dependence on mutual aid by approximately twenty percent, and increase inspection services to ensure better prevention. Additional services would help the City to better meet the needs of the City's senior population.

The City's fiscal emergency has not only impacted services and programs in the City, but has also negatively affected the City's ability to provide and maintain essential public facilities and infrastructure, requiring the City to even defer performing preventative maintenance. According to the National Recreation and Parks Association, the City should have approximately 500 acres of parks and open space, which is less than 15% of the desired amount. In addition, a recent assessment of the City's 15 existing parks demonstrates that it will cost approximately \$27 million to improve the existing parks to current standards. However, the City was only able to budget \$1.7 million in one-time funds for park improvements in fiscal year 2015-16. The City has also completed a recent City-wide pavement study of all roadways in the City using the pavement conditions index developed by the United States Army Corp of Engineers. The City's study documents that the City's arterial and local streets are in need of an estimated \$11,340,900 for pavement/street rehabilitation. However, the City's current dedicated funding sources available for such work (Proposition C, Proposition A, Gas Tax and Measure R funds) total only \$2 million. This means it would take over 60 years with the current fund source to improve the

Staff Report – Resolution re Installment Payment Plan
Page 5

streets to an adequate condition based on today's costs; however, the streets will continue to deteriorate over time and street improvement costs will continue to climb.

The attached Resolution sets forth a single installment payment plan for the combined outstanding balances of the Housing DDR Remittance Amount and the OFA Remittance Amount. If approved by the DOF, this 7-year installment plan will replace the 5-year installment plan for the Housing DDR Remittance Amount and will provide for annual installment payments of \$1,000,000 over the 7-year period. The first payment is scheduled to be made in fiscal year 2016-17 (on August 1, 2016).

Pursuant to HSC 34197.7, the DOF will issue a Finding of Completion to the Successor Agency within five business days of approving the City's installment plan. However, the DOF will never issue the Successor Agency a Finding of Completion unless the DOF approves the installment payment plan by December 31, 2015. The receipt of a Finding of Completion by the Successor Agency is a condition for having a long-range property management plan (LRPMP) approved by the DOF. According to a representative of the DOF, the DOF must approve the LRPMP by December 31, 2015, or the DOF will never approve a LRPMP for the Successor Agency. The receipt of a Finding of Completion is also a condition to the Successor Agency or City spending any of the remaining unencumbered proceeds of the non-housing bonds issued by the Former Agency in 2010 and held by the Successor Agency on projects. Finally, a Finding of Completion is a condition to re-establishing loans between the City and the Former Agency, if any, which were voided by the passage of the Dissolution Act and which meet the requirements set forth in the Dissolution Law for re-establishment.

If the DOF approves the City's installment plan and the City fails to make a scheduled installment payment, certain consequences will follow unless the DOF agrees that the City's fiscal condition necessitates an amendment to the installment plan. If the DOF does not approve an amendment to the installment plan, the consequences of a missed installment payment include that an LRPMP approved by the DOF will no longer be effective and loans between the City and Former Agency that are re-established, if any, will no longer be enforceable obligations.

HSC 34179.7 provides that if the Successor Agency or the City receives a final judicial determination that reduces or eliminates the Housing DDR Remittance Amount or OFA DDR Remittance Amount, an enforceable obligation for the reimbursement of the excess amounts paid shall be created. This means that the excess amounts will be reimbursed by including them on the ROPS to be paid from the distributions of property tax deposited into the Real Property Tax Trust Fund. In addition, the obligation to make any payments in excess of the amounts determined by a final judicial determination will be canceled.

FISCAL IMPACT

The total combined outstanding balance of the Housing DDR Remittance Amount and the OFA Remittance Amount is \$6,038,941. The proposed installment plan provides for the City to pay this amount in equal installments of \$1,000,000 over a 7-year period.

#15.

Staff Report – Resolution re Installment Payment Plan
Page 6

RECOMMENDATION:

Staff recommends that the Council adopt the attached Resolution.

ROGER L. HALEY
CITY MANAGER

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN INSTALLMENT PAYMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.6 IN CONNECTION WITH THE DUE DILIGENCE REVIEWS OF THE UNENCUMBERED FUND AND ACCOUNT BALANCES OF THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS****RECITALS:**

WHEREAS, the Community Redevelopment Agency of the City of Compton (the “Former Agency”) was a redevelopment agency duly formed pursuant to the Community Redevelopment Law, as set forth in Part 1 of Division 24 of the California Health and Safety Code (“HSC”);

WHEREAS, pursuant to AB X1 26 (which became effective in June 2011) and the California Supreme Court’s decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal. 4th 231 (2011), the Former Agency was dissolved as of February 1, 2012, and the Successor Agency to the Former Agency was constituted;

WHEREAS, pursuant to HSC Section 34175(b), all assets, properties, contracts, leases, books and records, buildings, and equipment of the Former Agency transferred to the control of the Successor Agency by operation of law;

WHEREAS, pursuant to HSC Section 34171(d), the Successor Agency is required to remit unencumbered balances of the Former Agency funds, specifically the amount of cash and cash equivalents, to the County Auditor-Controller for distribution to the taxing entities, including the unencumbered balance of the Former Agency’s Low and Moderate Income Housing Fund (the “Housing Fund”) and all other unencumbered fund and account balances (the “OFA”) and, in furtherance of HSC Section 34171(d), the Successor Agency caused to be conducted due diligence reviews pursuant to HSC Section 34179.5 to determine the unobligated balances of Former Agency funds available for transfer to the taxing entities (the “Housing DDR” and the “OFA DDR”);

WHEREAS, pursuant to HSC Section 34179.6, the State Department of Finance (the “DOF”) adjusted the determinations of the amount of cash and cash equivalents available for distribution to the taxing entities set forth in the Housing DDR and OFA DDR;

WHEREAS, the DOF made a final determination that the cash and cash equivalents available for distribution to the taxing entities as a result of the Housing DDR (the “Housing DDR Remittance Amount”) is \$6,159,729, and the Successor Agency or City made prior payments totaling \$1,531,729 toward such amount resulting in an outstanding balance of \$4,628,000;

WHEREAS, the DOF made a final determination that the cash and cash equivalents available for distribution to the taxing entities as a result of the OFA DDR (the “OFA DDR Remittance Amount”) is \$5,516,641, and the City made a prior payment of \$4,105,700 towards such amount, resulting in an outstanding balance of \$1,410,941;

WHEREAS, the DOF has determined that it is not appropriate for the Housing DDR Remittance Amount or the OFA DDR Remittance Amount to be treated as an enforceable obligation to be funded by the Successor Agency with moneys in the Real Property Tax Trust Fund by inclusion of such amounts on Recognized Obligation Payment Schedules, and that the repayment of such amounts are an obligation of the City;

WHEREAS, pursuant to HSC 34179.6, if the DOF determines that payment of the full amount of the Housing DDR Remittance Amount and the OFA DDR Remittance Amount are not currently feasible, the DOF may agree to an installment plan;

WHEREAS, by its letter dated October 22, 2014, the DOF previously approved a 5-year installment payment plan with respect to the Housing DDR Remittance Amount;

WHEREAS, the City’s current fiscal condition prevents the City from paying the full amount of the outstanding balances of the Housing DDR Remittance Amount and the OFA Remittance Amount at this time;

WHEREAS, the City desires the DOF to approve a single installment payment plan for the combined outstanding balances of the Housing DDR Remittance Amount and the OFA Remittance Amount (totaling \$6,038,941), which will replace the installment plan referenced above and which provides for annual installment payments of \$1,000,000 over a 7-year period, commencing with a payment for fiscal year 2016-17 as shown on Exhibit A, attached to this Resolution and incorporated herein;

WHEREAS, pursuant to HSC 34179.7, if the Successor Agency or the City pays or enters into a written installment payment plan with the DOF for the payment of the Housing DDR Remittance Amount or the OFA DDR Remittance Amount, and the Successor Agency or the City subsequently receives a final judicial determination that reduces or eliminates the Housing DDR Remittance Amount or OFA DDR Remittance Amount, an enforceable obligation for the reimbursement of the excess amounts paid shall be created and the obligation to make any payments in excess of the amounts determined by a final judicial determination shall be canceled and be of no further force or effect;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the above recitals are true and correct and are a substantive part of this Resolution.

Section 2. That the City Council hereby approves the installment payment plan attached to this Resolution as Exhibit A. For the duration of the installment payment plan or until the outstanding balances of the Housing DDR Remittance Amount and the OFA Remittance Amount are paid in full or eliminated, the City Manager is hereby authorized and directed each year to present a purchase order to the City Council for approval of an installment payment to be paid to the Los Angeles County Auditor-Controller in implementation of the installment payment plan.

Section 3. That the City Manager, upon advice of the City Attorney, hereby authorized, jointly and severally, to do all other things and execute and deliver any and all such other documents or instruments as they may deem necessary or proper to effectuate the purposes of this Resolution and the installment payment plan.

Section 4. A certified copy of this Resolution shall be filed in the offices of the City Manager, City Attorney, City Controller, Successor Agency and City Clerk.

Section 5. The Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2015.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF COMPTON)

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2015.

AYES: Council Members-
NOES: Council Members-
ABSENT: Council Members-
ABSTAIN: Council Members-

CITY CLERK OF THE CITY OF COMPTON

EXHIBIT A – INSTALLMENT PAYMENT PLAN

CITY OF COMPTON			
AMORTIZATION OF AMOUNT OWED			
Starting Balance - Parks Repayment		\$	5,328,000
Less: Payment Made			(700,000)
Balance not Yet Paid	"A"	\$	4,628,000
Starting Balance - General Liability Repayment		\$	5,516,641
Less: Amount Paid			(4,105,700)
Balance not Yet Paid	"B"	\$	1,410,941
Total Amount to be Amortized	"A" + "B"	\$	6,038,941
*Fiscal Year	Opening Balance	Payment	Balance
2016/2017	\$ 6,038,941	\$ 1,000,000	\$ 5,038,941
2017/2018	\$ 5,038,941	\$ 1,000,000	\$ 4,038,941
2018/2019	\$ 4,038,941	\$ 1,000,000	\$ 3,038,941
2019/2020	\$ 3,038,941	\$ 1,000,000	\$ 2,038,941
2020/2021	\$ 2,038,941	\$ 1,000,000	\$ 1,038,941
2021/2022	\$ 1,038,941	\$ 1,000,000	\$ 38,941
2022/2023	\$ 38,941	\$ 38,941	\$ -

*Payments to be made on August 1st of each fiscal year.

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Community Redevelopment

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN INSTALLMENT PAYMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.6 IN CONNECTION WITH THE DUE DILIGENCE REVIEWS OF THE UNENCUMBERED FUND AND ACCOUNT BALANCES OF THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

Use when:	
Public Works:	When contracting for Engineering Services.
City Attorney:	When contracting for legal services; contracts that require City Attorney’s review.
Controller/Budget Officer:	Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers.
Asst. City Manager/OAS:	All personnel actions.

WARRANTS APPROVED BY COUNCIL

<u>Warrant #</u>	<u>Date</u>	<u>Name</u>	<u>Services Provided</u>	<u>Amount</u>	<u>Amount Paid Year to Date</u>
230863	11/19/15	CEMEX	Delivery of sand/water (Includes environmental and standard fuel surcharge)	\$1,280.08	\$30,000.00
Requested by The Water Dept.					
230934	11/25/15	Evan Brooks Associates Inc.	Preparation and submittal of a Wayfinding Signage Grant Pilot Program Application	\$4,800.00	\$96,600.00
Requested by The Grants Dept.					
231037	12/1/15	Blue Diamond Materials	For the purchase of 3.98 tons of Asphalt	\$264.78	\$31,760.70
Requested by Public Works					
231046	12/1/15	Civil Source Inc.	Pavement Resurfacing Design Services	\$19,317.50	\$84,050.00
Requested by Public Works					
231156	12/3/15	Trimming Land Co Inc.	Crown Reduction on Ficus Trees	\$990.00	\$157,950.40
Requested by Public Works					

I hereby certify that the above demands in the amount of **\$26,652.40** were approved at a regular meeting of the City Council and reject _____ as of December 15, 2015.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on December 15, 2015 allowed the above demands.

Alita Godwin
City Clerk



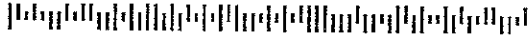
CEMEX
3990 Concourse St Ste 200
Ontario, CA 91764-7971

RECEIVED

CEMEX Construction Materials Pacific, LLC
Palomar Transit Mix

OCT 21 2015

Per [Signature]



INV2 ▲ 000800

COMPTON WATER DEPT/CITY OF
205 S WILLOWBROOK AVE
COMPTON CA 90220-3134

INVOICE

PAGE 1 OF 1

Date: 10/01/2015
Invoice No: 9431869895
Terms: Net 20th prox
Payment Due On: 11/20/2015
Job No: 3140578
Legal Address: 205 S WILLOWBROOK AVE
Account No: 3140578
Account Name: COMPTON WATER DEPT/CITY OF

For All Inquiries Call:
909-974-5500

Remit To:
CEMEX | PO Box 100497 | Pasadena, CA 91189-0497

DETAILED INFORMATION BY PO

PO Number: E00317

DELIVERY ADDRESS: FOB COMPTON, COMPTON, CA, 90222

Ship Date	Delivery	Ref #	Product Code / Description	Qty	UOM	Net Price By UOM	Units	Amount	Freight	Tx
10/01/2015	8068190792	26128419	ENVIRONMENTAL CHARGE PER LOAD	1.000	EA	\$40.00	1 PC	\$40.00	\$0.00	T
10/01/2015	8068190792	26128419	STANDARD FUEL SURCHARGE,PC-DIV 10,RM	1.000	EA	\$30.00	1 PC	\$30.00	\$0.00	T
10/01/2015	8068190792	26128419	1419410 SAND / WATER ONLY	3.250	YD3	\$42.50	1 YD3	\$138.13	\$0.00	T
10/01/2015	8068191093	26128623	1202749 ENVIRONMENTAL CHARGE PER LOAD	1.000	EA	\$40.00	1 PC	\$40.00	\$0.00	T
10/01/2015	8068191093	26128623	STANDARD FUEL SURCHARGE,PC-DIV 10,RM	1.000	EA	\$30.00	1 PC	\$30.00	\$0.00	T
10/01/2015	8068191093	26128623	SAND / WATER ONLY	3.250	YD3	\$42.50	1 YD3	\$138.13	\$0.00	T
10/01/2015	8068191126	26128697	1202749 ENVIRONMENTAL CHARGE PER LOAD	1.000	EA	\$40.00	1 PC	\$40.00	\$0.00	T
10/01/2015	8068191126	26128697	STANDARD FUEL SURCHARGE,PC-DIV 10,RM	1.000	EA	\$30.00	1 PC	\$30.00	\$0.00	T
10/01/2015	8068191126	26128697	1419410 SAND / WATER ONLY	3.250	YD3	\$42.50	1 YD3	\$138.13	\$0.00	T
PO Subtotal		9.75 Yards	0.00 Tons	\$624.39 Material	\$0.00 Freight	\$0.00 Other	\$56.19 Tax	\$680.58 Total		

Paid By	<u>[Signature]</u>
V#	<u>10002107</u>
P.O. #	<u>500876</u>
A/C #	<u>5000-88-0000-4754</u>
A/C #	

City of Compton
Water Utility Div.

OK to Pay

[Signature]
Initial and Date

9.75 Yards

0.00 Tons

\$0.00 Freight

\$0.00 Other

\$56.19 Tax

\$680.58 Invoice Total

#16.



CEMEX
3990 Concourse St Ste 200
Ontario, CA 91764-7971

RECEIVED

CEMEX Construction Materials Pacific, LLC
Palomar Transit Mix

OCT 21 2015

Per



INV2 ▲ 000840

COMPTON WATER DEPT/CITY OF
205 S WILLOWBROOK AVE
COMPTON CA 90220-3134

INVOICE

PAGE 1 OF 1

Date: 10/06/2015
Invoice No: 9431900937
Terms: Net 20th prox
Payment Due On: 11/20/2015
Job No: 14169021
Legal Address: ALONDRA & S ALAMEDA ST E
Account No: 3140578
Account Name: COMPTON WATER DEPT/CITY OF

For All Inquiries Call:
909-974-5500

Remit To:
CEMEX | PO Box 100497 | Pasadena, CA 91189-0497

DETAILED INFORMATION BY PO

PO Number: E00317				DELIVERY ADDRESS: ALONDRA & S ALAMEDA ST E, COMPTON, COMPTON, CA, 90221							
Ship Date	Delivery	Ref #	Product Code / Description	Qty	UOM	Net Price By UOM		Units	Amount	Freight	Tx
10/06/2015	8068247948	26137200	1001368 MINIMUM LOAD CHARGE-DIV 10, (CONCRETE	1.000	PC	\$60.00	1 PC	1.000	\$60.00	\$0.00	T
10/06/2015	8068247948	26137200	1202749 ENVIRONMENTAL CHARGE PER LOAD	1.000	EA	\$40.00	1 PC	1.000	\$40.00	\$0.00	T
10/06/2015	8068247948	26137200	1247817 STANDARD FUEL SURCHARGE,PC-DIV 10,RM	1.000	EA	\$30.00	1 PC	1.000	\$30.00	\$0.00	T
10/06/2015	8068247948	26137200	1418411 188LB SAND SLURRY FA	6.000	YD3	\$70.00	1 YD3	6.000	\$420.00	\$0.00	T
PO Subtotal		6.00 Yards	0.00 Tons	\$550.00 Material	\$0.00 Freight	\$0.00 Other	\$49.50 Tax	\$599.50 Total			

City of Compton
Water Utility Div.

OK to Pay

Initial and Date

Paid By AN

V# 10002107

PO # 5000-88-0000-4756

AC # 5000-88-0000-4756

AD # (F)

6.00 Yards

0.00 Tons

\$0.00 Freight

\$0.00 Other

\$49.50 Tax

\$599.50 Invoice Total

The invoice incorporates herein by reference Buyer's previously executed Credit Application, if any, Seller's Standard Tar

ons, Seller's Quotation and Seller's Order Confirmation (including limitations of warranties) as fully set forth on this

Invoice ("Agreement"). Buyer agrees that, unless otherwise noted herein, all quantities and items were delivered as indicated and further expressly agrees to pay in accordance with this Agreement. Interest shall accrue on late payments.

**CITY OF COMPTON
REQUEST FOR WARRANT TO BE PREPARED**

DATE 11/24/2015

VENDOR NAME & ADDRESS

EVAN BROOKS ASSOCIATES INC

P.O. NO.

J00865

DATE REQUESTED

11/24/2015

RETURN WARRANT TO

GRANTS

CK DATE

CK NO.

PURPOSE OF WARRANT

****COUNCIL WARRANT**** Preparation and submittal of a Wayfinding Signage Grant Pilot Program application for the City of Compton.

ACCOUNT NO.

AMOUNT

2502720000 4269

\$4,800.00

Total

WARRANT REQUESTED

Johnny Ford
DEPT. MANAGER'S SIGNATURE

CONTROLLER'S OFFICE USE ONLY

AUDIT STAMP

Approved By

JN
Accts. Payable Supervisor

City Controller

AUDIT BY

V #

P.O. #

A/C #

DATE

JN
10007552

J00865

LISTED

Controller's Office
2015 NOV 24 11:12:53

#16.



Invoice No.: 569150
Invoice Date: 9/8/2015
Terms: Prox Days - 10th of Next Month
Customer Acct/ID #: 10065586
Page No.: 1 of 1

Ship To: FOB

Sold To: Compton City, Street Dept
Attn: Lisa Smith
205 S Willowbrook
Compton CA 90220

Remit To: Blue Diamond Materials
135 S. State College Blvd., Suite 400
Brea CA 92821
Phone: (714) 578-9600

				JDE Order #: 404727 SO				JWS Order #: 17310065586-10065586-1			
Ticket No.	Date	Cust PO	Shipping Location	QTY	UOM	Materials/Other		Freight		Fee	Total Amt
						Unit Price	Amount	Rate	Amount	Amount	
Item/Description 300063 AC 3/4 MAX											
4742450	09/08/15	WALKER	Inglewood BC Plant	3.980	TN	60.00	238.80		0.00	3.00	241.80
Subtotal Item 300063 AC 3/4 MAX				3.980			238.80		0.00	3.00	241.80
Subtotal Date 09/08/15				3.980			238.80		0.00	3.00	241.80
Total Quantity:				3.98							

Terms: Payment due by 10th day of month following month of delivery.
1 1/2% monthly service charge on unpaid invoices.

Paid By	<i>[Signature]</i>
V#	00100790
P.O. #	J00887
AC #	1520-72-10 MR-4249
A/C #	

Material/Other	0.00
Taxable Material/Other	238.80
Freight	0.00
Taxable Freight	0.00
Fee	0.00
Taxable Fee	3.00
Sales Tax	22.98
Invoice Total	\$264.78

[Signature]
OK TO PAY
PUBLIC WORKS
ST. MAINTENANCE

7/28/2015

CivilSource

INVOICE

Invoice #: 1012-398-4R

Bill To:

City of Compton
Attn: Glen Kau
25 S Willowbrook Ave
Compton, CA 90220

SEP 16 2015

Please Remit payment to:

CIVIL SOURCE, INC.
9890 Irvine Center Drive
Irvine, CA 92618

Description	Hours/Qty	Rate	Amount
PROFESSIONAL SERVICES AGREEMENT Pavement Resurfacing Design Services Project No CIP-CDBG #13-02			
Principal/Project Director	4	160.00	640.00
Project Manager	9.5	145.00	1,377.50
CADD Operator/Drafter	15.5	80.00	1,240.00
Design Engineer	10.5	120.00	1,260.00
Contract: \$68,115.00			
Invoiced to Date: \$65,100.00			
Balance: \$3,015.00			
Change Order 1: \$14,800.00			
Project Manager	8	145.00	1,160.00
CADD Operator/Drafter	91	80.00	7,280.00
Design Engineer	53	120.00	6,360.00

Paid By	AN
V#	10007056
P.O. #	500874
A/C #	1900-71-0000-4209
A/C #	

(F)

Ok for 1/1/15
JL

Total Due this Invoice**\$19,317.50**

Approved by: _____

Amy Amirani, Principal

**** We have MOVED. Please note new address. ****

#16.



TRIMMING LAND COMPANY INC

10513 Dolores Ave
South Gate, CA 90280
CA State License #612918

Phone 323-569-4498 aurina@trimmingland.com
Fax 323-569-3747 www.trimmingland.com

Invoice

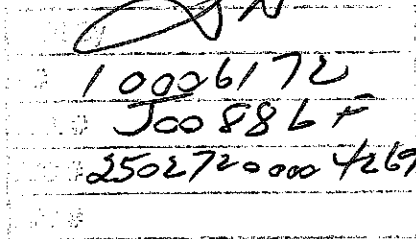
Date	Invoice #
11/3/2015	2941

Billing Address
CITY OF COMPTON LISA SMITH 205 S. WILLOWBROOK AVE. COMPTON, CA 90220

Project Address
CITY OF COMPTON LISA SMITH 205 S. WILLOWBROOK AVE. COMPTON, CA 90220

P.O. Number	Terms	Rep	Due Date
	Net 30		12/3/2015

Description of Work	Quantity/DBH	Unit Price	Amount
CROWN REDUCTION ON FICUS TREES; SEE ATTACHED WORKSHEET FOR COMPLETE BILLING DETAILS	6	165.00	990.00
WORK INCLUDED CLEAN UP AND HAULING AWAY OF ALL TREE DEBRIS		0.00	0.00



OK TO PAY
PUBLIC WORKS
ST. MAINTENANCE

Total	\$990.00
Payments/Credits	\$0.00
Balance Due	\$990.00