

NOTICE

COMPTON CITY COUNCIL AGENDA

**Wednesday, January 24, 2018
5:30 PM**

OPENING

MOMENT OF SILENCE

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

CONSENT AGENDA

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

APPROVAL OF MINUTES

1. DECEMBER 26, 2017

REPORTS OF OFFICERS AND COMMISSIONS

END CONSENT AGENDA

REGULAR AGENDA

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

2. REMOVAL OF OFFICERS, COUNCIL MEMBERS,
BOARDS/COMMISSIONS AND COMMITTEES

RESIGNATION - Christopher Petit, Community Relations
Commission

CITY MANAGER'S REPORT

3. A REQUEST TO SCHEDULE A PUBLIC HEARING TO APPROVE A GENERAL PLAN AMENDMENT TO AMEND THE EXISTING GENERAL PLAN LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO GENERAL COMMERCIAL (GC) AT 961 S. WILMINGTON AVENUE, (ASSESSOR'S PARCEL NUMBER 6141-013-002) (February 6, 2018 at 5:35 p.m.)

CITY ATTORNEY'S REPORTS

4. BOONE V. LOS ANGELES COUNTY REGISTRAR RECORDER - LASC CASE NO. BS163381 - DECISION ON VERIFIED PETITION (**Receive/File**)

CLOSED SESSION

5. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager
Pursuant to California Government Code Section 54957

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Controller
Pursuant to California Government Code Section 54957

UNFINISHED BUSINESS

6. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 7-21.1 THROUGH 7-25.16 (SEX OFFENDER RESIDENCY RESTRICTIONS) OF THE COMPTON MUNICIPAL CODE IN ITS ENTIRETY (Second Reading)

NEW BUSINESS

APPROVAL OF WARRANTS

7. Warrant #243181 - Date-1/11/18 - Name -Turner, Tonnice – Services - Dinner for Marijuana Information & Campaign Workshop - Amount-\$3,100.00 - Requested by: City Manager

Warrant #243184 - Date -1/18/18 - Name-Alma's Cookies & Co. Restaurant - Services - Christmas dinner & Ole School Dickerson Holiday Luncheon Event - Amount - \$5,668.25 - Requested by: City Manager

Warrant #243222 - Date - 1/18/18 - Name - Alma Pleasant dba Alma's Cookies & Co. - Services - Christmas dinner & Ole School Dickerson Holiday Luncheon Event - Amount - \$3,302.00 - Requested by: City Manager

Warrant #243225 - Date - 1/18/18 - Name - Premier Mailing Services - Services - Measure "C" and "I" Information Pamphlet - Amount - \$1,584.96 - Requested by: City Manager

Total Amount - \$13,655.21

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, February 06, 2018 @ 5:30 PM.

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

View Meetings Live at
<http://www.comptoncity.org/officials/clerk/agendas/video.asp>

DECEMBER 26, 2017

The Compton City Council meeting was called to order at 5:41 p.m. in the Council Chambers of City Hall by Mayor Pro Tem Tana McCoy. The Pledge of Allegiance and Moment of silence ceremonies were also led by Mayor Pro Tem Tana McCoy.

ROLL CALL

Council Members Present – Zurita, Sharif, McCoy

Council Members Absent – Galvan, Brown

Other Officials Present: C. Cornwell, A. Godwin, C. Rhambo, Jr.

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Robert Ray, Compton resident, addressed the Council and suggested that everyone resolve to support the American Red Cross in the year 2018. Mr. Ray requested monetary and blood donations for the Red Cross and volunteers for blood delivery. He urged those interested in assisting to visit: redcross.org or call 1(800) RED-CROSS. Mr. Ray concluded by urging everyone to vote 'NO' on Measures 'I' and 'C' in the upcoming election.

Benjamin Holifield, President-Compton Business Chamber, spoke before the Council and wished everyone a Happy and Prosperous New Year. Mr. Holifield stated that the Chamber is completely dedicated to improving and beautifying the City. Mr. Holifield urged the City to paint red curbs on 156th Street and Central Avenue.

David Irons, Compton resident, addressed the Council regarding Gonzales Park and noted that signs must be posted dedicating the park as a “graffiti-free zone.”

Barbara Calhoun, Former City Councilwoman, addressed the Council regarding the filming that recently took place in Compton, and noted that none of the local residents had been notified that the streets would be blocked off. Ms. Calhoun further questioned why the residents had not been contacted and notified regarding the filming and also questioned the rules and regulations about street filming and blockage.

Dean Jones, Economic Development Specialist stated that this was an oversight and the film company did not submit petitions and did not notify the community residents. Mr. Jones stated that in the future, there will be closer scrutiny whenever there is a street closure and he further assured the Council that he would make certain film companies are in compliance with all the details of the filming agreement.

CONSENT AGENDA

APPROVAL OF MINUTES

1. NOVEMBER 21, 2017

REPORTS OF OFFICERS AND COMMISSION

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

2. INVESTMENT REPORTS - October 31, 2017 and November 30, 2017 (**Received and Filed**)

HUMAN RESOURCES

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON FIXING THE EMPLOYER CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT (**Approved Resolution Number 24,716**)

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO ADJUST SEASONAL, HOURLY AND MISCELLANEOUS CLASSIFICATIONS WAGES AS A RESULT OF THE INCREASE TO THE 2018 STATE OF CALIFORNIA MINIMUM WAGE (**Approved Resolution Number 24,717**)

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

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

END CONSENT AGENDA

REGULAR AGENDA

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

UNFINISHED BUSINESS There was no Unfinished Business.

NEW BUSINESS

APPROVAL OF WARRANTS

5. Warrant # 242973 - Date - 12/20/17 - Name - United Site Services of CA INC - Services - Fence rental services for Dollarhide from Nov. 2015 to current - Amount - \$2,052.40 - Requested by: City Manager

Total Amount: \$ 2,052.40

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

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

COUNCIL COMMENTS

Councilperson Zurita offered the following communications/announcements:

- Wished the residents of the community a **Happy, Healthy and Safe New Year.**

Councilperson Sharif offered the following communications/announcements:

- Encouraged everyone to attend her Business-2-Business Round Table breakfast at the Dollarhide Community Center on January 24, 2018, noting that small businesses are the backbone of our community and local economy.
- Requested an update on the scheduling of a meeting with the City and Caltrans regarding the maintenance of the 91 and 710 Freeways, the homeless encampments and road repair.
- Wished the entire City of Compton a **Happy and Healthy New Year.**

Mayor Pro Tem McCoy offered the following communications/announcements:

- Wished everyone a **Happy and Prosperous New Year.**
- Encouraged everyone to attend her Town Hall meeting which will be held at the former Camp Fire Site in Richland Farms on January 11, 2018 beginning at 6 p.m.

ADJOURNMENT

On motion by Zurita, seconded by McCoy, the meeting was adjourned at 6:04 p.m. by the following vote on roll call:

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

CITY CLERK OF THE CITY OF COMPTON

MAYOR OF THE CITY OF COMPTON

January 24, 2018

TO: MAYOR AND CITY COUNCIL
FROM: ALITA L. GODWIN, CMC – CITY CLERK
SUBJECT: ACCEPTANCE OF COMMISSIONER’S RESIGNATION

The following Commissioner is resigning:

<u>Name</u>	<u>Commission</u>
Petit, Christopher	Community Relations Commission

It is hereby requested that the City Council accept the resignation of Christopher Petit.

ALITA L. GODWIN, CMC
CITY CLERK

JANUARY 24, 2018

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

CASE: GENERAL PLAN AMENDMENT CASE NO. 17-000001

**SUBJECT: A REQUEST TO SCHEDULE A PUBLIC HEARING TO APPROVE A
GENERAL PLAN AMENDMENT TO AMEND THE EXISTING GENERAL PLAN
LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (MDR)
TO GENERAL COMMERCIAL (GC) AT 961 S. WILMINGTON AVENUE,
(ASSESSOR'S PARCEL NUMBER 6141-013-002)**

On Wednesday, October 11, 2017, the Planning Commission voted the recommend approval to the City Council General Plan Amendment (GPA) Case No. 17-000001. This GPA request is to modify the existing General Plan land use designation from Medium Density Residential (MDR) to General Commercial (GC) for a property located at 961 S. Wilmington Avenue. Staff therefore requests that City Council schedule a public hearing on this matter for Tuesday, February 6, 2018 at 5:35 p.m.

**ROBERT DELGADILLO
INTERIM PLANNING DIRECTOR**

APPROVED FOR FORWARDING:

**CECIL W. RHAMBO JR.
CITY MANAGER**

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Planning

RESOLUTION TITLE: A REQUEST TO SCHEDULE A PUBLIC HEARING TO APPROVE A GENERAL PLAN AMENDMENT TO AMEND THE EXISTING GENERAL PLAN LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO GENERAL COMMERCIAL (GC) AT 961 S. WILMINGTON AVENUE, (ASSESSOR’S PARCEL NUMBER 6141-013-002) (February 6, 2018 at 5:35 p.m.)

Robert Delgadillo
DEPARTMENT MANAGER’S SIGNATURE

1/16/2018 12:35:05 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

1/18/2018 1:32:23 PM
DATE

Nita McKay
CITY CONTROLLER

1/17/2018 9:59:11 AM
DATE

Laurence Adams
CITY MANAGER

1/16/2018 4:08:05 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.

#12 #4.
per

Final

Lynn Boone,

Judge Mary Strobel
Hearing: January 4, 2018

v.

Los Angeles County Registrar Recorder,

BS163381

Tentative Decision on Verified Petition for
Election Contest: DENIED

Petitioner Lynn Boone, in pro per ("Petitioner" or "Contestant") seeks an order nullifying the election results for Measure P in the City of Compton, June 7, 2016 election pursuant to Elections Code section 16100 et seq. Respondent Los Angeles County Registrar-Recorder ("Respondent") opposes the petition.

Judicial Notice

Respondent's Exhibit G – Granted.

Evidentiary Objections

Curry Declaration (filed 12/13/16)

As a preliminary matter, the Curry Declaration is not signed under penalty of perjury as required by CCP section 2015.5. Therefore, the declaration is not competent evidence. The court also rules as follows on Respondent's objections:

- (1) Overruled.
- (2) Sustained.
- (3) Sustained.
- (4) Sustained.

Macon Declaration (filed 12/13/16)

- (5) Sustained.
- (6) Overruled.
- (7) Sustained.
- (8) Sustained.
- (9) Sustained. The court interprets this objection to refer to Exhibits 5 and 6 of the amended petition filed 12/13/16.
- (10) Sustained. The court interprets this objection to refer to the last page of Exhibit 2 of the amended petition filed 12/13/16.
- (11) Sustained. The court interprets this objection to refer to the remainder of Exhibit 2 of the amended petition filed 12/13/16.

Statement of the Case

Procedural History and Verified Petition

On July 11, 2016, Petitioner Lynn Boone, in pro per, filed a verified petition for election contest, violation of due process, and open hand recount. Petitioner alleged that Respondent had a clear, ministerial duty to provide a recount of the June 7, 2016 special election for Measure P of the City of Compton pursuant to Elections Code sections 15360 and 15620-15634.

On November 15, 2016, the court (Judge Deirdre Hill) held oral argument on the petition. Respondent had yet to appear in the action. The court indicated that the petition was uncertain and ambiguous, and that various essential allegations were missing. The court granted Petitioner leave to amend the petition, and directed service forthwith on Respondent. On December 13, 2016, the case was reassigned to Department 82, a writs and receivers department.

On December 13, 2016, Petitioner filed a verified statement of election contest, citing Elections Code section 16100 and 16400. Petitioner alleges she is a qualified voter in the incorporated City of Compton. Petitioner alleges that Measure P, which asked voters to approve a 1% sales tax in the City of Compton, appeared headed for defeat on June 7, 2016 when initial election results came in. However, over the subsequent two weeks, as more ballots were counted, Measure P collected more “yes” votes and ultimately won the election by a margin of 225 votes. (Verified Statement pp. 2-5.) The Los Angeles County Board of Supervisors confirmed the election results on July 5, 2016. (Ver. St. p. 1.)

Petitioner challenges the Measure P election on the grounds that Respondent allowed or in error permitted votes to be cast by voters living outside the incorporated City of Compton. Petitioner alleges that multiple precincts accommodate voters from both the incorporated and unincorporated areas in or near the City of Compton. (Ver. St. p. 3, Exh. 1.)

On or about July 6, 2016, Richard Earl, a member of the Vote No On Measure P Committee, sent an email to the Los Angeles County registrar’s office requesting a recount of Measure P. On or about July 13, 2016, Earl and Marie Hollis, another member of the committee, delivered to the registrar’s office a cashier’s check for \$3,907.08 to pay for the recount. (Ver. St. Exh. 3-4.) Petitioner alleges she participated in the recount held on July 13, 2016. (Ver. St. p. 5; Exh. 4.) According to the petition, 982 ballots were reviewed in the recount, and 11.6% of those ballots were “unquestionably invalid.” (Id. p. 5, Exh. 6-8.) Petitioner contends that the 11.6% error rate should be applied to all 3,321 ballots counted following close of the election, which would result in 385 invalid votes, which is larger than the margin of victory of 225 votes

for Measure P.¹ (Id. pp. 5-6.) As discussed in greater detail below, Petitioner does not allege or show the number of “invalid” votes that were cast in favor of Measure P and against Measure P.

In her prayer for relief, Petitioner requests that the approval of Measure P should be voided on the grounds that the outcome is uncertain. Petitioner further requests: “If, and only if, this Court deems further proceedings necessary before making its determination, Petitioner requests this Court ORDER Defendants(s) to produce/make available ALL ballots counted involving Measure P.” (Ver. St. p. 6.)

On January 13, 2017, Respondent filed a demurrer to the verified statement of election contest. The demurrer was brought solely on the ground that Petitioner failed to exhaust administrative remedies. On April 6, 2017, Respondent filed a notice of non-receipt of opposition. On April 11, 2017, the court overruled Respondent’s demurrer. The court reasoned that “the applicable statutes do not provide an administrative remedy which must be exhausted before an election contest under Division 16 of the Elections Code.”

A trial setting conference was also held on April 11, 2017, and was attended by Petitioner, in pro per. The court set the writ hearing for January 4, 2018, and set a briefing schedule. The opening brief was to be filed and served 60 days before the hearing, the opposition 30 days before the hearing, and the reply 15 days before the hearing. Petitioner has not filed an opening brief. On December 5, 2017, Respondent filed an opposition. No reply has been received. The reply was due December 20, 2017.

Respondent’s Opposition

Balloting, Polling Place Challenges, and Canvassing for June 7, 2016 Election

In support of its opposition, Respondent submits evidence of the following: For the June 7, 2016 election, the City of Compton’s election questions, including Measure P, were included in Ballot Group number 179. Ballot Group 179 was only mailed to the voters with a residence address located within the City of Compton precincts. No voters who resided outside of the City of Compton received Ballot Group 179 and the Provisional Ballots cast in the City of Compton were only counted if the voter was registered to vote in the City of Compton. (Salazar Decl. ¶¶ 5-6, 9; Olvera Decl. ¶¶ 13-17, 24, 29).

The voters who were qualified to vote on the City of Compton contests, including Measure P, were assigned to the following precincts: 1450002A, 1450004A, 1450007B, 1450008A, 1450010C, 1450018A, 1450020A, 14500228, 1450024A, 1450027A, 1450028C, 1450030A, 1450033A, 1450034A, 1450036A, 1450040C,

¹ Petitioner states that the final vote totals for Measure P were 6,833 “yes”, and 6,608 “no.” (Ver. St. p. 5, Exh. 2.)

1450042C, 1450043B, 1450045A, 1450052A, 1450062B, 1450091A, 14500113A, 14501188, 1450132A, 1450133A, 1450136B, 1450137A, 1450137E, 1450141A, 1450142B, 1450147A, 1450148A, 1450149A, 1450152A, 1450153A, 1450154A, 1450155A, 1450157A, 1450160A, 1450163A, 1450164C, 1450167A, and 1450305A. Voters who lived outside of the City of Compton or in the unincorporated areas of the County of Los Angeles were not assigned to the above precincts and did not receive Ballot Group 179. (Salazar Decl. ¶ 7; Olvera Decl. ¶ 16.)

A voter's registration is verified by the Registrar before the provisional ballot envelope is opened. If the Registrar cannot verify the person's registration, the Registrar will not open the envelope and will not count the ballot inside. (Olvera Decl. ¶ 8.) All of the appropriate provisional voting protocols were followed during the June 7, 2016 election. (Olvera Decl. ¶¶ 9-12.) As required by section 14310(d), voters were given an online access number, which would tell them if their vote was counted, and if not, why not. If voters had concerns about their votes not being counted, they could challenge the Registrar's decision by seeking a court order prior to the conclusion of the official canvass. (Elec. Code § 14300(c)(2)(B); Olvera Decl. ¶ 12.)

During the June 7, 2016 election, Respondent received no demand for a challenge at the polls from Petitioner or anyone affiliated with any campaign against Measure P. (Olvera Decl. ¶ 6.)

Once all ballots have been cast, the Registrar begins the process of counting the vote. During this phase, any member of the public may observe all proceedings at the central counting place. (Olvera Decl. ¶ 18.) Neither Petitioner nor any representative affiliated with any campaign against Measure P attended the canvass for to the June 7, 2016 election. (Olvera Decl. ¶ 24.) No claim was ever made that any information on any provisional ballot envelope was inadequate, that the ballot inside would be illegal, or that any ballot envelope should not be opened. (Ibid.) Consequentially, all provisional ballot envelopes that the Registrar deemed acceptable were opened, ballots were separated from the envelopes, and voters were notified that their votes were counted. On July 1, 2016, Respondent certified the election results. (Olvera Decl. ¶ 25.)

The Recount

On July 6, 2016, representatives of the campaign against Measure P, including Petitioner, initiated a recount of the June 7, 2016 City of Compton elections results relating to Measure P. (Olvera Decl. ¶ 26.) The recount was conducted on a single day on July 13, 2016. While Measure P opponents were offered the option of inspecting ballots, they instead focused their review exclusively on provisional ballot envelopes which had already been opened and from which ballots had been removed and counted. (Olvera Decl. ¶¶ 26-27.) Ultimately, the Measure P opponents terminated the recount after a single day, without completing the recount and without challenging a single ballot. (Olvera Decl. ¶¶ 27-29.)

The foregoing evidence has not been challenged by Petitioner, and has apparently been conceded. (See *Sehulster Tunnels/Pre-Con v. T aylor Brothers, Inc.* (2003) 111 Cal.App.4th 1328, 1345, fn. 16.)

Standard of Review / Statement of Applicable Law

Petitioner brings this election challenge pursuant to Election Code section 16100 and 16400, which are contained in Chapters 1 and 5 of Division 16 of the Elections Code entitled "Elections Contests." Section 16100 provides, in relevant part, that an elector may contest "any election" for causes that include the following: "(a) That the precinct board or any member thereof was guilty of malconduct.... (d) That illegal votes were cast.... (f) That the precinct board in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected. (g) That there was an error in the vote-counting programs or summation of ballot counts."²

The election contest is strictly limited to the grounds set forth in section 16100. (*Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165, 192-94.) "The main purpose of these provisions is to 'ascertain the will of the people and to make certain that mistake or fraud has not frustrated the public volition.' [Citation.] Courts have applied these provisions to candidates as well as ballot measure elections." (Id. at 194.)

Elections Code section 16400 et seq. sets forth the procedures for filing election contests. Section 16402 sets forth procedures for a contest based on alleged illegal voting:

When the reception of illegal votes is alleged as a cause of contest, it is sufficient to state generally that in one or more specified voting precincts illegal votes were given to the defendant, which, if taken from him or her, will reduce the number of

² Section 16202, titled "Malconduct of precinct board," provides as follows: "When any election held for an office exercised in and for a county is contested on account of any malconduct on the part of the precinct board of any precinct, or any member thereof, the election shall not be annulled or set aside upon any proof thereof, unless the rejection of the vote of that precinct would change the result as to that office in the remaining vote of the county."

Section 16203, titled "Illegal votes," provides as follows: "An election shall not be set aside on account of illegal votes, unless it appears that a number of illegal votes has been given to the person whose right to the office is contested or who has been certified as having tied for first place, which, if taken from him, would reduce the number of his legal votes below the number of votes given to some other person for the same office, after deducting therefrom the illegal votes which may be shown to have been given to that other person."

#4.

his or her legal votes below the number of legal votes given to some other person for the same office.

Testimony shall not be received of any illegal votes, unless the contestant delivers to the defendant, at least three days before the trial, a written list of the number of illegal votes, and by whom given, which he or she intends to prove. No testimony may be received of any illegal votes except those that are specified in the list.

Elections Code section 16600 et seq. sets forth procedures for trial. Section 16602 provides in full: "In the trial and determination of election contests, the court shall be governed by the rules of law and evidence governing the determination of questions of law and fact, so far as the same may be applicable. It may dismiss the proceedings if the statement of the cause of the contest is insufficient, or for want of prosecution."

Section 16603 provides in part: "After hearing the proofs and allegations of the parties and within 10 days after the submission thereof, the court shall file its findings of fact and conclusions of law, and immediately thereafter shall pronounce judgment in the premises, either confirming or annulling and setting aside the election."

"Strict rules embodied in the Elections Code govern a court's review of a properly contested election. 'It is a primary principle of law as applied to election contests that it is the duty of the court to validate the election if possible. That is to say, the election must be held valid unless plainly illegal.'" (*Gooch v. Hendrix* (1993) 5 Cal.4th 266, 277.) "The policy in favor of upholding elections appears in the cases in conjunction with the rule that '[t]echnical errors or irregularities arising in carrying out directory provisions *which do not affect the result* will not [void] the election.'" (Id. at 278.)

"The contestant has the burden of proving the defect in the election by clear and convincing evidence." (*Gooch, supra* at 279.)

Analysis

Failure to File Opening Brief

A memorandum of points and authorities is required for a noticed motion. (See CCP § 1094; CRC 3.1113(a).) The absence of a memorandum is an admission that the motion is not meritorious and may be denied. (CRC 3.1113(a).) "The memorandum must contain a statement of facts, a concise statement of the law, evidence and arguments relied on, and a discussion of the statutes, cases, and textbooks cited in support of the position advanced." (CRC 3.1113(b).)

The court is not required to search the record to ascertain whether it supports an appellant's contentions, nor make the parties' arguments for them. (*Inyo Citizens for Better Planning v. Inyo County Board of Supervisors* (2009) 180 Cal.App.4th 1, 14;

Nelson v. Avondale HOA (2009) 172 Cal.App.4th 857, 863 [court may treat point waived if not supported by argument].)

Here, at the TSC on April 11, 2017, the court set the writ hearing for January 4, 2018, and set a briefing schedule. The opening brief was to be filed and served 60 days before the hearing. Petitioner has not filed an opening brief, which the court views as an admission that the petition is not meritorious. Petitioner also has not timely filed a reply brief in response to Respondent's opposition. Moreover, as stated above, under Elections Code section 16602, the court may dismiss an election contest for "want of prosecution." Petitioner's failure to file an opening and reply brief could be viewed as "want of prosecution." The court nevertheless analyzes the assertions made in Petitioner's verified statement of election contest, and the evidence for which Respondent's objections have not been sustained.³

Petitioner has Not Shown Malconduct by the Precint Board, that Illegal Votes were Cast, or Errors Sufficient to Change the Election Results

Respondent argues that Petitioner has not met her burden to show malconduct of the precinct board, that illegal votes were cast, or that there were errors sufficient to change the election results. As part of this argument, Respondent asserts that Petitioner's offer of proof consists entirely of extraneous materials (e.g. vote by mail and provisional ballot envelopes) and not actual ballots. Respondent contends that Petitioner does not and cannot establish that any alleged illegal votes were cast in favor of or against Measure P, or that any alleged illegal votes or other errors were sufficient to change the election results. (Oppo. 8-10.) These arguments are persuasive.

As stated above, Elections Code section 16100 et seq. specifically requires that a showing not only that illegal votes were made, but that the results would have been different but for the illegal votes. (§ 16203.) Moreover, case law supports that errors in polling place processes that do not affect the result are not enough to overturn an election. (*Hardeman v. Thomas* (1989) 208 Cal.App.3d 153, 166.) "The policy in favor of upholding elections appears in the cases in conjunction with the rule that '[t]echnical errors or irregularities arising in carrying out directory provisions *which do not affect the result* will not [void] the election.'" (*Gooch v. Hendrix* (1993) 5 Cal.4th 266, 277.)

While Petitioner failed to file an opening brief, she did submit with her operative pleading the declarations of Richard Earl, Cynthia Macon, and Joe Curry to support her election contest. Petitioner seeks to invalidate the election based on complaints about how provisional ballot envelopes were processed and alleged voter registration irregularities.

³ Respondent argues that the court "lacks jurisdiction to consider an elections contest on the basis of material outside the four corners of the ballot." (Oppo. 6.) Respondent does not dispute, however, the court's jurisdiction to consider the election contest based on the specified grounds in Elections Code section 16100. (See Oppo. 7-11.) The court has jurisdiction.

#4.

In his declaration, Curry claims the addresses on the "Measure P Provisional Potential Ballot Violation List" fall outside of the City of Compton proper. Curry's declaration is not signed under penalty of perjury, as required by CCP section 2015.5, and is invalid. There are also foundational and other evidentiary issues with Curry's declaration, as reflected in the court's rulings on evidentiary objections. Moreover, considering his declaration at face value, Curry does not prove that the addresses were the actual addresses of the voters, that the voters voting provisionally were actually allowed to vote on Measure P, or that the voters' actual address was outside the City of Compton. Finally, Curry makes no showing that these votes could have changed the election results.

A similar analysis applies to the declarations of Richard Earl and Cynthia Macon. While these declarations were properly verified under penalty of perjury, there are foundational and other evidentiary issues, including reliance on hearsay. These declarations discuss the recount held on July 13, 2016. Earl and Macon admit that a complete recount was not conducted. The Measure P opponents focused their review on provisional ballot envelopes which had already been opened and from which ballots had been removed and counted. (See Macon Decl. pp. 2-3; Olvera Decl. ¶ 27.) Even taken at face value, Earl and Macon do not show that any specific votes were illegally cast, how those votes were cast, or that the votes would change the election results if omitted. They similarly do not show that any perceived errors affected the election results.

In opposition, Respondent argues that Petitioner waived her right to a judicial recount of votes, and that even if a recount was permitted, any challenge to an accepted ballot must be made on the face of the ballot itself and not on claims about ballot envelopes or voter registration. (Oppo. 5-6.) To the extent the petition could be interpreted as requesting a recount, Petitioner has not pursued that claim before this court, including in an opening brief, and has waived such relief.⁴ The court also agrees with Respondent that challenges to accepted provisional ballots must be made on the face of the ballot itself. (See Cal. Code Regs., Tit. 2, § 20823(a)(1); Elec. Code §§ 15105, 15350.)⁵ Petitioner makes no argument to the contrary. This rule safeguards

⁴ The court need not decide whether Petitioner waived the right to a judicial recount by failing to complete the recount that occurred on July 13, 2016. (See Oppo. 5.)

⁵ Regulation 20823(a)(1) provides: "A ballot that was counted in the official canvass, including a counted vote by mail or provisional ballot, may be challenged only on grounds of disqualifying distinguishing marks or some other grounds visible on the face of the ballot so that the ballot can be isolated and removed from the count if the elections official determines that the ballot was not properly cast." Section 15105 provides in part: "All challenges shall be made prior to the opening of the identification envelope of the challenged vote by mail voter." Section 15350 provides in part: "Provisional ballots cast pursuant to Section 14310 shall be processed and counted in

the secrecy of the ballot by ensuring that accepted ballots are not traceable to the voters. (See e.g. Cal. Const., art. II, § 7 [“voting shall be secret”].) Therefore, with respect to the provisional ballots that Petitioner focuses on in her petition, it is entirely unclear on this record how Petitioner could show that any alleged “invalid votes” would have changed the election result. Petitioner has not made this showing in her verified statement of election contest, and she has not filed any other supporting papers.

The court also notes the high burden of proof that applies to a challenge during the canvassing process, before the opening of a provisional ballot envelope. “Because the voter is not present, the challenger shall have the burden of establishing extraordinary proof of the validity of the challenge at the time the challenge is made.” (Elec. Code § 15106; see § 15350.) Petitioner did not challenge the provisional ballots at issue before they were opened pursuant to the relevant statutory procedure.

Respondent also argues that Petitioner’s failure to join the alleged “illegal voters” as indispensable parties is fatal to her election contest. Based on the analysis above, the court need not reach this argument. (Oppo. 11.)

Conclusion

This ruling constitutes the court’s findings of fact and conclusions of law. The petition is DENIED.

accordance with the provisions outlined in Chapter 2(commencing with Section 15100)”

January 24, 2018

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 7-21.1 THROUGH 7-25.16 (SEX OFFENDER RESIDENCY RESTRICTIONS) OF THE COMPTON MUNICIPAL CODE IN ITS ENTIRETY

SUMMARY

The City Council will consider adopting an ordinance amending Sections 7-21.1 through Section 7-25.16 of the Compton Municipal Code, which imposed residency restrictions on registered sex offenders in the City of Compton.

BACKGROUND

On November 7, 2006, the voters of the State of California overwhelmingly approved Proposition 83, the “Sexual Predator Punishment and Control Act” commonly known as “Jessica’s Law,” so as to better protect Californians, and, in particular, to protect the State’s children from sex offenders. Proposition 83, as codified at Penal Code Section 3003.5, provides that registered sex offenders may not reside within 2,000 feet of a public or private school or a park where children regularly gather, and also authorized cities and counties to adopt local ordinances to increase the distance restrictions and add other locations applicable to the distance restrictions. On June 30, 2009, the City Council adopted Ordinance No. 2,192, which added Sections 7-25.1 through 7-25.16 (Sex Offender Residency Restrictions) to Chapter 7 of the Compton Municipal Code, in reliance on “Jessica’s Law”.

In 2014, the California Court of Appeal, in *People v. Nguyen* (2014) 222 Cal.App.4th 1168, held that California Penal Code restrictions on the public and private places where sexual offenders may be located preempts local regulations prohibiting sexual offenders from accessing particular locations in a City. The following year, the California Supreme Court in *In re Taylor* (2015) 60 Cal.4th 1019 held that blanket enforcement of residency restrictions under Penal Code Section 3003.5(b) hampers efforts to supervise and rehabilitate sex offenders in the interests of public safety, such enforcement was arbitrary and oppressive, violating due process under the Fourteenth Amendment of the U.S. Constitution, as such enforcement caused many registered sex offenders on parole to be homeless, and that such blanket restrictions bear no rational relationship to advancing the state’s legitimate goal of protecting children from sexual predators. Then in 2016, the California Court of Appeal, in *People v. Lynch* (2016) 2 Cal.App.5th 524, interpreted Penal Code Section 3003.5 as applying only to parolees.

STATEMENT OF THE ISSUE

Based on these judicial decisions, a dispute has arisen regarding the City's authority to enforce the residency requirements codified at CMC Sections 7-25.1 through 7-25.16. The City of Compton, as are all cities in the state, is required to comply with state law as interpreted by the courts of the state. There are still some issues pertaining to the extent to which a city can adopt local regulations in the area of sex offender residency restriction.

It should be noted that convicted sex offenders are still required to register their residences with local police, who in turn, submit this information to the state Department of Justice for inclusion on the Department of Justice "Megan's Law" website and therefore, communities are still provided the protection of knowing where registered sex offenders reside and law enforcement can thereby monitor their activities in the community. It remains unlawful for any person for whom registration is required pursuant to Penal Code Section 290 to reside within 2000 feet of any public or private school, or park where children regularly gather. It is also still the law that when a person is released on parole after having served a term of imprisonment in state prison for any offense for which registration is required pursuant to Penal Code Section 290, that person may not, during the period of parole, reside in any single family dwelling with any other person also required to register pursuant to Penal Code Section 290, unless those persons are legally related by blood, marriage, or adoption.

In addition, according to the Penal Code, every person who is required to register pursuant to Penal Code Section 290, based upon the commission of an offense against a minor, is prohibited from residing, except as a client, and from working or volunteering in a child day care facility or children's residential facility that is licensed by the State Department of Social Services, a home certified by a foster family agency, or a home approved by a county child welfare services agency. Moreover, every person who is required to register pursuant to Penal Code Section 290, based upon the commission of an offense against a minor, is prohibited from residing, except as a client, and from working or volunteering in a home or facility that receives a placement of a child who has been, or may be, declared a dependent child of the juvenile court pursuant to Section 300 of the Welfare and Institutions Code or who has been, or may be, declared a ward of the juvenile court pursuant to Section 601 and 602 of the Welfare and Institutions Code.

Amending Chapter 7 of the Compton Municipal Code does not preclude the City's law enforcement officers from enforcing existing Penal Code provisions that regulate registered sex offenders.

FISCAL IMPACT

There is no fiscal impact with the adoption of this ordinance.

RECOMMENDATION

It is recommended that the City Council approve the attached ordinance repealing Ordinance No. 2,192 ("Sex Offender Residency Restrictions").

CRAIG J. CORNWELL
CITY ATTORNEY

ORDINANCE NO. _____**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING SECTIONS 7-27.1 THROUGH 7-25.16 (SEX OFFENDER
RESIDENCY RESTRICTIONS) OF THE COMPTON MUNICIPAL CODE IN
ITS ENTIRETY**

WHEREAS, on November 7, 2006, the voters of the State of California overwhelmingly approved Proposition 83, the “Sexual Predator Punishment and Control Act” commonly known as “Jessica’s Law,” so as to better protect Californians, and, in particular, to protect the State’s children from sex offenders; and

WHEREAS, Proposition 83, as codified at Penal Code Section 3003.5, provides that registered sex offenders may not reside within 2,000 feet of a public or private school or a park where children regularly gather, and also authorized cities and counties to adopt local ordinances to increase the distance restrictions and add other locations applicable to the distance restrictions; and

WHEREAS, on June 30, 2009, the City Council of the City of Compton adopted Ordinance No. 2,192, which added Sections 7-25.1 through 7-25.16 (Sex Offender Residency Restrictions) to Chapter 7 of the Compton Municipal Code, in reliance on “Jessica’s Law”; and

WHEREAS, in 2014, the Fourth Appellate District of California Court of Appeal, in *People v. Nguyen* (2014) 222 Cal.App.4th 1168, held that California Penal Code restrictions on the public and private places where sexual offenders may be located preempts local regulations prohibiting sexual offenders from accessing particular locations in a City; and

WHEREAS, in 2015, the California Supreme Court in *In re Taylor* (2015) 60 Cal.4th 1019 held that blanket enforcement of residency restrictions under Penal Code Section 3003.5(b) hampers efforts to supervise and rehabilitate sex offenders in the interests of public safety, such enforcement was arbitrary and oppressive, violating due process under the Fourteenth Amendment of the U.S. Constitution, as such enforcement caused many registered sex offenders on parole to be homeless, and that such blanket restrictions bear no rational relationship to advancing the state’s legitimate goal of protecting children from sexual predators; and

WHEREAS, in 2016, the First Appellate District of California Court of Appeal, in *People v. Lynch* (2016) 2 Cal.App.5th 524, interpreted Penal Code Section 3003.5 as applying only to parolees; and

WHEREAS, based on these judicial decisions, a dispute has arisen regarding the City’s authority to enforce the residency requirements codified at CMC Sections 7-25.1 through 7-25.16; and

WHEREAS, the City of Compton is required to comply with state law as interpreted by the courts of the state; and

WHEREAS, there are still some issues pertaining to the extent to which a city can adopt local regulations in the area of sex offender residency restriction; and

WHEREAS, it remains the law that convicted sex offenders are still required to register their residences with local police, who in turn, submit this information to the state Department of Justice for inclusion on the Department of Justice “Megan’s Law” website and therefore, communities are still provided the protection of knowing where registered sex offenders reside and law enforcement can thereby monitor their activities in the community; and

WHEREAS, it remains unlawful for any person for whom registration is required pursuant to Penal Code Section 290 to reside within 2000 feet of any public or private school, or park where children regularly gather; and

WHEREAS, it remains the law that when a person is released on parole after having served a term of imprisonment in state prison for any offense for which registration is required pursuant to Penal Code Section 290, that person may not, during the period of parole, reside in any single family dwelling with any other person also required to register pursuant to Penal Code Section 290, unless those persons are legally related by blood, marriage, or adoption; and

WHEREAS, it is the law that every person who is required to register pursuant to Penal Code Section 290, based upon the commission of an offense against a minor, is prohibited from residing, except as a client, and from working or volunteering in a child day care facility or children’s residential facility that is licensed by the State Department of Social Services, a home certified by a foster family agency, or a home approved by a county child welfare services agency; and

WHEREAS, it is the law that every person who is required to register pursuant to Penal Code Section 290, based upon the commission of an offense against a minor, is prohibited from residing, except as a client, and from working or volunteering in a home or facility that receives a placement of a child who has been, or may be, declared a dependent child of the juvenile court pursuant to Section 300 of the Welfare and Institutions Code or who has been, or may be, declared a ward of the juvenile court pursuant to Section 601 and 602 of the Welfare and Institutions Code; and

WHEREAS, amending Chapter 7 of the Compton Municipal Code does not preclude the City’s law enforcement officers from enforcing existing Penal Code provisions that regulate registered sex offenders; and

WHEREAS, the City Attorney’s Office recommends that Ordinance No. 2,192 (“Sex Offender Residency Restrictions”) be repealed.

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

Section 1. That Ordinance No. 2,191 (“Sex Offender Residency Restrictions”) adopted by the City Council of June 24, 2009, and codified at Sections 7-25.1 through 7-25.16 of the Compton Municipal Code, is hereby repealed in its entirety.

Section 2. The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentence or words of this Ordinance hereby adopted shall remain in full force and effect.

Section 3. That a copy of this Ordinance shall be forwarded to the offices of the City Manager, City Attorney, Planning and Economic Development, Building and Safety Department and the Los Angeles County Sheriff’s Department, Compton Station.

Section 4. That is Ordinance shall take effect thirty (30) days after its adoption.

ADOPTED this ____ day of _____, 2018.

MAYOR OF THE CITY OF COMPTON

ORDINANCE NO. _____
Page 3

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 _____, 2018.

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

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 7-21.1 THROUGH 7-25.16 (SEX OFFENDER RESIDENCY RESTRICTIONS) OF THE COMPTON MUNICIPAL CODE IN ITS ENTIRETY (First Reading)

Anita Aviles
DEPARTMENT MANAGER’S SIGNATURE

1/9/2018 5:21:25 PM
DATE

REVIEW / APPROVAL

Craig Cornwell
CITY ATTORNEY

1/11/2018 2:24:48 PM
DATE

Nita McKay
CITY CONTROLLER

1/10/2018 7:41:54 PM
DATE

Cecil Rhambo
CITY MANAGER

1/10/2018 4:38:08 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.

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>
243181	1/11/18	Turner, Tonnie	Dinner for Marijuana Info & Campaign Workshop	\$3,100.00	\$6,550.00
Requested by City Manager					
243184	1/18/18	Alma's Cookies & Co. Restaurant	Christmas Dinner & Ole School Dickerson Holiday Luncheon Event	\$5,668.25	\$8,097.21
Requested by City Manager					
243222	1/18/18	Alma Pleasant dba Alma's Cookies & Co.	Christmas Dinner & Ole School Dickerson Holiday Luncheon Event	\$3,302.00	\$3,302.00
Requested by City Manager					
243225	1/18/18	Premier Mailing Services	Measure "C" and Measure "I" Information Pamphlet Luncheon Event	\$1,584.96	\$11,529.96
Requested by City Manager					

I hereby certify that the above demands in the amount of **\$13,655.21** were approved at a regular meeting of the City Council and reject ____ as of January 24, 2018.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on January 24, 2018 allowed the above demands.

Alita Godwin
City Clerk

INVOICE

Tonnie Turner
2331 West 111th Street
Inglewood, California 90303
(323) 481-3554

DATE: January 10, 2018
INVOICE: 11218-R
BILL TO: c/o Mr. Marvin Hunt
Compton Parks & Recreation
301 North Tamarind Ave
Compton, Calif 90220
Office: (310) 605 5662

re: Lunch Meeting on January 12, 2018

DESCRIPTION	AMOUNT
Lunch for 200 people at \$15.50	\$ 3,100.00
Menu Items:	
Fried Chicken	
Macaroni & Cheese Casserole	
Green Beans w/Smoked Turkey	
Mixed Salad with Dressing	
Buttermilk Cornbread	
Dessert	
Ice Tea	
DUE UPON RECEIPT	SUBTOTAL \$ 3,100.00
Make all checks payable to:	TAX RATE 0.00%
Tonnie Turner	SALES TAX \$ -
2331 West 111th Street	
Inglewood, California 90303	TOTAL BALANCE DUE \$ 3,100.00

THANK YOU FOR YOUR BUSINESS

Paid By	AN
V#	10008403
PO #	18740495
A/C #	101-51-1000-4249
A/C #	

#7.

Money Activity Tools ▾ More ▾ Help

Manage Invoices Create Invoice Items Settings ▾ Features ☐ Invoicing feedback

Invoice Details Renew Edit More ▾

History

Jan 8, 2018, 4:28 PM You sent a \$5,668.25 USD invoice to Ladema@comptoncity.org

Jan 8, 2018, 4:28 PM You updated the invoice

More...

+ Add memo to self



INVOICE

Invoice #: 00166
Invoice date: Dec 10, 2017
Due date: Dec 10, 2017

Amount due
\$5,668.25

Alma's Cookies and Company Restaurant
Corina Pleasant
312 W. Compton Blvd
Compton, CA 90220
United States
Phone: 424-381-4410
cookiegals@gmail.com

Billed To:
Ladema@comptoncity.org

Date	Description	Quantity	Price	Amount
Dec 5, 2017	Christmas Entree Per Guest Roasted and herbed cornish game hens with mashed potatoes, gravy, glazed baby carrots, fresh green salad and dinner roll	250	\$18.00	\$4,500.00*
Dec 5, 2017	Green Salad With Tomatoes And Cucumber Dinner roll and butter chips	1	\$0.00	\$0.00
Dec 5, 2017	Beverage Station Iced tea, lemonade, and spa water	1	\$400.00	\$400.00*
Dec 6, 2017	Service Charge Includes set-up and break down of food service table, chaffing dishes, and all associated menu items including plates and flatware	1	\$315.00	\$315.00
	Subtotal			\$5,215.00
	California (9.25%)			\$453.25
	Total			\$5,668.25 USD
	Minimum amount due			\$0.00

*Taxable item

Event date 12-15-17
Host: Councilwoman Zurita

Payment must be received in full on or before the date of the event, or a penalty fee of 10% of the total amount of the invoice will be attached.

Help: Contact Fees Security
About Developers Partners

English Français Español 中文
Copyright © 1994-2018 Top Hat. All rights reserved. Privacy Legal Terms of Service

Controller's Office

2018 JAN 16 AM 10:45

NOTE:
This is revised invoice
with Table Cloth
duplicate charge
removed.
Lam

Approved
Lanem Adams

Alma Taylor Pleasant

1809 East Ezmirlian Street, Compton, CA 90221

Event date: 12/15/17

Receipt #1217AC
Christmas Luncheon
Host by Janna Zurita
Councilwoman – District 1

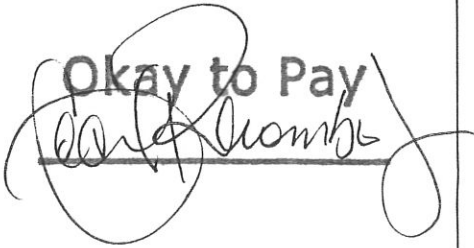
Description

Providing 35 Centerpieces @ \$25.00 ea	\$ 875.00
Providing 35 table cloths @ \$12.00 ea	\$ 420.00
Providing 300 individual sweet potato pies @ \$2.69 ea	\$ 807.00
Providing 300 assorted fruit & nut bags @ \$4.00 ea	\$ 1,200.00

Total cost: \$3,302.00

Make check payable to:
Alma Pleasant

Payment due upon services rendered

Okay to Pay


#7.

Invoice



Premier Printing & Mailing
 14522 Garfield Avenue
 Paramount CA 90723
 Tel: 562-408-2134 Fax: 562-408-2168

Invoice Number: 26773 - MAILING &

Invoice date

1/17/2018

Customer Name:	City of Compton
Cust Address:	205 S. Willowbrook Ave., Compton, CA 90220
Contact:	Satra Zurita
P.O. No.:	
Invoice No:	26773 - MAILING & POSTAGE Balance
Project Name:	EDDM Mail Only, 4pg newsletters - MAILING & POSTAGE

Quantity	Description	Cost	Total
33,935	Pick up mailing materials at customer's place (pre-printed 4-pg newsletters on 12.5x19" sheets, un-folded and un-trimmed). Download and printout facing slips. Bundle/affix facing slips per EDDM rules. Sort, tie and bag. Delivery to the Paramount post office is included.	0.023	\$763.88
	Postage required (Flat Size EDDM)		\$293.86
1	Dropship EDDM to it's final postal destination (compton main post office).	65	\$65.00
33,935	Trim 12.5 x 19" to 11 x 17" then fold to 8.5 x 11". Bundle material in 100's, per EDDM requirements.	0.012	\$407.22
4,200	Trim 12.5 x 19" to 11 x 17" then fold to 8.5 x 11". LEFTOVER MATERIAL FOR CLIENT HANDOUTS		\$55.00

Okay to Pay

Mailing services:	\$1,291.10
Postage balance due:	\$293.86
Sub Total:	\$1,584.96
Amount Received:	
Total Due:	\$1,584.96

* Please make checks payable to:

Premier Printing & Mailing, Inc.
 14522 Garfield Avenue, Paramount CA 90723