

NOTICE

COMPTON CITY COUNCIL AGENDA Tuesday, October 11, 2016 5:30 PM

HEARING

5:35 P.M. - PUBLIC HEARING - MASTER FEE SCHEDULE (To be rescheduled at a later date)

OPENING

MOMENT OF SILENCE

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. PROCLAMATION PROCLAIMING TEEN DATING VIOLENCE
AWARENESS - Kandee Lewis, Positive Results Corporation

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

2. OCTOBER 4, 2016 (Special)
OCTOBER 4, 2016

REPORTS OF OFFICERS AND COMMISSIONS

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

3. OVERSIGHT ANNUAL REPORT - April, 2015 - June 2016 (Receive/File)

END CONSENT AGENDA

REGULAR AGENDA

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

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

UNFINISHED BUSINESS

4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE DESIGNATION OF 22,500 SQUARE FEET OF LOT 12 LOCATED AT 821 W. ROSECRANS BOULEVARD FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL MANUFACTURING (CHANGE OF ZONE CASE 2016-001) (SECOND READING)

NEW BUSINESS

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A THREE (3) YEAR GPS MONITORING SOFTWARE AGREEMENT AND ISSUE A PURCHASE ORDER TO FORWARD THINKING SYSTEMS, LLC (\$21,600)
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE FIRE DEPARTMENT TO ENTER INTO PREVENTIVE MAINTENANCE AND REPAIR AGREEMENT'S WITH SOUTHERN CALIFORNIA FLEET SERVICES INC/ SOUTHERN CALIFORNIA FIRE SERVICES INC AND SANTA FE SPRINGS FIRE FOR ROUTINE MAINTENANCE AND REPAIR ON CITY FIRE APPARATUS IN THE AMOUNT OF \$110,000
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER TO CREATIVE BUS SALES FOR THE PROCUREMENT OF TWO (2) CLEAN AIR BUSES FOR THE FIXED ROUTE TRANSIT SERVICES(\$332,794.64)

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER FOR A PUBLIC INFORMATION PROGRAM ON BEHALF OF GATEWAY CITIES COUNCIL OF GOVERNMENTS (\$12,500)
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NUMBER 24,409 IN ORDER TO LIST THE PROPER ACCOUNT NUMBER AUTHORIZING THE INTERIM CITY MANAGER TO RENEW THE PROFESSIONAL SERVICES CONTRACT WITH STRATEGIC COUNSEL PLC FOR STATE LEGISLATIVE AND ADVOCACY SERVICES FOR FISCAL YEAR 2016-2017
10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AND DIRECTING THE PREPARATION AND EXECUTION OF DOCUMENTS AND THE DISBURSEMENT OF FUNDS PURSUANT TO SUCH DOCUMENTS, TO SUPPLEMENT THE HOME IMPROVEMENT LOAN PROGRAM OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS
11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE EXECUTION AND DELIVERY OF A HOUSING BONDS PROCEEDS FUNDING AGREEMENT, A SERIES 2010B BONDS PROCEEDS FUNDING AGREEMENT, AND A SERIES 2010C BONDS PROCEEDS FUNDING AGREEMENT, EACH BY AND BETWEEN THE SUCCESSOR AGENCY AND THE CITY AND PROPOSED BUDGET AMENDMENT AND TAKING RELATED ACTIONS
12. AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY, INCLUDING DELIVERIES, PROHIBITING ALL MEDICAL MARIJUANA CULTIVATION, INCLUDING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER, AND DECLARING THE URGENCY THEREOF

APPROVAL OF WARRANTS

13. Warrant #236089 - Date - 10/5/16 - Name - Wintech Resources Inc. - Services - Medical billing services - Amount - \$4,301.06 - Requested by: Fire Department

Warrant #236106 - Date - 10/6/16 - Name - Debra Duncan - Services - Indexing of City Council meeting minutes - \$1,500.00 - Requested by: City Clerk

Total Amount - \$5,801.06

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, October 18, 2016 @ 5:30 PM.

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<http://www.comptoncity.org/officials/clerk/agendas/video.asp>*

OCTOBER 4, 2016

The Special City Council meeting was called to order at 4:38 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, McCoy

Other Officials Present: C. Cornwell, A. Godwin, J. Groomes

PUBLIC COMMENTS ON CLOSED SESSION ITEMS ONLY

Robert Ray, Compton resident, asked the City Attorney to address why a special meeting was scheduled just one hour prior to the regularly scheduled City Council meeting.

City Attorney Cornwell informed Mr. Ray that this special meeting was scheduled one hour earlier than the regularly scheduled City Council meeting to accommodate legal counsel.

CONSENT AGENDA - There were no Items on the Consent Agenda.

REGULAR AGENDA

CITY ATTORNEY'S REPORTS

CLOSED SESSION

1. PUBLIC EMPLOYMENT
Title: City Controller
Pursuant to California Government Code Section 54957

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

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

CITY COUNCIL MEETING RECESSED TO CLOSED SESSION AT 4:41 P.M.

CITY COUNCIL MEETING RECONVENED FROM CLOSED SESSION AT 6:13 P.M.

ROLL CALL

Council Members Present: Zurita, Galvan, Sharif, Brown
Council Members Absent: McCoy

REPORT OUT OF CLOSED SESSION

City Attorney Cornwell reported out that during the special meeting, City Council met in closed session with everyone present except Councilperson McCoy. The subject was Public Employment Title: City Controller pursuant to California Government Code Section 54957. No reportable action was taken.

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS - There was no New Business.

COUNCIL COMMENTS - There were no Council Comments.

ADJOURNMENT

On motion by Sharif, seconded by Galvan, the meeting was adjourned at 6:13 p.m., by the following vote on roll call:

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

NOES: Council Members - None

ABSENT:Council Members - McCoy

City Clerk of the City of Compton

Mayor of the City of Compton

OCTOBER 4, 2016

The City Council meeting was called to order at 6:13 p.m. in the Council Chambers of City Hall by Mayor Aja Brown.

ROLL CALL

Council Members Present: Zurita, Galvan, Sharif, Brown

Council Members Absent: McCoy

Other Officials Present: C. Cornwell, A. Godwin, J. Groomes

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Robert Ray, Compton resident, advised the members of the City Council to remove Item No. 4 because Measure P is still in litigation. He went on to suggest that Council amend the City Charter Section 503 concerning resident requirements to one year because there are currently two non-residents admittedly running for office. He reminded church leaders and pastors that they represent non-profit organizations and that they should refrain from publicly endorsing candidates or allowing them to use their pulpits to campaign.

David Irons, Compton resident, apologized to the City Council for accusing them of violating California Government Code Section 54954.39(a) two weeks ago. He alleged that Norwalk and a few other cities are guilty of silencing the people and that it saddens him that this happens so often. He further accused this City Council of somewhat becoming the oppressor, because they sit in positions that African Americans could not occupy or have their concerns, as citizens, addressed. Lastly, he asked the City Council to teach their employees how to respond effectively to citizen concerns.

Teresa Wright, Compton resident, presented the City Council with letters from Boeing concerning the installation of monitoring wells for underground water in front of her home. She asked that a "punch list" be created and posted to the City's website to keep the citizens up-to-date on projects, like the camera surveillance project and street sign project. She also requested the use of mixed media when promoting community events and a public informations officer.

LaToya Brown, Compton resident, solicited the City Council and Sheriff's Department to work together to find a solution to the increase in car break-ins on Tamarind and Willowbrook around the Willow Walk community.

Bishop Guillory, Compton resident, affirmed that it is time to bring back the Compton Police Department. He announced that an initiative would be ready for the ballot, for a comprehensive police department that will put an end to crime. He went on to question why the City would pay so much money to a department that has taken over the community and murdered its citizens. Finally, he stated that the citizens are in the process of building a coalition of people to create a local police department that does not murder and lie, but protects and serves its citizens.

Paula Swearinga, representative for the Willow Walk townhome community, solicited the City Council to address the Sheriff Department's response time to loitering, fighting, and child endangerment.

Dale Smith, Compton resident, Willow Walk, cited a lack of parking around the Willow Walk townhome community.

Benjamin Holifield, Compton resident and president of the Compton Business Chamber of Commerce, petitioned the City Council to invest the City's resources into a safe, clean, and friendly initiative to enhance the business community. He also asked that the Mayor work on replacing the "Welcome to Compton" sign along the 91 freeway.

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Mr. Holifield also inquired about the installation of a left hand turning signal at Greenleaf and Wilmington Boulevard. He contended that the City cannot move forward until it is clean and provides employment opportunities that will keep earned income localized. He asked that a portion of the jobs from Walmart be guaranteed with someone from the City monitoring the program. Lastly, he thanked the City for cleaning the empty lot on the 500 block of Compton Boulevard.

Father Francisco, Our Lady of Victory Parish, recognized Councilperson Sharif for her efforts to collaborate with Our Lady of Victory of Church to clean up the 4th District. He also announced their commitment to clean the same area once a month with the assistance of the City. He went on to announce that they would be hosting a carnival on Friday, October 7, 2016 from 5 p.m. to 10 p.m.; Saturday, October 8, 2016 from 2 p.m. to 10 p.m. and Sunday, October 9, 2016 from 8 a.m. to 9 p.m. Lastly, he invited the citizens to attend an "Education on Elections Workshop" to be held Tuesday, October 11, 2016 at 7 p.m. at Our Lady of Victory Church.

Richard Earl, Compton resident, petitioned the City Manager to address the illegal dumping on Greenleaf Boulevard, the growing number of 7 Eleven stores in Compton, and the impact of allowing the cultivation and operation of marijuana dispensaries in the City of Compton.

Tomas Carlos, Compton resident, commended Pastor Fisher for being the first and only clergy member to bring up the issue of marijuana dispensaries and 7 Eleven stores. He contended that the smell of marijuana is pervasive in any open shopping center throughout the City of Compton; and that Victory Outreach is having difficulties hosting their afternoon service due to the operation of a marijuana dispensary next door.

Pastor Michael Fisher, Greater Zion Church Family, stated that he was recently made aware of approximately 16 marijuana dispensaries illegally operating in close proximity to schools and places of worship; as well as a lawsuit between the City of Compton and Compton Unified School District. He went on to petition the City Council to place an item on the agenda next week regarding a moratorium on all things related to marijuana and its accessibility to the youth. He asked that persons in the audience stand in support of a moratorium on marijuana related uses and suggested that Council vote no on this matter before the state passes it.

Councilperson Sharif requested a moratorium on all things related to marijuana.

Mayor Brown reminded everyone of the Council's vote (2-2) to place a moratorium on all things related to marijuana; and their request to bring the item back with the implications and stipulations for regulating and/or prohibiting the operation and cultivation of marijuana and its dispensaries.

Mayor Brown also stated that there will not be a decision made by the City Council next week regarding this issue; and that the Council's intent is to start the process so that people can be informed.

City Attorney Cornwell confirmed that he would bring the item back for consideration next week.

Councilperson Zurita questioned whether or not it is necessary to have a moratorium on something that is not legalized in the City of Compton.

City Attorney Cornwell stated that the moratorium will serve to create a ban in the additional areas that have grown in the marijuana industry.

Councilperson Galvan affirmed that the focus should be on closing marijuana dispensaries; and questioned what the delay is when direction has already been given to staff and the City Attorney.

City Attorney Cornwell reported that this community's issues with dispensaries began in 2007 and grew in late 2013; and as result the City has seen significant successes, but the challenge is to address the increase.

Councilperson Galvan questioned why the marijuana dispensaries are still operating if they are not legal.

There was a general discussion on the process of closing down a marijuana dispensary.

Mikiko Tsuruta, Willow Walk resident, expressed a concern for the safety of the residents due to the lack of lighting around Willow Walk and Tamarind Street. She made note of the car break-ins that have been occurring lately between the community center and Elm Street; and that brighter lighting will improve the safety of everyone that uses the transit system.

Christine Henderson, Willow Walk resident, petitioned the City of Compton to treat the water bug infestation within the Willow Walk townhome community.

F. Hernandez, Compton resident, complained about the work provided by Clean Street, the condition of the City's streets, their expired contract, and any citations issued since that date.

Maria Villareal, Latino Chamber of Commerce, stated that she met with the City Manager yesterday to address the claims made by Mr. Acevedo regarding the Latino Chamber of Commerce. She explained how she presented the City Manager with state, county, city, and board member documentation concerning their legitimacy since 2008. She announced that they would take legal action against Mr. Acevedo for opening personal bank accounts and using the Chamber's name and status. Lastly, she made note of the City Council's vote to approve the Chamber's lease agreement on March 15, 2016 for \$1.00 per year at 700 North Bullis Road.

Craig Henry, Compton resident, made reference to Ordinance No. 2,209 and solicited Councilperson Galvan to collaborate with him to clean up Angeles Ashby's Funeral home.

Councilperson Zurita advised individuals who are purchasing cemetery property to ensure that they have endowments for the maintenance of the facility.

Joyce Kelly, Compton resident, questioned why or how someone who is supposed to be an advocate for the youth would want to see marijuana dispensaries all over Compton. She spoke in opposition to allowing the sale and cultivation of marijuana in Compton and petitioned the City to fix the lighting city-wide.

Lynn Boone, Compton resident, accused Mayor Brown of lying about what occurred during the marijuana workshop. She went on to question how the City Attorney can abate a home but not close down a marijuana dispensary operating illegally in the City of Compton.

Mayor Brown instructed the City Manager to obtain a report from the Sheriff's Department on response times. Mayor Brown also mentioned her meeting with the City Manager and Metro last Monday wherein they committed to conducting extensive renovations on the Blue Line.

5:35 P.M. PUBLIC HEARING - ZONE CHANGE FOR 821 W. ROSECRANS AVENUE FROM LOW-DENSITY RESIDENTIAL (R-L) TO COMMERCIAL MANUFACTURING (C-M) 2016-001 (Item # 6)

On motion by Zurita, seconded by Galvan, the public hearing was opened at 7:33 p.m., by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - McCoy

Jerome Groomes, City Manager, stated that this matter was heard last week and concerns the proposed rezoning of a property located at 821 West Rosecrans changing the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M). There was a concern that the staff report and the agenda item listed the property address as 821 East and not 821 West Rosecrans, so the City did not act on the item at that time giving proper notification and information to the public that it was the incorrect address. So therefore staff is returning for Council approval. There were also concerns about the C-M designation on the property which was described as general category or classification of

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land use with certain uses that are permitted and not permitted. The staff report denotes examples of the permissive uses. Lastly there was a concern about the timeline and staff is providing a memorandum on a separate cover.

SUMMARY

The City Council will consider a resolution approving Change of Zone Case No. 2016-001 to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M). The proposed zone change is necessary to permit the redevelopment of an 18,000 square foot retail commercial center, as approved by Conditional Use Permit No. 2743.

BACKGROUND

On March 16, 2016, the Planning Commission recommended approval to the City Council to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M). A public hearing is required to approve an ordinance changing the zone. The site is partially vacant and is the former site of a furniture manufacturing and retail business that was destroyed by fire several years ago. The site has a commercial or non-residential land use since the mid 1960’s.

PROJECT DESCRIPTION

The Change of Zone is necessary for the development of the site for a proposed new retail commercial center. The proposed 18,000 square foot commercial center will be developed on Lots 12 and 13, however only the north portion of Lot 12 needs to be rezoned from PRL to CM. The southern portion of lot 12 is already zoned commercial manufacturing. Lots 1, 2 and 13 is already zoned CM. The rezoning from residential to commercial is also consistent with the current and proposed General Plan which both designates the site as Mixed-Use which permits commercial land uses and commercial zoning.

An approved change of zone will allow the property owner to develop a prominent piece of property on Rosecrans Ave that has been vacant with fire damage for several years. Redevelopment will allow the developer to offer the community a wide range of retail and service commercial uses.

The Commercial Manufacturing zone permits by right land uses such as:

1. Any use permitted in the Limited Commercial Zone (C-L),(except those uses which require a conditional use permit);
2. Automobile and bus sight-seeing agencies (no storage of vehicles);
4. Automobile engine cleaning; detailing; repair garages (excluding body and fender work and painting); service stations (no more than two (2) tow-trucks); and upholstery shops;
9. Building materials sales;
10. Food manufacturing (No meat processing)
11. Car washes;
12. Catering establishments;
13. Clothing and apparel manufacturing (excluding shoe manufacturing);
14. Cold storage;
17. Electrical appliance assembly;
18. Electronic instrument assembly;
19. Engraving, mechanical;
20. Film laboratories;
21. Furniture upholstery shops;
22. Monument and tombstone sales;
23. Motorcycle sales and services;
24. Paint mixing (no boiling);
26. Precision instrument assembly;
27. Research and testing laboratories;
31. Taxicab companies (no more than four (4) taxicabs);
32. Warehouses; and Wholesale businesses;
34. Wrought iron sales and assembly; and
35. Uses and buildings customarily incidental to any use or building set forth in this Subsection.

No light or heavy manufacturing or industrial land uses are permitted.

FINANCIAL IMPACT

Approval of the Change of Zone as well as subsequent development of the site will result in an increase in property and sales tax revenues to the City. In its current state the property is generating no sales tax revenue.

RECOMMENDATION

Staff recommends that City Council approve an Ordinance for Change of Zone No. 2016-001 to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M).

PUBLIC COMMENTS ON THE PUBLIC HEARING

Robert Ray, Compton resident, advised the property owner to put pressure on the person who owns the illegal business operating across the street.

David Irons, Compton resident, expressed a concern for the type of manufacturing that will take place on the property.

Benjamin Holifield, Compton resident, expressed a concern for the length of time it takes the City to approve the permits and licenses necessary to operate a business in the City of Compton.

Tomas Carlos, Compton resident, supported the concept of using the property for mixed use, but he does not agree with the term "manufacturing" and questioned what the limits are.

Joyce Kelly, Compton resident, inquired about what is going to be on the property.

Mr. Delgadillo answered that the property will be used for four retail buildings with no manufacturing occurring on the site.

On motion by Zurita, seconded by Sharif, the public hearing was closed at 7:44 p.m., by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - McCoy

COUNCIL COMMENTS ON THE PUBLIC HEARING

Councilperson Zurita inquired about the availability of the timeline report.

City Manager Groomes answered that the report will be issued tomorrow.

6. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE DESIGNATION OF 22,500 SQUARE FEET OF LOT 12 LOCATED AT 821 W. ROSECRANS BOULEVARD FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL MANUFACTURING (CHANGE OF ZONE CASE 2016-001) (FIRST READING)

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

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

NOES: Council Members - None

ABSENT: Council Members - McCoy

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On motion by Zurita, seconded by Galvan, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE DESIGNATION OF 22,500 SQUARE FEET OF LOT 12 LOCATED AT 821 W. ROSECRANS BOULEVARD FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL MANUFACTURING (CHANGE OF ZONE CASE 2016-001) (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 - McCoy

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 - McCoy

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

RISK MANAGEMENT

- 1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER FOR PAYMENT OF ADDITIONAL WORKERS' COMPENSATION EXCESS PREMIUM TO AON RISK SERVICES FOR PROVISION OF CONTINUED WORKERS' COMPENSATION EXCESS INSURANCE (\$16,214) (Resolution # 24,441)

END CONSENT AGENDA

REGULAR AGENDA

CITY MANAGER’S REPORT

- 2. POWER POINT PRESENTATION - Fire Department EMS - Bryan Batiste - Fire Chief

Bryan Batiste, Fire Chief, presented a PowerPoint slideshow presentation on the Emergency Medical Services (EMS) resolution of audit findings via the Los Angeles County EMS Agency.

City of Compton’s EMS Audit Findings & Corrections
January 2015 - June 2016

LA County Emergency Medical Services (EMS) conducts annual county wide audits. The City of Compton’s EMS Audit on January 2015 and September 2015 found the following matters to be addressed:

- a) Paramedic Accreditation
- b) First Aid Standards for First Aid Responders
- c) EMS Data Compliance
- d) Quality Improvement Program
- e) Continuous Positive Airway Pressure (CPAP) Program

City of Compton’s EMS Audit Findings & Corrections
January 2015 - June 2015
Paramedic Accreditation

Findings:
September 3, 2015 LA County EMS Audit review revealed 2 Paramedics with lapsed in their LA County Paramedic Accreditation.

2016 Audit Correction:

Current Review showed ALL 35 paramedic names submitted to EMS by the City Manager had current State paramedic licensure and LA County accreditation

City of Compton's EMS Audit Findings & Corrections
January 2015 - June 2016
First Aid Standards for First Responders

Findings:

September 3, 2015 LA County EMS Audit review revealed 8 firefighters not possessing a valid EMT or First Aid certification.

2016 Audit Correction:

Current Review showed ALL 30 of the non-paramedic firefighter names submitted to EMS by the City Manager had current EMT certifications, received Los Angeles County EMT Scope of Practice training and had current CPR cards.

City of Compton's EMS Audit Findings & Corrections
January 2015 - June 2016
EMS Data Compliance

Findings:

January 15, 2015 LA County EMS Audit review revealed the City of Compton Fire Department was utilizing Paper Patient Care Records (PCR).
Timely transmittals of patient care records.

2016 Audit Corrections:

Current Review as of January 2016, the City of Compton Fire Department transitioned to an electronic Paper Patient Care Records (ePCR) systems utilizing Digital EMS Solutions. The transition to ePCR in January 2016 ensures the daily submittal of PCRs which meets the 30-day transmission requirement.

City of Compton's EMS Audit Findings & Corrections
January 2015 - June 2016
Quality Improvement Program

Findings:

Lack of EMS Quality Improvement Program.
January 15, 2015 LA County EMS Audit review revealed the City of Compton Fire Department was utilizing Paper Patient Care Records (PCR).
Timely transmittals of patient care records.

Corrections:

Current Review as of January 2016, the City of Compton Fire Department transitioned to an electronic Paper Patient Care Records (ePCR) systems utilizing Digital EMS Solutions. The transition to ePCR in January 2016 ensures the daily submittal of PCRs which meets the 30-day transmission requirement.

City of Compton's EMS Audit Findings & Corrections
January 2015 - June 2016
Quality Improvement Program

Findings:

January 2015 program review revealed a Lack of proper implementation of EMS Quality Improvement Programs.
Updated EMS Quality Improvement Program
Compliance with Quality Improvement Guidelines
Training and Education

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Corrections:

Current Review as of June 2016, the City of Compton Fire Department was able to provide the most current EMS Quality Improvement Program which after review was found to be in compliance with the County's EMS standards.

Plans to bring an educator to assist with the quality improvement guidelines.

City of Compton's EMS Audit Findings & Corrections January 2015 - June 2016 Continuous Positive Airway Pressure (CPAP) Program

Findings:

LA County EMS Audit Finding from a September 3, 2015 review showed poor compliance with documentation of patient vital signs (blood pressure, heart rate, respiratory rate/effort and oxygen saturation) post CPAP application.

Underutilization of CPAP machines.

Corrections:

A corrective action plan was put into place to include sending the EMS Agency monthly CPAP reports.

Department wide training on CPAP utilization.

Department training to improve post-application assessment and documentation of vital signs.

Mayor Brown requested the approximate cost of an additional paramedic unit for budgetary considerations.

Mr. Batiste answered that costs will be minimal because he will be proposing to transition two ambulance operator units to a fourth paramedic unit; additionally it will fund itself if the Council considers allowing the Fire Department to increase their fees charged for billing the insurance companies to the rate at which the County of Los Angeles recommends.

Mayor Brown asked Councilperson Zurita if she has questions for Dr. Shepard.

Councilperson Zurita affirmed that all of her questions have been answered.

3. POWER POINT PRESENTATION - For the Love of Our Veterans

Dr. Lestean Johnson, President of the Compton Chamber of Commerce, offered a PowerPoint slideshow presentation documenting the success of Compton's 13th Annual Veteran's Stand-down 3-Day event.

Compton Veteran Stand Down Saturday, September 17th through Monday, September 19, 2016

Approximately 2,000 men and women were fed

Fifty-Six Children were fed

Twenty-five children were homeless; thus spent the entire weekend

Homeless Veterans

Los Angeles still has the largest population of homeless military veterans in the nation with the latest homeless count estimating more than 6,300 veterans living on the streets.

Los Angeles County remains the epicenter of homelessness. In the U.S. Homeless vets account for nearly 20% of the people living on the streets and in shelters.

It is estimated 254,000 men, women and children experience homelessness in Los Angeles County during some part of the year.

And, approximately 82,000 people are homeless on any given night. Unaccompanied youth, are estimated to make up from 4,800 to 10,000 of these.

Although homeless population may be found throughout Los Angeles County, the largest percentages are in South Los Angeles and Metro Los Angeles.

Most are from the Los Angeles area and stay in or near the communities from which they came.

Compton Veteran Stand Down

Visualized Through...“The City of Compton” Ensuring A Home For the Compton Veteran Stand Down for the Past 13 Years...

For the Love of Our Veterans

A community is often judged by how well it takes care of its own. Serving those who have served our Nation is the primary goal of the Compton Veteran Stand Down

President Obama’s Quote - Our Philosophy

“Until we reach a day when not a single veteran sleeps on our nation’s streets, our work remains Unfinished” - President Barack Obama March 2009

The veterans participating in this year’s event received a warm welcome from Mayor Brown, City Attorney Cornwell, and City Clerk Alita Godwin. Throughout the three day event, they received meal service in a decorated dining hall, showers, clothes, haircuts, healthcare needs, entertainment, legal help and worship services.

Charlie L., President for the Love of Our Veterans, presented Mayor Brown with a certificate of recognition for her support of Compton’s 13th Annual Veteran's Stand-down.

4. REQUEST TO SCHEDULE A WORKSHOP - Measure "P"

Mayor Brown submitted a request to re-schedule the workshop to Tuesday, October 18, 2016 at 5:50 p.m.

On motion by Galvan, seconded by Brown (who stepped away from the chair), a workshop was scheduled for Tuesday, October 18, 2016 at 5:50 p.m., by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - McCoy

CITY ATTORNEY'S REPORTS - There were no City Attorney Reports.

UNFINISHED BUSINESS

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON IN SUPPORT OF THE LOS ANGELES COUNTY NOVEMBER 2016 BALLOT MEASURE - THE "SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN SPACE, LOCAL BEACHES, RIVERS AND WATER CONSERVATION PROTECTION MEASURE"

Councilperson Galvan requested additional information.

City Manager Groomes reported that this is a proposed special tax for the November ballot to raise revenue for the development and acquisition of funds for the improvement of parks, beaches, and open space charging an additional one and a half cent for every square foot of improvements on property located within the County of Los Angeles.

Councilperson Galvan asked the City Manager if the revenue will be used to improve Compton parks or will the funds go to the County of Los Angeles so that they can decide where the money is distributed. City Manager Groomes stated that the County will decide where those funds are disbursed.

Councilperson Sharif made note that this is a request to extend an existing tax.

#2.

Councilperson Galvan requested the amount of money the City of Compton has received to-date to improve its parks. City Manager Groomes stated that he does not have that information available at this time.

On motion by Zurita, seconded by Sharif, **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON IN SUPPORT OF THE LOS ANGELES COUNTY NOVEMBER 2016 BALLOT MEASURE - THE "SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN SPACE, LOCAL BEACHES, RIVERS AND WATER CONSERVATION PROTECTION MEASURE"** failed, by the following vote on roll call:

AYES: Council Members - Sharif
NOES: Council Members - Zurita, Galvan, Brown
ABSENT: Council Members - McCoy

NEW BUSINESS

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REJECTING THE BID SUBMITTED FOR CITY-WIDE STREET SWEEPING SERVICES AND AUTHORIZING THE INTERIM CITY MANAGER TO EXTEND THE AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR CLEANSTREET SWEEPING SERVICES FOR CITY-WIDE STREET SERVICES (\$256,846)

Councilperson Zurita asked the City Manager if the dollar amount coincides with the amount charged as if the contract was still in effect.

City Manager Groomes replied affirmatively.

On motion by Zurita, seconded by Galvan, **Resolution # 24,442** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REJECTING THE BID SUBMITTED FOR CITY-WIDE STREET SWEEPING SERVICES AND AUTHORIZING THE INTERIM CITY MANAGER TO EXTEND THE AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR CLEANSTREET SWEEPING SERVICES FOR CITY-WIDE STREET SERVICES (\$256,846)"** was approved, by the following vote on roll call:

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

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ESTABLISH A PURCHASE ORDER FOR STAPLES ADVANTAGE FOR THE PURCHASE OF OFFICE SUPPLIES FOR FISCAL YEAR 2016-2017 (\$9,000.00)

On motion by Sharif, seconded by Zurita, **Resolution # 24,443** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ESTABLISH A PURCHASE ORDER FOR STAPLES ADVANTAGE FOR THE PURCHASE OF OFFICE SUPPLIES FOR FISCAL YEAR 2016-2017 (\$9,000.00)"** was approved, by the following vote on roll call:

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

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER WITH DUTHIE POWER SERVICES FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL BACK-UP GENERATORS AT THE FIRE STATIONS (\$15,000.00).

On motion by Sharif, seconded by Galvan, **Resolution # 24,444** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER WITH DUTHIE POWER SERVICES FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL BACK-UP GENERATORS AT THE FIRE STATIONS (\$15,000.00)**" was approved, by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - McCoy

SUBSEQUENT NEED ITEM – REQUEST TO WAIVE THE FEES FOR THE USE OF THE DOLLARHIDE COMMUNITY CENTER FOR THE REPAST OF WILLIAM A. SMITH ON THURSDAY, OCTOBER 6, 2016

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 - McCoy

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

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

NOES: Council Members - None

ABSENT: Council Members - McCoy

APPROVAL OF WARRANTS

10. Warrant #235953 - 9/28/16 - D24 INC - T-Shirt Printing for Annual Compton Cancer Walk for a Cure Event - \$10,900.00 - Requested by: City Manager

Warrant #235961 - 9/28/16 - Liebert Cassidy Whitmore - Professional services rendered for "Embracing Diversity" - \$3,500.00 - Requested by: City Attorney

11. Warrant #235768 - 9/15/16 - Driscoll Electric Inc. - Urgent electrical repairs to floor boxes - \$ 2,500.00 - Requested by: Water Department

Warrant #235881 - 9/26/16 - Area E Disaster Board - Annual membership for the City's Office of Emergency Management - \$4,904.00 - Requested by: Fire Department

TOTAL AMOUNT \$21,804.00

On motion by Galvan, seconded by Zurita, 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 - McCoy

Councilperson Zurita assured the residents that the \$10,900 check requested for the Walk for A Cure event is from her fundraising account.

City Attorney Cornwell stated that he does not believe the request for warrant number 235961 came from his office.

City Manager Groomes clarified that the warrant originated from the Human Resources Department.

#2.

COUNCIL COMMENTS

Councilperson Zurita offered the following communications/announcements:

- "5th Annual Walk for a Cure" will be held Saturday, October 8, 2016 from 7 a.m. to 11:30 a.m. at the Greenleaf Parkway. For more information or to RSVP call (310) 605-5510.
- Asked the City Manager to collaborate with the Sheriff's Department to conduct a sting operation on 134th Street between Parmalee and Central Avenue to combat the car shipping business in the area.
- Asked the Sheriff's Department to install a flashing red-light at 130th Street and Compton Avenue so that the drivers will notice the new stop sign.
- Requested an update to the City's website.
- Wished Ms. Margaret Reed a happy 89th birthday.

Meeting adjournment

Eleanor Cox

Councilperson Galvan offered the following communications/announcements:

- Met with residents from the Willow Street Block Club on Friday to discuss methods of addressing homelessness.
- Advised the City Manager to utilize fences wrapped in tarp material to keep Successor Agency properties secure and visually maintained.
- "Senior Halloween Party" will be held on Monday, October 31, 2016 at the Dollarhide Community Center from 11:30 a.m. to 2 p.m.
- Announced that he will be creating an Illegal Dumping Taskforce as an aggressive means of catching perpetrators.

***Mayor Brown exited the meeting at 8:31 p.m.**

- Requested a concerted effort by the City to develop a plan to close down all illegally operating marijuana dispensaries in the City of Compton.

Councilperson Sharif offered the following communications/announcements:

- "Special Community Townhall meeting" will be held on Wednesday, October 12, 2016 at 6 p.m. at Kelly Park.
- "Compton Initiative Clean-up for District Four" will be held Saturday, October 15, 2016 from 7 a.m. to 12 p.m. Volunteers are asked to meet behind the Compton Courthouse. For more information, please contact Deidra Duhart at (310) 605-5662.
- Requested the installation of a portable camera at Atlantic near the underpass of the 710 Freeway.
- Thanked the City Attorney for making a commitment to bring back an item for a moratorium on marijuana dispensaries and other related matters.
- Thanked Father Francisco and his congregation for cleaning up in the Second and Fourth Districts.

ADJOURNMENT

On motion by Sharif, seconded by Galvan, the meeting was adjourned at 8:43 p.m. in memory of **Eleanor Cox**, by the following vote on roll call:

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

City Clerk of the City of Compton

Mayor of the City of Compton



City of Compton
Oversight Committee Annual Report
Submitted: JUNE 2016
For the period
April 2015 through June 2016

COMMITTEE MEMBERS:

COMMISSIONER CALLIE PARKER, Chair
COMMISSIONER BRUCE A S BOYDEN, Vice Chair
COMMISSIONER MARY EDWARDS, Treasurer
COMMISSIONER IRENE SHANDELL-TAYLOR, Secretary
COMMISSIONER ULYSSES TERRY, Former Chair- Parliamentarian

CITY STAFF REPRESENTATIVES:

Harold Duffy, Former City Manager
Johnny Ford, Former City Manager's Office
City Manager-Roger L. Haley
Assistant City Manager-Alma K. Martinez
Assistant City Manager- Cedric L. Hicks Sr.

Kimberly McKenzie, Director CareerLink Department
Neil C. Holmes, City Manager's Office

INTRODUCTION

This report is provided by the Oversight Committee to the Mayor and City Council as a progress report for activities conducted by the Oversight Committee (hereinafter referred to as “Committee”) from April 2015 through June 2016. This report also serves as an overview of all the activities that the Oversight Committee has agreed to reach its goals and objectives.

PURPOSE OF THE COMMITTEE

The purpose of this committee is to advise the Mayor and City Council of the needs and concerns of the City’s Boards, Committees, and Commissions, monitor all aspects of their operations, and prepare quarterly reports to the Mayor and City Council on performance, as well as effectiveness of the different entities.

Ulysses Terry	-	Third District (Former/Vacant)
Callie Parker	-	Fourth District
Mary Edwards	-	First District
Irene Shandell	-	Mayoral
Bruce A S Boyden		Mayoral

The Following Commissions were monitored:

1. Commission on Aging-Parker
2. Commission on Women-Edwards
3. Community Relations Commission-Shandell/Boyden
4. Beautification Committee-Parker
5. Block Club Commission- Edwards/Shandell
6. Disabilities Commission-Shandell/Edwards
7. Employment Training Advisory Council-Shandell
8. Federal Grants Advisory Board-Parker
9. Parks & Recreation Commission-Edwards
10. Oversight Committee-Mayor and City Council
11. Personnel Board-Parker/Boyden
12. Planning Commission-Boyden
13. Public Safety Commission-Shandell

14. Resident Advisory Board-Boyden
15. Youth Leadership Council-Boyden (No quorum)

Oversight Commission Accomplishments

Attended, Monitor and Observed

(Collectively by Oversight Commissioners)

- **44 Meetings Attended and Monitored**
- **Planned and attended Leadership Breakfast**
- **Conducted COMMISSIONERS' WORKSHOP SUMMIT**
- **Submitted-The Proposed 2016-2017 "Oversight Budget"**
- **Planned and Developed Goals for the 2016-2017 Fiscal Year**
- **Developed Commissioners' Pledge for City Pins**

HIGHLIGHTS:

"Leadership Summit Breakfast " was conducted in partnership with Mayor Aja Brown on January 30, 2016.

The Second Annual Citywide Commissioners Workshop/Summit, sponsored by the Oversight Commission was held on April 29th, 2016 from 4:00 pm to 8:00 pm at the Dollarhide Community Center.

Workshop

103 Commissioners were invited and 54 commissioners 12 of the All 15 Commissions were represented and 4 Guest/Staff was in attendance. Apple Spice catered the meal.

Welcome and Pledge of Allegiance was led by Commissioner Callie Parker, Staff Person Kimberly McKenzie presented the Oversight Commissioners. Workshop Committee Chairperson Irene Shandell-Taylor introduced the Oversight Commissioners.

Twelve (12) of the fifteen (15) Commissions/Boards were represented

Judge Kelvin Filer was the Guest Presenter for "Robert's Rules of Order". Our City Attorney Craig Cornwell donated 19 copies of Robert's Rules of Order, 11th Edition, to the Chair and Vice Chair of each Commission. Five (5) gifts for Raffle were donated by City Manager Haley.

#3.

The following Oversight Commissioners presented as follows:

Irene Shandell-Taylor- “Working Together-Team Work”

Bruce A S Boyden- “Intrapersonal Skills”

Mary Edwards- “Reports, Needs and Vacancies”

April, 2015-Held a Special Meeting with Mayor Aja Brown to express our concerns.

The following suggestions were made by the Mayor to help alleviate some of those concerns:

1. For future workshops, use Special Events Committee;
2. Staff should release some things being done by them to the Committee
3. Advise staff of commissioners who need lapel name pins and business cards

August-2015 Recommendations to:

1. Meet with all Presidents/Chairs;
2. Provide nameplates, business cards and badges for each member
3. Submit letter to City Council requesting all vacancies be filled

December-2015-City Manager approved \$4,000.00 for 2016 for Mayor’s Leadership Breakfast to be held January 30, 2016. Mayor’s Office underwrote Breakfast; therefore, budgeted funds did not have to be used.

January-2016-Commissioner Shandell-Taylor attended the three-day Metropolitan Water District of Southern California and Central Basin Municipal Water District, Water Education Tours.

February-2016- Special Meeting held to plan our April Workshop.

1. Agreed to publish Application form for Board, Commission and Committee in Block Club Commission’s Newsletter and on City’s Website;
2. Mayor Brown attended our regular meeting where we discussed: a) goal setting for each Commission; b) redefining Oversight role; c) submission of Quarterly Reports.
3. List of recommendations for improvement and term limits also discussed.

April-2016- Held Second Annual Commissioners’ Workshop April 29, 2016, from 4 to 8pm at the Dollarhide Center

Each Commissioner and staff in attendance received a certificate of Appreciation “for their Commitment, Support and Tireless Dedication to the Citizens” from Mayor and City Council. Certificates for commissioners not in attendance were given to their respective Chairperson.

All Commission Chairperson's received and sign for a **Roberts Rules of Order Book**

Commissioners' Boyden/Edwards participated in our first "City Pinning Ceremony" on June 27, 2016 to the Block Club Commission

Thanks to Mayor Aja Brown, Judge Kelvin Filer, for their participation during this event. Special thanks to City Staff especially Kim McKenzie and for all their assistance in the planning of this Workshop.

URGENT RECOMMENDATIONS

Oversight Commission strongly recommend Mayor and City Council expedite appointments to Boards, Committees and Commissions that have vacancies.

ACKNOWLEDGEMENTS

In conclusion, the Committee would like to thank Mayor Aja Brown, City Councilmembers for their appointments and leadership in continuing this Committee. In addition, the Oversight Committee would like to thank Johnny Ford, Rodger Haley, Erika Arteaga and Kimberly McKenzie and Support Staff for all their assistance.

COMMISSION'S DATA COLLECTION

OVERSIGHT COMMITTEE OBSERVATIONS/Recommendation's

THE OVERSIGHT COMMISSION VISITED VARIOUS BOARDS, COMMITTEES AND COMMISSIONS AND CONDUCTED DOCUMENTED OBSERVATIONS AND NOTED BOTH POSITIVES AND AREAS OF NEEDED IMPROVEMENTS (GENERALLY).

- **CHAIRPERSON LEAD MEETING**
 - **Most meetings were lead by Chairperson**

- **GOALS & MISSION STATEMENT POSTED**
 - **Goals and Mission Statements NOT Posted**

- **CURRENT AGENDA**

#3.

- Posted, E-mailed, and properly prepared
- **COMMISSIONER'S ENGAGED**
 - Commissioners and visitors actively participated
- **CONCLUSIONS/FOLLOW UP ITEMS IDENTIFIED-RECOMMENDATIONS**
 - Staff assigned shall be trained for their role and responsibility to commission
 - Consider hiring One Staff Person to support all commissions.
 - Identify the process of cancelations of posted meeting dates and times
 - Following the agenda
 - Starting meeting on time
 - Starting meeting with a quorum
 - Using goals and mission statement to stay focused and on task
 - Vacancies filled within 30 days

Submitted by the Oversight Committee,

Commissioner Callie Parker,
Chair

Commissioner Bruce A S Boyden
Vice Chair

Commissioner Mary Edwards,
Treasure

Commissioner Irene Shandell-Taylor,
Secretary

October 11, 2016

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE DESIGNATION OF CERTAIN PROPERTIES LOCATED 821 W. ROSECRANS BOULEVARD FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL MANUFACTURING (CHANGE OF ZONE CASE 2016-001)

SUMMARY

The City Council will consider a resolution approving Change of Zone Case No. 2016-001 to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M). The proposed zone change is necessary to permit the redevelopment of an 18,000 square foot retail commercial center, as approved by Conditional Use Permit No. 2743.

BACKGROUND

On March 16, 2016, the Planning Commission recommended approval to the City Council to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M). A public hearing is required to approve an ordinance changing the zone. The site is partially vacant and is the former site of a furniture manufacturing and retail business that was destroyed by fire several years ago. The site has a commercial or non-residential land use since the mid 1960's.

PROJECT DESCRIPTION

The Change of Zone is necessary for the development of the site for a proposed new retail commercial center. The proposed 18,000 square foot commercial center will be developed on Lots 12 and 13, however only the north portion of Lot 12 needs to be rezoned from PRL to CM. The southern portion of lot 12 is already zoned commercial manufacturing. Lots 1, 2 and 13 is already zoned CM. The rezoning from residential to commercial is also consistent with the current and proposed General Plan which both designates the site as Mixed-Use which permits commercial land uses and commercial zoning.

An approved Change of Zone will allow the property owner to develop a prominent piece of property on Rosecrans Ave that has been vacant and fire damaged for several years. Redevelopment will allow the developer to offer the community a wide range of retail and service commercial uses.

#4.

The Commercial Manufacturing zone permits by right land uses such as:

1. Any use permitted in the Limited Commercial Zone (C-L), (except those uses which require a conditional use permit);
2. Automobile and bus sight-seeing agencies (no storage of vehicles);
4. Automobile engine cleaning; detailing; repair garages (excluding body and fender work and painting); service stations (no more than two (2) tow-trucks); and upholstery shops;
9. Building materials sales;
10. Food manufacturing (No meat processing)
11. Car washes;
12. Catering establishments;
13. Clothing and apparel manufacturing (excluding shoe manufacturing);
14. Cold storage;
17. Electrical appliance assembly;
18. Electronic instrument assembly;
19. Engraving, mechanical;
20. Film laboratories;
21. Furniture upholstery shops;
22. Monument and tombstone sales;
23. Motorcycle sales and services;
24. Paint mixing (no boiling);
26. Precision instrument assembly;
27. Research and testing laboratories;
31. Taxicab companies (no more than four (4) taxicabs);
32. Warehouses; and Wholesale businesses;
34. Wrought iron sales and assembly; and
35. Uses and buildings customarily incidental to any use or building set forth in this subsection;

No light or heavy manufacturing or industrial land uses are permitted.

FINANCIAL IMPACT

Approval of the Change of Zone as well as subsequent development of the site will result in an increase in property and sales tax revenues to the City. In its current state the property is generating no sales tax revenue.

RECOMMENDATION

Staff recommends that City Council approve an Ordinance for Change of Zone No. 2016-001 to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M).

ROBERT DELGADILLO
PLANNING & ECONOMIC DEVELOPMENT DIRECTOR

APPROVED FOR FORWARDING:

JEROME GROOMES
CITY MANAGER



CITY OF COMPTON



AERIAL MAP

Change of Zone Case No. 2016-001
Mitigated Negative Declaration No. 940
809/811/821 W. Rosecrans Ave.

APN's: 6144-022-012

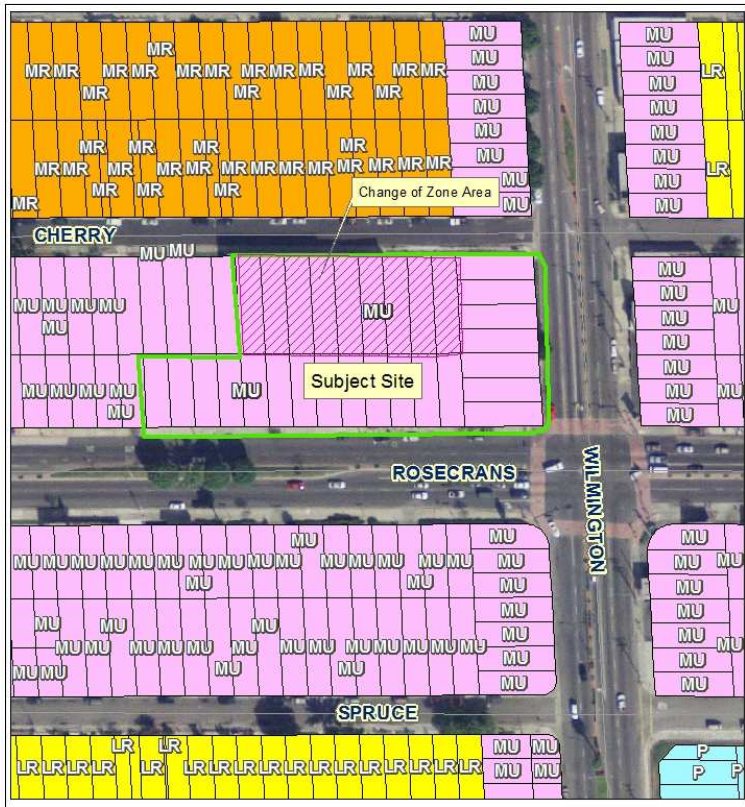
Legend

 City Limits



THIS MAP IS A PUBLIC RECORD OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, COMPLETENESS OR DATE OF THE INFORMATION PROVIDED HEREIN. THE USER SHOULD NOT RELY ON THE CITY'S PROVIDED INFORMATION FOR ANY REASON. THE CITY OF COMPTON IS NOT RESPONSIBLE FOR ANY REPRESENTATIONS AND WARRANTIES, INCLUDING WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF COMPTON SHALL BE LIABLE TO THE USER FOR:

1. ANY DEFENSE, DAMAGES, OR INDEMNITIES IN THE INFORMATION PROVIDED HEREIN.
2. ANY DECISION MADE OR ACTION TAKEN BY THE USER IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREIN.



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE DESIGNATION
OF CERTAIN PROPERTIES LOCATED 821 W. ROSECRANS BOULEVARD
FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL MANUFACTURING
(CHANGE OF ZONE CASE 2016-001)

WHEREAS, the Planning Commission being fully informed recommended approval of the Change of Zone No. 2016-001 to the City Council; and

WHEREAS, a public hearing on said request to amend the Official Zoning Map was held before the City Council on September 27, 2016; and

WHEREAS, the City Council considered all the information presented pertaining to the Change of Zone No. 2016-001; and

WHEREAS, the City Council being fully informed,

FINDS

1. That the proposed land use classifications are substantially in conformance with the General Plan and Redevelopment Plan and is compatible with the existing patterns of zoning, land use and development in the surrounding area.
2. That the property is more suitable for the uses permitted in the proposed land use classifications than those permitted in the existing land use classification and zoning designations.
3. That the uses permitted in the proposed land use classification will not be detrimental to the surrounding area.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON RESOLVES:

Section 1. That the zoning classification of the described real property located at 821 W. Rosecrans Boulevard (APN 6144-022-012) in the City of Compton shall be changed from Low-Density Residential to Commercial Manufacturing legally described as follows:

Those portions of Parcels LOTS 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12 AND 13, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 AND 44, IN BLOCK 3 OF TRACT NO. 5627, IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 60 PAGES 17, 18 AND 19 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

Section 2 That the Planning Director is hereby instructed to amend the “official Zoning Map” of the City of Compton in accordance with the provisions of Section 1 hereof and as shown on “Proposed Zoning Map” as attached to the staff report shall reflect the affected properties. .

Section 3. That Exhibit A as attached to the staff report shall reflect the affected properties for the approved changes in land use designations for the above-described property.

Section 4. That copies of this ordinance shall be filed in the Offices of the City Clerk, the Community Redevelopment Agency and the Planning and Economic Development Departments.

Section 5. That the City Clerk shall publish this ordinance in accordance with the law.

Section 6. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance.

ADOPTED this _____ day of _____, 2016.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

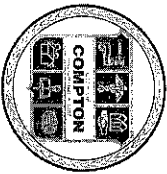
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Ordinance 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 _____, 2016.

That said Ordinance 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



Planning & Economic Development Department - Planning Division
205 S. Willowbrook Ave., Compton, CA 90220 (310) 605-5532 Fax: (310) 761-1488 www.comptoncity.org

STAFF REPORT

CASE NO.

Change of Zone No. 2016-001
Mitigated Negative Declaration No. 940

LOCATION

821 E. Rosecrans Ave.

PROPOSED USED

A request for the rezoning 821 E. Rosecrans Ave.,
Compton, from Low-Density Residential (R-L) to
Commercial Manufacturing (C-M).

HEARING DATE

March 16, 2016

GENERAL INFORMATION

Applicant

Bala Vairavan Architects, Inc
5525 Moonshadow St.
Simi Valley, CA 93063

Requested Action/Applicable Regulation

The applicant is seeking approval of Change of Zone Case No. 2016-001 and Mitigated Negative Declaration No. 940 to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M). The proposed zone change is necessary to permit the redevelopment of an 18,000 square foot retail commercial center, as approved by Conditional Use Permit No. 2743.

Location

The subject site is on the northwest corner of Rosecrans and Wilmington Avenue and is currently improved with one building and five parking spaces.

Existing Zoning and Land Use:

A majority of the 38,362 square foot site is zoned C-M (Commercial Manufacturing) and a small northern portion (22,500 square feet) is zoned PRL (Parking/ Low Density Residential). Due to the existing PRL (Parking/ Low Density Residential) zoning onsite a Change of Zone from PRL to Commercial Manufacturing zoning will be required for the proposed commercial center¹ project. Both the C-M and PRL portions of Lot 12 had a previous use of commercial manufacturing and retail, according to Planning Department records.

Adjacent Zoning and Land Use

The properties to the north are zoned Low Density Residential (RL), Parking/ Low Density Residential, Medium Density Residential (RM) and Limited Commercial (CL). These adjacent properties are either vacant, developed with some older small commercial buildings or a mixture

of industrial uses (warehousing, storage, etc.). The properties to the east are zoned Commercial Manufacturing (C-M) and are developed with newer commercial buildings. The properties to the west are zoned Commercial Manufacturing and Parking Low Density Residential. The south properties are zoned Limited Commercial (C-L) and Commercial Manufacturing.

General Plan:

The General Plan designates this site for Mixed Use.

Environmental Review

The proposed project requires environmental review under the California Environmental Quality Act (CEQA). Section 15063(a) of the State CEQA Guidelines requires the Lead Agency to prepare an Initial Study (IS) to determine if the proposed project has the potential to have a significant effect on the environment. This Initial Study/Mitigated Negative Declaration No. 940 provides the basis for the finding that, with the implementation of mitigation measures prescribed herein, the proposed project would not have the potential to result in a significant effect on the environment. The Initial Study/Mitigated Negative Declaration has been circulated for a 20 day public review period, from February 19, 2016 to March 9, 2016 and as of March 9, 2016 no comments have been received.

HISTORY

The site has historically been developed as a commercial site. As previously mentioned, the property is dual zoned. The two zones are Commercial Manufacturing and Parking/ Low Density Residential. The northern portion of, the site bordering Cherry Street is zoned PRL (See Zoning Map). Building records indicate that no residential property has ever been built on this site. The remaining portion of the site is zoned Commercial Manufacturing.

The present building was constructed in 1948 as a commercial warehouse; and has remained a commercial land use for several decades until fires destroyed three buildings on August 11, 2012 and September 1, 2012 leaving one remaining freestanding building. The applicant proposes to redevelop the site but first needs to rezone the northern 22,500 square feet of lot 12 to Commercial Manufacturing (CM).

On July 11, 2014 the Planning Commission approved Conditional Use Permit No. 2743 approving the development of an 18,000 square foot Retail Shopping Center. The commercial center consisted of four buildings and 74 surface parking spaces.

ANALYSIS AND RECOMMENDATION

The Change of Zone is necessary for the development of the site for a new retail commercial center. The proposed 18,000 square foot commercial center will be developed on Lots 12 and 13, however only the north portion of Lot 12 needs to be rezoned from PRL to CM. Lots 1, 2 and 13 is already zoned CM.

The rezoning from residential to commercial is also consistent with the current and proposed General Plan which both designates the site as Mixed-Use which permits commercial land uses and zoning.

Staff supports the proposed rezoning because the site has historically been used for commercial purposes and the surrounding properties to the west, east, south and north are similarly zoned Commercial Manufacturing and Limited Commercial. The existing 7 single family residential to the north are separated from the site by Cherry Street and face the site.

The proposed rezone will allow the development of retail commercial on a major arterial and redevelop a vacant site.

FINDINGS:

A. That the proposed zone and/or land use classification is substantially in conformance with the General Plan and compatible with the existing patterns of zoning, land use and development in the surrounding area.

The commercial retail center is in conformance with Section 30-12 and 30-28 of the Compton Municipal Code.

B. That the property is more suitable for the uses permitted in the proposed zone and/ or land use classification than those permitted in the existing zone and/ or land use classification.

A majority of the site is already zoned CM and the proposed rezoning will allow for the site to have a single zoning designation. Moreover, the change of zone will not have any adverse impacts on the surrounding environment with the implementation of conditions of approval.

C. That the uses permitted in the proposed zone and/ or land use classification will not be detrimental to the surrounding area.

That the change of zone will comply with the development goals of the City of Compton by developing vacant lots along the major arterials into a viable retail centers, and allow the site to remain as a commercial property.

PUBLIC NOTICE

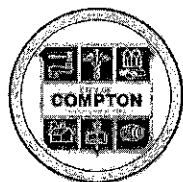
This case was properly noticed in accordance with Section 30-26 of Compton Municipal Code. Notices were mailed to both the property owners and occupants located within a 500 foot radius on March 3, 2016. As of March 11, 2016, no correspondence either for or against the project have been received

RECOMMENDATION

Staff recommends approval for Change of Zone 2016-001 subject to the findings contained herein.

Attachments:

- 1) Aerial Map
- 2) Existing Zoning Map
- 3) Proposed Zoning Map
- 4) CEQA Determination



PLANNING COMMISSION

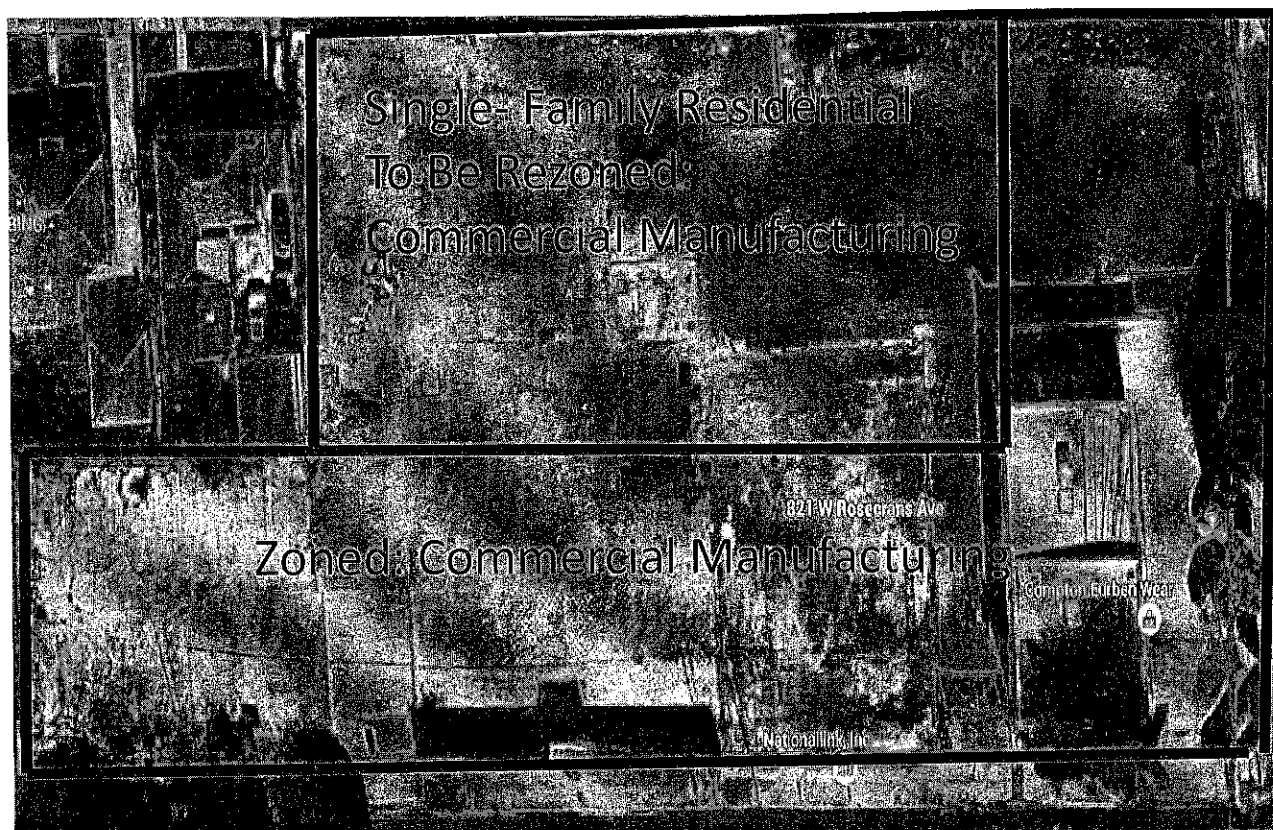
Change of Zone 2016-001

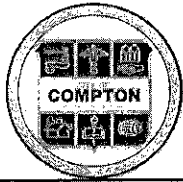
Agenda Item No. 4A

Zone Change: 2016-001

A request for the rezoning:

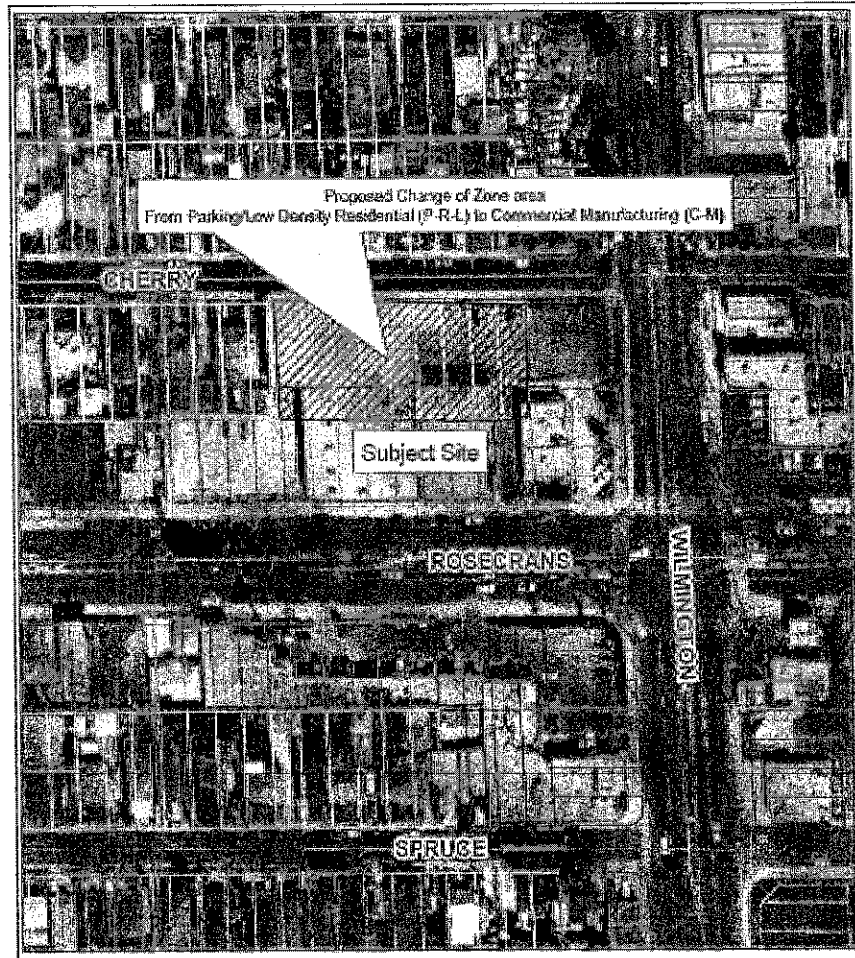
821 E. Rosecrans Ave.,
Compton, from Low-Density
Residential (R-L) to Commercial
Manufacturing (C-M).





PLANNING COMMISSION

Change of Zone 2016-001



CITY OF COMPTON

AERIAL MAP

Change of Zone Case No. 2016-001
Mitigated Negative Declaration No. 940
8098 81821 W. Rosecrans Ave.

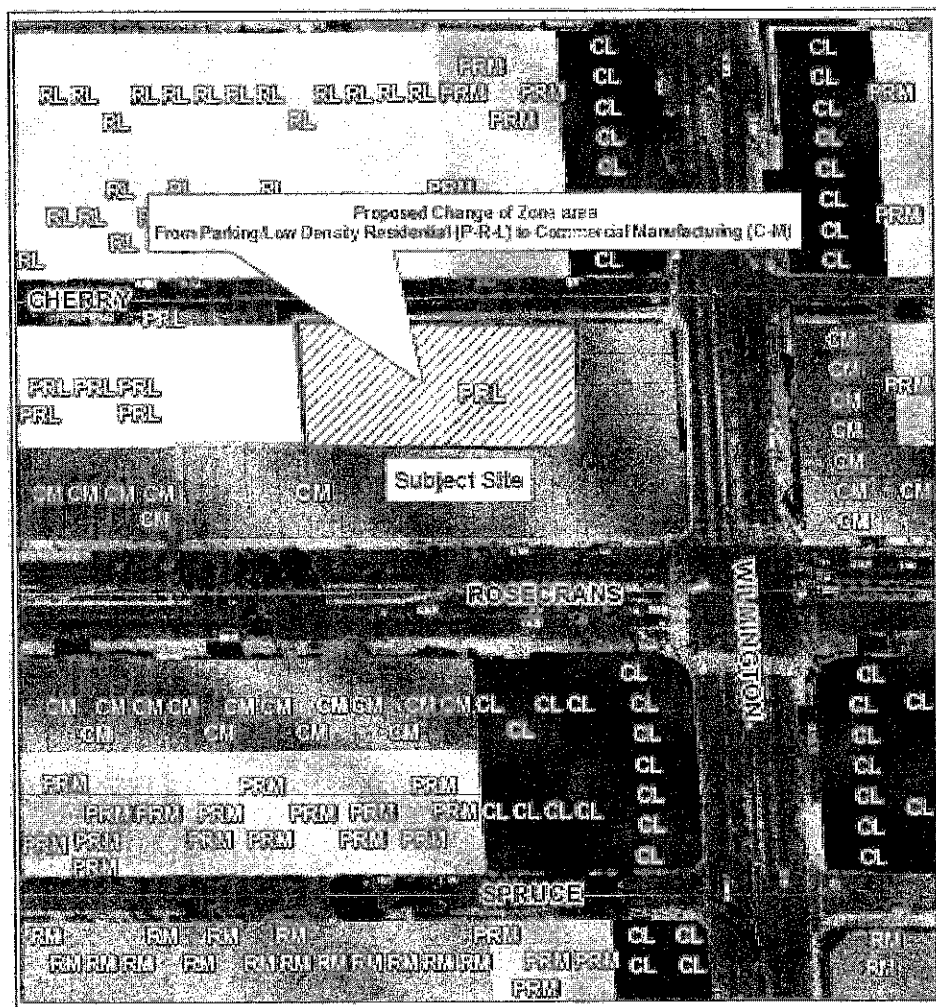
APNs: 6344-002-012

Legend
City Limits



THIS AERIAL MAP IS A GENERAL REPRESENTATION OF THE CITY OF COMPTON AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY OF COMPTON DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY OF COMPTON DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY OF COMPTON DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

Change of Zone 2016-001



Change of Zone Case No. 2016-001
 Integrated Negative Declaration No. 940
 B190811421 W. Rosecrans Ave.

APN's: 6144-027-012

Figure 1

Key Limits

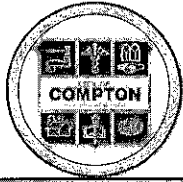
- RA - Residential Agriculture
 RL - Low Density Residential
 RM - Medium Density Residential
 RH - High Density Residential
 P - Parking
 PL - Parking/Low Density Residential
 PRM - Parking/Medium Density Residential
 PRH - Parking/High Density Residential
 CL - Limited Commercial
 CM - Commercial Manufacturing
 ML - Limited Manufacturing
 MH - Heavy Manufacturing
 E - Other
 LAC - Los Angeles County
 UNZONED

[illegible]

Existing Zoning Map

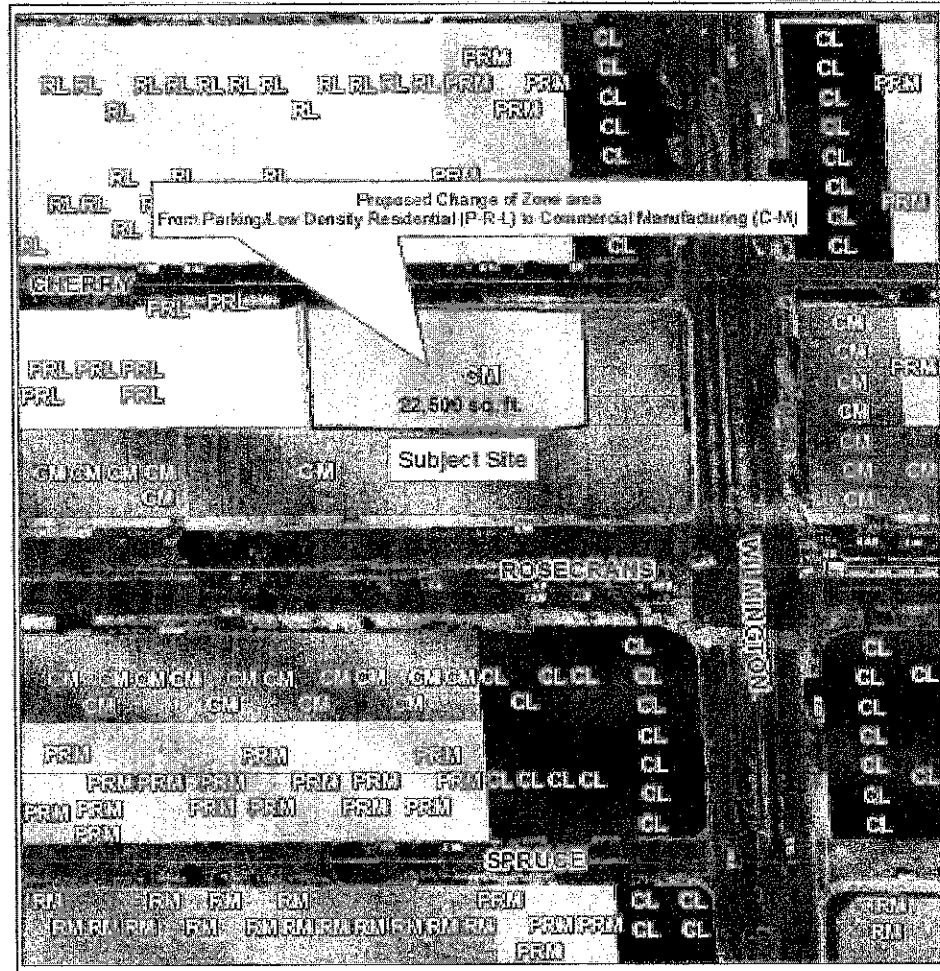
Zone Change: 2016-001

821 W. Rosecrans Ave.



PLANNING COMMISSION

Change of Zone 2016-001



CITY OF COMPTON



PROPOSED ZONING MAP

Change of Zone Case No. 2016-001
Registered Negative Declaration No. 940
809/811/821 W. Rosecrans Ave.

APN's: 6144-022-012

Legend

- City Limits
- RA - Residential Agriculture
- RL - Low Density Residential
- RM - Medium Density Residential
- RH - High Density Residential
- P - Parking
- PRL - Parking/Low Density Residential
- PRM - Parking/Medium Density Residential
- PRH - Parking/High Density Residential
- CL - Limited Commercial
- CM - Commercial Manufacturing
- ML - Limited Manufacturing
- MH - Heavy Manufacturing
- B - Bldg
- LAC - Los Angeles County
- UNZONED



THIS MAP IS A PRELIMINARY DRAFT. IT IS NOT A FINAL ZONING MAP. IT IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN FOR INFORMATIONAL PURPOSES. THE CITY OF COMPTON IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CITY OF COMPTON IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, LOSS OF BUSINESS, OR ANY OTHER DAMAGES, ARISING OUT OF THE USE OF THIS MAP. THE CITY OF COMPTON IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING BUT NOT LIMITED TO, LOSS OF PROFITS, LOSS OF BUSINESS, OR ANY OTHER DAMAGES, ARISING OUT OF THE USE OF THIS MAP.

Proposed Zoning Map

Zone Change: 2016-001

821 W. Rosecrans Ave.

CITY OF COMPTON



PROPOSED ZONING MAP

Change of Zone Case No. 2016-001
Mitigated Negative Declaration No. 940
809/811/821 W. Rosecrans Ave.

APN's: 6144-022-012

Legend

- City Limits
- RA - Residential Agriculture
- RL - Low Density Residential
- RM - Medium Density Residential
- RH - High Density Residential
- P - Parking
- PRL - Parking/Low Density Residential
- PRM - Parking/Medium Density Residential
- PRH - Parking/High Density Residential
- CL - Limited Commercial
- CM - Commercial Manufacturing
- ML - Limited Manufacturing
- MH - Heavy Manufacturing
- B - Buffer
- LAC - Los Angeles County
- UNZONED



THIS MAP IS A PUBLIC RECORD OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE AS TO THE CONTENT, ACCURACY, ADEQUACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA INFORMATION PROVIDED HEREIN. THE READER SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF COMPTON EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF COMPTON SHALL ASSUME NO LIABILITY FOR:

1. ANY ERRORS, OMISSIONS, OR INADEQUACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED; OR
2. ANY DECISION MADE OR ACTION TAKEN OR NOT TAKEN BY READER IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER.

**RESOLUTION NO. 3965
(CHANGE OF ZONE CASE NO. 2016-001 AND MITIGATED
NEGATIVE DECLARATION CASE NO.940)**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY COMPTON RECOMMENDING APPROVAL FOR THE
CHANGE OF ZONE CASE NO. 2016-001 AND MITIGATED
NEGATIVE DECLARATION CASE NO. 940, AT 821 W.
ROSECRANS AVE. IN CONJUNCTION WITH THE PRIOR
APPROVAL OF CONDITINAL USE PERMIT CASE NO. 2743.**

WHEREAS, Bala Vairavan Architects has made an application for a Change of Zone Case No. 2016-001 and Mitigated Negative Declaration No. 940 to change the existing zoning of a 22,500 square foot portion of Lot 12 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M) at **821 W. Rosecrans Ave. (APN: 6144-022-012)** in Compton, California; and

WHEREAS, Section 30-12 of the Compton Municipal Code (C.M.C.) requires that the Change of Zone in accordance with 30-28 of Compton Municipal Code legally described as follows; and

Those portions of Parcels LOTS 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12 AND 13, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 AND 44, IN BLOCK 3 OF TRACT NO. 5627, IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 60 PAGES 17, 18 AND 19 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

located at **821 E. Rosecrans Ave**, Compton, California (APN's 6144-022-012) , and

WHEREAS, approval of a change of zone and mitigated negative declaration to change the existing zoning of a 22,500 square foot portion of Lots 5, 6, 7, 8, 9, 10, 11, 12 and 13 from Low-Density Residential (R-L) to Commercial Manufacturing (C-M) in accordance to Compton Municipal Code (C.M.C) Section 30-28; and

WHEREAS, A majority of the 38,362 square foot site is zoned C-M (Commercial Manufacturing) and a small northern portion (22,500 square feet) is zoned PRL (Parking/ Low Density Residential). Due to the existing PRL (Parking/ Low Density Residential) zoning onsite a Change of Zone from PRL to Commercial Manufacturing zoning will be required for the proposed commercial center project; and

WHEREAS, both the C-M and PRL portions of Lot 12 had a previous use of commercial manufacturing and retail, according to Planning Department records; and

WHEREAS, the properties to the north are zoned Low Density Residential (RL), Parking/ Low Density Residential, Medium Density Residential (RM) and Limited Commercial (CL). These adjacent properties are either vacant, developed with some older small commercial buildings or a mixture of industrial uses; and

WHEREAS, this Initial Study/Mitigated Negative Declaration No. 940 provides the basis for the finding that, with the implementation of mitigation measures prescribed herein, the proposed project would not have the potential to result in a significant effect on the environment; and

WHEREAS, public hearing notices were sent to both owners and occupants located within 500 feet of the subject property; and

WHEREAS, property owners and occupants within a 500-foot radius of the subject site were properly notified by mail of the public hearing date, time and location; and

WHEREAS, a public hearing upon said request for conditional use permit 2743 was held before the Planning Commission on March 16, 2016; and

WHEREAS, evidence was heard from all persons interested in effecting said conditional use permit and all persons protesting same, and the Planning Commission being fully informed,

F I N D S

1. That the proposed zone and/or land use classification is substantially in conformance with the General Plan and compatible with the existing patterns of zoning, land use and development in the surrounding area.

The commercial retail center is in conformance with Section 30-12 and 30-28 of the Compton Municipal Code.

2. That the property is more suitable for the uses permitted in the proposed zone and/ or land use classification than those permitted in the existing zone and/ or land use classification.

A majority of the site is already zoned CM and the proposed rezoning will allow for the site to have a single zoning designation. Moreover, the change of zone will not have any adverse impacts on the surrounding environment with the implementation of conditions of approval.

3. That the uses permitted in the proposed zone and/ or land use classification will not be detrimental to the surrounding area.

That the change of zone will comply with the development goals of the City of Compton by developing vacant lots along the major arterials into a viable retail centers, and allow the site to remain as a commercial property.

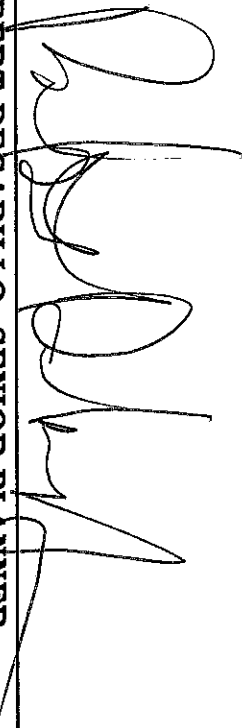
Section 1. That this Resolution shall not become effective until the applicant records with the Recorder of Los Angeles County an Acceptance Form in accordance with the requirements of Subsection 30-28 of the Compton Municipal Code.

Section 2. That a copy of this Resolution shall be mailed to the applicant and that copies shall be filed with the City Clerk and Planning Departments.

ADOPTED this **16th** day of **March, 2016**.



**JUANITA GREEN-WRIGHT, CHAIRPERSON
PLANNING COMMISSION**

A handwritten signature in black ink, appearing to read 'Robert Degadillo', is written over a solid horizontal line.

ROBERT DEGADILLO, SENIOR PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Planning Commission

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE DESIGNATION OF 22,500 SQUARE FEET OF LOT 12 LOCATED AT 821 W. ROSECRANS BOULEVARD FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL MANUFACTURING (CHANGE OF ZONE CASE 2016-001) (FIRST READING)

Robert Delgadillo
DEPARTMENT MANAGER’S SIGNATURE

9/13/2016 4:07:38 PM
DATE

REVIEW / APPROVAL

Merle Green
CITY ATTORNEY

9/2/2016 4:48:32 PM
DATE

Barbara Rumbaoa
CITY CONTROLLER

9/14/2016 9:40:47 AM
DATE

Jerome Groomes
CITY MANAGER

9/14/2016 9:32:30 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.

October 11, 2016

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: GLEN W. C. KAU, DIRECTOR OF PUBLIC WORKS
VAN WILSON, DIRECTOR OF GENERAL SERVICES**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A THREE
(3) YEAR GPS MONITORING SOFTWARE AGREEMENT AND ISSUE A
PURCHASE ORDER TO FORWARD THINKING SYSTEMS, LLC (\$21,600)**

SUMMARY

Adoption of the attached resolution will authorize the Interim City Manager to enter into a three (3) year (i.e. July 1, 2016 through June 30, 2019) Global Positioning System (GPS) monitoring software and services agreement with Forward Thinking Systems, LLC ("FTS") for the GPS monitoring of 180 City-owned vehicles and issue a purchase order in the amount of Twenty One Thousand Six Hundred Dollars (\$21,600) for services rendered in Fiscal Year 2016-2017.

BACKGROUND

The GPS monitoring software displays each vehicle's current location and duration, allows supervisors and department managers to determine if there are potential safety issues due to vehicles idling at unauthorized locations for extended period of time, and alerts users when vehicles travel into restricted areas or leave the City limits. The tracking system software ensures that employees comply with the City's policies pertaining to vehicle usage, as well as ensure that City-owned vehicles are used for approved City business. Each department has a designated user that has access to the web-based system to monitor their department's City vehicles with a tracking device that is located in each City vehicle.

In about June 2008, the City had purchased and installed GPS tracking equipment on City-owned vehicles in efforts to monitor driver activities and productivity on a daily basis, and ensure accountability and safety of the City's vehicle fleet. While there were no reoccurring costs for the monitoring equipment, there were annual software monitoring and maintenance fees, along with required technical support to continue use of the system.

The Fleet Services Division was previously under General Services Department (GS). They were aware that the 2008 GPS system was lacking in some aspects for the City's needs. GS contacted a vendor and tested 3 of the units (at no cost to the City) and were determined to provide the desired services to the City. GS then started the process to solicit/acquire a more suitable GPS system in late FY 2015-16.

During the FY 2016-17 budget process, Fleet Services Division was transferred under the Public Works Department and will be completing the acquisition process for new GPS system vendor services.

#5.

Staff Report – Resolution Authorizing GPS Monitoring
Service Agreement/Forwarding Thinking Systems, LLC
October 11, 2016,
Page 2 of 2

STATEMENT OF THE ISSUE

GPS monitoring system services were solicited among three companies. Two responses were received and reviewed. Forward Thinking Systems, LLC (FTS) provided monitoring software and support services to the City during late FY 2015-16. The annual fee for these services was under the prior spending authority (\$25,000) of the City Manager. To ensure uninterrupted operations and monitoring of the City's vehicles, staff recommends a three (3) year agreement with FTS, which provides costs savings to the City in that the annual software and support fees will remain the same for each year of the agreement to continue utilizing the software monitoring system for the City-owned fleet of 180 vehicles.

FISCAL IMPACT

The service fees for the GPS software monitoring system is Eighteen Hundred Dollars (\$1,800), amounting to a total expenditure for the entire three (3) year agreement (i.e. Fiscal Years 2016-2017 through 2018-2019) of Sixty Four Thousand Eight Hundred Dollars (\$64,800.00).

<u>Fiscal Year</u>	<u>Monthly</u>	<u>Annual</u>
2016-2017	\$1,800.00	\$21,600.00
2017-2018	\$1,800.00	\$21,600.00
2018-2019	\$1,800.00	\$21,600.00

Funds for services to be rendered in Fiscal Year 2016-2017, in the amount of Twenty One Thousand Six Hundred Dollars (\$21,600.00) are available in the Public Works Department's 2016-2017 Fiscal Year's budget in Account Number 6000-720-000-4269. The remainder of the total funds needed for this agreement will be requested within future City budgets.

ALTERNATIVES

No alternatives are recommended at this time. City vehicle activity can not be properly accounted for without the monitoring system in place.

RECOMMENDATION

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

**GLEN W. C. KAU, DIRECTOR
PUBLIC WORKS DEPARTMENT**

**VAN WILSON, DIRECTOR
GENERAL SERVICES**

APPROVED FOR FORWARDING:

**JEROME G. GROOMES
INTERIM CITY MANAGER**

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A THREE
(3) YEAR GPS MONITORING SOFTWARE AGREEMENT AND ISSUE A
PURCHASE ORDER TO FORWARD THINKING SYSTEMS, LLC (\$21,600)**

WHEREAS, in 2008 the City purchased and installed Global Positioning System (“GPS”) tracking equipment on City-owned vehicles in efforts to monitor driver activities and productivity on a daily basis, and ensure accountability and safety of the City’s vehicle fleet, and while there are no reoccurring costs for the monitoring equipment, there are annual software monitoring and maintenance fees, along with required technical support to continue use of the system; and

WHEREAS, the GPS monitoring software system displays each vehicle’s current location and duration there; allows supervisors and department managers to determine if there are potential safety issues due to vehicles idling at unauthorized locations for an extended period of time; alerts users when vehicles travel into restricted areas or leave the City limits; and, ensures that employees comply with the City’s policies pertaining to use of City vehicles as well as that City-owned vehicles are not used for unauthorized activities; and

WHEREAS, Forward Thinking Systems, LLC (“FTS”) provided monitoring software and support services to the City for Fiscal Year 2015-2016 and in order to avoid any interruption in the monitoring of the City’s vehicles, staff recommends that a three (3) year agreement be entered with FTS – this provides a costs savings to the City in that the annual software and support fees will remain the same for each year of the agreement -- to continue utilizing the software monitoring system for the 180 City-owned vehicles; and

WHEREAS, the service fees for the GPS software monitoring system is Eighteen Hundred Dollars (\$1,800.00), amounting to a total expenditure for the entire three (3) year agreement (i.e. Fiscal Years 2016-2017 through 2018-2019) of Sixty Four Thousand Eight Hundred Dollars (\$64,800.00); and

WHEREAS, funds for services rendered in Fiscal Year 2016-2017 are available in the 2016-2017 Fiscal Year budget.

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

SECTION 1. That the Interim City Manager, on the advice and approval of the City Attorney is hereby authorized to enter into a three (3) year (i.e. July 1, 2016 through June 30, 2019) Global Positioning System monitoring software and services agreement with Forward Thinking Systems, LLC for the GPS monitoring of 180 City-owned vehicles at the cost of Eighteen Hundred Dollars (\$1,800.00) per month for service fees.

SECTION 2. That a purchase order is authorized to be issued in the amount of Twenty One Thousand Six Hundred (\$21,600.00) for Forward Thinking Systems, LLC for fees and services rendered during Fiscal Year 2016-2017. Funds for the remaining years of the agreement will be allocated in future City budgets.

SECTION 3. That funds for this expenditure are available in the Public Works Department’s 2016-2017 Fiscal Year budget in Account No. 6000-720-000-4269.

SECTION 4. That a copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Attorney, City Clerk and Public Works Department.

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

ADOPTED this ____ day of _____, 2016.

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 _____, 2016.

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

**Box 1: CUSTOMER INFORMATION**

Customer Legal Name	Tax ID	Company Type	PO Number	Effective Date
City of Compton	95-60000696	Other	N/A	07/01/2016
Authorized Purchaser (First & Last Name)		E-Mail	Phone	

BILLING INFORMATION

Contact Person	Phone	Fax	E-mail	
Glen Kau P/W Director	310-605-5519	N/A	gkau@comptoncity.org	
Billing Address	Suite/Unit	City	State	Zip Code
205 South Willowbrook	N/A	Compton	CA	90220
Country				
US				

SHIPPING INFORMATION

Contact Person	Phone	Fax	E-mail	
Same	Same	Same	Same	
Shipping Address	Suite/Unit	City	State	Zip Code
Same	Same	Same	Same	Same
Country				
US				

Box 2: EQUIPMENT PURCHASE AND ONE TIME FEES

PART NUMBER	QTY	EQUIPMENT / DESCRIPTION	ITEM PRICE	LINE TOTAL
001	180	Renewal OBDII Units	\$0.00	\$0.00
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
			\$	\$
Box 2: Total Purchase Price (taxes not included)				\$0.00
ONE TIME FEES	QTY	FEE DESCRIPTION	ITEM PRICE	LINE TOTAL
			\$	\$
			\$	\$
			\$	\$
			\$	\$
Box 2: Total One Time Fees (taxes not included)				\$

Box 3: MONTHLY SERVICE FEES

PART NUMBER	QTY	FEE DESCRIPTION	ITEM PRICE	LINE TOTAL
001	180	Renewal OBDII Tracking Units	\$10.00	\$1800.00
			\$	\$
			\$	\$
			\$	\$
Box 3: Total Monthly Service Fees (taxes not included)				\$1800.00

Box 4: SERVICE & PURCHASE INFORMATION

<i>Service Period</i> 36 Months	<i>Purchase Type</i> Monitoring Services
<i>Equipment Installation</i> Self- Installation	<i>Installation Notes</i> Renewal, equipment already installed.
ADDITIONAL NOTES AND COMMENTS	
N/A	

Box 5: TOTALS & PAYMENTS

TOTALS	
Equipment and one time fees (from box 2)	\$0.00
Total Monthly Service Fees (from box 3)	\$1800.00
Tax	\$
Purchase Agreement Total	\$64,800.00
PAYMENTS	
Down payment	\$
Balance due at signing (billed/charged at Agreement processing)	\$
Remaining balance due over service period payable monthly	\$

By execution below, the parties hereby agree to this Hardware / Software Purchase Agreement and Equipment Warranty and the Terms and Conditions attached hereto and made a part hereof, the signatory executing below on behalf of the Customer represents that he/she is an authorized representative of Customer and that he/she has the authority to legally and financially bind and commit the Customer. This Agreement shall apply to all quotations made and purchase orders accepted by Forward Thinking Systems LLC ("Forward Thinking Systems"). Any additional or different terms or conditions in any communication by Customer or Forward Thinking Systems (whether in a purchase order or otherwise) are rejected and shall be null and void, irrespective of the means of Customer's acceptance. Forward Thinking System's failure to object to any additional or different provisions proposed by Customer shall not constitute a waiver of any term or condition in this Agreement, nor constitute acceptance of any such Customer's terms and conditions. The obligations of Forward Thinking Systems under this Agreement shall be conditioned upon its receipt of the "balance due at signing" listed above.

FORWARD THINKING SYSTEMS

<i>Sales Representative Signature</i>	<i>FTS Approval By</i>
<i>Print Signor's Name</i> Nia Starke	
<i>Print Signor's Title</i> Onboarding Manager	<i>Date</i> 07/01/2016

CUSTOMER

<i>Customer's Signature</i>	
<i>Print Signor's Name</i> Jerome G. Groomes	
<i>Print Signor's Name</i> City Manager	<i>Date</i>



HARDWARE / SERVICE PURCHASE AGREEMENT AND EQUIPMENT WARRANTY TERMS AND CONDITIONS

1. **Equipment Purchase.** (a) **Equipment and Delivery.** Customer agrees to purchase from Forward Thinking Systems such items and equipment as are more specifically described in Box 2 of the Cover Page hereto (hereinafter the "Equipment"). Customer acknowledges that it has ordered certain subscriptions to the Forward Thinking Systems services described in Box 3 of the Cover Page (hereinafter the "Service"). Customer shall use the Equipment solely for Customer's internal business use in connection with the Service. Risk of loss in and to the Equipment shall pass to Customer F.O.B. Forward Thinking Systems' loading dock. Forward Thinking Systems shall not be liable for any delay in transportation of the Equipment. Customer's use of the Equipment shall be contingent upon its continued use of and access to the Service.

(b) **Purchase Price.** Customer shall pay the Purchase Price for the Equipment. Customer method of purchase will be set forth in Box 2 of the Cover Page hereto. The "Purchase Price" shall be defined as the Total Purchase Price for the Equipment, as set forth in Box 2. Forward Thinking Systems shall invoice the Total Purchase Price as well as any One-Time Fees set forth in Box 2 upon the earlier of (a) the date upon which such Equipment is installed in Customer's vehicles, or (b) thirty (30) days from the Effective Date of this Agreement. Until Forward Thinking Systems has received full payment of the Purchase Price, Forward Thinking Systems shall retain a purchase money security interest in the Equipment, and Customer agrees to execute any documents requested by Forward Thinking Systems to perfect such security interest. All charges, fees and prices herein are exclusive of all federal, state and local withholding, excise, sales, use and similar taxes, fees, surcharges and other charges imposed by any governmental authority. Customer shall pay, at the time of sale or thereafter, all taxes, fees, surcharges and other charges arising out of Customer's purchase of the Equipment, unless Customer can show documentation satisfactory to Forward Thinking Systems that it is exempt from same.

(c) **Service Fees.** Customer shall pay Service Fees for use of the Fast Forward GPS System. The "Service Period" shall be for the length of time specified in Box 4 and shall begin upon the earlier of (a) the date upon which Equipment is installed in Customer's vehicles as per Box 2, or (b) thirty (30) days from the Effective Date of this Agreement. The "Service Fees" shall be equal to the Monthly Service Fees specified in Box 3 and shall be payable monthly for the length of the "Service Period". Termination or expiration of this Agreement shall not relieve Customer of its obligation to pay in full all remaining Service Fees. In the event this Agreement becomes terminated prior to such time as Customer has paid in full all outstanding Fast Forward GPS Service Fees, Forward Thinking Systems may accelerate collection and seek payment of all then-unpaid monthly charges as of the date of termination. Forward Thinking Systems shall invoice the first month's Service Fees thirty (30) days from the start of the "Service Period". Forward Thinking Systems reserves that right, during the Service Period, to suspend Customer's use of and access to the Service in the event that Customer fails to pay any invoice not in good faith disputed by Customer within thirty (30) days of its issuance to Customer. Any payments not made by Customer to Seller when due shall begin to bear interest at the rate of 1.0% per month as of the date on which such payment is due. All charges, fees and prices herein are exclusive of all federal, state and local withholding, excise, sales, use and similar taxes, fees, surcharges and other charges imposed by any governmental authority. Customer shall pay, at the time of sale or thereafter, all taxes, fees, surcharges and other charges arising out of use of Fast Forward GPS, unless Customer can show documentation satisfactory to Forward Thinking Systems that it is exempt from same.

2. **Shipment and Installation.** Forward Thinking Systems shall begin shipment or installation of the Equipment pursuant to the Release Schedule set forth on Box 4 on the Cover Page, or, if none, after the Effective Date. Forward Thinking Systems or its assignee, agent or subcontractor may provide one-time Standard Installation services (as defined below) of the Equipment. The parties shall each make commercially reasonable efforts to schedule and complete Standard Installation of the products within forty-five (45) days of the date Forward Thinking Systems ships the Equipment to Customer. Standard Installation services include installation of Internet Location Managers (iLMs) purchased under this Agreement in the kick panel, trunk (interior locations), over cab area in cowl, or under the front seat or dash. Standard Installation further includes the installation of GPS and wireless antennae on the window, dash, rear window deck, roof or trunk lid. Standard Installation shall include only installations performed between 8:00 a.m. and 5:00 p.m., Monday through Friday, local time. Forward Thinking Systems may charge, and Customer shall pay, an incremental fee based on Forward Thinking Systems' then-current fees for any non-Standard Installation services. Customer acknowledges that, in connection with the installation and maintenance of the Equipment, Forward Thinking Systems or its assignees, agents and contractors may modify or alter, including without limitation drill holes, cut panels and body or rewire, Customer's vehicles. Forward Thinking Systems will not be responsible for, and makes no assurances regarding, the restoration of Customer's vehicles to their unmodified or unaltered condition if the Equipment is removed. Only Forward Thinking Systems-authorized installation agents shall perform installation services.

3. **Equipment Warranty.** (a) **Limited Warranty.** Unless Customer has purchased from Forward Thinking Systems an Extended Warranty under this Agreement (which, in such event, shall extend the Warranty Period hereunder but shall not otherwise affect the terms of this Section 3), Forward Thinking Systems warrants that for a period of twelve (12) months from the Effective Date of this Agreement (the "Warranty Period"), all Equipment: (i) will be free from material defects in materials and workmanship, and (ii) will substantially conform to any specifications provided to and/or made available to Customer and pertaining to such Equipment. The foregoing warranties do not extend to: (i) any failure in the Equipment due to accident, abuse, misuse or negligent use of the Equipment; (ii) any failure resulting from use in other than a normal and customary manner under normal environmental conditions and conforming to the Equipment's instructions; (iii) any failure in the Equipment caused by failing to follow prescribed operating maintenance procedures; (iv) any failure in the Equipment due to modifications, alterations, additions or changes to the Equipment not made or authorized to be made by Forward Thinking Systems; or (v) damage caused by force of nature, external causes, or act of any third party (other than Forward Thinking Systems or its duly-authorized representative). The foregoing warranties are void and of no force or effect if any Equipment is installed or serviced by any party other than Forward Thinking Systems or an installation/repair agent authorized by Forward Thinking Systems.

(b) **Warranty Procedures.** Customer will, within the Warranty Period, notify Forward Thinking Systems in writing via Forward Thinking Systems' online service request system (located behind the customer login at www.ft-sys.com/gps) of any Equipment containing defects Customer believes to be covered by the limited warranties provided in paragraph (a) of this Section (the "Limited Warranty"), and will request a Returned Material Authorization ("RMA") number from Forward Thinking Systems. Provided the defects complained are covered under this Limited Warranty, Forward Thinking Systems will (i) issue an RMA number to Customer promptly following receipt of the request or (ii) arrange with Customer for a Forward Thinking Systems-authorized agent to inspect the Equipment at Customer's location; the Forward Thinking Systems-authorized agent may issue an RMA number after its inspection.

Upon issuance of the RMA number to Customer, Forward Thinking Systems shall, at its sole option and expense, repair or replace the defective Equipment. In the event Forward Thinking Systems replaces the defective Equipment, Forward Thinking Systems shall ship the replacement Equipment to Customer, and shall include therewith written RMA instructions setting forth the steps required by Customer to return the defective Equipment. Equipment must be removed in the same manner as it states in Box 4 and Customer shall promptly return said defective Equipment in accordance with said RMA instructions. If defective Equipment is received by Forward Thinking Systems during the applicable Warranty Period, and provided Forward Thinking Systems determines, in its reasonable discretion, that the defect in the Equipment is covered by this Limited Warranty, Forward Thinking Systems will provide such replacement or repair services at no additional cost to Customer. Notwithstanding the foregoing, however, in the event the replacement Equipment is received after expiration of the Warranty Period, or in the event the defective Equipment is not covered by this Limited Warranty, Forward Thinking Systems shall charge Customer, and Customer shall pay to Forward Thinking Systems, for such replacement Equipment or repair services, at Forward Thinking Systems' then-current list prices; further, in such event, Customer shall be liable for any shipping and insurance charges incurred in connection with shipment of the defective Equipment and/or replacement Equipment (as the case may be). This Section states Customer's sole remedy, and the sole liability of Forward Thinking Systems, arising out of the Limited Warranty provided by Forward Thinking Systems.

4 Software License. "Software" means any software product delivered by Forward Thinking Systems to Customer in connection with the Equipment. Subject to the terms of this Agreement and Customer's payment of all fees required under this Agreement, Forward Thinking Systems hereby grants to Customer a limited, non-transferable, non-exclusive right and license to use the Software in object code form only solely in conjunction with Customer's access and use of the Equipment and Service, and solely for Customer's internal business purposes. The Software is licensed, not sold. The foregoing license shall not include any right to: (i) copy, reproduce, modify or create any derivative work of any Software; (ii) sell, rent, lease, loan, license, sublicense, provide, distribute or otherwise transfer Software to any third party; (iii) use the Software for third-party training, commercial time-sharing or service bureau use; (iv) cause or permit the disassembly, decompilation, or reverse engineering of any Software or otherwise attempt to gain access to the source code of any Software; or (v) cause or permit any third party to do any of the foregoing. Customer receives no title or ownership rights to any Software. Except for the licenses granted in this Section, all right, title and interest in the Software shall remain the exclusive property of Forward Thinking Systems or its licensors.

5. Disclaimer. EXCEPT AS EXPRESSLY SET FORTH IN THIS AGREEMENT, FORWARD THINKING SYSTEMS MAKES, AND CUSTOMER RECEIVES, NO REPRESENTATIONS OR WARRANTIES, EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, WITH RESPECT TO THE EQUIPMENT, THE SERVICE, AND/OR THE SOFTWARE, AND FORWARD THINKING SYSTEMS SPECIFICALLY DISCLAIMS ALL OTHER WARRANTIES AND REPRESENTATIONS, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, TITLE, OR NONINFRINGEMENT, AND ANY WARRANTIES ARISING FROM A COURSE OF DEALING OR USAGE OF TRADE.

6. Limitation of Liability. FORWARD THINKING SYSTEMS SHALL NOT BE LIABLE FOR COSTS OF PROCUREMENT OF SUBSTITUTE PRODUCTS OR SERVICES, NOR FOR ANY LOSS OF BUSINESS, REVENUE OR DATA; INTERRUPTION OF BUSINESS; LOST PROFITS OR GOODWILL; INCREASED COSTS OF OPERATION; OR OTHER INDIRECT, SPECIAL, INCIDENTAL, EXEMPLARY, RELIANCE, PUNITIVE OR CONSEQUENTIAL DAMAGES OF ANY KIND ARISING OUT OF OR UNDER THIS AGREEMENT, EVEN IF FORWARD THINKING SYSTEMS HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH. IN NO EVENT SHALL THE TOTAL LIABILITY OF FORWARD THINKING SYSTEMS ARISING OUT OF OR UNDER THIS AGREEMENT, OR FOR BREACH OF THIS AGREEMENT, EXCEED THE AMOUNT PAID TO FORWARD THINKING SYSTEMS UNDER THIS AGREEMENT. THE LIMITATIONS IN THIS SECTION SHALL APPLY NOTWITHSTANDING ANY FAILURE OF ESSENTIAL PURPOSE OF ANY LIMITED REMEDY AND APPLY WHETHER THE CLAIM IS BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE), STATUTE, FRAUD, MISREPRESENTATION, OR OTHER LEGAL OR EQUITABLE THEORY. FORWARD THINKING SYSTEMS SHALL NOT BE RESPONSIBLE FOR (A) ANY CLAIMS AGAINST FORWARD THINKING SYSTEMS THAT ARISE FROM OR RELATE TO CUSTOMER'S USE OF THE EQUIPMENT OR (B) ANY THIRD-PARTY CLAIMS AGAINST CUSTOMER.

7. General Provisions.

(a) **Entire Agreement.** This Agreement constitutes the entire agreement between the parties and supersedes all previous agreements, understandings, statements, communications, representations and proposals, whether oral or written, with respect to the subject matter hereof. This Agreement does not apply to the sale of goods under U.S. Government Contract Regulations, regardless of whether such provisions are on any Customer-supplied purchase order. In the case of a government contract, the applicable government regulations shall be only those which are mandatory for Forward Thinking Systems under U.S. Government Federal Acquisition Streamline Act provisions as a subcontractor and which have been agreed to by Forward Thinking Systems in an attached Rider. The United Nations Convention on Contracts for the International Sale of Goods shall not apply to this Agreement.

(b) **Dispute Resolution.** Any dispute between the parties relating to or arising out of this Agreement, whether or not a contract dispute, shall be determined by binding and non-appealable arbitration under the applicable rules of the American Arbitration Association ("AAA"). The arbitration shall be conducted by a single arbitrator chosen by the parties, or, if the parties cannot agree upon a single arbitrator within 15 days of a party submitting a proposal, then by a single arbitrator appointed by the Los Angeles, California office of AAA. The arbitration shall be administered by the Los Angeles, California office of AAA. The arbitrator shall be authorized to award or apportion attorneys' fees and costs to the prevailing party of the arbitration. If the arbitrator's decision is a compromise, the determination of which party or parties bear the costs and expenses incurred in connection with the arbitration proceeding shall be made by the arbitrator on the basis of the arbitrator's assessment of the extent to which each party prevailed in its position. Notwithstanding the first sentence of this Section, Forward Thinking Systems shall be entitled to seek court-ordered injunctive and other equitable relief upon any actual or threatened breach of Sections 1(a) or 4 of this Agreement, in addition to reimbursement of its attorneys' fees and other costs incurred in obtaining the relief.

(c) **Third Party Beneficiaries.** This Agreement is for the sole benefit of the parties hereto and nothing herein, express or implied, shall give, or be construed to give, any rights hereunder to any other person, including without limitation, any subcontractors, sub-vendors, or anyone designated as a reseller.

(d) **Severability.** If one or more provisions of this Agreement are held to be unenforceable under applicable law, the parties agree to renegotiate such provision in good faith. In the event that the parties cannot reach a mutually agreeable and enforceable replacement, then (i) such provision shall be



excluded from this Agreement, (ii) the balance of the Agreement shall be interpreted as if such provision were so excluded and (iii) the balance of the Agreement shall be enforceable in accordance with its terms. Any waiver by either party of a breach of any provision of this Agreement will not operate as or be construed to be a waiver of any other breach of that or any other provision of this Agreement. Any modifications of this Agreement must be in writing and signed by the duly authorized representative of Customer and a Vice President or President of Forward Thinking Systems.

(e) Force Majeure. No default, delay or failure to perform on the part of Forward Thinking Systems shall be considered a breach of this Agreement if such default, delay or failure to perform is shown to be due to causes beyond the reasonable control of Forward Thinking Systems, including without limitation, failure of a positioning system or wireless or power network or the Internet, strikes, lockouts or other labor disputes, riots, civil disturbances, embargoes, actions or inactions of governmental authorities, carriers or suppliers, epidemics, war, terrorism, severe weather, flood, fire, earthquakes, explosions, volcanic activities, acts of God or the public enemy, nuclear disasters, or default of a common carrier.

(f) Notices. Any notice under this Agreement shall be in writing and shall be sent by facsimile, prepaid registered or certified mail, return receipt requested, internationally recognized courier or personal delivery, addressed to the other party at the following address:

If to Customer: to the contact person and at the billing address as set forth on the Cover Page to this Agreement

If to Forward Thinking Systems: Forward Thinking Systems, Attn: Contracts Administration, 250 Fulton Ave., New Hyde Park, NY 11040, Fax (516) 629-4998

Such notice shall be deemed to have been given upon personal delivery if delivered personally, the next business day if sent by overnight courier, on the fifth (5) business day if sent by registered or certified U.S. mail, or one (1) business day after receipt of successful transmission report if faxed.

(g) Assignment. Customer shall not assign this Agreement, or any rights or obligations hereunder, in whole or in part, voluntarily, by operation of law or otherwise, including by merger, consolidation or acquisition of a controlling interest in a party, without the prior written consent of Forward Thinking Systems. Any attempt by Customer to assign this Agreement or any right or obligation hereunder in violation of this Section will be null and void and will constitute a material breach of this Agreement.

(h) Modification of Agreement. This Agreement (and any addendums thereto) may not be modified or amended except by a written document executed by a duly authorized representative of each party.

(i) Waiver. No rights of a party or breach by the other party of any provision hereunder shall be waived by any act, omission, delay or knowledge of a party, except by a written document executed by a duly authorized representative of the waiving party. Any waiver on one occasion shall not constitute a waiver of any prior, concurrent, or subsequent occasions.

(j) Counterparts. This Agreement, and any amendments hereto and any waiver hereof, may be executed in counterparts, all of which taken together shall constitute one single agreement between the parties. If electronic signatures are used for this purpose, either party may print out the faxed or imaged version of the Agreement signed by the other party and then sign in the designated space.

(k) Construction. The captions and article and section headings in this Agreement are for reference purposes only and shall not affect the meaning or interpretation of this Agreement. The term "including" as used herein means "including without limitation." The terms "herein," "hereof," "hereunder," and similar terms refer to the Agreement as a whole, rather than any particular provision. Each party acknowledges that it has had the opportunity to review this Agreement with legal counsel. Any rule of construction that resolves ambiguities against the drafting party shall not apply in this interpretation of the Agreement.

Hardware/Service Purchase Agreement & Warranty
Between
City of Compton
and
Forward Thinking Systems LLC

[Public Works/Resolution No. _____]
Fiscal Years 2016-17 thru 2018-19

Approved as to form:

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

ATTEST:

By _____ Dated: _____
Alita Godwin, City Clerk

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

Public Works-Engineering

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO A THREE (3) YEAR GPS MONITORING SOFTWARE AGREEMENT AND ISSUE A PURCHASE ORDER TO FORWARD THINKING SYSTEMS, LLC (\$21,600)

Glen Kau

DEPARTMENT MANAGER’S SIGNATURE

10/4/2016 5:37:16 PM

DATE

REVIEW / APPROVAL

Ruth Rugley

CITY ATTORNEY

10/6/2016 1:28:32 PM

DATE

Barbara Rumbaoa

CITY CONTROLLER

10/6/2016 12:47:56 PM

DATE

Alma Martinez

CITY MANAGER

10/6/2016 10:49:14 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.

TO: MAYOR AND COUNCIL MEMBERS CITY

FROM: BRIAN BATISTE FIRE CHIEF

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE FIRE DEPARTMENT TO ENTER INTO PREVENTIVE MAINTENANCE AND REPAIR AGREEMENT'S WITH SOUTHERN CALIFORNIA FLEET SERVICES INC/ SOUTHERN CALIFORNIA FIRE SERVICES INC AND SANTA FE SPRINGS FIRE FOR ROUTINE MAINTENANCE AND REPAIR ON CITY FIRE APPARATUS IN THE AMOUNT OF \$110,000.

SUMMARY

This resolution authorizes the City Manager to establish Purchase Orders with Southern California Fleet Services Inc./DBA Southern California Fire Services, Inc. in the amount of Eighty Thousand Dollars (\$80,000 Dollars) and Santa Fe Springs Fire in the amount of Thirty Thousand Dollars (\$30,000.00 Dollars) for routine maintenance and repair of Fire Department Apparatus.

BACKGROUND

Three bids were collected from three individual vendors; Southern California Fleet Services Inc./DBA Southern California Fire Services, Inc., Santa Fe Spring Fire and Fire Apparatus Solutions. Based on the Fire Departments needs, in terms of quality and apparatus returned expeditiously in a ready to go condition, Southern California Fleet Services Inc./DBA Southern California Fire Services, Inc and Santa Fe Springs Fire provided the most responsive and responsible bids.

The Fire Department is requesting two (2) purchase orders to ensure that when one vendor is inundated with work, the other vendor can be called upon to provide the needed service to keep our apparatus in service and not out of service waiting on repair.

Both of these vendors provide competitive pricing and have an experienced and professional staff of diesel mechanics to meet the Fire Departments maintenance and repair needs. Additionally, both vendors provide other services such as pick-up and

#6.

delivery and emergency road side services. Therefore, it would be in the best interest of the City of Compton Fire Department to use Southern California Fleet Services Inc. /DBA Southern California Fire Services, Inc. and Santa Fe Springs Fire as a back-up to provide apparatus maintenance and repair for the 2016-2017 Fiscal Year.

STATEMENT OF THE ISSUE

Annual Apparatus Maintenance and Repair for the Fire Departments' emergency vehicles are essential for safe and efficient emergency response and operation. The Department performs routine apparatus and equipment inspections on all apparatus daily to ensure that preventive maintenance guidelines are adhered to and that there are no defects with regard to Fire Engine Operations. Furthermore, all vehicles are required to meet the Department of Transportation and California Highway Patrol regulatory statutes with regards to emergency vehicles.

Due to our Department's high volume of emergency responses and our aging fleet of apparatus it is imperative that we employ experienced and proven vendors to maintain the operability of the Fire Department's Emergency Vehicles. The City of Compton has no vendor in the city's boundaries that provide maintenance and repair for Fire Apparatus.

City Council approval is needed because the expenditure is in excess of \$5,000.00 Dollars.

ANALYSIS/ALTERNATIVE

The alternative would be for the Fire Department to use other vendors that have a much smaller staff of diesel mechanics and do not have the experience working with First Responder Apparatus, unlike the selected vendors we have chosen above. This would not be a responsible decision in terms of effective and efficient management of the City's resources. The two vendors that were not selected have very competitive pricing. However, the other vendor is newly established and do not have a staff large enough to accommodate our apparatus maintenance and repair needs.

FISCAL IMPACT

Total estimated cost of future preventive maintenance and repair to the Fire Department's Emergency Apparatus are **ONE HUNDRED TENTHOUND DOLLARS (\$110,000.00)**. The funds for said purchase orders shall come from the Fire Department's 2016 - 17 Fiscal Year Budget, **Account No. 10016900004229**

RECOMMENDATION

It is recommended that Council approve the attached resolution,

BRIAN BATISTE
FIRE CHIEF

Jerome G. Groomes
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE FIRE DEPARTMENT TO ENTER INTO PREVENTIVE MAINTENANCE AND REPAIR AGREEMENT'S WITH SOUTHERN CALIFORNIA FLEET SERVICES, INC./DBA SOUTHERN CALIFORNIA FIRE SERVICES, INC. AND SANTA FE SPRINGS FIRE AND RESCUE FOR ROUTINE MAINTENANCE AND REPAIR ON CITY FIRE EMERGENCY APPARATUS IN THE AMOUNT OF \$110,000.00

WHEREAS, the Fire Department needs its apparatus to be maintained in a constant state of readiness to respond to emergent situations; and

WHEREAS, three proposals were collected (Southern California Fire Services Inc., Santa Fe Springs Fire and Fire Apparatus Solutions for apparatus repair and maintenance; and

WHEREAS, The Fire Department would like to contract with two vendors; ensuring that when one vendor is inundated with work, the Fire Department has the option of sending Fire Apparatus to the other vendor; and

WHEREAS, the City of Compton does not have a diesel service center that provides specialized service and repair for fire apparatus; and

WHEREAS, Southern California Fire Services Inc, and Santa Fe Springs Fire provided the most responsive and competitive proposals; and

WHEREAS, Southern California Fire Services Inc, and Santa Fe Springs are local vendors who have provided the fire department with this service at a responsible price and in a professional manner in the past; and

WHEREAS, adequate funds for the purchase order is allocated in account 10016900004229 of the Fire Department's 2016-17 Fiscal Year Budget; and

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

Section 1. That the City Manager is authorized to execute a purchase order to **Southern California Fleet Services Inc./DBA Southern California Fire Services Inc./** in an amount not to exceed **Eighty Thousand Dollars and No Cents (\$80,000.00)** and a purchase order to **Santa Fe Springs Fire** in an amount not to exceed **Thirty Thousand Dollars and No cents (\$30,000.00)**

Section 2. That the funds for said purchase order shall come from the Fire Department's 2016-17 Fiscal Year Budget, **Account No. 10016900004229.**

Section 3. That a copy of this resolution shall be filed in the offices of the City Manager, City Controller and the Fire Department.

Section 4. That the Mayor shall sign and the City Clerk shall attest to the adoption of this resolution.

ADOPTED this _____ day of _____, 2016

MAYOR OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE TWO

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 to by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2016.

That this resolution was adopted by the following vote, to wit:

AYES: Council Members -
NOES: Council Members -
ABSTAINS: Council Members -
ABSENT: Council Members -

CITY CLERK OF THE CITY OF COMPTON

9/28/2016 1:52:15 PMJerry Groomes

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Fire Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE FIRE DEPARTMENT TO ENTER INTO PREVENTIVE MAINTENANCE AND REPAIR AGREEMENT’S WITH SOUTHERN CALIFORNIA FLEET SERVICES INC/ SOUTHERN CALIFORNIA FIRE SERVICES INC AND SANTA FE SPRINGS FIRE FOR ROUTINE MAINTENANCE AND REPAIR ON CITY FIRE APPARATUS IN THE AMOUNT OF \$110,000.

Bryan Batiste
DEPARTMENT MANAGER’S SIGNATURE

9/28/2016 1:42:06 PM
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

Bob Torrez
CITY CONTROLLER

9/29/2016 9:27:00AM
DATE

Jerome Groomes
CITY MANAGER

9/29/2016 9:05 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.

October 11, 2016

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: GLEN W.C. KAU, P.E., DIRECTOR
PUBLIC WORKS DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A
PURCHASE ORDER TO CREATIVE BUS SALES FOR THE
PROCUREMENT OF TWO (2) CLEAN AIR BUSES FOR THE FIXED
ROUTE TRANSIT SERVICES (\$332,794.64)**

SUMMARY

This resolution authorizes the Interim City Manager to issue a purchase order in the amount of Three Hundred Thirty Two Thousand Seven Hundred Ninety Four Dollars and Sixty-Four Cents (\$332,794.64) to Creative Bus Sales ("Creative") for the procurement of two (2) clean air buses for the City's fixed route transit services.

BACKGROUND

On November 25, 2014, pursuant to Resolution No. 24,047, the City Council authorized a three (3) year agreement (November 19, 2014 through November 18, 2017) with MV Transportation, Inc. for the provision of fixed route transit services for the City of Compton. Pursuant to the transit agreement, the City is responsible to provide at least five (5) transit vehicles for MV Transportation to use in providing fixed route transit services for the City; however, due to major mechanical problems (engine repair), at least two of the City-owned transit vehicles were placed out-of-service and not available for use by MV Transportation to perform the transit services.

On July 5, 2016, pursuant to Resolution No. 24,380, City Council authorized the City Manager to enter into a transit vehicle lease agreement with MV Transportation, Inc. for a month-to-month lease of two transit vehicles for use in providing fixed transit services until the transit vehicles can be replaced by the City.

STATEMENT OF ISSUE

On August 24, 2016, Creative Bus Sales submitted a proposal to the City to purchase two (2) 2016 El Dorado National Aero Elite For F550 Cutaway 24-passenger plus 2 wheelchair position buses at a cost of \$166,397.32 per bus, for a total cost of \$332,794.64. All applicable taxes, fees, etc., are included in the purchase price.

The City is able to acquire this cost through the CalAct/MBTA Vehicle Purchasing Cooperative Program. As a member of CalAct, the City is able to purchase a variety of transit vehicles through the CalAct/MBTA purchasing cooperative. CalAct solicits and acquires costs for transit related equipment and services and has an established, pre-authorized list of businesses that, through agreement with CalAct provide the most competitive costs to CalAct members.

The cooperative provides for federal and California State compliant purchasing solutions that allows entities to select the vehicles that best meets their transit needs. The delivery time for the two 24-passenger fixed transit buses is 180 days from receipt of order.

In order to purchase two (2) 24-passengerplus 2 wheelchair position buses for the City's fixed route transit services, City Council authorization is necessary.

FISCAL IMPACT

Funds in the amount of \$332,794.64 are available in the Public Works Department's approved FY 2016-17 budget in Account No. 2000-710-000-4269 (Prop A). There is no impact to the General Fund.

ALTERNATIVE

No proposed. As indicated above, contractually the City is obligated to provide at least five (5) transit vehicles for use by our contracted operator, MV Transportation, to provide fixed route transit services to the community.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

**GLEN W.C. KAU, P.E., DIRECTOR
PUBLIC WORKS DEPARTMENT**

APPROVED FOR FORWARDING:

**JEROME GROOMES
INTERIM CITY MANAGER**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER
TO CREATIVE BUS SALES FOR THE PROCUREMENT OF TWO (2) CLEAN AIR
BUSES FOR THE FIXED ROUTE TRANSIT SERVICES (\$332,794.64)**

WHEREAS, on November 25, 2014, pursuant to Resolution No. 24,047, the City Council authorized a three (3) year agreement (November 19, 2014 through November 18, 2017) with MV Transportation, Inc. for the provision of fixed route transit services for the City of Compton; and

WHEREAS, pursuant to the transit agreement, the City is responsible to provide at least five (5) transit vehicles for MV Transportation to use in providing fixed route transit services for the City; however, due to major mechanical problems (engine repair), at least two of the City-owned transit vehicles were placed out-of-service and not available for use by MV Transportation to perform the transit services; and

WHEREAS, on July 5, 2016, pursuant to Resolution No. 24,380, City Council authorized the City Manager to enter into a transit vehicle lease agreement with MV Transportation, Inc. for a month-to-month lease of two transit vehicles for use in providing fixed transit services until the transit vehicles can be replaced by the City; and

WHEREAS, on August 24, 2016, Creative Bus Sales submitted a proposal to the City to purchase two (2) 2016 El Dorado National Aero Elite For F550 Cutaway 24-passenger +2 wheelchair position buses for \$166,397.32 per bus at a total cost of \$332,794.64; and

WHEREAS, this cost is based upon the City being able to “piggyback” off of the CalAct/MBTA Vehicle Purchasing Cooperative program and as a member of the CalAct, the City is able to purchase a variety of transit vehicles from the CalAct/MBTA purchasing cooperative which provides for federal and California State compliant purchasing solutions that allows entities to select the vehicles that best meets their transit needs; and

WHEREAS, funds in the amount of \$332,794.64 are available in the Public Works Department’s 2016-2017 Fiscal Year budget in Account No. 2000-710-000-4269.

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

SECTION 1. That the Interim City Manager is hereby authorized to issue a purchase order in the amount of \$332,794.64 to Creative Bus Sales for procurement of two (2) clean air buses for the fixed route transit services.

SECTION 2. That funds in the amount of \$332,794.64 are available in the Public Works Department’s 2016-2017 Fiscal Year budget in Account No. 2000-710-000-4269.

SECTION 3. That a certified copy of this Resolution shall be filed in the offices of the City Clerk, City Manager, City Controller and Public Works Department.

SECTION 4. That the Mayor shall sign and City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2016.

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 of the City of Compton, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2016.

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



Creative Bus Sales

14740 Ramona Avenue, Chino, California 91710

8/24/2016

Creative Bus Sales Proposal for City of Compton



(Bus photo is not to exact specifications.)

**CalACT Type E Cutaway ADA Bus for
24-Ambulatory Passengers + 2-Wheelchair Positions or 30-Ambulatory Passengers
Pricing based off of CalACT / MBTA Vehicle Purchasing Cooperative**

- Proposal Made To:
 - Mr. John Strickland
 - City of Compton
 - 205 South Willowbrook Avenue
 - Compton, CA 90220
 - jstrickland@comptoncity.org
 - 310.605.5505
- Piggyback Options: CalACT / MBTA Bid (Class E)
- Delivery Timeline: Approximately 150 to 180-Days
- Eldorado National Aero Elite Ford F550 Cutaway Bus
- 2016 Ford F550 Cutaway Bus with 6.8L V10 Gasoline Engine With CNG Upfit
- 24-Ambulatory Passengers + 2-Wheelchair Positions or 30-Ambulatory Passengers (32.5 Feet)
- Braun Century Wheelchair Lift (Rear)
- Restraints: Q-Straint 8100 Deluxe with Knobs
- 2-Rows of L-Track On Floor in Wheelchair Area Per Wheelchair Position
- Flooring: Altro Grey Rubber Flooring
- Passenger Seats: Mid Hi – Docket 90 Grey Vinyl Seats #114
- Driver Seat: USSC G2E in Black Transit Fabric with Seat Belt Alarm
- Standee Line: Yellow
- Please note CalACT Cooperative Bid requires a 1.5% procurement fee per unit purchased. Creative Bus Sales will invoice, collect and remit this fee to CalACT. In addition, if the Agency is not a current member of CalACT you must become a member in order to utilize this procurement. Please contact Jacklyn Montgomery to be approved for purchasing of this contract and to become a member if required. Phone: 916-920-8018 jacklyn@calact.org

From the office of Steve Chung
 Cell 909.549.9398 / Office 800.326.2877 / Fax 909.465.5529
stevec@creativebussales.com
www.creativebussales.com

#7.

- Bus Comes Equipped with All Standard CalACT Equipment (Please see attached)

- **Options:**

• (1) Telma Brake Retarder:	\$9,050.00
• (1) TwinVision Front and Side LED Mobilite:	\$4,095.00
• (1) Foldaway Double Seat:	\$1,050.00
• (2) Double Flip Seats for Rear Wall:	\$1,280.00
• (1) Wheelchair Lift Cover:	\$200.00
• (1) AM/FM/CD/PA System:	Included
• (1) Stop Request System with Lighted Sign:	\$1,500.00
• (1) 110K BTU AC System / Skirt Mounted:	\$5,510.00
• (1) Mor Ryde Suspension	\$1,250.00
• (1) Decal Allowance:	\$2,000.00
• Subtotal for Options:	\$25,935.00

- **CNG Options:**

• (1) 64 GGE Type 3 CNG Conversion:	\$32,500.00
• (1) Amerex Fire Suppression System:	\$3,750.00
• Subtotal for CNG Options:	\$36,250.00

- **Pricing:**

• Base Price:	\$89,209.00
• Total Options:	\$25,935.00
• Total CNG Options:	\$36,250.00
• Ford Mobility Discount:	\$1,000.00
• Document Prep Fee:	\$80.00
• Subtotal:	\$152,474.00
• Non-Taxable ADA Items:	\$12,530.00
• Taxable Amount:	\$139,944.00
• Sales Tax 9.00%:	\$12,594.96
• Subtotal:	\$165,068.96
• DMV Estimated Fee:	Exempt
• DMV Electronic Filing Fee:	\$29.00
• Tire Fee:	\$12.25
• CalACT Procurement Fee (1.5% x \$152,474):	\$2,287.11
• Ford Mobility Discount:	(\$1,000.00)
• Delivery Fee:	No Charge
• Total Cost Per Bus:	\$166,397.32

From the office of Steve Chung
Cell 909.549.9398 / Office 800.326.2877 / Fax 909.465.5529
stevec@creativebussales.com
www.creativebussales.com

CalACT/MBTA Cooperative Purchase
Standard Bus Equipment Specification - Class E – Ford F-550

Ford F-550 – 19,500 gvwr	6.8 Liter V-10 Gasoline	Automatic Transmission
225 Amp Alternator – Min.	Hubodometer	Tire Valve Extensions
Spare Tire – Shipped Loose	Rear Help Bumper w/Hawkeye	As-Built Wiring Diagram
Wiring Diagram on Electrical Panel	Wiring Color & Function Coded	Packard Electrical Connectors
Gateway ILIS w/Fast Idle	LED Exterior Lighting	Daytime Running Lights
Stainless Slide-Out Battery Tray	Battery Disconnect Switch	(2) Batteries
Battery Door Locking Latch	Battery Cable Diagram on Door	Transmission Temp Gauge
Engine Hour Meter	Three Body Grounds	Back-Up Alarm
Frame Corrosion Protection	One-Piece Roof	Stainless Steel Exterior Screws
Docket 90 Seat Covering	Flameblocker Seat Protection	USR Seatbelts
(2) 24" Seatbelt Extenders	Seat Grab Handle	Aisle Side Armrests
Mid-High Back Passenger Seats	G2E - Driver Seat	¾" Exterior Grade Plywood
Coved Flooring	Altro Flooring	Altro Step Edges
Standee Line	Electric Entry Door	Entry Door Key Lock
Entry Door – Park Interlock	Accessible Door – Door Header	Driver Running Board
Driver Entry Grab Handle	Dual Entry Door Grabrails	Overhead Grabrails
Driver Modesty Panel	Plexiglass Upper Modesty Panel	FRP Ceiling/Walls
Fixed Rear Streetside Window	LED Emergency Exit Lights	Insulated Front Cap
Full Undercoating	Steel Wheelwells	Front Mudflaps
70,000 BTU Rear A/C	65,000 BTU Rear Heater	(2) Heater Turn Valves
Silicone Heater Hoses	Braun or Ricon Wheelchair Lift	Dual Lift Doors w/Windows
(2) Wheelchair Restraints	Q'Straint or Surelock	Storage Box for Tiedowns
Web Cutter	Torso Pad	Recessed Front Cap
10lb Fire Extinguisher/Reflectors	16 Unit First Aid Kit	B & R (Hadley) Electric Mirrors
B & R Passenger View Mirror	(6) Interior Lights	Streetside Exhaust
Two-Way Radio Prep	Operations Manual	Blood Borne Pathogen kit
Drivers Coat Hook	Tiedown Training Manual	Chassis – No Tow
ADA Decals	All White Exterior Paint	Recessed Front Exterior Lighting
11" Exterior Step Height	Full PDI Before Delivery	Full Tank of Fuel
4-Wheel Alignment	Headlight Adjustment	Weight Cert/DMV

From the office of Steve Chung
Cell 909.549.9398 / Office 800.326.2877 / Fax 909.465.5529
stevec@creativebussales.com
www.creativebussales.com

[illegible]

Aero Elite

Eldorado
National - Kansas
Thor Industries Commercial Bus Division



25' to 32' Cutaway Bus



Why Buy the Aero Elite?

✓ SAFETY

- Exclusive steel reinforced composite construction has superior impact resistance and is free of rust and corrosion
- Altoona tested to 7 yr/200,000 miles
- Meets FMVSS 220 Rollover Safety Requirements
- ADA compliant
- Weight compliant

✓ COMFORT

- Ideal for long road trips – spacious seating, 80" of interior headroom
- Composite body allows for better heating & cooling

✓ RELIABILITY

- Building quality buses since 1979
- Durable, heavy duty cutaway bus
- Longest established dealer network to take care of you before, during and after your sale
- Modern ISO 9001:2008-certified manufacturing facility
- On-site exclusive test track (Altoona simulated test track)
- On-site state-of-the-art water test booth

Standard Equipment

Chassis

- Deluxe exterior mirror with convex mirror
- Interior driver rear view mirror

Body

- Heavy duty 12-gauge steel rear wrap around bumper powder coated white to match body
- Master electric panel easily accessible in operator compartment
- All wiring color, number, and function coded
- All wiring loomed and secured in position with loom ties
- Door-activated interior lights w/driver override
- Steel-reinforced composite body w/5yr, 100K mile warranty
- Bright white, impact resistant, non corrosive, gel-coated, FRP exterior body panels

- Sidewall features 1/4" steel, diagonally reinforced passenger area crash barrier which includes seat mounting track
- Ford's floor frame consists of 2" x 2", 11-gauge outriggers mounted on 11-gauge C-channel mounted on rubber shock dampeners
- Trac Lok seat track allows easy seat moving or removal
- 3/4" exterior grade plywood floor undercoated and edge sealed prior to installation
- Stainless steel safety stanchions on each side of the aisle at entry
- Curb side modesty panel with entry assist handrail
- Passenger windows are top T-slide ventilating w/maximum tinting
- All stainless steel powder coated entry and wheelchair door frames

Popular Optional Equipment

HVAC

- Passenger A/C ranging from 48,000 to 114,000 BTU
- Passenger heating ranging from 35,000 to 65,000 BTU
- All HVAC systems thermostatically controlled, located in operator compartment

Engine

- (2) Alternators available up to 355 Amp total
- Heavy duty battery on stainless slide-out skirt tray

Seating

- Perimeter, forward facing and combination seated floorplans
- Complete range of padded and vandal resistant transit seating

Paratransit

- All necessary equipment for handicapped accessibility and fully compliant with ADA

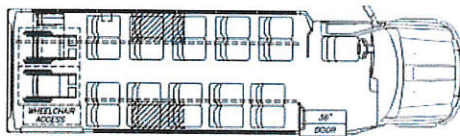
Comfort, Appearance & Safety

- Deluxe interior trim package
- Customer painting and graphics
- Stainless steel wheel inserts
- Front and side route signs

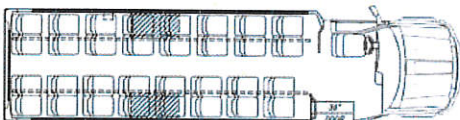
(Note: This is only a partial listing of optional equipment. For more complete information, contact your ElDorado National representative.)

Chassis Specs & Floorplans

F-550 Chassis Specifications	
Alternator	Gas: Single 155 amp Diesel: Dual 155 amp
Bumper, front	Chrome
Engine	Gas: 6.8, V-10 Diesel: 6.7
Fuel capacity	40 gallon
GVWR	19,500
Suspension	Comfort Ride
Transmission	Gas: 5-speed Diesel: 6-speed



22 Passenger with 2 wheelchair positions



32 Passenger



THOR
AMERICA'S BEST BUS INVESTMENT

At ElDorado National, we constantly improve our product; as a result all specifications and dimensions are subject to change without notice.

Printed on recycled paper as part of ElDorado National's continuous effort to minimize waste and conserve our natural resources.



With our modern 250,000 sq. ft. state-of-the-art facility, we are able to provide timely delivery in addition to the exceptional quality that sets the standard in our industry.

ElDorado
National - Kansas
Thor Industries Commercial Bus Division

1655 Wall Street • Salina, KS 67401
(800) 850-1287 • (785) 827-1033
www.enconline.com



RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER TO CREATIVE BUS SALES FOR THE PROCUREMENT OF TWO (2) CLEAN AIR BUSES FOR THE FIXED ROUTE TRANSIT SERVICES(\$332,794.64)

Glen Kau
DEPARTMENT MANAGER’S SIGNATURE

10/3/2016 11:25:08 AM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

10/6/2016 3:42:39 PM
DATE

Barbara Rumbaoa
CITY CONTROLLER

10/3/2016 6:29:45 PM
DATE

Jerome Groomes
CITY MANAGER

10/03/2016 5:48:53 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.

October 4, 2016

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JERRY G. GROOMES, INTERIM CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER FOR A PUBLIC INFORMATION PROGRAM ON BEHALF OF GATEWAY CITIES COUNCIL OF GOVERNMENTS (\$12,500)

SUMMARY

Adoption of the attached resolution will authorize the Interim City Manager to issue a purchase order in the amount of Twelve Thousand Five Hundred Dollars (\$12,500.00) to Gateway Cities Council of Governments (“GCCOG”) as the City of Compton contribution share for a public information program relative to the MTA November 2016 Ballot Measure.

BACKGROUND

At the August 3, 2016 meeting of the GCCOG, the Board of Directors authorized a contract with the Lew Edwards Group to conduct a public information/education campaign to give the public an understanding of how the MTA one-half cent sales tax measure; which will appear on the November 2016 ballot; will and will not do with regard to advancing transportation projects in the County.

STATEMENT OF THE ISSUE

An information program used to communicate the local impacts of a proposed tax is critical for our citizens. It is permissible for public agencies to disseminate factual information to constituents and the public about a given policy matter. With this in mind, funds will be used to: 1) assess public attitudes towards MTA’s proposed projects, including understanding regional similarities and differences in public viewpoints by geography and audience; 2) retain experts to develop effective, accessible informational messages about this issue, engage the public, respond to questions, and create informational toolkits or training for Gateway member cities; 3) disseminate information about local impacts in permissible, cost-effective mediums in accordance with the usual methods for dissemination of information to the public, including: press events and conferences; stakeholder and updates; web-based video, social media, and new media. All information provided will be factual, as no campaign advocacy can occur using public funds.

#8.

Staff Report – Purchase Order for Gateway Cities
Public Information Program
October 4, 2016, Page 2

FISCAL IMPACT

The GCCOG has indicated that the total estimated cost of the educational campaign is approximately \$400,000.00 and has requested that all of the GCCOG member cities share the costs calculated on a formula that is based on population. The contribution amount requested of the City of Compton, and other member cities in Compton's range of population, is Twelve Thousand Five Hundred Dollars (\$12,500.00).

Funds for this expenditure are available in the 2016-2017 Fiscal Year budget in Account No. 1001 510 000 4262.

RECOMMENDED ACTION

Staff recommends that the Council adopt the attached Resolution approving a contribution of \$12,500.00.

JERRY G. GROOMES
INTERIM CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE
ORDER FOR A PUBLIC INFORMATION PROGRAM ON BEHALF OF
GATEWAY CITIES COUNCIL OF GOVERNMENTS (\$12,500)**

WHEREAS, at the August 3, 2016 meeting of the Gateway Cities Council of Governments, the Board of Directors authorized a contract with the Lew Edwards Group to conduct a public information/education campaign to give the public an understanding of how the MTA one-half cent sales tax measure; which will appear on the November 2016 ballot; will and will not do with regard to advancing transportation projects in the County; and

WHEREAS, the Gateway Cities Council of Governments has indicated that the total estimated cost of the educational campaign is approximately \$400,000.00 and has requested that all of the GCCOG member cities share the costs calculated on a formula that is based on population; and

WHEREAS, the contribution amount requested of the City of Compton, and other member cities in Compton's range of population, is Twelve Thousand Five Hundred Dollars (\$12,500.00); and

WHEREAS, the investment of these funds to communicate the local impacts of a proposed tax is critical for our citizens; and

WHEREAS, it is permissible for public agencies to disseminate factual information to constituents and the public about a given policy matter; and

WHEREAS, the requested funds will be used to:

- 1) assess public attitudes towards MTA's proposed projects, including understanding regional similarities and differences in public viewpoints by geography and audience;
- 2) retain experts to develop effective, accessible informational messages about this issue, engage the public, respond to questions, and create informational toolkits or training for Gateway member cities;
- 3) disseminate information about local impacts in permissible, cost effective mediums in accordance with the usual methods for dissemination of information to the public, including: press events and conferences; stakeholder and updates; web-based video, social media, and new media. All information provided will be factual, as no campaign advocacy can occur using public funds; and

WHEREAS, funds for this expenditure are available in the 2016-2017 Fiscal Year Budget.

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

Section 1. That the Interim City Manager is hereby authorized to issue a purchase order in the amount of Twelve Thousand Five Hundred Dollars (\$12,500.00) to Gateway Cities Council of Governments for a public information program related to the forthcoming MTA one-half cent sales tax November 2016 Ballot Measure.

RESOLUTION NO. _____

Page 2

Section 2. That the funds for this expenditure are available in Account No. 1001 510 000 4262 of the City Manager’s 2016-2017 Fiscal Year budget.

Section 3. That a certified copy of this Resolution shall be filed in the Offices of the City Manager, City Controller, City Attorney and the City Clerk.

Section 4. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2016.

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 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 _____, 2016.

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

CITY MANAGER'S OFFICE
RECEIVED

2016 AUG 17 PM 12:56

GATEWAY CITIES

COUNCIL OF GOVERNMENTS

August 11, 2016

Artesia

Avalon

Bell

Bellflower

Bell Gardens

Cerritos

Commerce

Compton

Cudahy

Downey

Hawaiian Gardens

Huntington Park

Industry

La Habra Heights

La Mirada

Lakewood

Long Beach

Lynwood

Maywood

Montebello

Norwalk

Paramount

Pico Rivera

Santa Fe Springs

Signal Hill

South Gate

Vernon

Whittier

County of Los Angeles

Port of Long Beach

Mr. Jerry Groomes, City Manager
City of Compton
205 South Willowbrook Avenue
Compton, CA 90020

Dear Colleague:

Education Campaign Regarding MTA Sales Tax Measure Invoice

The Board of Directors of the Gateway Cities Council of Governments has authorized a contract with the Lew Edwards Group to conduct a public information/education campaign to give the public an understanding of how the MTA one-half cent sales tax measure which will appear on the November ballot will and will not do with regard to advancing transportation projects in the County. As you may know, cities in the Gateway Cities and South Bay sub-regions of the County have given considerable attention to how this sales tax measure will affect our transportation project priorities.

You should have received under separate cover a staff report prepared by the City of Norwalk which briefly explains the extent of this effort and which can serve as a model of your own staff report that you can present to your city council. The total estimated cost of the educational campaign is close to \$400,000, which we are hoping can be absorbed by a cost sharing among all of our cities on a formula that is based on population. The enclosed invoice is for the amount that we are asking for from cities in your range of population. Maximum participation by cities in this effort will keep the individual city costs to a minimum.

Please feel free to contact me or Norwalk City Manager Mike Egan if you need more information.

Cordially,

Richard R. Powers
Executive Director

Enclosure

#8.



GATEWAY CITIES
COUNCIL OF GOVERNMENTS

Bill to:

*Mr. Roger Haley, City Manager
City of Compton
205 South Willowbrook Avenue
Compton, CA 90024*

August 10, 2016

INVOICE

*Public Information Campaign
Related to Metro Ballot Measure
Fiscal Year 2016-2017 \$12,500.00*

<i>Total Due</i>	<i>\$12,500.00</i>
-------------------------	---------------------------

*Please remit to:
Gateway Cities Council of Governments
16401 Paramount Boulevard
Paramount, CA 90723*

Thank you in advance for your prompt payment!

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Management

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE A PURCHASE ORDER FOR A PUBLIC INFORMATION PROGRAM ON BEHALF OF GATEWAY CITIES COUNCIL OF GOVERNMENTS (\$12,500)

Jerome Groomes
DEPARTMENT MANAGER’S SIGNATURE

8/25/2016
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

9/1/2016 6:18:51 PM
DATE

Barbara Rumbaoa
CITY CONTROLLER

9/1/2016 5:55:45 PM
DATE

Jerome Groomes
CITY MANAGER

9/1/2016 5:51:35 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.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NUMBER 24,409 IN ORDER TO LIST THE PROPER ACCOUNT NUMBER AUTHORIZING THE INTERIM CITY MANAGER TO RENEW THE PROFESSIONAL SERVICES CONTRACT WITH STRATEGIC COUNSEL PLC FOR STATE LEGISLATIVE AND ADVOCACY SERVICES FOR FISCAL YEAR 2016-2017

WHEREAS, Strategic Counsel PLC endeavors to provide legislative and policy advice to the City of Compton on matters that impact its governmental and local ordinance prerogatives; and

WHEREAS, on July 26, 2016, City Council approved Resolution No. 24,409 to authorize the Interim City Manager to renew the professional services agreement with Strategic Counsel PLC for Fiscal Year 2016-17; and

WHEREAS, the Interim City Manager, pursuant to Resolution No. 24,409, entered into a binding professional services agreement with Strategic Counsel PLC for the 2016-2017 Fiscal Year; and

WHEREAS, Resolution No. 24,409 inadvertently listed the account for payment as Account No. 10015100004218, however, the correct account for payment is Account No. 10015100004266; and

WHEREAS, staff recommends City Council rescind Resolution No. 24,409 and approve this Resolution in order to ensure Strategic Counsel PLC receives payment from the proper account number.

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

Section 1. That City Council rescinds Resolution No. 24,409.

Section 2. That the Interim City Manager is hereby authorized to execute a professional services agreement with Strategic Counsel PLC for legislative and advocacy services during Fiscal Year 2016-17 for an amount not to exceed \$108,000 at a rate of \$9,000 per month, commencing July 1, 2016 and terminating June 30, 2017.

Section 3. That funds for this expenditure are allocated in the 2016-17 Fiscal Year Budget, Account No. 10015100004266.

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

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

ADOPTED this _____ day of _____, 2016.

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) 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 _____, 2016.

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

October 11, 2016

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: INTERIM CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NUMBER 24,409 IN ORDER TO LIST THE PROPER ACCOUNT NUMBER AUTHORIZING THE INTERIM CITY MANAGER TO RENEW THE PROFESSIONAL SERVICES CONTRACT WITH STRATEGIC COUNSEL PLC FOR STATE LEGISLATIVE AND ADVOCACY SERVICES FOR FISCAL YEAR 2016-2017

SUMMARY

Staff recommends that the City Council rescind Resolution No. 24,409 in order to list the appropriate account number for payments from the contract with Strategic Counsel PLC for state legislative and advocacy services for Fiscal year 2016-17, and approve a new Resolution in order to allocate funds to pay vendor from Account No. 10015100004266.

BACKGROUND

On July 26, 2016, the City Council approved Resolution No. 24,409 which authorized the City Manager to renew the professional services agreement with Strategic Counsel PLC for state legislative and advocacy services during Fiscal Year 2016-17.

STATEMENT OF THE ISSUE

Staff is recommending that City Council rescind Resolution No. 24,409 and adopt this Resolution due to Resolution No. 24,409 inadvertently listing the account for payment as Account No. 10015100004218, however, the correct account for payment is Account No. 10015100004266.

FISCAL IMPACT

The total cost for a professional services contract with Strategic Counsel is \$9,000 per month and shall not exceed \$108,000 for Fiscal Year 2016-17, commencing July 1, 2016 and terminating June 30, 2017.

Funds have been allocated in the Fiscal Year 2016-17 budget in Account No. 10015100004266.

#9.

**Staff Report – Resolution Rescinding
Resolution No. 24, 409 and Approving
A Resolution Listing the Correct Account Number
Page 2 of 2**

RECOMMENDATION

It is staff recommendation that the City Council adopt the attached Resolution.

**JEROME G. GROOMES
INTERIM CITY MANAGER**

October 11, 2016

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: INTERIM CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AND DIRECTING THE PREPARATION AND EXECUTION OF DOCUMENTS AND THE DISBURSEMENT OF FUNDS PURSUANT TO SUCH DOCUMENTS, TO SUPPLEMENT THE HOME IMPROVEMENT LOAN PROGRAM OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS

SUMMARY

The City Council will consider a Resolution authorizing and directing the preparation and execution of documents, the disbursement of funds pursuant to such documents, the approval of budget amendments, and the taking of certain related actions in order to supplement the Home Improvement Loan Program of the Successor Agency to the Community Redevelopment Agency of the City.

BACKGROUND

The former Community Redevelopment Agency of the City of Compton was dissolved as of February 1, 2012 and the Successor Agency was constituted pursuant to AB XI 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 Community Redevelopment Agency, and subsequently the Successor Agency, implemented a Home Improvement Loan Program, established to assist low and moderate income families within the City to upgrade their owner-occupied, single-family homes to eliminate unsafe and hazardous living conditions and correct code violations.

The Home Improvement Loan Program benefits the Compton Redevelopment Project by improving the affordable housing stock in the City. Pursuant to the Program, assistance in an amount not to exceed \$45,000 per homeowner is provided through the disbursement of funds directly to a contractor for approved work, which disbursement constitutes a loan to the homeowner. The Home Improvement Loan Program is currently under review, and at the time of the commencement of such review, certain approved work was not completed (the "Work").

#10.

Staff Report – Resolution Authorizing
the Home Improvement Loan Program
October 11, 2016
Page 2 to 2

STATEMENT OF THE ISSUE

Staff is recommending that Council adopt this Resolution in order to authorize the City Attorney to prepare all documents necessary and appropriate to accomplish the completion of the Work, provided such documents shall provide for the funding of the Work to be made from proceeds of the Series 2010C Bonds of the former Community Redevelopment Agency of the City, and provided further that the aggregate funding for the Work shall not exceed \$90,000 without further authorization of the City Council.

The Resolution will authorize and direct the City Manager to execute the documents upon the advice of the City Attorney, to do all things necessary or appropriate to effectuate the purposes of this Resolution including disbursing funds pursuant to the executed documents from the source of funds identified in such documents, and to effectuate any budget amendment necessary to effectuate the purposes of this Resolution upon the advice of the City Attorney.

ALTERNATIVE

None Proposed.

FISCAL IMPACT

Aggregate funding for the Work shall not exceed \$90,000 without further authorization of the City Council. Funds for this expenditure are located in Non-Departmental budget account No. 1001-610-000-4269.

RECOMMENDATION

Staff respectfully requests Council to adopt the attached resolution.

JEROME G. GROOMES
INTERIM CITY MANAGER

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AND DIRECTING THE PREPARATION AND EXECUTION OF DOCUMENTS AND THE DISBURSEMENT OF FUNDS PURSUANT TO SUCH DOCUMENTS, TO SUPPLEMENT THE HOME IMPROVEMENT LOAN PROGRAM OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON, AND TAKING CERTAIN RELATED ACTIONS**

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 Community Redevelopment Agency of the City of Compton (the "Former Agency") was dissolved as of February 1, 2012, and the Successor Agency was constituted; and

WHEREAS, the Former Agency, and subsequently the Successor Agency, has implemented a Home Improvement Loan Program, which was established to assist low and moderate income families within the City to upgrade their owner-occupied, single-family homes to eliminate unsafe and hazardous living conditions and to correct code violations; and

WHEREAS, the Home Improvement Loan Program benefits the Compton Redevelopment Project by improving the affordable housing stock in the City; and

WHEREAS, pursuant to the Home Improvement Loan Program, assistance in an amount not to exceed \$45,000 per homeowner is provided through the disbursement of funds directly to a contractor for approved work, which disbursement constitutes a loan to the homeowner; and

WHEREAS, the Home Improvement Loan Program is currently under review, and at the time of the commencement of such review, certain approved work was not completed (the "Work"); and

WHEREAS, the City Council desires to provide for the completion of the Work.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON HEREBY RESOLVES FOLLOWS:

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

Section 2. That the City Attorney is hereby authorized to prepare all documents necessary or appropriate to accomplish the completion of the Work, provided such documents shall provide for the funding of the Work to be made from proceeds of the Series 2010C Bonds of the former Community Redevelopment Agency of the City of Compton, and provided further that the aggregate funding for the Work shall not exceed \$90,000 without further authorization of the City Council.

Section 3. That funds for these expenditures are located in FY Budget 2016-2017, Account Number 1001-610-000-4269.

Section 4. That the City Manager is authorized and directed to execute the documents described in Section 2 upon the advice of the City Attorney.

Section 5. That the City Manager, or his designee, is authorized and directed to do all things necessary or appropriate to effectuate the purposes of this Resolution, including disbursing funds pursuant to the executed documents described in Section 2 from the source of funds identified in such documents.

Section 6. That the City Manager, or his designee, is authorized and directed to effectuate any budget amendment necessary to effectuate the purposes of this Resolution upon the advice of the City Attorney.

Section 7. That a copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Attorney, and City Clerk.

Section 8. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2016.

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 L. Godwin, City Clerk of the City of Compton, do 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 _____, 2016.

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

October 11, 2016

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE EXECUTION AND DELIVERY OF A HOUSING BONDS PROCEEDS FUNDING AGREEMENT, A SERIES 2010B BONDS PROCEEDS FUNDING AGREEMENT, AND A SERIES 2010C BONDS PROCEEDS FUNDING AGREEMENT, EACH BY AND BETWEEN THE SUCCESSOR AGENCY AND THE CITY, AND PROPOSED BUDGET AMENDMENT AND TAKING RELATED ACTIONS

SUMMARY

Staff respectfully requests the City Council to adopt the attached Resolution approving the City Council's execution and delivery of a Housing Bonds Proceeds Funding Agreement, a Series 2010B Bonds Proceeds Funding Agreement, and a Series 2010C Bonds Proceeds Funding Agreement, each by and between the Successor Agency and the City of Compton.

BACKGROUND

The former Community Redevelopment Agency of the City of Compton (the "Former Agency") previously issued its (i) its Compton Redevelopment Project, Second Lien Tax Allocation Bonds (Housing), Series 2010A, (ii) its Compton Redevelopment Project, Second Lien Tax Allocation Bonds, Series 2010B, and (iii) its Compton Redevelopment Project, Second Lien Tax Allocation Bonds, Series 2010C to finance redevelopment and affordable housing projects of benefit to the Compton Redevelopment Project. The Former Agency was dissolved pursuant to AB XI 26 and a Successor Agency was constituted. The unspent proceeds of the 2010A Bonds, the 2010B Bonds, and the 2010C Bonds transferred to the control of the Successor Agency pursuant to the Dissolution Law, and there now remains balances in the Successor Agency's accounts of unencumbered proceeds of the 2010A Bonds, 2010B Bonds and 2010C Bonds.

Pursuant to the Dissolution Law, the Oversight Board and the Department of Finance (DOF), approved the Successor Agency and the City entering into agreements to provide for the transfer of the remaining Bonds proceeds to the City. The City shall use the remaining Bonds proceeds for the purposes for which the Bonds were sold, in a manner consistent with the bond covenants and all applicable law.

#11.

Staff Report – Approval, Execution, and Delivery of Bonds Proceeds Funding Agreements
Page 2

STATEMENT OF THE ISSUE

The City and the Successor Agency desire to enter into Bonds Proceeds Funding Agreements to provide for the transfer of the remaining Bond Proceeds to the City. The City will use the Bonds proceeds to finance projects in a manner consistent with the bond covenants and all applicable law. By adopting the attached Resolution, the Council will approve the execution and delivery of the Housing Bonds Proceeds Funding Agreement, the Series 2010B Bonds Proceeds Funding Agreement, and the Series 2010C Bonds Proceeds Funding Agreement in substantially the forms attached to the Resolution as Exhibit A, Exhibit B, and Exhibit C.

FISCAL IMPACT

Bond Proceeds will be available for the City to use in accordance with the bond covenants and all applicable law.

RECOMMENDATION

Staff respectfully requests Council to adopt the attached resolution and increase appropriations in the Non-Departmental budget account No. 1001-610-000-4269- in the amount of \$90,000.00 to reimburse contractors participating in the Home Improvement Loan Program.

JEROME G. GROOMES
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE EXECUTION AND DELIVERY OF A HOUSING BONDS PROCEEDS FUNDING AGREEMENT, A SERIES 2010B BONDS PROCEEDS FUNDING AGREEMENT, AND A SERIES 2010C BONDS PROCEEDS FUNDING AGREEMENT, EACH BY AND BETWEEN THE SUCCESSOR AGENCY AND THE CITY, AND PROPOSED BUDGET AMENDMENT AND TAKING RELATED ACTIONS

WHEREAS, the former Community Redevelopment Agency of the City of Compton (the “Former Agency”) previously issued (i) its Compton Redevelopment Project, Second Lien Tax Allocation Bonds (Housing), Series 2010A, in the principal amount of \$31,130,000 (the “2010A Bonds” or the “Housing Bonds”), (ii) its Compton Redevelopment Project, Second Lien Tax Allocation Bonds, Series 2010B, in the principal amount of \$51,335,000 (the “2010B Bonds”), and (iii) its Compton Redevelopment Project, Second Lien Tax Allocation Bonds, Series 2010C, in the principal amount of \$18,260,000 (the “2010C Bonds” and together with the Housing Bonds and the 2010B Bonds, the “Bonds”); and

WHEREAS, the Bonds were issued pursuant to a Master Trust Agreement, dated as of June 1, 1985, by and between the Former Agency and U.S. Bank National Association, as trustee, as amended and supplemented, (the “Trust Agreement”); and

WHEREAS, the 2010B Bonds and the 2010C Bonds were issued and sold to finance redevelopment activities with respect to the Compton Redevelopment Project and the Housing Bonds were issued and sold to finance low and moderate income housing activities with respect to the Compton Redevelopment Project; and

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 was constituted; and

WHEREAS, the unspent proceeds of the Bonds (collectively, the “Bonds Proceeds”) transferred to the control of the Successor Agency by operation of law, and unencumbered Bond Proceeds now remain in the Successor Agency’s accounts; and

WHEREAS, the Successor Agency desires to provide for the transfer of the remaining unencumbered Bond Proceeds to the City to use for the purposes for which the Bonds were sold, consistent with the covenants in the Trust Agreement and all applicable law; and

WHEREAS, the Successor Agency and the City desire to enter into a Housing Bonds Proceeds Funding Agreement, a Series 2010B Bonds Proceeds Funding Agreement, and a Series 2010C Bonds Proceeds Funding Agreement (collectively, the “Agreements”) to provide for the transfer of the remaining unencumbered Bond Proceeds to the City.

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 Manager is hereby authorized to execute the Housing Bonds Proceeds Funding Agreement, the Series 2010B Bonds Proceeds Funding Agreement, and the Series 2010C Bonds Proceeds Funding Agreement, in substantially the forms attached hereto as Exhibit A, Exhibit B, and Exhibit C.

Section 3. That the City Manager, or his designee, are hereby authorized, jointly and severally, to execute and deliver any and all necessary documents and instruments, and to do all things which they may deem necessary or proper to effectuate the purposes of this Resolution and the Housing Bonds Proceeds Funding Agreement, the Series 2010B Bonds Proceeds Funding Agreement, and the Series 2010C Bonds Proceeds Funding Agreement, and any such actions previously taken are hereby ratified and confirmed.

RESOLUTION NO. _____

Section 4. That the City of Compton Fiscal Year 2016-2017 budget is amended and the 2010 Series A. B. and C Bond Proceeds are appropriated as follows:

INCREASE REVENUE

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
3071-000-000-3980	Bond Proceeds-Series 2010A- Misc Revenue	\$5,333,864.00
3080-000-000-3980	Bond Proceeds-Series 2010B- Misc Revenue	\$ 127,690.00
3090-000-000-3980	Bond Proceeds-Series 2010C- Misc Revenue	\$ 152,339.19

INCREASE EXPENDITURE

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
LOW TO MODERATE HOUSING		
3071-910-000-4269	Bond Proceeds-Series 2010A- Other Contract Serv	\$5,333,864.00
3080-910-000-4269	Bond Proceeds-Series 2010B- Other Contract Serv	\$ 127,690.00
3090-910-000-4269	Bond Proceeds-Series 2010C- Other Contract Serv	\$ 152,339.19

Section 5. That a certified copy of this Resolution shall be filed in the offices of the City Clerk, City Attorney, and City Manager.

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

ADOPTED this _____ day of _____, 2016.

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. _____

I, Alita L. Godwin, City Clerk of the City of Compton, do 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 _____, 2016.

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

#11.

EXHIBIT A

HOUSING BONDS PROCEEDS FUNDING AGREEMENT

EXHIBIT B

SERIES 2010B BONDS PROCEEDS FUNDING AGREEMENT

EXHIBIT C

SERIES 2010C BONDS PROCEEDS FUNDING AGREEMENT

HOUSING BONDS PROCEEDS FUNDING AGREEMENT

This HOUSING BONDS PROCEEDS FUNDING AGREEMENT (this “Agreement”), dated as of June 1, 2016, is entered into by and between the City of Compton, in its capacity as the successor to the housing assets and functions of the former Community Redevelopment Agency of the City of Compton (the “Housing Successor”), and the Successor Agency to the Community Redevelopment Agency of the City of Compton (the “Successor Agency,” and together with the Housing Successor, the “Parties”).

RECITALS:

A. The former Community Redevelopment Agency of the City of Compton (the “Former Agency”) previously issued its Compton Redevelopment Project, Second Lien Tax Allocation Bonds (Housing), Series 2010A, in the principal amount of \$31,130,000 (the “2010A Bonds”).

B. The 2010A Bonds were issued pursuant to a Master Trust Agreement, dated as of June 1, 1985, by and between the Former Agency and U.S. Bank National Association, as trustee, as previously amended and supplemented, and as amended by the Sixth Supplemental Trust Agreement, dated as of June 1, 2010 (collectively, the “Trust Agreement”).

C. The 2010A Bonds were issued and sold to finance low and moderate income redevelopment housing activities with respect to the Compton Redevelopment Project (the “Project Area”).

D. 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 was constituted, and an oversight board of the Successor Agency (the “Oversight Board”) was established.

E. Pursuant to Section 34175(b) of the California Health and Safety Code (“HSC”), all assets, properties, contracts, leases, books and records, buildings, and equipment of the Former Agency, including the unspent proceeds of the 2010A Bonds (the “Housing Bonds Proceeds”) transferred to the control of the Successor Agency by operation of law. After the previous transfer of \$9,370,513 of Housing Bonds Proceeds to the City, as Housing Successor, there remains a balance in the Successor Agency’s accounts of unencumbered Housing Bond Proceeds Bonds.

F. Pursuant to HSC Section 34176(a), the City Council of the City of Compton (the “City”) adopted Resolution No. 23,498 on February 12, 2012, electing for the City to retain the housing assets and housing functions previously performed by the Former Agency, as allowed by law, thereby becoming the Housing Successor.

G. HSC Section 34176(g) provides that (i) the Housing Successor may designate the use of, and commit, the Housing Bond Proceeds; provided that such use or commitment is consistent with the bond covenants, (ii) a designation or commitment must be listed on a

recognized obligation repayment schedule (“ROPS”), (iii) the Housing Successor must provide notice to the Successor Agency regarding a designation or commitment before submitting the ROPS to the Oversight Board, and (iv) review by the Successor Agency, the Oversight Board and the State Department of Finance (the “DOF”) of the Housing Successor’s designations and commitments shall be limited to a determination that the designations and commitments are consistent with bond covenants and that there are sufficient funds available therefor.

H. The Housing Successor and the Successor Agency desire to enter into this Agreement to provide for the transfer of the remaining Housing Bonds Proceeds to the City, as Housing Successor. Such amount is not required to satisfy enforceable obligations that have been approved in a ROPS.

I. Resolution No. 2016-1, adopted by the Oversight Board on January 27, 2016, approving the Successor Agency’s execution and delivery of this Agreement was approved by the DOF pursuant to HSC Section 34179(h) on May 24, 2016.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section 1. As soon as practical after the execution of this Agreement, the Successor Agency shall transfer to the Housing Successor the remaining Housing Bonds Proceeds.

Section 2. Upon receipt of the Housing Bonds Proceeds pursuant to Section 1, the Housing Successor shall deposit such funds into the Low and Moderate Income Housing Asset Fund, which fund has been established and is maintained by the Housing Successor pursuant to HSC Sections 34176 and 34176.1.

Section 3. The Housing Successor covenants that it shall use the Housing Bonds Proceeds received pursuant to Section 1 solely for projects that are consistent with the covenants in the Trust Agreement, including, but not limited to, any covenants regarding the tax-exempt status of interest on the 2010A Bonds under the Internal Revenue Code of 1986, as amended, and any regulations promulgated, and all applicable law, and for which there are sufficient funds available therefor.

Section 4. Each Party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other Party at all reasonable times.

Section 5. The Parties agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 6. This Agreement may be amended from time to time by written instrument executed by both Parties.

Section 7. No official, agent, or employee of the Successor Agency or the City (whether or not acting in its capacity as the Housing Successor), or members of the City Council, or members of the Successor Agency Board of Directors or Oversight Board shall be individually or personally liable for any payment hereunder in the event of any default or breach by the Successor Agency or the Housing Successor, or for any amount which may otherwise

become due to the Housing Successor or Successor Agency, or successor thereto, or on any obligations under the terms of this Agreement.

Section 8. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

[Signatures on next page]

#11.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized officers.

**SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF COMPTON**

By _____
Executive Director

APPROVED AS TO FORM

General Counsel

ATTEST:

Secretary

CITY OF COMPTON, as Housing Successor

By _____
City Manager

APPROVED AS TO FORM

City Attorney

ATTEST:

City Clerk

SERIES 2010B BONDS PROCEEDS FUNDING AGREEMENT

This SERIES 2010B BONDS PROCEEDS FUNDING AGREEMENT (this “Agreement”), dated as of June 1, 2016, is entered into by and between the City of Compton (the “City”), and the Successor Agency to the Community Redevelopment Agency of the City of Compton (the “Successor Agency,” and together with the City, the “Parties”).

RECITALS:

A. The former Community Redevelopment Agency of the City of Compton (the “Former Agency”) previously issued its Compton Redevelopment Project, Second Lien Tax Allocation Bonds, Series 2010B, in the principal amount of \$51,335,000 (the “2010B Bonds”).

B. The 2010B Bonds were issued pursuant to a Master Trust Agreement, dated as of June 1, 1985, by and between the Former Agency and U.S. Bank National Association, as trustee, as previously amended and supplemented, and as amended by the Seventh Supplemental Trust Agreement, dated as of June 1, 2010 (collectively, the “Trust Agreement”).

C. The 2010B Bonds were issued and sold to finance redevelopment activities with respect to the Compton Redevelopment Project.

D. 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 was constituted, and an oversight board of the Successor Agency (the “Oversight Board”) was established.

E. Pursuant to Section 34175(b) of the California Health and Safety Code (“HSC”), all assets, properties, contracts, leases, books and records, buildings, and equipment of the Former Agency, including the unspent proceeds of the 2010B Bonds (the “2010B Bonds Proceeds”) transferred to the control of the Successor Agency by operation of law, and there remains a balance in the Successor Agency’s accounts.

F. Pursuant to HSC Section 34191.4, after the receipt by the Successor Agency of a finding of completion (the “Finding of Completion”) issued by the California State Department of Finance (the “DOF”) under HSC Section 34179.7, the 2010B Bonds Proceeds shall be used in a manner consistent with the bond covenants.

G. By DOF’s letter, dated December 28, 2015, the DOF informed the Successor Agency that the DOF has issued a Finding of Completion to the Successor Agency.

H. The Successor Agency desires to provide for the use of the remaining 2010B Bonds Proceeds for the purposes for which the 2010B Bonds were sold (being projects of benefit to the Compton Redevelopment Project) consistent with the covenants in the Trust Agreement and all applicable law (collectively, the “Projects”).

I. Because of the limited staffing of the Successor Agency and the City's traditional role and established procedures with respect to the awarding of public works contracts, the Successor Agency and the City desire to enter into this Agreement, for the City to perform or cause to be performed all work required to complete the Projects, with payment therefor to be made from the remaining 2010B Bonds Proceeds.

J. This Agreement provides for the transfer of remaining 2010B Bonds Proceeds to the City for the City to use to perform or cause to be performed the work required for the Projects.

K. Resolution No. 2016-2, adopted by the Oversight Board on January 27, 2016, approving the Successor Agency's execution and delivery of this Agreement was approved by the DOF pursuant to HSC Section 34179(h) on May 24, 2016.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section 1. Subject to the provisions of this Agreement and with the funding provided pursuant to this Agreement, the City agrees to perform or cause to be performed the work required for the Projects, including but not limited to the preparation of designs, plans and specifications and all demolition, construction and installation. The City shall perform such work in accordance with all applicable federal, state and local laws, rules and regulations. Subject to the covenants set forth herein, the City shall have the sole discretion with respect to the design, planning, specification and timing of all components of the Projects.

Section 2. As soon as practical after the execution of this Agreement, the Successor Agency shall transfer to the City the remaining 2010B Bonds Proceeds.

Section 3. To the extent the City still holds unspent remaining 2010B Bonds Proceeds transferred pursuant to this Agreement after the completion of the Projects (as determined by the City Council), the City shall return such unspent remaining 2010B Bonds Proceeds to the Successor Agency within a reasonable time after such determination.

Section 4. The City covenants that it shall use the 2010B Bonds Proceeds received pursuant to Section 2 solely in a manner consistent with the covenants in the Trust Agreement, including, but not limited to, any covenants regarding the tax-exempt status of interest on the 2010B Bonds under the Internal Revenue Code of 1986, as amended, and any regulations promulgated, and all applicable law.

Section 5. Each Party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other Party at all reasonable times.

Section 6. The Parties agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 7. This Agreement may be amended from time to time by written instrument executed by both Parties.

Section 8. No official, agent, or employee of the Successor Agency or the City, or members of the City Council, or members of the Successor Agency Board of Directors or Oversight Board shall be individually or personally liable for any payment hereunder in the event of any default or breach by the Successor Agency or the City, or for any amount which may otherwise become due to the City or Successor Agency, or successor thereto, or on any obligations under the terms of this Agreement.

Section 9. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

[Signatures on next page]

#11.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized officers.

**SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF COMPTON**

By _____
Executive Director

APPROVED AS TO FORM

City Attorney

ATTEST:

Secretary

CITY OF COMPTON

By _____
City Manager

APPROVED AS TO FORM

General Counsel

ATTEST:

City Clerk

SERIES 2010C BONDS PROCEEDS FUNDING AGREEMENT

This SERIES 2010C BONDS PROCEEDS FUNDING AGREEMENT (this “Agreement”), dated as of June 1, 2016, is entered into by and between the City of Compton (the “City”), and the Successor Agency to the Community Redevelopment Agency of the City of Compton (the “Successor Agency,” and together with the City, the “Parties”).

RECITALS:

A. The former Community Redevelopment Agency of the City of Compton (the “Former Agency”) previously issued its Compton Redevelopment Project, Second Lien Tax Allocation Bonds, Series 2010C (Taxable), in the principal amount of \$18,260,000 (the “2010C Bonds”).

B. The 2010C Bonds were issued pursuant to a Master Trust Agreement, dated as of June 1, 1985, by and between the Former Agency and U.S. Bank National Association, as trustee, as previously amended and supplemented, and as amended by the Eighth Supplemental Trust Agreement, dated as of June 1, 2010 (collectively, the “Trust Agreement”).

C. The 2010C Bonds were issued and sold to finance redevelopment activities with respect to the Compton Redevelopment Project.

D. 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 was constituted, and an oversight board of the Successor Agency (the “Oversight Board”) was established.

E. Pursuant to Section 34175(b) of the California Health and Safety Code (“HSC”), all assets, properties, contracts, leases, books and records, buildings, and equipment of the Former Agency, including the unspent proceeds of the 2010C Bonds (the “2010C Bonds Proceeds”) transferred to the control of the Successor Agency by operation of law, and there remains a balance in the Successor Agency’s accounts.

F. Pursuant to HSC Section 34191.4, after the receipt by the Successor Agency of a finding of completion (the “Finding of Completion”) issued by the California State Department of Finance (the “DOF”) under HSC Section 34179.7, the 2010C Bonds Proceeds shall be used in a manner consistent with the bond covenants.

G. By DOF’s letter, dated December 28, 2015, the DOF informed the Successor Agency that the DOF has issued a Finding of Completion to the Successor Agency.

H. The Successor Agency desires to provide for the use of the remaining 2010C Bonds Proceeds for the purposes for which the 2010C Bonds were sold (being projects of benefit to the Compton Redevelopment Project) consistent with the covenants in the Trust Agreement and all applicable law (collectively, the “Projects”).

I. Because of the limited staffing of the Successor Agency and the City's traditional role and established procedures with respect to the awarding of public works contracts, the Successor Agency and the City desire to enter into this Agreement, for the City to perform or cause to be performed all work required to complete the Projects, with payment therefor to be made from the remaining 2010C Bonds Proceeds.

J. This Agreement provides for the transfer of remaining 2010C Bonds Proceeds to the City for the City to use to perform or cause to be performed the work required for the Projects.

K. Resolution No. 2016-3, adopted by the Oversight Board on January 27, 2016, approving the Successor Agency's execution and delivery of this Agreement was approved by the DOF pursuant to HSC Section 34179(h) on May 24, 2016.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section 1. Subject to the provisions of this Agreement and with the funding provided pursuant to this Agreement, the City agrees to perform or cause to be performed the work required for the Projects, including but not limited to the preparation of designs, plans and specifications and all demolition, construction and installation. The City shall perform such work in accordance with all applicable federal, state and local laws, rules and regulations. Subject to the covenants set forth herein, the City shall have the sole discretion with respect to the design, planning, specification and timing of all components of the Projects.

Section 2. As soon as practical after the execution of this Agreement, the Successor Agency shall transfer to the City the remaining 2010C Bonds Proceeds.

Section 3. To the extent the City still holds unspent remaining 2010C Bonds Proceeds transferred pursuant to this Agreement after the completion of the Projects (as determined by the City Council), the City shall return such unspent remaining 2010C Bonds Proceeds to the Successor Agency within a reasonable time after such determination.

Section 4. The City covenants that it shall use the 2010C Bonds Proceeds received pursuant to Section 2 solely in a manner consistent with the covenants in the Trust Agreement, and all applicable law.

Section 5. Each Party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other Party at all reasonable times.

Section 6. The Parties agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 7. This Agreement may be amended from time to time by written instrument executed by both Parties.

Section 8. No official, agent, or employee of the Successor Agency or the City, or members of the City Council, or members of the Successor Agency Board of Directors or

Oversight Board shall be individually or personally liable for any payment hereunder in the event of any default or breach by the Successor Agency or the City, or for any amount which may otherwise become due to the City or Successor Agency, or successor thereto, or on any obligations under the terms of this Agreement.

Section 9. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

[Signatures on next page]

#11.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized officers.

**SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF COMPTON**

By _____
Executive Director

APPROVED AS TO FORM

General Counsel

ATTEST:

Secretary

CITY OF COMPTON

By _____
City Manager

APPROVED AS TO FORM

City Attorney

ATTEST:

City Clerk

October 11, 2016

TO: MAYOR AND CITY COUNCIL

FROM: CITY ATTORNEY

SUBJECT: AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY, INCLUDING DELIVERIES, PROHIBITING ALL MEDICAL MARIJUANA CULTIVATION, INCLUDING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER, AND DECLARING THE URGENCY THEREOF

SUMMARY

This is an interim, urgency ordinance that would immediately prohibit all commercial medical marijuana uses including delivery, storage, and cultivation within the City.

BACKGROUND

Effective January 1, 2016, certain commercial cannabis activities became subject to licensing by the State. The proposed ordinance will prohibit all commercial medical marijuana uses, including deliveries to or from locations within the City, as well as storage, processing, distribution, and commercial and private cultivation.

New state laws, collectively called the Medical Marijuana Regulation and Safety Act (“MMRSA”), establish a State licensing scheme for commercial medical marijuana uses, while protecting local control by requiring that all such businesses have a local license or permit to operate in addition to a State license. The MMRSA requires, in part, that medical marijuana delivery services be expressly prohibited by local ordinance if the City wishes to exclude them.

The MMRSA allows the City to completely prohibit commercial medical marijuana activities. The purpose of the interim urgency ordinance is to affirm that all commercial medical marijuana uses including cultivation, storage, and delivery are expressly prohibited in all zones within the City.

A moratorium is recommended so Staff can analyze the new MMRSA to determine the proper City response. Pursuant to State Law, the moratorium can be in place for 45 days. During the 45 day period, Staff will report to Council with a recommendation on whether to extend the moratorium, as permitted by law, to further study the matter.

The use of marijuana for medical purposes, under certain circumstances, is permitted in California based on Proposition 215, the Compassionate Use Act. Proposition 215 was approved by the electorate in 1996 and ruled as valid by the California Supreme Court. Despite State Law, however, the sale, distribution, and possession of marijuana remain prohibited under Federal Law.

STATEMENT OF ISSUE

The current Municipal Code expressly prohibits medical marijuana dispensaries in any zoning district. The moratorium is proposed to allow a complete evaluation of public service delivery and land use implications of medical marijuana uses as well as potential impacts to health, safety, and welfare, resulting from the new MMRSA. Pending the adopting of permanent regulations, prohibiting commercial marijuana activities as well as marijuana cultivation for medical purposes is appropriate and necessary to avoid the risks of criminal activity, degradation of the environment, noxious odors, and indoor electrical fire hazards that may result from such activities. The moratorium would be effective immediately upon adoption.

RECOMMENDATION

Staff recommends that the City Council adopt the attached interim urgency ordinance, immediately banning all commercial medical marijuana activities including delivery, cultivation, and storage in order to protect the public health, safety and welfare.

CRAIG J. CORNWELL
CITY ATTORNEY

APPROVED FOR FORWARDING:

JEROME GROOMES
INTERIM CITY MANAGER

ORDINANCE NO. _____**AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY, INCLUDING DELIVERIES, PROHIBITING ALL MEDICAL MARIJUANA CULTIVATION, INCLUDING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER, AND DECLARING THE URGENCY THEREOF**

WHEREAS, in 1996, the passage of Proposition 215 served to codify California Health and Safety Code § 11362.5 entitled “The Compassionate Use Act of 1996” (or “CUA” sometimes herein); and

WHEREAS, in 2004, the Legislature enacted Senate Bill 420 (codified as California Health and Safety Code § 11362.7, et seq., and sometimes referred to herein as the “Medical Marijuana Program” or “MMP”) to clarify the scope of Proposition 215 and to provide qualifying patients and primary caregivers who collectively or cooperatively cultivate marijuana for medical purposes with a limited defense to certain specified State criminal statutes. Assembly Bill 2650 (2010) and Assembly Bill 1300 (2011) amended the Medical Marijuana Program to expressly recognize the authority of cities and counties to “[a]dopt local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective” and to civilly and criminally enforce such ordinances; and

WHEREAS, in City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc. (2013) 56 Cal.4th 729, the California Supreme Court held that “[n]othing in the CUA or the MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the use of its land. . . .” Additionally, in Maral v. City of Live Oak (2013) 221 Cal.App.4th 975, the Court of Appeal held that “there is no right – and certainly no constitutional right – to cultivate medical marijuana. . . .” The Court in Maral affirmed the ability of a local governmental entity to prohibit the cultivation of marijuana under its land use authority; and

WHEREAS, the Federal Controlled Substances Act, 21 U.S.C. § 801, et seq., classifies marijuana as a Schedule 1 Drug, which is defined as a drug or other substance that has a high potential for abuse, that has no currently accepted medical use in treatment in the United States, and that has not been accepted as safe for use under medical supervision. The Federal Controlled Substances Act makes it unlawful under federal law for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense, marijuana; and

WHEREAS, on October 9, 2015 Governor Brown signed Assembly Bill No. 243, Assembly Bill No. 266, and Senate Bill 643 into law, which collectively are known as the Medical Marijuana Regulation and Safety Act (hereinafter “MMRSA”). The MMRSA sets up a State licensing scheme for commercial medical marijuana uses, while protecting local control by requiring that all such businesses must have a local license or permit to operate in addition to a State license. The MMRSA allows the City to completely prohibit commercial medical marijuana activities; and;

WHEREAS, the City Council finds that commercial medical marijuana activities, as well as cultivation for personal medical use as allowed by the Compassionate Use Act and Medical Marijuana Program, can adversely affect the health, safety, and well-being of City residents. The City Council is informed and believes that based upon experiences of narcotics detectives of the Los Angeles County Sheriff’s Department, the unlawful sales of marijuana in the vicinity of medical marijuana dispensaries occurs. Because large amounts of cash are often present at such dispensaries, they can also become the target of violent criminal activity; and

WHEREAS, some California cities have reported negative effects of marijuana cultivation, processing and distribution activities, including offensive odors, illegal sales and distribution of marijuana, trespassing, theft, violent robberies and robbery attempts, fire hazards, and problems associated with mold, fungus, and pests. Furthermore, as marijuana plants begin to flower, and for a period of two months or more, the plants produce a strong, unique odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors. This

odor can have the effect of encouraging theft by alerting persons to the location of the valuable plants, and creating a risk of burglary, robbery or armed robbery of the plants and creating the potential for violent acts related to such criminal activity; and

WHEREAS, the indoor growing and cultivation of marijuana, often unattended, has potential to cause harm to persons and property in that the use of high wattage grow lights and excessive use of electricity increases the risk of fire which presents a distinct risk of harm to the building and its occupants; and

WHEREAS, based on the foregoing, the City Council finds that in order to more fully protect the public health, safety and welfare, prohibiting commercial marijuana activities and cultivation for medical purposes is proper and necessary to avoid the risks of criminal activity, degradation of the natural environment, noxious smells and indoor electrical fire hazards that may result from such activities; and

WHEREAS, the limited immunity from specified state marijuana laws provided by the Compassionate Use Act and Medical Marijuana Program does not confer a land use right or the right to create or maintain a public nuisance; and

WHEREAS, while the City Council believes that cultivation and all commercial medical marijuana uses are already prohibited under the City’s permissive zoning regulations, the Council nevertheless intends to expressly prohibit such uses in all zones throughout the City; and

WHEREAS, based upon Recital Nos. (i) through (viii), above, the City Council finds that there is a current and immediate threat to the public health, safety and welfare presented by the recent enactment and January 1, 2016 effective date of the MMRSA, and the potential for commercial marijuana activities, including deliveries, and cultivation of marijuana for personal medical use, to occur prior to the establishment of zoning regulations under normal planning and zoning processes of the City. Therefore, based on the City’s need for additional time to fully evaluate the primary and secondary effects of the activities to be licensed under the MMRSA, and to establish appropriate standards necessary to address all such effects, the City Council finds that the immediate preservation of the public health, safety and welfare requires that this interim Ordinance be enacted as an urgency ordinance pursuant to Government Code Section 65858 and take effect immediately upon adoption, and its urgency is hereby declared; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

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

Section 1. The City Council finds that the facts set forth in the Recitals, Part A, of this Ordinance are true and correct.

Section 2. That hereinafter in this Ordinance the following words shall have the meanings set forth below, unless the context otherwise permits or requires:

“Cannabis” shall have that meaning set forth in the MMRSA, as the same may be amended from time to time, and shall include all parts of the plant cannabis sativa linnaeus, cannabis indica, or cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Cannabis” also means the separated resin, whether crude or purified, obtained from marijuana. “Cannabis” also means marijuana as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. “Cannabis” does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this Ordinance, “cannabis” does not mean “industrial hemp” as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.

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“Commercial cannabis activity” shall have that meaning set forth in the MMRSA, as the same may be amended from time to time, and shall include cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, or distribution, as those terms are defined or used in the MMRSA, and/or sale, of medical cannabis or a medical cannabis product, except as provided in Section 7 of Senate Bill No. 643 (2015-2016).

“Cooperative” shall mean two or more persons collectively or cooperatively cultivating, using, transporting, possessing, administering, delivering or making available medical cannabis, with or without compensation.

“Cultivation” shall have the same set forth in the MMRSA, as the same may be amended from time to time, and shall include any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

“Delivery” shall have the same meaning as set forth in the MMRSA, as the same may be amended from time to time, and shall include the commercial transfer of medical cannabis or medical cannabis products from a dispensary, up to an amount determined by the bureau to a primary caregiver or qualified patient as defined in Section 11362.7 of the Health and Safety Code, or a testing laboratory. “Delivery” also includes the use by a dispensary of any technology platform owned and controlled by the dispensary, or independently licensed under the MMRSA, that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis or medical cannabis products.

“Dispensary” shall have the same meaning as set forth in the MMRSA, as the same may be amended from time to time, and shall include any facility where medical cannabis, medical cannabis products, or devices for the use of medical cannabis or medical cannabis products are offered, either individually or in any combination, for retail sale, including an establishment that delivers, pursuant to express authorization by local ordinance, medical cannabis and medical cannabis products as part of a retail sale. “Dispensary” shall also include “dispensary” as defined in Compton Municipal Code Section 9-24.2, and a cooperative as defined herein.

“Medical cannabis,” “medical cannabis product,” or “cannabis product” shall have the same meanings as set forth in the MMRSA, as the same may be amended from time to time.

“Medical Marijuana Regulation and Safety Act” or “MMRSA” shall collectively mean the Medical Marijuana Regulation and Safety Act as contained, codified, enacted, and signed into law on October 9, 2015, as Assembly Bill No. 243, Assembly Bill No. 266, and Senate Bill 643, as the same may be amended from time to time.

Notwithstanding the provisions of Compton Municipal Code Section 9-24.2, “Primary caregiver” shall have the same meaning as set forth in Health and Safety Code § 11362.7, as the same may be amended from time to time.

Notwithstanding the provisions of Compton Municipal Code Section 9-24.2, “Qualifying patient” or “Qualified patient” shall have the same meaning as set forth in Health and Safety Code § 11362.7, as the same may be amended from time to time.

Section 3. Prohibition:

- A. Commercial cannabis activities of any type or nature are expressly prohibited in all zones and all specific plan areas in the City of Compton. No person shall establish, operate, maintain, conduct or allow a commercial cannabis activity anywhere within the City. No application for a building permit, conditional use permit, business license, or any other entitlement authorizing the establishment, operation, maintenance, development, or construction of any commercial cannabis activity, shall be approved during the term of the prohibition established in this Ordinance.

- B. To the extent not already prohibited by subsection A above, all deliveries of medical cannabis and/or medical cannabis products to or from the City of Compton are expressly prohibited within the City of Compton. No person shall conduct or perform any delivery of any medical cannabis or medical cannabis product, which delivery either originates or terminates within the City.
- C. This section is meant to prohibit all activities for which a State license is required pursuant to the MMRSA. Accordingly, the City shall not issue any permit, license or other entitlement for any activity for which a State license is required under the MMRSA.
- D. Cultivation of cannabis for commercial or non-commercial purposes, including cultivation by a qualified patient or a primary caregiver, is expressly prohibited in all zones and all specific plan areas in the City of Compton. No person, including a qualified patient or primary caregiver, shall cultivate any amount of cannabis in the City, even for medical purposes.
- E. Nothing in this Ordinance, or its adoption, shall be deemed to affect any other prohibitions or regulations relating to marijuana contained in the Compton Municipal Code, including, but not limited to, the provisions of Sections 9-24.1 through 9-24.6 of the Compton Municipal Code. In the event of any conflict between said Sections and this Ordinance, the most restrictive provision shall govern. Nothing in this Ordinance shall be deemed to affect or excuse any violation of Sections 9-24.1 through 9-24.6 of the Compton Municipal Code.

Section 4. That nothing in this Ordinance shall be interpreted to the effect that the City's permissive zoning scheme allows any other use not specifically listed therein.

Section 5. That any use or condition caused, or permitted to exist, in violation of any provision of this Ordinance shall be, and hereby is declared to be, a public nuisance and may be summarily abated by the City pursuant to Code of Civil Procedure Section 731 or by any other remedy available to the City.

Section 6. That violation of any provision of this Ordinance shall constitute a misdemeanor and shall be punishable by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each and every day such a violation exists shall constitute a separate and distinct violation of this Ordinance. Notwithstanding the foregoing, nothing in this Ordinance shall authorize a criminal prosecution or arrest prohibited by Health and Safety Code section 11362.71, et seq.

Section 7. That in addition to any other enforcement permitted by this Ordinance, the City Attorney may bring a civil action for injunctive relief and civil penalties against any person or entity that violates this Ordinance. In any civil action brought pursuant to this Ordinance, a court of competent jurisdiction may award reasonable attorneys' fees and costs to the prevailing party.

Section 8. That this Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. Provisions of the City's permissive zoning ordinance already prohibit uses that are being expressly prohibited by this Ordinance. Therefore, this Ordinance has no impact on the physical environment as it will not result in any adverse changes to the environment.

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Section 9. That if any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance, is for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 10. That consistent with Section 607 of the City Charter, this Ordinance is adopted as an urgency, interim ordinance and shall take effect immediately. This Ordinance shall expire, and the prohibition established hereby shall terminate, forty-five (45) days after the date of adoption unless extended by the City Council pursuant to California Government Code Section 65858.

Section 11. 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 _____, 2016.

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, do hereby certify that the foregoing Ordinance 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 _____, 2016.

The Ordinance was adopted by the following vote, to wit:

AYES: **COUNCILMEMBERS-**
NOES: **COUNCILMEMBERS-**
ABSENT: **COUNCILMEMBERS-**
ABSTAIN: **COUNCILMEMBERS-**

CITY CLERK OF THE CITY OF COMPTON

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>
236089	10/5/16	Wintech Resources INC	Medical billing services	\$4,301.06	\$31,032.00

Requested by Fire Department

I hereby certify that the above demand in the amount of **\$4,301.06** was approved at a regular meeting of the City Council and reject _____ as of October 11, 2016.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on October 11, 2016 allowed the above demand.

Alita Godwin
City Clerk

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>
236089	10/5/16	Wintech Resources INC	Medical billing services	\$4,301.06	\$31,032.00
Requested by Fire Department					
236106	10/6/16	Debra Duncan	Indexing of City Council meeting minutes	\$1,500.00	\$6,500.00
Requested by City Clerk's Office					

I hereby certify that the above demand in the amount of **\$5,801.06** was approved at a regular meeting of the City Council and reject _____ as of October 11, 2016.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on October 11, 2016 allowed the above demand.

Alita Godwin
City Clerk

Wintec Resources, Inc

17150 Newhope St Ste 507
Fountain Valley, California 92708
(310) 645-6700 fax (714) 437-7410

INVOICE

Customer

Name City of Compton Fire Department
Address 201 S Acacia
City, State, Zip Compton CA ZIP 90220
Phone 310-605-5670

Date 6/30/16
Order No. 201606
Rep
FOB

Billing Period June 1 to 30, 2016		TOTAL	
Total receipts \$15,368.24 Commission Due (7.5%) Paid By <i>[Signature]</i> V# 10006258 PO # 17-00587 A/C # 1001690004267 A/C # TAX ID# 95-4486950	\$15,368.24		
			\$1,152.62
		SubTotal	\$1,152.62
<i>[Signature]</i>			
		TOTAL	\$1,152.62

Charges for services provided are due and payable when billed.

Thank You for Choosing IntraMed as Your Partner

Wintec Resources, Inc

17150 Newhope St Ste 507
Fountain Valley, California 92708
(310) 645-6700 fax (714) 437-7410

INVOICE

Customer

Name	City of Compton Fire Department		
Address	201 S Acacia		
City, State, Zip	Compton	State CA	ZIP 90220
Phone	310-605-5670		

Date	5/31/16
Order No.	201605
Rep	
FOB	

Billing Period May 1 to 31, 2016		TOTAL
Total receipts		
\$41,979.18	\$41,979.18	
Commission Due (7.5%)		\$3,148.44
Paid By <i>JW</i> V# <i>1000 6258</i> PO # <i>17-00587 F</i> A/C # <i>1001690900-269</i> A/C #		
TAX ID# 95-4486950		
SubTotal		\$3,148.44
TOTAL		\$3,148.44

Charges for services provided are due and payable when billed.

Thank You for Choosing IntraMed as Your Partner

ORIGINAL INVOICE
NO. 161006

Debra Duncan
 4016 Pine Avenue
 Long Beach, CA 90807

If you have any questions, please
 call me at (213) 880-7180

<u>YOUR ACCT. NO</u>	<u>TODAY'S DATE</u>	<u>INVOICE NO.</u>	<u>DATE(S) OF SERVICE</u>
1004623	10/06/16	161006	10/03/16 8.0 hrs 10/04/16 8.0 hrs 10/05/16 5.0 hrs 10/06/16 6.0 hrs

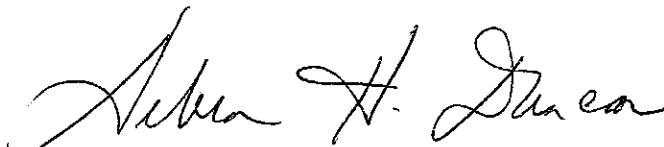
Total = 27 hrs

DESCRIPTION OF SERVICES
 Indexing of Compton City Council Meeting
 Minutes

DATES OF SERVICE
 10/3/16; 10/4/16;
 10/5/16 and 10/6/16

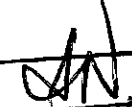
PLEASE PAY THIS AMOUNT:

\$675.00


 Debra H. Duncan

It is a sincere pleasure to be of service to you!



Paid By	
V#	10004623
PO #	17-00603
A/C #	1001-47-0000-4269
A/C #	

#13.

ORIGINAL INVOICE
NO. 160929

Debra Duncan
4016 Pine Avenue
Long Beach, CA 90807

If you have any questions, please
call me at (213) 880-7180

<u>YOUR ACCT. NO</u>	<u>TODAY'S DATE</u>	<u>INVOICE NO.</u>	<u>DATE(S) OF SERVICE</u>
1004623	09/29/16	160929	09/26/16 9.0 hrs 09/27/16 7.5 hrs 09/28/16 8.0 hrs 09/29/16 8.5 hrs

Inv. No.
DATE

1 = 33 hrs

DESCRIPTION OF SERVICES

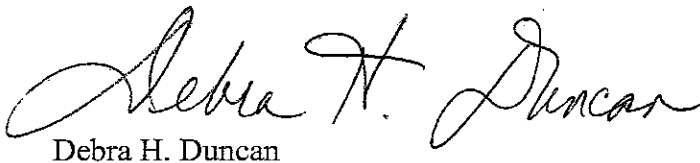
Indexing of Compton City Council Meeting
Minutes

DATES OF SERVICE

9/26/16; 9/27/16; 9/28/16 and 9/29/16

PLEASE PAY THIS AMOUNT:

\$825.00


Debra H. Duncan

It is a sincere pleasure to be of service to you!

Paid By	AN
V#	10004623
PO #	17-00603
A/C #	LISTED
A/C #	

