NOTICE

COMPTON CITY COUNCIL
AGENDA
Tuesday, March 06, 2018
5:30 PM

HEARINGS

5:35 P.M. PUBLIC HEARING - TO APPROVE A PROPOSED SUBDIVISION TO SUBDIVIDE AN EXISTING 93,510 SQUARE FOOT INDUSTRIAL LOT INTO THREE SEPARATE SMALLER PARCELS FOR FUTURE DEVELOPMENT AS A RETAIL COMMERCIAL CENTER AT 2200 WEST ARTESIA BOULEVARD TENTATIVE PARCEL MAP NO. 75002 (Item #2)

5:45 P.M. PUBLIC HEARING - TO CONSIDER AN APPEAL OF A VARIANCE DENIAL TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT AN UNAUTHORIZED CONVERTED GARAGE TO REMAIN AS LIVING SPACE AT 522 WEST PEACH STREET (Item #3)

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. FEBRUARY 6, 2018

REPORTS OF OFFICERS AND COMMISSIONS

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

NEW BUSINESS

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING TENATATIVE PARCEL MAP NO. 75002 TO SUBDIVIDE AN EXISTING 2,491 ACRE LOT INTO THREE SEPERATE SMALLER PARCELS FOR FUTURE DEVELOPMENT AS A RETAIL COMMERCIAL CENTER FOR A PROPERTY LOCATED AT 2200 W. ARTESIA BOULEVARD (ASSESSOR'S PARCEL NUMBER 7319-003-102)

3. HEARING - APPEAL OF PLANNING COMMISSION DECISION DENYING VARIANCE CASE NO 17-000005 - A REQUEST BY APPLICANTS (BLANCA/DOMINGO HERNANDEZ) TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT A CONVERTED GARAGE TO REMAIN AS LIVING SPACE AT 522 WEST PEACH STREET (RESOLUTIONS DENYING/APPROVING VARIANCE CASE NO. 17-000005 ATTACHED)

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS 2017-2018 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE $55,669 IN FUNDS FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY NATIONAL TRANSIT DATA FUND AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2014-2015

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE ABATEMENT SERVICES AGREEMENT WITH NEW WEST LANDSCAPING TO PROVIDE ADDITIONAL COMPENSATION AND ESTABLISH A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $55,000

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AN AMENDMENT TO THE LOCAL HOUSING AUTHORITY'S 2017-2018 FISCAL YEAR BUDGET TO TRANSFER FUNDS BETWEEN ACCOUNTS ($113,000)

APPROVAL OF WARRANTS

7. Warrant # 243649 - Date - 2/15/18 - Name - First American Title Co - Services - Payment for the First time homebuyer's program - Amount - $80,000.00 - Requested by: City Manager

   Warrant # 243856 - Date - 3/1/18 - Name - Broker Solutions INC First American Funding - Services - Payment for the First time homebuyer's program - Amount - $72,500.00 - Requested by: City Manager

   Warrant # 243871 - Date - 3/1/18 - Name - Tonnie Turner - Services - Lunch and refreshments for Black History Month events - Amount - $3,300.00 - Requested by: City Manager

   Total Amount: $155,800.00

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, March 13, 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

FEBRUARY 6, 2018

The Compton City Council meeting was called to order at 5:43 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, McCoy, Sharif, Brown
Council Members Absent – Galvan (Entered at 6:07 p.m.)

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

5:35 P.M. - 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 AVEUNE, (ASSESSOR'S PARCEL NUMBER 6141-013-002)
(***The Hearing was rescheduled for February 13, 2018 at 5:35 p.m.)***

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Bishop L. J. Guillory, Compton resident, addressed the Council and noted that the residents of District 1 are pleased with Councilmember Zurita, and he further spoke out against the current attempt to recall her. Mr. Guillory then spoke in favor of the current City Manager.

Gilda Blueford, Compton resident, thanked 3rd District Councilwoman Tana McCoy for attending the Block Club meeting and thanked her and City Manager Rhambo for addressing their concerns and certain quality of life issues. Ms. Blueford spoke in favor of having all City employees evaluated.

Robert Ray, American Red Cross Ambassador, announced that the Community Emergency Response Team (CERT) will be offering emergency preparedness training on February 24, 2018, March 3 and 10, 2018 and encouraged those interested to contact the Fire Department. He then announced a CPR training will be held on March 24, 2018 at Dollarhide Community Center for a $5 registration fee. Mr. Ray concluded by requesting monetary, blood donations and volunteers and urged those interested to contact: Redcross.org.

Alex Kinney, Compton resident, addressed the Council and noted that he has been conducting family history research and has learned that he has family lineage residing in Nigeria. Mr. Kinney requested information regarding the Sister City Program in Nigeria and further stated that he would like to cultivate a relationship between Compton and the sister-city.

Mayor Brown concurred with the speaker and recommended that the City Manager resurrect the sister-city program for the benefit of cultural exchange and enlightenment.

Craig Henry, Volunteers of America, thanked the Council for the lease space in the City, adding that many lives in Compton have been positively impacted by VOA and the Shields for Family program, adding that these organizations can provide many more services to the community. Mr. Henry then asserted that we are all different walks of life and may not always agree, however, the Council deserves respect as they were elected by the people.

David Irons, Compton resident, stated that his sister is in the hospital as a result of experimental drugs given to her by the hospital. Mr. Irons then asserted that health is better than wealth.

Jackie Venters, Compton resident, thanked the City for voting against the proposed Rescue Mission and further noted that we must come up with our own solution for the homeless population. She also complained of the absence of Councilman Galvan and also noted that he is not available to the residents and has missed approximately 50 Council meetings.

#1.

Rodney Andrews, Compton resident, addressed the Council and stated that he has learned that we must stand behind good politicians and offered his full support for the Council. Mr. Andrews also commended City Manager Rhambo for his service to the community.

Dwayne Myers, Compton residents, spoke before the Council and questioned the Mayor's 2017 statement that she has enough money to repair every street in Compton, and further stated that the streets must be repaired as soon as possible.

Nia Ujamaa, Compton resident, questioned whether there is a limit as to the number of meetings a Councilperson must attend, indicating that the Councilperson from District 2 is not accessible to the residents.

Craig Cornwell, City Attorney informed the speaker that Section 505 of the City Charter addresses the issue of Councilmember vacancies, noting that after missing 60 consecutive meetings, the Council seat may be declared vacant.

Lynn Boone, Compton resident, spoke regarding items 3 and 4 on the agenda (lease agreements) and asserted that organizations leasing City property must pay their fair share to increase revenue for the City. The City must bring in revenue and not allow businesses to pay the minimum fees for leasing City property. Ms. Boone further stated that the Mayor has stated that she has plans to re-pave every street in Compton; and further asserted that we are still waiting for the streets to be repaired.

Mayor Brown requested that the City Manager agendize the $75 Million Measure P street repair funding plan and further requested a full presentation from Public Works regarding street repair.

CONSENT AGENDA

APPROVAL OF MINUTES

1. JANUARY 9, 2018

REPORTS OF OFFICERS AND COMMISSIONS

CITY FIRE DEPARTMENT

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ESTABLISHMENT OF A PURCHASE ORDER FOR TURNOUT MAINTENANCE COMPANY, LLC TO PROVIDE INSPECTION, CLEANING AND REPAIRS TO FIREFIGHTER SAFETY GEAR ($8,000)

Councilmember Zurita requested that the Consent Agenda approved with the exclusion of Items 3, 4 and 5.

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

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

GENERAL SERVICES

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING LEASE AGREEMENT BETWEEN THE CITY OF COMPTON AND SHIELDS FOR FAMILIES FOR ADDITIONAL OFFICE SPACE AT THE NEIGHBORHOOD CENTER - 600 NORTH ALAMEDA STREET

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

Councilmember Zurita requested to know how much revenue is being generated by the leasing of this property.

City Manager Rhambo replied that the property lease amount will be approximately $8,200 per month.

City Attorney Cornwell noted that the correct name designation for 'Room 7' should be changed to read 'Storage 4' on page 3 of the staff report.

Resolution Number 24,727 entitled **'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING LEASE AGREEMENT BETWEEN THE CITY OF COMPTON AND SHIELDS FOR FAMILIES FOR ADDITIONAL OFFICE SPACE AT THE NEIGHBORHOOD CENTER - 600 NORTH ALAMEDA STREET'** was adopted by the following vote on roll call:

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

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING LEASE AGREEMENT BETWEEN THE CITY OF COMPTON AND VOLUNTEERS OF AMERICA OF LOS ANGELES FOR ADDITIONAL OFFICE SPACE AT THE NEIGHBORHOOD CENTER - 600 NORTH ALAMEDA STREET

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

Councilman Galvan requested that the item be removed from the agenda to allow him sufficient time to receive additional information.

Craig Henry of Volunteers of America (VOA) asserted that it is rather urgent that the organization be allowed to move into the additional office space in order to continue to assist homeless individuals.

The resolution was removed from the agenda.

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMTON AUTHORIZING THE CITY MANAGER TO EXECUTE A MULTI-YEAR LEASE AGREEMENT BETWEEN THE CITY OF COMPTON AND THE COMPTON LOCAL HOUSING AUTHORITY FOR OFFICE SPACE AT THE CAREERLINK FACILITY

On motion by McCoy, seconded by Sharif, **Resolution Number 24,728** entitled **'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMTON AUTHORIZING THE CITY MANAGER TO EXECUTE A MULTI-YEAR LEASE AGREEMENT BETWEEN THE CITY OF COMPTON AND THE COMPTON LOCAL HOUSING AUTHORITY FOR OFFICE SPACE AT THE CAREERLINK FACILITY'** was adopted by the following vote on roll call:

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

END CONSENT AGENDA

REGULAR AGENDA

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

CITY MANAGER'S REPORT

6. REQUEST FOR FEE WAIVER FOR REPAST SERVICES FOR THE WIFE OF RICKEY IVEY

On motion by Sharif, seconded by McCoy, the fee waiver for the use of the Dollarhide Community Center for repast services for June Godwin-Ivey on February 10, 2018 from 3 to 6 p.m. was approved, by the following vote on roll call:

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

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY MANAGER'S OFFICE FISCAL YEAR 2017-2018 BUDGET TO REDUCE THE OPERATIONS AND MAINTENANCE BUDGET AND ADD THE POSITION OF ADMINISTRATIVE ANALYST II

On motion by Zurita, seconded by Galvan, **Resolution Number 24,729** entitled **'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY MANAGER'S OFFICE FISCAL YEAR 2017-2018 BUDGET TO REDUCE THE OPERATIONS AND MAINTENANCE BUDGET AND ADD THE POSITION OF ADMINISTRATIVE ANALYST II'** was adopted by the following vote on roll call:

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

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIX (6) MONTH EXTENSION OF THE AGREEMENT WITH CLEANSTREET SWEEPING SERVICES FOR CITYWIDE STREET SWEEPING SERVICES ($256,846)

On motion by Sharif, seconded by Zurita, **Resolution Number 24,730** entitled **'A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A SIX (6) MONTH EXTENSION OF THE AGREEMENT WITH CLEANSTREET SWEEPING SERVICES FOR CITYWIDE STREET SWEEPING SERVICES ($256,846)**' was adopted by the following vote on roll call:

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

APPROVAL OF WARRANTS

9. Warrant # 243292 - Date - 1/23/18 - Name - Tetra Tech Inc. - Services - Implementation of a groundwater assessment work plan - Amount - $1,631.06 - Requested by: City Manager

Warrant # 243453 - Date - 1/31/18 - Name - All Contractors West Inc. - Services - Emergency repair construction services at 600 N. Alameda - Amount - $13,821.62 - Requested by: General Services

Total Amount: 15,452.68

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

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

COUNCIL COMMENTS

Councilperson Galvan offered the following communications/announcements:

- Announced that all Compton parks are offering free basketball signups for children between the ages of 5 and 14.
- Questioned why the tree trimming contract has not been brought before the Council, noting that many residents have requested tree trimming services.
- Requested graffiti removal from the City's parks.
- Urged the City Attorney and City Manager to develop a plan to remove all the illegal, overnight parked motor homes and trailers from the parks and residential areas.

(Councilman Galvan exited the meeting at 6:52 p.m. and returned at 7:07 p.m.)

Councilperson Zurita offered the following communications/announcements:

- Invited everyone to attend the 1st District Town Hall meeting which will be held on February 21, 2018 from 6 to 7:30 p.m. at Gonzales Park, 1101 West Cressey. There will be a brief update on the street projects and other pertinent issues.
- Requested that the City Manager bring back a report on the city-wide camera system with an inventory detailing those cameras that are non-operable and the estimated time of repair.
- Commented that the homeless encampments near the perimeter of schools must be removed and requested that the City consider instituting a method of removing the camps.
- Urged the City to move forward with replacing the missing street signs.

Councilperson McCoy offered the following communications/announcements:

- Requested that the Water Department immediately notify the residents when there is maintenance being performed on the water lines.
- Informed the City that the street lights are out at Raymond Street Park and requested that they be replaced as quickly as possible for safety reasons.
- Commended Mid-cities ARC adults for their assistance in beautifying the City by picking up trash during their walks along the City streets.
- Noted that she has received numerous complaints regarding the loud horn notifications along the Blue Line during the night hours.

Councilperson Sharif offered the following communications/announcements:

- Invited everyone to attend the Black History Month celebration program at the Dollarhide Community Center on February 23, 2018 from 11 a.m. until 2 p.m. and the theme will be 'From Protest to Progress.'

#1.

- Thanked the Sheriff's Department for the fine work they have been performing on Long Beach Boulevard.

- Announced that the Air Quality Management District (AQMD) will hold a meeting on February 21, 2018 at the Dollarhide Community Center beginning at 6 p.m.

- Congratulated Compton native and Philadelphia Eagles Tight End Coach Ted Williams on winning Super bowl 2018, adding that he has not forgotten his roots and continues to visit Compton.

- Adjourn in memory of **June I. Godwin-Ivey, Donna Jackson** and **Robert Downs.**

Mayor Brown offered the following communications/announcements:

- Commented that graffiti is an on-going issue and encouraged Staff to continue the aggressive removal of all graffiti.

- Requested that the City return to the policy of allowing certain departments in the City to provide monthly reports and updates to the community.

- Requested an update on the hotel in the City to alleviate the blight in the area and improve the center. Mayor Brown asserted that we should not allow the hotel to remain in its current state with the numerous code violations, adding that Compton must have a beautiful and functioning hotel for the community as well as become prepared to host the 2028 Olympic events.

- Invited the residents to attend the 4th Annual Leadership Breakfast and Champion Awards on February 24, 2018 from 9 a.m. until 11:30 at the Dollarhide Community Center.

- Announced that another Fresh Start Expungement workshop will take place at the Crossroads United Methodist Church on February 24, 2018 from 9 a.m. to 1 p.m. Mayor Brown noted that participants must pre-register so that their driving record will be readily available to begin the expungement. Mayor Brown urged those interested in having their driver's licenses restored to contact the church at 310-639-3136.

- Commented that the BLOOM 2.0 Program is currently accepting mentee and mentor application and urged those ladies interested to visit her website or her Facebook page to download and submit an application.

- In honor of Black History Month, Mayor Brown recited an African Proverb ***"If you want to go fast, go alone. If you want to go far, go together."***

ADJOURNMENT

On motion by Sharif, seconded by McCoy, the meeting was adjourned in memory of **June I. Godwin-Ivey, Donna Jackson,** and **Robert Downs** at 7:13 p.m. by the following vote on roll call:

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

CITY CLERK OF THE CITY OF COMPTON **MAYOR OF THE CITY OF COMPTON**

March 6, 2018

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING TENTATIVE PARCEL MAP NO. 75002 TO SUBDIVIDE AN EXISTING 2.491 ACRE LOT INTO THREE SEPARATE SMALLER PARCELS FOR FUTURE DEVELOPMENT AS A RETAIL COMMERCIAL CENTER FOR A PROPERTY LOCATED AT 2200 W. ARTESIA BOULEVARD (ASSESSOR'S PARCEL NUMBER 7319-003-102)

SUMMARY

The City Council will consider a resolution approving Tentative Parcel Map No. 75002 to subdivide 2.491 acres into three separate parcels for future development as a retail commercial center at 2200 W. Artesia Boulevard, Compton in the M-H (Heavy Manufacturing) zone.

BACKGROUND

The subject site is zoned M-H (Heavy-Manufacturing) and is currently developed with an existing two-story office building (Schools Credit Union) located on the northwest corner of the property. The rest of the area is used as a parking lot. The adjacent properties to the west, south, and east are developed with existing commercial buildings. Artesia Boulevard and the 91 freeway are situated to the north of the site.

On July 12, 2017, the owner and developer of the property appeared before the Planning Commission, at a properly noticed public hearing, and requested approval of two conditional use permits that would enable it to develop the site into a retail commercial center. The Planning Commission approved the conditional use permits and adopted a mitigated negative declaration.

Thereafter, a tentative parcel map was submitted to the Planning Commission for consideration in which the site would be subdivided into three separate smaller parcels for future development. On November 8, 2017, the Planning Commission recommended that the City Council approve Tentative Parcel Map No. 75002, subdividing a 2.491 acre site into three separate parcels. The project is categorically exempt from further environmental review according to Section 15315 of the California Environmental Quality Act.

As mentioned above, the proposed subdivision will divide a 93,510 square foot parcel into three smaller lots. Parcel 1 on the northwest corner of the property would contain a 3,876 square foot restaurant with a drive-thru window. Parcel 2, south and east of

Parcel 1, would contain a 6,718 square foot commercial building. Parcel 3 on the south boundary of the property would contain a 9,659 square foot multi-tenant retail building.

Parcel 1	50,189 sq. ft.
Parcel 2	24,038 sq. ft.
Parcel 3	34,275 sq. ft.

The proposed subdivision is consistent with the General Plan Land Use designation of Industrial (I). The zoning code states that new lots shall meet the following minimum lot width (100 feet) and lot depth (100 feet). As proposed, all lots meet the minimum square footage lot width and lot depth requirements.

The existing topography of the site is concrete with no sensitive environmental issues present. The site has remained an industrial site for over 50 years. Vehicular access will remain from Central Avenue and Artesia Boulevard and street frontage will remain unchanged.

STATEMENT OF THE ISSUE

The Subdivision Map Act ("the Act") of the State of California governs the subdivision of land for the purpose of sale, leasing, or financing. The Act authorizes local governmental agencies to regulate and control the design and development of subdivisions. Chapter 28 of the Compton Municipal Code contains the City's regulations regarding the subdivision of land pursuant to the Act. Subdivision regulations and review procedures for division of property into five or more lots requires a Tentative Map approval and for the division of property into four or less lots requires a Tentative Parcel Map approval.

As stated above, the proposed subdivision in this matter is for three lots. Therefore, a Tentative Parcel Map approval is required from the City Council.

FISCAL IMPACT

Approval of Tentative Parcel Map No. 75002, as well as subsequent development of the site, will result in an increase in property and sales tax revenues to the City.

RECOMMENDATION

Staff recommends to the City Council approval of Tentative Parcel Map No. 75002 subject to the findings contained herein.

ROBERT DELGADILLO, INTERM PLANNING DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT

APPROVED FOR FORWARDING:

CECIL W. RHAMBO, JR.
CITY MANAGER

Attachments:
Aerial Map
General Plan Map
Zoning Map
Tentative Parcel Map No. 75002

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING TENTATIVE PARCEL MAP NO. 75002 TO SUBDIVIDE AN EXISTING 2,491 ACRE LOT INTO THREE SEPARATE SMALLER PARCELS FOR FUTURE DEVELOPMENT AS A RETAIL COMMERCIAL CENTER FOR A PROPERTY LOCATED AT 2200 W. ARTESIA BOULEVARD (ASSESSOR'S PARCEL NUMBER 7319-003-102)

WHEREAS, a request was made to subdivide a 2.491 acre site located at 2200 W. Artesia Boulevard (Assessor's Parcel Number 7319-003-102) into three separate parcels for future development as a retail commercial center in accordance of the Subdivision Map Act and Compton Municipal Code Chapter 28; and

WHEREAS, matters such as these are first submitted to the Planning Commission for consideration; and

WHEREAS, the Planning Commission considered all evidence and information presented and found that the proposed Tentative Parcel Map No. 75002 conformed to the goals of the Land Use Element and of the General Plan; and

WHEREAS, this project is categorically exempt from further environmental review per Section 15315 Minor Land Divisions of the California Environmental Quality Act guidelines pursuant to Public Resources Code; and

WHEREAS, the Planning Commission being fully informed recommended approval of Tentative Parcel Map No. 75002 to the City Council; and

WHEREAS, the City Council has received testimony and reviewed documentary evidence, is fully advised of the matter that has been submitted for decision.

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

Section 1. That the City Council hereby approves Tentative Parcel Map No. 75002 a request to subdivide 2.491 acres located at 2200 West Artesia Avenue, (Assessor's Parcel Number 7319-003-102) in Compton, subject to the following conditions:

CONDITIONS OF APPROVAL:

Project Specific Conditions of Approval:

1. That a plan for providing water service to the subdivision, including water meter location, shall be submitted to and be approved by the Public Works Department and the Compton Municipal Water Department prior to approval to approval of the Final Map by the City Engineer; that water lines shall be built to City standards and that each lot shall have separate water service.

2. That a plan for providing sewer service to the subdivision shall be submitted to and approved by the Public Works Department prior to approval of the Final Map by the City Engineer; that sewer lines shall be built to City standards and that each lot shall have separate sewer service.

3. That a permanent monument shall be set at each boundary corner within the subdivision, the type and design of which shall be approved by the Public Works Department.

4. That the applicant shall file with the City all deposits and bonds as the City Engineer and/or the Planning Director determine are necessary to comply with Section 28-22 of the Compton Municipal Code.

5. That percolation tests, soil tests, and geological and/or soils reports, as required by the Public Works Department, shall be provided.

6. That the grading and hydrology, plans as required by the Building and Safety and Public Works Departments shall be submitted to and approved by said departments prior to approval of the Final Map by the City Engineer.

7. That the applicant shall submit a drainage plan and demonstrate to the satisfaction of the City Engineer that there will be no cross drainage between lot lines within Tentative Parcel Map No. 75002. That work necessary to meet this condition shall be the responsibility of the applicant and shall, if required, be performed prior to approval of the Final Map by the City Engineer.

8. That a copy of the Final Map and a letter from the Public Works Department indicating that all conditions of approval have been met prior to its approval by the City Engineer shall be submitted by the applicant to the Planning Department prior to recordation with the Los Angeles County Recorder.

9. That design, improvement and construction shall conform to, and be in full compliance with, all requirements of all building, fire, and housing codes, the zoning provisions, and all other applicable State statues and local ordinances.

10. That the Final Map shall be prepared and filed with the Recorder of Los Angeles County within two years (24 months) after approval of Tentative Parcel Map No 75002 by the City Council.

11. That preparation and recordation of the Final Map shall meet all requirements of the Subdivision Map Act and of Sections 28-1 through 28-12, inclusive, of the Compton Municipal Code.

Section 2. That a copy of this Resolution shall be mailed to the applicant and filed with the offices of the City Clerk, City Manager, City Attorney, Community Development Department and the Building and Safety Department.

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

ADOPTED this _____ day of _____, 2018.

_____
MAYOR OF THE CITY OF COMPTON

ATTEST:

_____
CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2018.

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

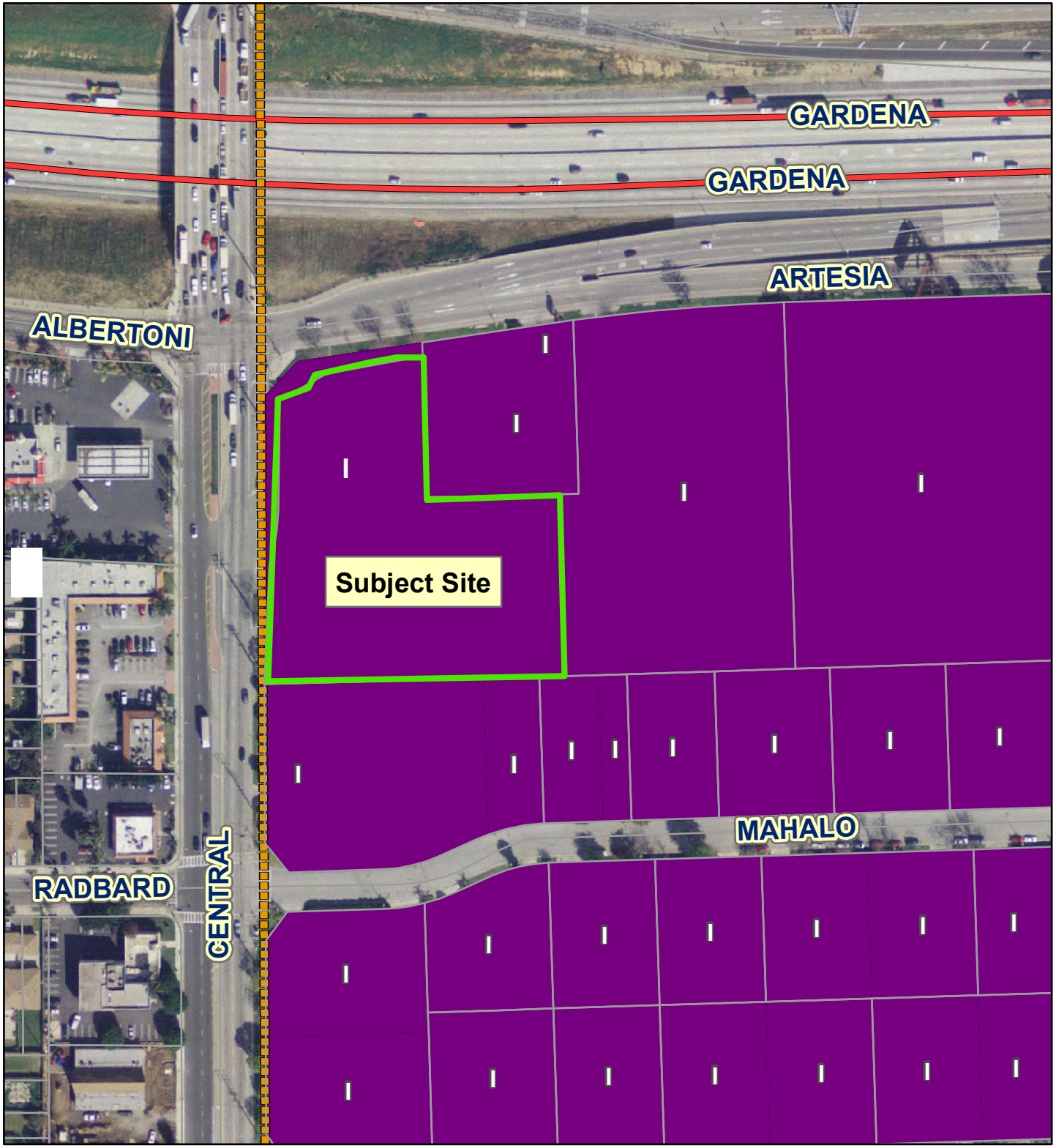
AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

_____
CITY CLERK OF THE CITY OF COMPTON

CITY OF COMPTON

GENERAL PLAN MAP

Tentative Parcel Map No. 75002
2200 W. Artesia Blvd., Compton
APN: 7319-003-102



Legend

- parcels
- City Limits
- Low Density Residential <8.0 du/ac
- Medium Density Residential 8.1-17.0 du/ac
- High Density Residential 17.1-34.0 du/ac
- General Commercial
- Mixed Use
- Industrial
- Open Space/Parks
- Public/Quasi-Public
- Transportation

N

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATABASE INFORMATION PROVIDED HEREIN THE READER SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CIT' 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 INACCURACIES IN THE INFORMATION PROVIDED REGARDLES 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.

SHEET #2.

TENTATIVE PARCEL MAP NO. 75002

IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PARCEL 1 OF PARCEL MAP NO. 10916, FILED IN BOOK 103, PAGE 53 OF PARCEL MAPS, RECORDS OF LOS ANGELES COUNTY.

CALVADA SURVEYING, INC. APRIL 4, 2017

GRAPHIC SCALE
30 0 15 30
FEET

UTILITY STATEMENT

THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

BENCH MARK

ELEVATIONS SHOWN HEREON ARE BASED UPON LOS ANGELES BENCH MARK 7Y11318, ELEVATION 164.39 FEET (NAVD 88).

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS N 0°12'37" W AS SHOWN ON PARCEL MAP NO. 11180 AS PER MAP RECORDED IN BOOK 101, PAGES 24 AND 25 OF PARCEL MAPS, LOS ANGELES COUNTY RECORDS.

PREPARED UNDER MY SUPERVISION:

Armando D. DuPont
Registration No. 7780
in the State of California

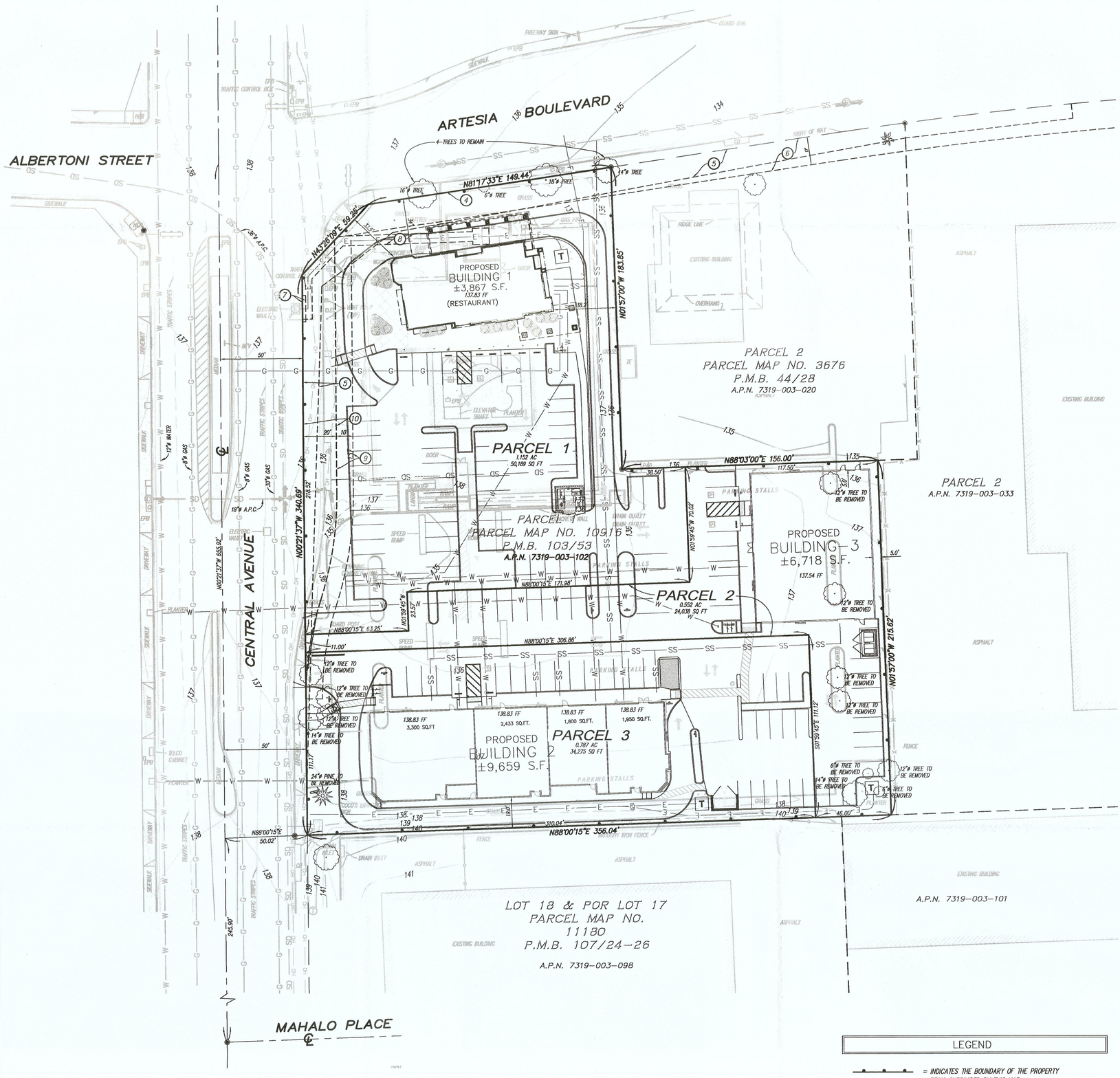
4/4/17

PREPARED BY: CALVADA SURVEYING, INC.
411 JENKS CIRCLE, SUITE 205
CORONA, CA 92880
(951) 280-9960

OWNER: COMPTON SQUARE, LLC
1234 E. 17TH STREET
SANTA ANA, CA 92701

SUBDIVIDER: COMPTON SQUARE, LLC
1234 E. 17TH STREET
SANTA ANA, CA 92701

SITE ADDRESS: 2200 W. ARTESIA BLVD.
COMPTON, CA 90220



EASEMENT NOTES

(4) ACCESS RIGHTS RELINQUISHED BY DOCUMENT RECORDED JUNE 29, 1972 AS INST. NO. 3796, IN BOOK D5513, PAGE 634, RE-RECORDED JULY 26, 1972 AS INST. NO. 4170, IN BOOK D5545, PAGE 323, O.R. (PLOTTED HEREON)

(5) SLOPE EASEMENT RECORDED IN THE ABOVE MENTIONED DOCUMENTS. (PLOTTED HEREON)

(6) EASEMENT FOR WATER LINE RECORDED SEPTEMBER 11, 1972 AS INST. NO. 2849, O.R. (PLOTTED HEREON)

(7) EASEMENT TO SO. CAL. EDISON CO. RECORDED MAY 22, 1973 AS INST. NO. 4094, O.R. (PLOTTED HEREON)

(8) EASEMENT TO SO. CAL. EDISON CO. RECORDED NOVEMBER 14, 1974 AS INST. NO. 2405, O.R. (PLOTTED HEREON)

(9) TEMPORARY CONSTRUCTION EASEMENT RECORDED SEPTEMBER 4, 1998 AS INST. NO. 98-1590531, O.R. (PLOTTED HEREON)

(10) EASEMENT TO THE CITY OF COMPTON FOR PUBLIC STREET PURPOSES RECORDED SEPTEMBER 4, 1998 AS INST. NO. 98-1590532, O.R. (PLOTTED HEREON)

GENERAL NOTES

AREA: GROSS – 2.491 AC. 108,502 SQ. FT. NET (LESS STREET ESMT) – 2.396 AC. 104,374 SQ. FT.

ASSESSOR'S PARCEL NO.: 7319-003-102

CURRENT ZONE: M-H (HEAVY MANUFACTURING)

PROPOSED PARKING: 120 STALLS
NO LOADING ZONES

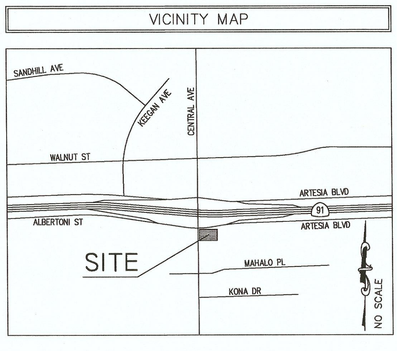
ABBREVIATIONS & SYMBOLS

APN	ASSESSORS PARCEL NUMBER	℄	CENTER LINE
EPB	ELECTRIC PULL BOX		CONCRETE PAVEMENT
EV	ELECTRIC VAULT		CONTROL POINT
ELV	ELECTRIC VENT	E	ELECTRIC MANHOLE
HCR	HANDICAP RAMP		ELECTRIC METER
PM	PARKING METER		ELECTRIC PULL BOX
SMH	SEWER MANHOLE		FIRE HYDRANT
SDMH	STORM DRAIN MANHOLE		FOUND MONUMENT
WV	WATER VAULT		GAS METER
	EDGE OF PAVEMENT		GAS VALVE
G G	GAS LINE		HANDICAP
E E	ELECTRIC LINE		POWER POLE
W W	WATER LINE	S	SEWER MANHOLE
SS SS	SANITARY SEWER LINE		SEWER CLEAN OUT
SD	STORM DRAIN LINE		SIGN
OHE	OVERHEAD ELECTRIC LINE	D	STORM DRAIN MANHOLE
	WROUGHT IRON FENCE		STREET LIGHT
X X	CHAIN LINK FENCE		TRAFFIC LIGHT
	RETAINING/BLOCK/BRICK WALL		TREE
			TREE PALM
			WATER METER
			WATER VALVE

LEGEND

= INDICATES THE BOUNDARY OF THE PROPERTY BEING SUBDIVIDED BY THIS MAP.

VICINITY MAP





CITY OF COMPTON

ZONING MAP

Tentative Parcel Map No. 75002
2200 W. Artesia Blvd., Compton
APN: 7319-003-102

Legend

- parcels
- 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

N

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATABASE INFORMATION PROVIDED HEREIN THE READER SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CIT' 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 INACCURACIES IN THE INFORMATION PROVIDED REGARDLES 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.

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

STAFF REPORT

CASE NO. **Subdivision Case No. 17-000002**

LOCATION **2200 W. Artesia Blvd.**

PROPOSAL **Subdivide Industrial Site - Tentative Parcel Map No. 75002**

HEARING DATE **October 11, 2017**

GENERAL INFORMATION

Applicant
Kimley-Horn
Tyler Holst
765 The City Drive, Suite 200
Orange, CA 92868

Project Request
The applicant proposes to subdivide an existing 93,510 square foot industrial lot into three separate smaller parcels for future development as a retail commercial center.

Location
The site is located on the southeast corner of the intersection of Central Ave. and Artesia Blvd.

Zoning and Land Use
The site is zoned M-H (Heavy-Manufacturing) and is currently developed with an existing two-story office building containing approximately 19,727 sq.ft. located on the northwest corner of the site. The remaining property is currently a parking lot. The adjacent properties to the west, south, and east are developed with existing commercial buildings; to the north is Artesia Blvd. then the 91 Fwy.

General Plan
The General Plan Land Use Map designates this area for Industrial development commercial land uses are permitted and consistent with the industrial designation

Environmental Review
This project is Categorically Exempt in accordance with Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act.

PROJECT DESCRIPTION

The proposed subdivision will subdivide 93,510 square foot parcel into three smaller lots for commercial developments. Parcel 1 on the northwest corner of the property would contain a 3,876 restaurant with a drive-thru. Parcel 2, south and east of parcel 1, would contain a 6,718 sq.ft. commercial building. Parcel 3 on the south boundary of the property would contain a 9,659 sq.ft. multi-tenant retail building.

Parcel 1	50,189 sq.ft.
Parcel 2	24,038 sq. ft.
Parcel 3	34,275 sq. ft.

ANALYSIS AND RECOMMENDATION

The proposed subdivision is consistent with the General Plan Land Use designation of Industrial (I). The zoning code states that new lots shall meet the following minimum lot width (100 feet) and lot depth (100 feet). As proposed, all lots meet the minimum square footage lot width and lot depth requirements.

1. Minimum 20,000 square foot 2. Minimum 100 foot lot width

The existing topography of the site is concrete with no sensitive environmental issues present. The site has remained an industrial site for over 50 years. Vehicular access will remain from Central Avenue and Artesia Boulevard and street frontage will remain unchanged.

Staff recommends that the Planning Commission recommend approval to the City Council of Tentative Parcel Map No. 75002 subject to the findings contained herein.

FINDINGS FOR TENTATIVE PARCEL MAP 75002

1. That the proposed division of land and proposed development is consistent with to the M-H (Heavy Manufacturing) zoning designation and the “Industrial” General Plan designation That the proposed subdivision pattern and intensity of conforms to existing land use and development in the surrounding Industrial.

2. That the proposed subdivision is already developed and compatible with the proposed Tentative Parcel Map No. 75002.

3. That the proposed subdivision will not be detrimental to the surrounding areas as the surrounding land uses are of similar land uses.

CONDITIONS OF APPROVAL

1. That a permanent monument shall be set at each boundary corner within the subdivision, the type and design of which shall be approved by the Public Works Department.

2. That the applicant shall file with the City all deposits and bonds as the City Engineer and/or the Planning Director determine are necessary to comply with Section 28-22 of the Compton Municipal Code.

3. That percolation tests, soil tests, and geological and/or soils reports, as required by the Public Works Department, shall be provided.

4. That the grading and hydrology plans as required by the Building and Safety and Public Works Departments shall be submitted to and approved by said departments prior to approval of the Final Map by the City Engineer.

5. That the applicant shall submit a drainage plan and demonstrate to the satisfaction of the City Engineer that there will be no cross drainage between lot lines within Tentative Parcel Map No. 75002. That work necessary to meet this condition shall be the responsibility of the applicant and shall, if required, be performed prior to approval of the Final Map by the City Engineer.

6. That a copy of the Final Map and a letter from the Public Works Department indicating that all conditions of approval have been met prior to its approval by the City Engineer shall be submitted by the applicant to the Planning Department prior to recordation with the Los Angeles County Recorder.

7. That the Final Map shall be prepared and filed with the Recorder of Los Angeles County within two years (24 months) after approval of Tentative Parcel Map No 75002 by the City Council.

8. That preparation and recordation of the Final Map shall meet all requirements of the Subdivision Map Act and of Sections 28-1 through 28-12, inclusive, of the Compton Municipal Code.

Attachment
Aerial Map
Zoning Map
Land Use Map
Tentative Parcel Map No. 75002

RESOLUTION NO. 3985
(TENTATIVE PARCEL MAP No. 75002)

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING APPROVAL TO THE CITY OF COUNCIL TENTATIVE PARCEL MAP No. 75002, A REQUEST TO SUBDIVIDE AN EXISTING 2.491 ACRE LOT INTO A RETAIL COMMERCIAL CENTER.

WHEREAS, Red Mountain Retail Group has made application for Tentative Parcel Map No. 75002 in accordance with the Section 28-1 of the Compton Municipal Code for the use of certain real property situated in the City of Compton, legally described as follows:

PARCEL 1, IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP NO. 10916, FILED IN BOOK 103, PAGE 53, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL MINERALS, OIL, GAS, PETROLEUM, NAPHTHA AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER THE ABOVE DESCRIBED PROPERTY, TOGETHER WITH ALL NECESSARY AND CONVENIENT RIGHTS TO EXPLORE FOR, DEVELOP, PRODUCE, EXTRACT AND TAKE THE SAME, INCLUDING THE EXCLUSIVE RIGHT TO DIRECTIONALLY DRILL INTO AND THROUGH SAID LAND FROM OTHER LANDS AND INTO THE SUBSURFACE OF OTHER LANDS, SUBJECT TO THE EXPRESS LIMATION THAT ANY AND ALL OPERATIONS FOR THE EXPLORATION, DEVELOPMENT, PRODUCTION, EXTRACTION, AND TAKING OF ANY SAID SUBSTANCES SHALL BE CARRIED ON AT LEVELS BELOW THE DEPTH OF 500 FEET FROM THE SURFACE OF THE ABOVE DESCRIBED PROPERTY, BY MEANS OF MINES, WELL, DERRICKS AND/ OR OTHER EQUIPMENT FROM SURFACE LOCATIONS ON ADJOINING OR NEIGHBORING LAND LYING OUTSIDE OF THE ABOVE DESCRIBED PROPERTY AND SUBJECT FURTHER TO THE EXPRESS LIMIATION THAT THE FOREGOING RESERVATION SHALL IN NO WAY BE INTERPRETED TO INCLUDE ANY RIGHT OF ENTRY IN AND UPON THE SURFACE OF THE ABOVE DESCRIBED LAND, AS RESERVED BY DEED RECORDED JUNE 26, 1969, AS INSTRUMENT NO.421, OFFICIAL RECORDS.

located at W. 2200 Artesia Blvd. in Compton, California; and

APN:7319-003-102

WHEREAS, approval of a Tentative Parcel Map No. 75002 is required to subdivide parcel 7319-003-102 into three separate parcels for future development as a retail commercial center; and

WHEREAS, the proposed parcels meet zoning design standards; and

WHEREAS, this project is categorically exempt from further environmental review per Section 15315 Minor Land Divisions of the California Environmental Quality Act guidelines pursuant to Public Resources Code; and

WHEREAS, the proposed subdivision is consistent with the General Plan Land Use designation of Industrial (I) and zoning of Heavy Manufacturing; and

WHEREAS, Tentative Parcel Map 75002 complies with all applicable provisions of the subdivision map act and Compton Municipal Code Chapter 28; and

WHEREAS, a public hearing upon said request for a Tentative Parcel Map No. 75002 was held before the Planning Commission on October 8, 2017; and

WHEREAS, evidence was heard from all persons interested in effecting said mitigated negative declaration and all persons protesting same, and the City Council being fully formed.

FINDINGS

1. That the proposed division of land conforms to the M-H (Heavy Manufacturing) zoning designation and the Industrial General Plan designation of the property.

2. That the proposed subdivision pattern and intensity conforms to existing land use and industrial development in the surrounding neighborhood.

3. That the proposed subdivision will not be detrimental to the surrounding area.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF COMPTON RESOLVES:

Section 1.
That the request to subdivide an existing 2.491 acre lot into three separate parcels for future development of a retail commercial center subject to the following conditions:

1. That a plan for providing water service to the subdivision, including water meter location, shall be submitted to and be approved by the Public Works Department and the Compton Municipal Water Department prior to approval to approval of the Final Map by the City Engineer; that water lines shall be built to City standards and that each lot shall have separate water service.

2. That a plan for providing sewer service to the subdivision shall be submitted to and approved by the Public Works Department prior to approval of the Final Map by the City Engineer; that sewer lines shall be built to City standards and that each lot shall have separate sewer service.

3. That a permanent monument shall be set at each boundary corner within the subdivision, the type and design of which shall be approved by the Public Works Department.

4. That the applicant shall file with the City all deposits and bonds as the City Engineer and/or the Planning Director determine are necessary to comply with Section 28-22 of the Compton Municipal Code.

5. That percolation tests, soil tests, and geological and/or soils reports, as required by the Public Works Department, shall be provided.

7. That the grading and hydrology, plans as required by the Building and Safety and Public Works Departments shall be submitted to and approved by said departments prior to approval of the Final Map by the City Engineer.

8. That the applicant shall submit a drainage plan and demonstrate to the satisfaction of the City Engineer that there will be no cross drainage between lot lines within Tentative Parcel Map No. 75002. That work necessary to meet this condition shall be the responsibility of the applicant and shall, if required, be performed prior to approval of the Final Map by the City Engineer.

9. That a copy of the Final Map and a letter from the Public Works Department indicating that all conditions of approval have been met prior to its approval by the City Engineer shall be submitted by the applicant to the Planning Department prior to recordation with the Los Angeles County Recorder.

10. That design, improvement and construction shall conform to, and be in full compliance with, all requirements of all building, fire, and housing codes, the zoning provisions, and all other applicable State statues and local ordinances.

11. That the Final Map shall be prepared and filed with the Recorder of Los Angeles County within two years (24 months) after approval of Tentative Parcel Map No 75002 by the City Council.

17. That preparation and recordation of the Final Map shall meet all requirements of the Subdivision Map Act and of Sections 28-1 through 28-12, inclusive, of the Compton Municipal Code.

Section 2. 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 30-26.5 of the Compton Municipal Code.

Section 3. That a copy of this Resolution shall be mailed to the applicant and those copies shall be filed with the City Clerk and Planning Department.

ADOPTED this 8th day of November **2017.**

JUANITA GREENWRIGHT

ROBERT DELGADILLO, INTERIM PLANNING DIRECTOR

March 6, 2018

TO: MAYOR AND COUNCIL MEMBERS

FROM: ROBERT DELGADILLO, (INTERIM) PLANNING DIRECTOR COMMUNITY DEVELOPMENT

SUBJECT: HEARING – APPEAL OF PLANNING COMMISSION DECISION DENYING VARIANCE CASE NO. 17-000005 – A REQUEST BY APPLICANTS (BLANCA/DOMINGO HERNANDEZ) TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT A CONVERTED GARAGE TO REMAIN AS LIVING SPACE AT 522 WEST PEACH STREET (RESOLUTIONS DENYING/APPROVING VARIANCE CASE NO. 17-000005 ATTACHED).

SUMMARY

Council will conduct a public hearing to consider an appeal of a Planning Commission decision denying a request to waive the requirement to provide an onsite garage and to permit a converted garage to remain as living space at the property located at 522 West Peach Street (Assessor's Parcel Number 6153-011-010). The house is currently uninhabited. The requested use (i.e. converted garage without required onsite garage) requires approval of a variance in accordance with the Compton Zoning Ordinance. Within thirty (30) days, or sooner, the Council must render its decision on this appeal by affirming, amending or reversing the decision of the Planning Commission.

BACKGROUND

The Subdivision of the Land

On May 13, 1988, Blanca and Domingo Hernandez purchased the home at 522 West Peach Street in the City of Compton ("City"). The house sits towards the front of a lot that measures 25 feet wide by 100 feet deep. The house was built in 1950 and, according to the City Building Department and Assessor's records, is 416 square feet in size.

The property at 522 West Peach Street is located between Matthisen Avenue to the west and Aranbe Avenue to the east. This stretch of land was subdivided in the early 1920s. Seven lots directly to the east of Matthisen Avenue were subdivided in 1922. The subdivision, in the City, was approved in Tract Map No. 5112 and recorded on April 28, 1922 at book 53, page 27. From that physical point eastward, sixteen (16) lots were subdivided in 1924; taking the subdivision all the way to Aranbe Avenue. This subdivision, also in the City, was reflected in Tract Map No. 4469, which was recorded October 21, 1921 at book 48, page 22. Initially, there were a total of 23 lots between Matthisen Avenue and Aranbe Avenue. Twenty-one (21) of the 23 lots

measured 25 feet wide and 100 feet deep. Over time, most of the lots were merged with adjoining lots, creating new parcels of land. Currently, there are 12 parcels recognized by the Los Angeles County Assessor's office.

Only two (2) of the original 23 lots between Matthisen Avenue and Aranbe Avenue are still 25 feet by 100 feet or 2,500 square feet. The property at 522 West Peach Street is one those lots. The other lot is at 516 West Peach Street. Eight of Hernandez's neighbors have lots that are 50 feet by 100, for a total of 5,000 square feet in size. One neighbor's lot is 51.21 feet by 100 or 5,121 square feet. The largest lot, three doors down from the Hernandez family's house, measures 69.78 feet by 100 feet for total square footage of 6,978.

The City's Zoning Law Affecting 522 West Peach Street
Ordinance No. 212 (1927)

On February 15, 1927, the City Council adopted Ordinance No. 212, "An Ordinance Providing for the Creation of Zones in the City of Compton, County of Los Angeles, Prescribing the Classes of Buildings, Structures, Improvements and Uses or Additions in the Several Zones to Be Created by this Ordinance." At that time, eight zones and districts were created: (1) single family residence districts; (2) two (2) family and apartment house districts of not more than two stories in height; (3) apartment houses; (4) neighborhood business districts; (5) commercial districts; (6) light industrial districts; (7) heavy industrial districts; and (8) special uses.

The general provisions for development in Ordinance No. 212 for single family residence zone stated, in part:

> No building or structure shall be erected or altered on a lot or parcel of land, which is constructed or intended for the use of more than one family; and each lot shall have a minimum of 5,000 square feet, except on land or lots shown on maps duly recorded prior to the passage of this ordinance. In no case shall a residence be permitted to be erected upon a lot the frontage of which is less than forty feet when such house is to be erected in an area which has been subdivided and recorded after the passage of this ordinance, or upon land which has been sold by meets and bounds and not according to a recorded map.

Ord. No. 212, Sec. XI (1). At that point in time, although the lot at 522 West Peach Street was half of the minimum required size as stated in Ordinance No. 212, it was grandfathered in because it was subdivided in Tract Map No. 4469, recorded on October 21, 1921; five and half years before Ordinance No. 212 was passed.

Ordinance No. 212 also contained a section on private garages. It stated simply, in pertinent part, that, "[a]ll private garages shall be located not less than 70 feet from the front lot line unless such garages are part of the general plan of the residence and are an integral part thereof." Ord. No. 212, Sec. XI(3).

Ordinance No. 626 (1946)

On August 20, 1946, the City Council adopted Ordinance No. 626, another zoning ordinance. Seven zones were created: (1) R-1 – one-family zone; (2) R-2 – two-family zone; (3) R-3 – multiple family zone; (4) P-1 – automobile parking zone; (5) C-2 – general commercial zone; (6) M-1 – light manufacturing zone; and (7) M-2 – heavy manufacturing zone. As part of this new ordinance, 522 West Peach Street and the surrounding area was now zoned R-2 or "two-family zone." The lot requirement at that time was stated as follows:

> Lot area per family shall be not less than twenty-five hundred (2,500) square feet. Provided, however, that where a lot has less area than that herein required and was of record at the time this ordinance became effective, said lot may be occupied by not more than one family.

In addition, the stated front yard requirement was:

> There shall be a front yard of not less than twenty-five (25%) per cent of the depth of the lot provided such front yard need not exceed twenty (20) feet except, where lots comprising forty (40%) per cent or more of the frontage on one side of a street between intersecting streets are developed with buildings having an average front yard with a variation of not more than six (6) feet, no building hereafter erected or structurally altered shall project beyond the average front yard line so established.

Once again, 522 West Peach Street appears to have been grandfathered in to the new Zoning Ordinance because Tract Map No. 4469 was recorded prior to the effective date of Ordinance No. 626.

According to the Assessor's parcel information, the house was built in 1950. It was a one bedroom, one bath house. The square footage was 416. Most of the houses along Peach Street, between Matthisen Avenue and Aranbe Avenue were built in the 1940s. Two houses were built in the 1920s.

At the time the house was built in 1950, the parking requirement for dwellings was that "there shall be at least one parking space in a building on the same lot with the main building for each dwelling unit and such parking space shall not be less than eight (8)

feet wide by eighteen (18) feet long, with adequate provision for ingress and egress." Ord. No. 626, Sec. 11 (emphasis added). According to the depiction of the "Existing Floor Plan" with a garage for 522 West Peach Street, the room dimensions are as follows:

Room	Size (width by length)	Square footage
Garage	8'1" x 18'	144
Living room	9'10" x 10'4"	101.54
"Den" (bedroom)	11'11" x 9'7"	114.19
Kitchen	9'10" x 8'8"	85.23
Bathroom	6' x 7'3"	43.5

Ordinance No. 840 (1951)

On February 20, 1951, the City Council adopted another Zoning Ordinance, Ordinance No. 840. 522 West Peach Street and the surrounding area remained as R-2 or "two-family zone." The lot size at that time was stated as follows:

> Lot area per family for every dwelling hereafter erected or structurally altered shall be not less than twenty-five hundred square feet. Provided, however, that where a lot has less area than that herein required and was of record on September 20, 1946, said lot may be occupied by not more than one family.

Again, 522 West Peach Street appears to have been grandfathered in to Ordinance No. 840 because Tract Map No. 4469 was recorded prior to September 20, 1946.

The parking requirement, however, changed in Ordinance No. 840. The requirement now stated:

> For dwellings there shall be at least one paved parking space on the same lot with the main building for each dwelling unit and such parking space shall not be less than eight feet wide by eighteen feet long, with adequate provision for ingress and egress to each parking space. Such parking space shall be not closer to the street than the dwelling set-back line, and no portion of a driveway leading to a garage or garage slab foundation shall be considered as providing a parking space within the meaning of this paragraph.

Ord. No. 840, Sec. 9115 (emphasis added). No longer was a garage required for off street parking. An on-site paved parking space was all that was required for a dwelling.

Ordinance No. 1095 (1958)

On March 25, 1958, the City Council adopted another Zoning Ordinance, Ordinance No. 1095. According to the Zoning Map, 522 West Peach Street was still zoned R-2 (two-family residential zone). The lot area per family was stated as:

> Lot or parcel of land area per family for every dwelling hereafter erected and maintained or structurally altered shall not be less than two thousand five hundred (2,500) square feet. Provided, however, that where a lot or parcel of land has less area than herein required and was of record on September 20, 1946, said lot or parcel of land may be occupied by not more than one family.

Ord. No. 1095, Sec. 9109.6. The building area per family requirement was added stating: "[e]very dwelling unit hereafter erected and maintained shall have a building area of not less than six hundred and fifty (650) square feet per family." Ord. No. 1095, Sec. 9109.7. The parking requirement changed again, as follows:

> Every main building hereafter erected or structurally altered shall be provided with minimum off-street parking accommodations as follows:
>
> (a) For dwellings there shall be at least one paved automobile parking space within a building on the same lot or parcel of land for each dwelling unit, and such parking space shall be not less than eight (8) feet wide by twenty (20) feet long, with adequate provisions for ingress and egress to each such parking space . . . . Such parking space shall be not closer to the street than the dwelling setback line and no portion of the area providing ingress and egress shall be considered as providing a parking space within the meaning of this paragraph.

Ord. No. 1095, Sec. 9121 (emphasis added). After seven years of not requiring a garage to accommodate off-street parking for dwellings, a larger garage was now required; it went from 8' x 18' to 8' x 20'. At this point in time, 522 West Peach Street became a non-conforming building. Assuming it was a Type V building (wooden frame), it was given an automatic variance and allowed to continue as a non-conforming building for 35 years from March 25, 1958. Ord. No. 1095, Sec. 9123.

Ordinance No. 1,557 (1978)

The last major change to the City's Zoning Ordinance occurred in 1978, though there have been numerous amendments to specific provisions, additions and deletions since then. Ordinance No. 1,557, which was adopted on April 4, 1978 and is codified at

Chapter XXX of the CMC, established twelve zones: (1) R-A – residential agriculture; (2) R-L – low-density residential; (3) R-M – medium density residential; (4) R-H – high-density residential; (5) C-O – professional office; (6) C-L – limited commercial; (7) M-L – limited manufacturing; (8) M-H – heavy manufacturing; (9) buffer; (10) automobile parking; (11) planned development.

Under this ordinance, 522 West Peach Street and the surrounding properties were now zoned R-M or medium density residential. Property development standards for the R-M zone were adopted. A few of the developments standards are listed below:

> Lot Area And Width
> Each lot or parcel of land shall a have (sic) minimum area of five thousand (5,000) square feet and a minimum width of fifty (50) feet.
>
> Dwelling Unit Density
> The minimum lot area for each dwelling unit shall be twenty-five hundred (2,500) square feet.
>
> Minimum Dwelling Unit Area
> Each dwelling unit shall have a gross floor area of not less than eight hundred (800) square feet.

Ord. No. 1,557, Sec. 9122. At this point in time, 522 West Peach Street did not meet the R-M development standards for lot area and width and minimum dwelling unit area. Section 9160.02 of Ordinance No. 1,557 contain an exception for certain substandard lots: (1) a lot where the person who owns or has a right to possession of the lot obtained it by virtue of a deed or contract or sale, by which such right of possession was separated, was recorded prior to September 20, 1946; (2) if a person wants to regroup his lot with a contiguous lot; (3) where a lot was divided by the City's boundary line; and (4) where a lot was affected by street widening. As has previously been mentioned, the right of possession to the lot was accomplished by a tract map which subdivided the land and was recorded on October 21, 1921.

Ordinance No. 1,557 also contained new off-site parking requirements. Every main building "hereafter erected or structurally altered" was required to provide a minimum of off-street parking. Residential buildings were to provide 1 ½ parking spaces in a private garage. Ord. No. 1,557, Sec. 9161.02.A. Parking spaces were to be not less than nine (9) feet in width and twenty (20) feet in length. Ord. No. 1,557, Sec. 9160.04.B. The original garage at 522 West Peach Street that had been converted was eight (8) feet wide and 18.1 feet in length. The garage was too small to comply with the size requirements of Ordinance No. 1,557.

Notably, Ordinance No. 1,557 also provided for the conversion of nonconforming private garages as follows:

> Private garages attached to single-family dwellings may be converted to residential use without provision for replacement garages when all of the following conditions are met:
>
> 1. That said garage is less than eighteen (18) feet in width or less than twenty (20) feet in length.
> 2. That without such conversion, the single-family dwelling contains less than the minimum required dwelling area for the zone in which it exits.
> 3. That the owner of the property obtains a building permit for said conversion and meets all Building Department requirements.
> 4. That at least one (1) standard paved parking space is provided on the property.
>
> Private garages which can be demonstrated to have been converted to residential purposes prior to March 30, 1973, are hereby granted an automatic variance to permit the continuation of such use <u>provided that the owner of the property obtain a building permit for said conversion and meets all Building Department requirements and that at least one (1) standard paved parking space is provided on the property.</u> (Emphasis added.)

Ord. No. 1,577, Sec. 9163.02.B, which was subsequently codified at CMC Section 30-23.2.b. This provision was repealed on May 11, 1999 in Ordinance No. 2,026.

<u>Current Requirements in the Compton Municipal Code</u>

Under the current Compton Municipal Code ("CMC"), 522 West Peach Street and the surrounding properties are still zoned R-M or medium density residential. Property development standards for the R-M zone were changed again by Ordinance No. 1,783 (July 11, 1989) and Ordinance No. 2,101 (April 20, 2004).

> *Lot Area, Width and Depth. . .* Each lot or parcel of land shall have a minimum area of five thousand (5,000) square feet, a minimum street frontage width of fifty (50') feet and a minimum depth of one hundred (100') feet.
>
> *Dwelling Unit Density*. The minimum lot area for each dwelling unit shall be twenty-five hundred (2,500) square feet.
>
> *Dwelling Unit Area and Number of Bedrooms*. Each dwelling unit shall have a gross floor area of not less than four hundred and fifty (450) square feet for bachelor units, six hundred (600) square feet for one (1) bedroom units, eight hundred (800) square feet for tow

> (2) bedroom units and one thousand (1,000) square feet for units with more than two (2) bedrooms. Dwelling units shall not exceed two thousand five hundred (2,500) square feet.

CMC Sec. 30-9.3.a-c. At this point in time, 522 West Peach Street did not meet the R-M development standards for lot area and/or dwelling unit area. The exceptions for substandard lots set forth in Ordinance No. 1,557, remain in CMC Section 30-20.2. Though there were some changes in Ordinance No. 2,101 (April 20, 2004), the changes do not affect 522 West Peach Street.

The parking requirements once again changed. On November 24, 1998, the City Council adopted Ordinance No. 2,010, which added an entire section to the CMC at 30-21, to regulate off-street parking and loading in the City. The parking requirements were to apply to: (1) any new building, (2) any addition or enlargement of an existing building, or (3) any change in the occupancy of any building or the manner in which any use is conducted that would result in additional parking spaces being required. CMC, Sec. 30-21.2.b.1-3.

CMC Section 30-21 also provided for non-conforming structures:

> Residences that were legally constructed prior to the adoption of this section may continue without additional off-street parking <u>provided that existing off-street parking is not reduced,</u> the number of residential units is not increased and any expansion to the size of the residence conforms to the followings standards:
>
> (a) Residence with legally converted garages may not be expanded without restoration of the original garage or construction of a replacement garage.
>
> (e) Single-family dwellings in which the original construction design effectively precludes construction of additional garages may be expanded by thirty (30%) percent of dwelling unit size or three hundred (300) square feet, whichever is greater, without provision of additional enclosed parking.

CMC, Sec. 30-21.2.d.(emphasis added).

The parking space requirement for a single-family detached dwelling is two (2) enclosed spaces/dwelling. CMC, Table 30-21.A. The parking area design requirement for residential parking is:

> There shall be a minimum unobstructed inside dimension of nine (9') feet by twenty (20') feet for a private one-car garage or carport and eighteen (18') feet by twenty (20') feet for a private two-car garage or carport. The minimum width for a garage door shall be eight (8') feet for a one-car garage and sixteen (16') feet for a two-car garage.

CMC, Sec. 30-21.5. As mentioned previously, the house was built in 1950 with a garage that measures 8' by 18.1' or roughly 144 square feet. Under the current parking and design requirements, the garage would have to be 18' by 20' (360 square feet) for a single-family detached dwelling.

Planning Commission Decision

On November 8, 2017, the Planning Commission, subsequent to conducting a properly noticed public hearing, denied Variance Case No. 17-000005. The Planning Commission was presented with a Staff Report, a copy of which is attached hereto. The Planning Commission was informed that the Building Department records indicate the single-family house was built in 1950 and contains a house that is 416 square feet, consisting of one bedroom and one garage. The lot size is 2,500 square feet. The house meets the minimum required front, side, and rear yard setbacks. The site is developed with a concrete driveway, and a gated entrance.

The Planning Commission was also told that the current Compton Municipal Code provisions do not allow the conversion of a garage into habitable space, without the required parking being replaced. This garage was converted into two bedrooms without a permit. The home was purchased as a two bedroom, one bathroom house. The unpermitted garage conversion was discovered by the homeowner when the house was partially burned and the homeowner could not obtain rebuilding permits from the Building and Safety Department.

STATEMENT OF ISSUE

A variance involves the application of city policy to an unusual case. The City of Compton's variance process is set forth in the Compton Municipal Code (CMC) Section 30-27. The purpose of the City's variance provisions in Section 30-27 "is to create a flexible mechanism to avoid unnecessary hardships or results inconsistent with the general purposes of [Chapter 30] which would occur from its strict, literal interpretation and enforcement." CMC Sec. 30-27.1.

Generally speaking, a variance is a permit that allows a landowner to make use of his property even if something about that property prevents the landowner from fully complying with the zoning ordinance. Though a variance provides a kind of "hardship" exemption, the "hardship" should be associated with the land, not the owner. An

example would be a residential lot that is identical in size and shape to the surrounding lots, but suffers from the presence of a large, immovable boulder. A variance waiving ordinary setback requirements may permit the landowner to build a house, even though the boulder makes construction of the house within the normal zoning requirements impossible. On the other hand, economic hardships are not to form the basis for a variance because an economic hardship is self-inflicted.

The homeowner is requesting a variance to authorize the garage that was converted into two bedrooms without being required to construct a replacement garage. The current homeowner purchased the home with the current garage conversion. In 2017, the property owner received a Building Department notice for an illegal garage conversion. It is not known exactly when the garage was converted into bedrooms, but it was before the current owner purchased the home in 1988. No Building Department permit was obtained for the conversion by the previous owner(s). The property owner claims that the realtor did not disclose the illegal garage conversion. Unfortunately, staff can not verify this claim. Additionally, the house did not have a required pre-sale inspection from the Building Department, which may have disclosed this to the prospective owner before the sale of the house. The requested variance, if granted, will permit the homeowners to continue to use the two small bedrooms instead of converting the area into a garage. Additionally, the homeowners would not be required to construct a replacement garage. The driveway to the converted garage would remain.

According to CMC Section 30-27.3:

> The Commission shall have the authority to grant, as a quasi-judicial act and upon such terms and conditions and for such duration of time as it deems necessary, such variances as may be in harmony with the general purpose and intent of this Chapter so that the spirit of this Chapter shall be observed, public safety and welfare secured, and substantial justice done. Variances may be granted for the following purposes:
>
> a. To permit the modification of the automobile parking space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements;
> b. To permit such modification of the height, yard, and area regulations as may be necessary to secure an appropriate improvement of a lot or parcel of land which is of such shape or so located in relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification;
> c. To permit the modification of the conditions under which specific uses are allowed in certain zones;

d. To permit temporary buildings and uses for periods of not to exceed six (6) months; and
e. To permit the following uses in zones from which they are prohibited by this Chapter: governmental enterprises, public libraries, public utilities, and public service uses and structures.

A variance shall not be granted for a parcel of land which authorizes a use or activity not otherwise permitted in the zone in which the parcel exits.

CMC Sec. 30-27.3.

In order to grant a variance, the Commission must make four (4) findings. The findings are listed at CMC Section 30-27.2 as follows:

a. That because of special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, the strict application of the provisions of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and in an identical zone. For the purposes of this subsection, 'special circumstances' shall not include hardships which are self-imposed by the owner of the property;
b. That the granting of such variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located;
c. That the granting of such variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located; and
d. That the granting of such variance will be substantially in conformance with the General Plan and compatible with the existing patterns of land use and development in the surrounding area.

FISCAL IMPACT

Approval or denial of Variance Case No. 17-000005, as well as subsequent development of the site, will not result in any meaningful impact to the General Fund.

RECOMMENDATION

Staff makes no recommendation on the appeal. Pursuant to Section 30-26.5(k) of the Compton Municipal Code, the City Council shall render its decision on the appeal within thirty (30) days after conclusion of the appeal hearing and has the power to:

- Affirm the decision of the Planning Commission; or
- Amend the decision of the Planning Commission; or
- Reverse the decision of the Planning Commission; or
- If in the opinion of the Council, the matter requires further consideration, refer the matter back to the Planning Commission for further consideration (without a decision by the Council) with any recommendations the Council may desire.

ROBERT DELGADILLO, (INTERIM) PLANNING DIRECTOR
COMMUNITY DEVELOPMENT

APPROVED FOR FORWARDING:

CECIL W. RHAMBO, JR.
CITY MANAGER

Attachments:
General Plan Map
Zoning Map
Aerial Map
Tract Map No. 4469
Tract Map No. 5112
Assessor Parcel Map
Project Plans
Nov. 8, 2017 Staff Report – Planning Commission

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVERSING THE PLANNING COMMISSION'S DENIAL OF VARIANCE CASE NO. 17-000005 – A REQUEST BY APPLICANTS (BLANCA/DOMINGO HERNANDEZ) TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT A CONVERTED GARAGE TO REMAIN AS LIVING SPACE AT 522 WEST PEACH STREET

WHEREAS, on November 8, 2017, the Planning Commission conducted a properly noticed public hearing, as provided by law, on the request of Blanca and Domingo Hernandez (the "Applicants") for a variance to waive the requirement to provide an onsite garage and to permit a converted garage to remain as living space without constructing a replacement garage as required by Compton Municipal Code, Section 30-21.2 (a); and

WHEREAS, after hearing testimony from the Applicant and other interested persons and reviewing documentary evidence submitted, the Planning Commission found that the proposed Variance request did not conform to Compton Municipal Code, Section 30-21.2 (a) and would set a precedent for similar Variance requests and voted to deny Variance Case No. 17-000005; and

WHEREAS, an appeal therefore has been taken to the City Council, and after due notice, said City Council held and concluded a public hearing thereon on March 6, 2018; and

WHEREAS, this project is categorically exempt from further environmental review pursuant to Section 15301 of the State CEQA Guidelines (Class 1); and

WHEREAS, the City Council has received testimony and reviewed documentary evidence, and is fully advised of the premises at issue, and the matter that has been submitted for decision.

F I N D S

1. 522 West Peach Street is situated on a lot that was subdivided in Tract Map No. 4469, recorded on October 21, 1921.

2. The original lot was 25 feet wide and 100 feet deep or 2,500 square feet.

3. The size of the lot was never enlarged.

4. 522 West Peach Street is on a substandard lot.

5. The subject property lot is only 2,500 square feet, thus limiting the amount of space for development.

6. The adjoining properties have been expanded and built upon, so there is no available land next to 522 West Peach Street.

7. The house at 522 West Peach Street was built in 1950 and, according to the Assessor's records, is 416 square feet in size.

8. At the time the house was built, it complied with the development standards at the time; a garage was constructed that measured 8 feet wide by 18.1 feet deep or 144 square feet.

9. The sizes of the rooms in the original house were as follows:

Room	Size (width by length)	Square footage
Garage	8'1" x 18'	144
Living room	9'10" x 10'4"	101.54
"Den" (bedroom)	11'11" x 9'7"	114.19
Kitchen	9'10" x 8'8"	85.23
Bathroom	6' x 7'3"	43.5

10. The City's zoning ordinance has changed many times since Tract Map No. 4469 was recorded.

11. From 1951 to 1958, the City did not require a garage for off-street parking.

12. In 1978, the City's zoning ordinance contained a provision that allowed for garage conversions, provided certain requirements were met.

13. At some point in time, after the house at 522 West Peach Street was built, the garage was converted into living space.

14. In 2017, the City's Building & Safety Department sent the homeowners a notice of illegal garage conversion.

15. The house is currently uninhabited.

16. Converting the garage back into its original use will intensify an existing hardship on the homeowners, decreasing the square footage of habitable living space, thereby making the dwelling uninhabitable.

17. That because of special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, the strict application of the provisions of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and in an identical zone.

18. That the granting of this variance will not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is located.

19. That the granting of this variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located.

20. That the granting of this variance will substantially be in conformance with the General Plan and compatible with the existing patterns of land use and development in the surrounding area.

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

Section 1. That the City Council hereby reverses the decision of the Planning Commission (Planning Commission Resolution No. 3989), denying Variance Case No. 17-000005, requesting a variance to waive the requirement to provide an onsite garage and to permit a converted garage to remain as living space without constructing a replacement garage as required by Compton Municipal Code, Section 30-21.2 (a).

Section 2. That the City Council hereby grants Variance Case No. 17-000005, and approves the request of the Applicant/Appellant for permission to retain an unpermitted converted garage as living space without constructing a replacement garage as required by Compton Municipal Code, Section 30-21.2(a) at 522 West Peach Street, Compton.

Section 3. That a copy of this Resolution shall be mailed to the Applicants/ Appellants and filed with the offices of the City Clerk, City Manager, Planning and Economic Development Department and Building and Safety Department.

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

ADOPTED this _____ day of _____, 2018.

_____
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 _____, 2018.

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AFFIRMING THE PLANNING COMMISSION'S DENIAL OF VARIANCE CASE NO. 17-000005 – A REQUEST BY APPLICANTS (BLANCA/DOMINGO HERNANDEZ) TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT A CONVERTED GARAGE TO REMAIN AS LIVING SPACE AT 522 WEST PEACH STREET

WHEREAS, on November 8, 2017, the Planning Commission conducted a properly noticed public hearing, as provided by law, on the request of Blanca and Domingo Hernandez (the "Applicants") for a variance to waive the requirement to provide an onsite garage and to permit a converted garage to remain as living space without constructing a replacement garage as required by Compton Municipal Code, Section 30-21.2 (a); and

WHEREAS, after hearing testimony from the Applicant and other interested persons and reviewing documentary evidence submitted, the Planning Commission found that the proposed Variance request did not conform to Compton Municipal Code, Section 30-21.2 (a) and would set a precedent for similar Variance requests and voted to deny Variance Case No. 17-000005; and

WHEREAS, an appeal therefore has been taken to the City Council, and after due notice, said City Council held and concluded a public hearing thereon on March 6, 2018; and

WHEREAS, this project is categorically exempt from further environmental review pursuant to Section 15301 of the State CEQA Guidelines (Class 1); and

WHEREAS, the City Council has received testimony and reviewed documentary evidence, and is fully advised of the premises at issue, and the matter that has been submitted for decision.

F I N D S

1. That a garage conversion will not be compliant with all applicable provisions of the Zoning Ordinance CMC Section 30-21. No new enclosed garage is proposed as part of this application. The subject property contains adequate space to construct a replacement garage space while meeting the required setbacks.

2. The Variance will constitute a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same zone. Self-created hardships may not be considered among the factors that might constitute special circumstances. A self-created hardship results from actions taken by present or prior owners of the property that consciously create the very difficulties or hardships claimed as the basis for an application for a Variance.

3. That a garage conversion use is not in conformance with the goals and objectives of the General Plan and CMC zoning R-M land use designation. The granting of the variance will be detrimental to the public welfare or injurious to other properties in the vicinity.

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

Section 1. That the findings of the Planning Commission in its Resolution No. 3989, which is attached hereto and incorporated herein, shall be and hereby are adopted.

Section 2. That the decision of the Planning Commission denying Variance Case No. 17-000005, requesting a variance to waive the requirement to provide an onsite garage and to permit a converted garage to remain as living space without constructing a replacement garage as required by Compton Municipal Code, Section 30-21.2 (a), is hereby affirmed by the City Council.

Section 3. That a copy of this Resolution shall be mailed to the Applicants/ Appellants and filed with the offices of the City Clerk, City Manager, Planning and Economic Development Department and Building and Safety Department.

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

ADOPTED this ___ day of _____, 2018.

_____
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 _____, 2018.

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

RESOLUTION NO. 3989
VARIANCE CASE NO. 17-000005

A RESOLUTION OF THE PLANNING COMMISSION DENYING OF VARIANCE No. 17-000005 TO RETAIN AN ILLEGALLY CONVERTED GARAGE AS TWO BEDROOMS WITHOUT CONSTRUCTING A REPLACEMENT GARAGE LOCATED AT 522 W. PEACH STREET AND ASSESSOR'S PARCEL NUMBER (6153-011-010)

WHEREAS, William Kempton has submitted an application for a Variance in accordance with Section30-26 and 30-27, respectively, of the Compton Municipal Code for the use of certain real property located at **522 West Peach Street** in a Medium-Density Residential Zone (R-M) **(APN: 6153-011-010)** in Compton, California, legally described as follows:

LOT 5 IN BLOCK F OF TRACT NO. 4469, IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 48, PAGE 22 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
APN: 6153-011-010

WHEREAS, Variance No. 17-000005 was held before the Planning Commission on November 8, 2017; and

WHEREAS, and Variance No. 17-000005 and all persons protesting same, and the Planning Commission being fully informed; and

WHEREAS, the applicant was denied Variance No. 17-000005 a request to retain an illegally converted garage as two bedrooms without adding a two-car garage; and

WHEREAS, public hearing notices for the Planning Commission's November 8, 2017 hearing were sent to both owners and occupants located within 500 feet of the subject property.

FINDS

1. That a garage conversion will not be compliant with all applicable provisions of the Zoning Ordinance CMC Section 30-21. No new enclosed garage is proposed as part of this application. The subject property contains adequate space to construct a replacement garage space while meeting the required setbacks.

2. The Variance will constitute a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same zone. Self-created hardships may not be considered among the factors that might constitute special circumstances. A self-created hardship results from actions taken by present or prior owners of the property that consciously create the very difficulties or hardships claimed as the basis for an application for a Variance.

#3.

3. That a garage conversion use is in not conformance with the goals and objectives of the General Plan and CMC zoning R-M land use designation. The granting of the variance will be detrimental to the public welfare or injurious to other properties in the vicinity.

NOW, THEREFORE the Planning Commission of the City of Compton hereby resolves as follows:

SECTION 1. The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution as if set forth fully below.

SECTION 2. That this Resolution has been reviewed by the Planning Commission and shall be deemed effective on November 8, 2017.

SECTION 4. That a copy of this Resolution shall be mailed to the applicant and that copies shall be filed with the City Clerk, and the Fire, Parks and Recreation, and Building and Planning Departments.

SECTION 5. The Planning Commission hereby makes the following findings in connection with Variance Case No. 17-000005:

Adopted this 8th day of **November**, 2017

JUANITA GREEN-WRIGHT, CHAIRPERSON
PLANNING COMMISSION

ROBERT DELGADILLO, INTERIM DIRECTOR,
COMMUNITY DEVELOPMENT DEPARTMENT

6153	11 SHEET	P. A. 6158-31	TRA 2800	REVISED 6-19-56 800118317	20161207020080001-10				SEARCH NO		OFFICE OF THE ASSESSOR COUNTY OF LOS ANGELES COPYRIGHT © 2002

17

MAPPING AND GIS SERVICES
SCALE 1" = 60'

PG 10

40 PEACH ST 40

S 89°56'55"W

N 3°12'50"W

AVE 40

TRACT NO 5112 — TRACT NO 4469

B — F

MATTHISEN 40

ARANBE 40

PG 8

PG 18

PG 12

40 CRESSEY ST 40

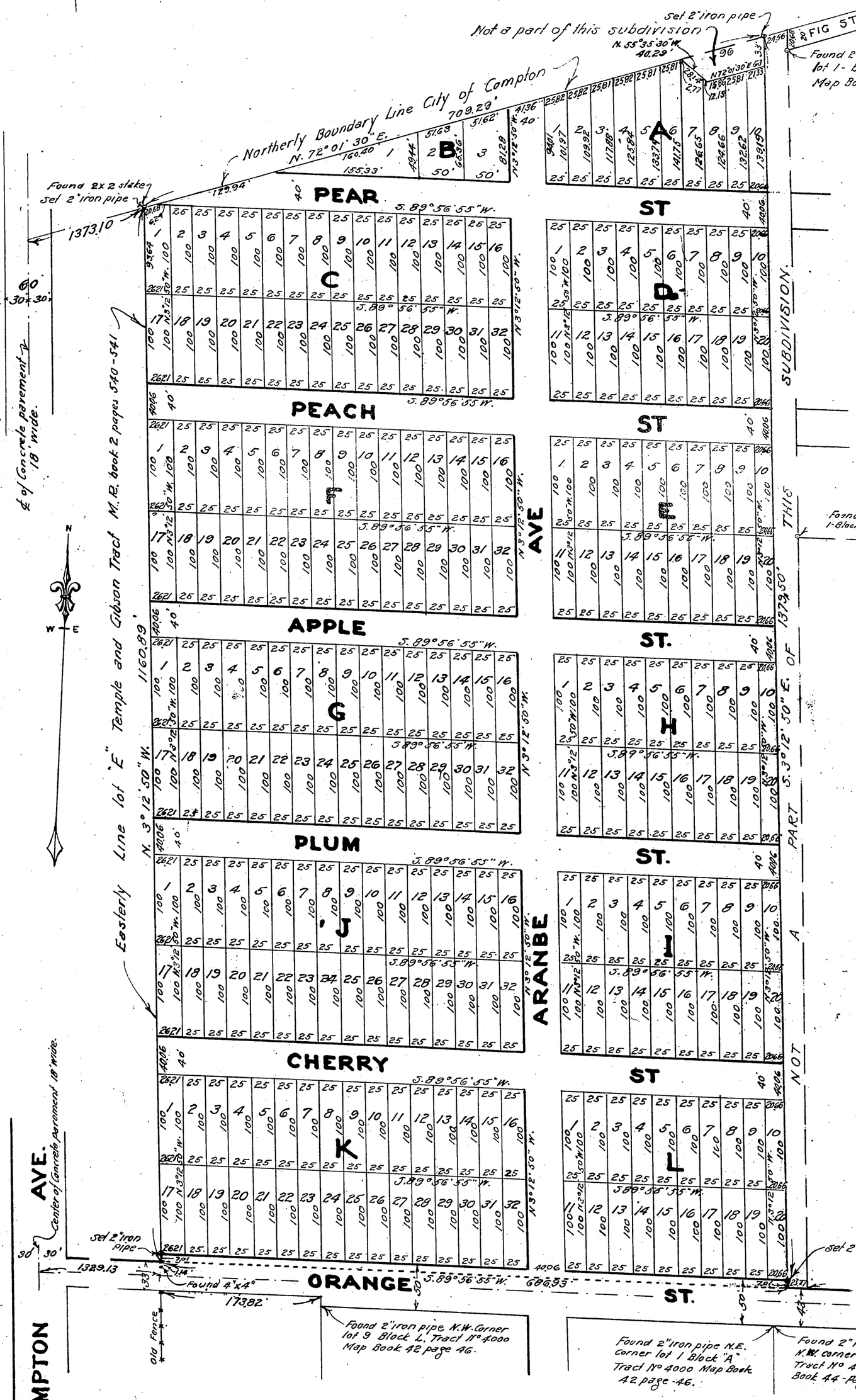
#3.

Date Printed: 12/2/2016 1:38:09 PM
Date Saved: 12/2/2016 1:37:24 PM

Book 48 & 22 Maps

#3.

4402



We hereby certify that we are the owners of or interested in the land included within the subdivision shown on the annexed map and that we are the only persons whose consent is necessary to pass a clear title to said land, and we consent to the making of said map and subdivision as shown within the colored border line and hereby dedicate to the public use of all streets and Avenue shown on said map with said subdivision.

Daniel W. Imbler

Rebecca C. Imbler

George H Bemus

Charles R Ramsey

STATE OF CALIFORNIA } S.S.
COUNTY OF LOS ANGELES }

On this 14 day October, in the year nineteen hundred and twenty one, before me ..... a Notary Public, in and for said County of Los Angeles, State of California residing therein, duly commissioned and sworn, personally appeared DANIEL W. IMBLER and REBECCA C. IMBLER known to me to be the persons whose names are subscribed to the within and annexed instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires 10-28-24 ..... Notary Public in and for Los Angeles County State of California.

STATE OF CALIFORNIA } S.S.
COUNTY OF LOS ANGELES }

On this..... day of October in the year nineteen hundred and twenty one before me JEANETTE BROWN, a Notary Public in and for County of Los Angeles State of California, residing therein, duly commissioned and sworn personally appeared GEORGE H. BEMUS and CHARLES R. RAMSEY, known to me to be the persons whose names are subscribed to the within and annexed instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires 5.1.23 ..... Notary public in and for Los Angeles County State of California.

I hereby certify that the Honorable Board of Trustees of the City of Compton, by resolution adopted October 13th, 1921, approved the attached map and accepted on behalf of the public the streets and Avenue for highway purposes, shown upon said map and therein offered for dedication as public highways.

October 13th 1921. ..... City Clerk.

STATE OF CALIFORNIA } S.S.
COUNTY OF LOS ANGELES }

I, F.G. Dessery, hereby certify that I am a civil engineer, and that this map consisting of one sheet, correctly represents a survey made under my direct October 10th to 15th 1921, and that all of the monuments shown hereon actually exist and their positions are correctly shown.

F.G. Dessery

Sworn and subscribed to before me this 1st day of October, nineteen hundred and twenty one.

Evelyn M. Cavendish

My Commission expires 3/31/24 ..... Notary Public in and for Los Angeles County, California.

Basis of bearings of this map taken from bearing of Orange St as shown on Tract N° 4368, Map Book 47, Page 76, Records of Los Angeles County California.

Approved Oct 21, 1921
J. E. ROCKWELL, County Surveyor
By H.M. Jones Deputy

OCT 21 1921
3 P.M.
BOOK 48
PAGE 22
Maps
RECORDS, LOS ANGELES COUNTY, CAL.

E.E. Salladay
Cashier
5.00

-1 Lot 4
F.L. Hitman

3

TRACT Nº 4469

LOCATED IN THE

CITY OF COMPTON

BEING A SUBDIVISION OF A PORTION OF
LOT A TEMPLE AND GIBSON TRACT

as recorded in Map Book 2 pages 540-541, Miscellaneous Records of
LOS ANGELES COUNTY, CALIFORNIA.

Scale 1"=100' Oct. 1921.

56

Map

By G.W. Taylor Cashier

500

TRACT Nº 5112

IN THE

CITY OF COMPTON

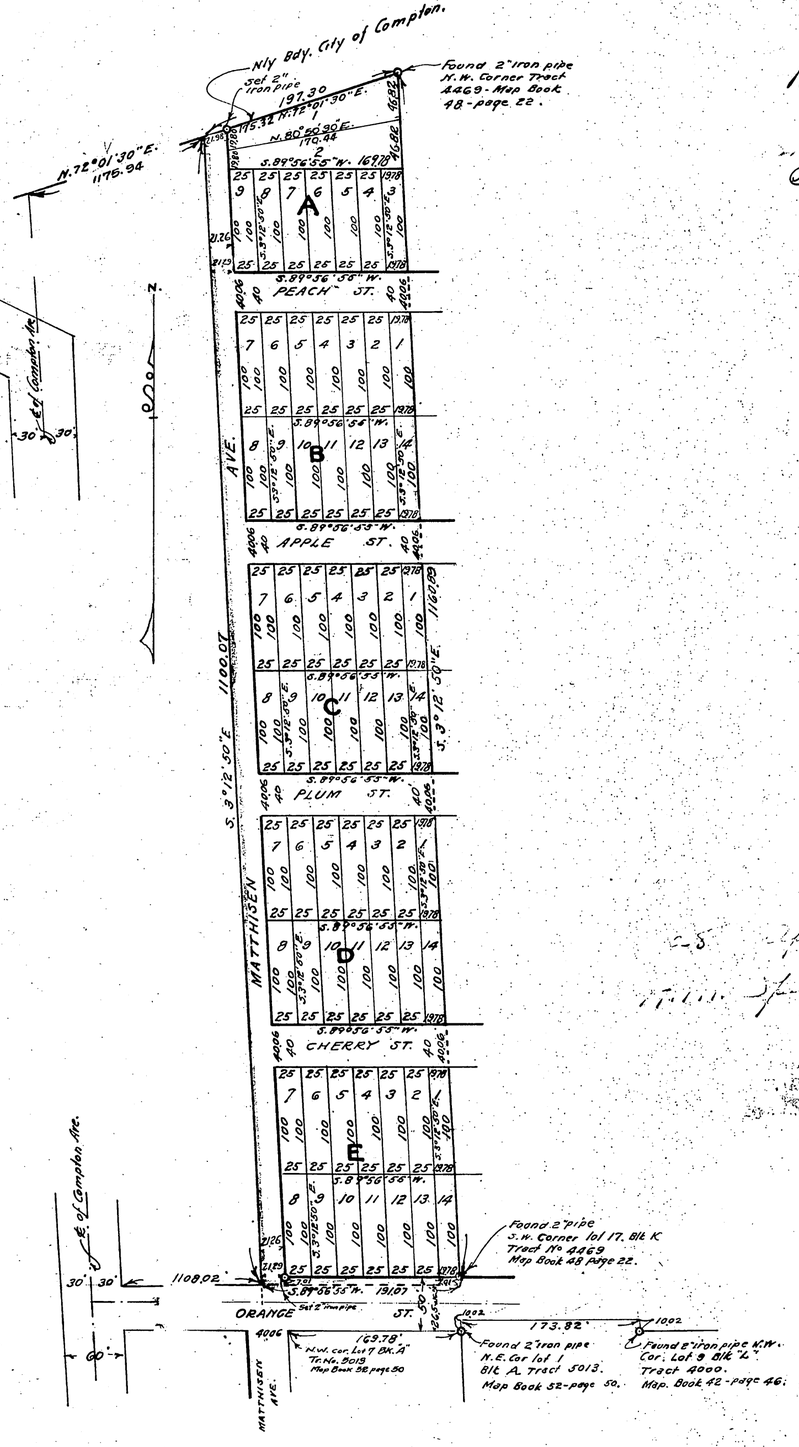
BEING A SUBDIVISION OF A PORTION OF

LOT "E" TEMPLE AND GIBSON TRACT.

As recorded in Map Book 2, Pages 540-541, Miscellaneous Records of

LOS ANGELES COUNTY, CAL.

Scale 1"=100'



We hereby certify that we are the owners of or interested in the land included within the subdivision shown on the annexed map, and that we are the only persons whose consent is necessary to pass clear title to said land, and we consent to the making of said map and subdivision as shown within the colored border line, and hereby dedicate to the public use of all the streets and avenues shown on said map within said subdivision.

Charles R. Ramsey

George H. Bemus

Maggie M. Lee

STATE OF CALIFORNIA } SS.
COUNTY OF LOS ANGELES }

On this 18 day of April - in the year nineteen hundred and twenty two, before me Jeanette Brown a Notary Public, in and for said County of Los Angeles, State of California, residing therein, duly commissioned and sworn, personally appeared, CHARLES R. RAMSEY and GEORGE H. BEMUS known to me to be the persons whose names are subscribed to the within and annexed instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Jeanette Brown

My commission expires 9/1/25 Notary Public in and for said county.

STATE OF CALIFORNIA } SS.
COUNTY OF LOS ANGELES }

I, F.G. DESSERY, hereby certify that I am a civil engineer, and that this map consisting of one sheet correctly represents a survey made under my direction April 3 to 7 (inclusive) 1922, and that all of the monuments shown hereon actually exist and their positions are correctly shown.

F.G. Dessery

Sworn and subscribed to before me this 18 day of April 1922.

Jeanette Brown

My commission expires 9/1/25 Notary Public in and for said County.

I hereby certify that the Honorable Board of Trustees of the City of Compton, by resolution adopted April 18 1922 approved the attached map and accepted on behalf of the Public the streets and Avenue for highway purposes, shown on said map and therein offered for dedication as highway purposes.

[illegible]
City Clerk.

STATE OF CALIFORNIA } SS.
COUNTY OF LOS ANGELES }

On this 18th day of April in the year nineteen hundred and twenty-two, before me Blanche G. Bixler a Notary Public in and for said county of Los Angeles, State of California, residing therein, duly commissioned and sworn personally appeared MAGGIE M. LEE known to me to be the person whose name is subscribed to the within and annexed instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Blanche G. Bixler

Notary public in and for said county.

My commission expires [illegible] 22.

Basis of bearings of this map taken from the bearing of Orange St as per map of Tract 4969, as per Map Book 48 page 22, Records of Los Angeles County.

Filed Apr 29 1922
ROCKWOOD, County Surveyor
By [illegible] Deputy

No. 5112

#3.



CITY OF COMPTON

AERIAL MAP

Variance Case No. 17-000005
522 W. Peach St.
APN: 6153-011-010

Legend

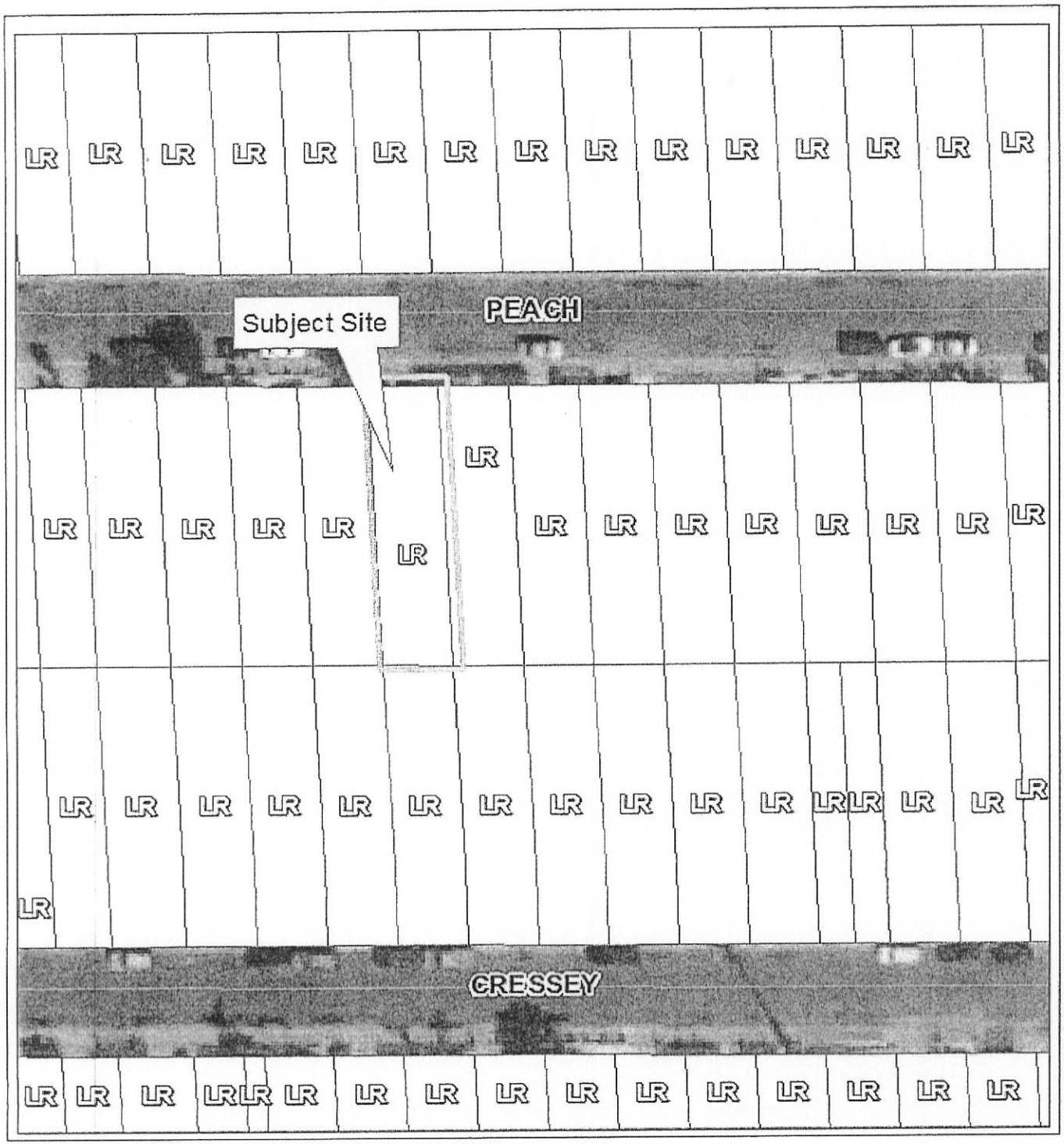
parcels

City Limits

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE GIS BASE 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 INACCURACIES 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.

#3.



CITY OF COMPTON

GENERAL PLAN MAP

Variance Case No. 17-000005
522 W. Peach St.
APN: 6153-011-010

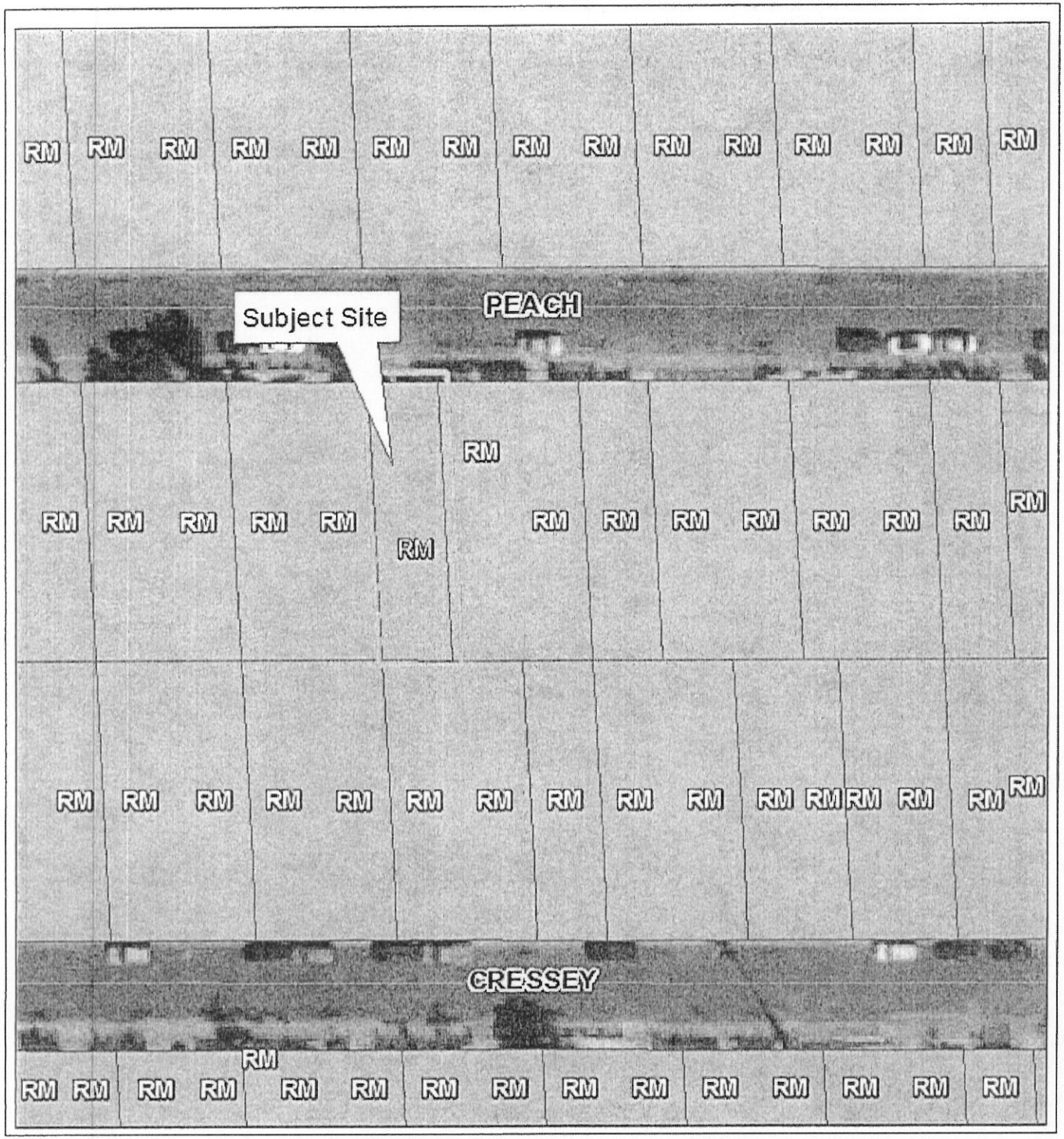
Legend

- parcels
- City Limits
- Low Density Residential <8.0 du/ac
- Medium Density Residential 8.1-17.0 du/ac
- High Density Residential 17.1-34.0 du/ac
- General Commercial
- Mixed Use
- Industrial
- Open Space/Parks
- Public/Quasi-Public
- Transportation

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA SET USE 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 INACCURACIES 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.

#3.



CITY OF COMPTON

ZONING MAP

Variance Case No. 17-000005
522 W. Peach St.
APN: 6153-011-010

Legend

- parcels
- 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 RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA OR 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 INACCURACIES 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.

#3.

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

STAFF REPORT

CASE NO.	**VARIANCE CASE NO. 17-000005**
LOCATION	**522 W. PEACH STREET** **APN: 6153-011-010**
REQUEST	**A VARIANCE TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT AN ILLEGALLY CONVERTED GARAGE TO REMAIN AS TWO BEDROOMS**
HEARING DATE	**NOVEMEMBER 8, 2017**

Applicant:
William Kempton
4262 Purdue St.
Los Angeles, CA 90064

Requested Action/Project Description
William Kempton is requesting approval of Variance Case No. 17-000005 to permit a converted garage to remain two bedrooms and not require conversion back to a garage as required by CMC section 30.21 located at 522 W. Peach St.

Location
The residence located on 522 W. Peach St. on the south side of the street, located between N. Matthisen and N. Aranbe Ave. The site consists of a rectangular shaped parcel of land approximately 2,500 square foot in size.

Zoning and Land Use

SUMMARY	Project Site	North	South	East	West
General Plan	Medium Density	Unincorporated Los Angeles County	Low-Density Residential	Low-Density Residential	Low-Density Residential
Zoning	Medium Density Residential	NA	Low-Density Residential	Medium Density Residential	Low-Density Residential
Existing Land Use	Residential	NA	Residential	Residential	Residential

Environmental Determination:

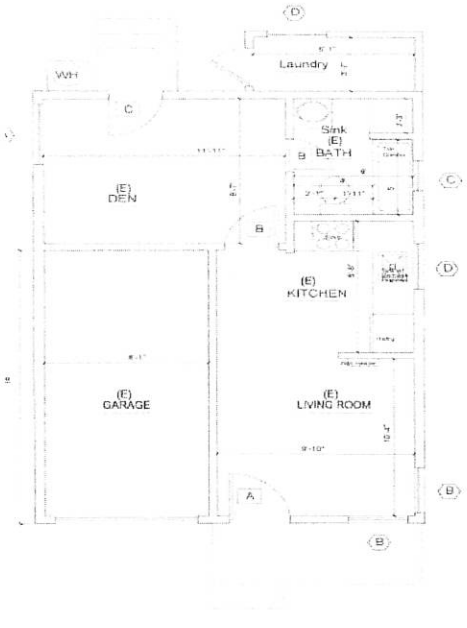
The project is Categorically Exempt in accordance with Section 15301 of the State CEQA Guidelines (Class 1) consist of maintenance and permitting of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Background

The house was built in 1950 along with similar style homes. Building Department records indicate the single-family house is 416 sq. ft. consisting of one bedroom and one garage. The lot size is 2,500 sq. ft. The house meets the minimum required front, side, and rear yard setbacks. The site is developed with a concrete driveway, and a gated entrance.

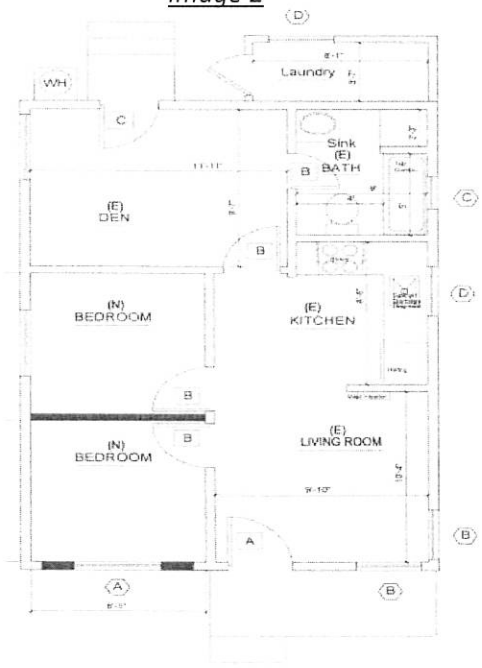
Floor Plan

Image 1



EXISTING FLOOR PLAN
SCALE 1/4" = 1'-0"

Image 2



PROPOSED FLOOR PLAN

The existing floor plan image 1 illustrates a one-car garage built when the house was originally constructed in 1950. The proposed floor plan on image 2 shows a garage converted illegally into two bedrooms. The proposed bedrooms do not have closets which does not meet the minimum qualification of a bedroom.

Analysis

The homeowner is requesting a variance to retain an illegally converted garage as two bedrooms without being required to construct a replacement garage. The current home owner purchased the home with the current garage in violation of Compton Municipal Code Section 30-21. The property owner received a Building Department notice for an illegal garage conversion in 2017. The Building Department records state that the house was built with one bedroom and one garage. The garage was illegally converted into a bedroom between the 1970s and 1990s before the current owner purchased the home. No Building Department permit was obtained for the conversion by the previous owner(s).

The property is in violation of CMC Section 30-21 and therefore must comply with the ordinance:

CMC Section 30-21 requires that all dwellings have a garage for residential off-street parking. This regulation applies to all homes built after 1946. Existing garages, either attached or detached, may not be converted or modified to accommodate alternative uses. Prior to 1993, the CMC allowed some garages to be converted to living space for the associated dwelling. Such conversions required a building permit and did not authorize a second dwelling unit. They are no longer permitted. Property owners with approved building permit may continue to use a converted garage for residential purposes. However, should they wish to expand the dwelling, the garage must be restored or replaced. Replacement of a one or two-car garage will be required.

The property owner claims that the realtor did not disclose the illegal garage conversion; unfortunately, staff can not verify this claim. The home was purchased as a two bedroom, one bathroom house. Additionally, the house did not have a pre-sale inspection from the Building Department which may have disclosed this to the prospective owner before the sale of the house which is a requirement. The property remains in violation of CMC Section 30-21 and therefore must comply with the ordinance and therefore the homeowner must convert the illegally converted bedroom back into a garage. Reconversion will result in the loss of two bedrooms and a gain one car garage.

The residential garage was originally constructed in 1950 to satisfy the requirements of CMC 30-21 for off-street parking. Current, Compton Municipal Code provisions do not allow the conversion of a garage into habitable space, by right, without the required parking being replaced. This garage was converted illegally into two bedrooms. The home was built with a garage and a reconversion back to a garage meets all current property development standards in 30-21.5. In analyzing the subject property, staff noted that there are no exceptional circumstances to the applicant's request. Furthermore, approval of a variance will reduce the number of off-street parking along this densely populated street and will exacerbate the heavy demand for on street parking.

PUBLIC NOTICE

Notices were mailed to both the property owners and occupants located within a 500 foot radius on October 26, 2017. As of November 7, 2017, no correspondence either for or against the project have been received.

RECOMMENDATION

Therefore, staff recommends that the Planning Commission deny Variance Case No. 17-000005 subject to the findings contained herein.

FINDINGS FOR DENIAL OF VARIANCE CASE NO. 17-000005:

1. That a garage conversion will not be compliant with all applicable provisions of the Zoning Ordinance CMC Section 30-21. No new enclosed garage is proposed as part of this application. The subject property contains adequate space to construct a replacement garage space while meeting the required setbacks.

2. The Variance will constitute a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same zone. Self-created hardships may not be considered among the factors that might constitute special circumstances. A self-created hardship results from actions taken by present or prior owners of the property that consciously create the very difficulties or hardships claimed as the basis for an application for a Variance.

3. That a garage conversion use is in not conformance with the goals and objectives of the General Plan and CMC zoning R-M land use designation. The granting of the variance will be detrimental to the public welfare or injurious to other properties in the vicinity.

Exhibits

1) Aerial Map
2) General Plan Map
3) Zoning Map
4) Site Photos
5) Applicant's Project Description
6) Project Plans
7) 500' Radius
8) CAT Exempt Letter



CITY OF COMPTON

AERIAL MAP

Variance Case No. 17-000005
522 W. Peach St.
APN: 6153-011-010

Legend

parcels

City Limits

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA AND/OR 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 INACCURACIES 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.

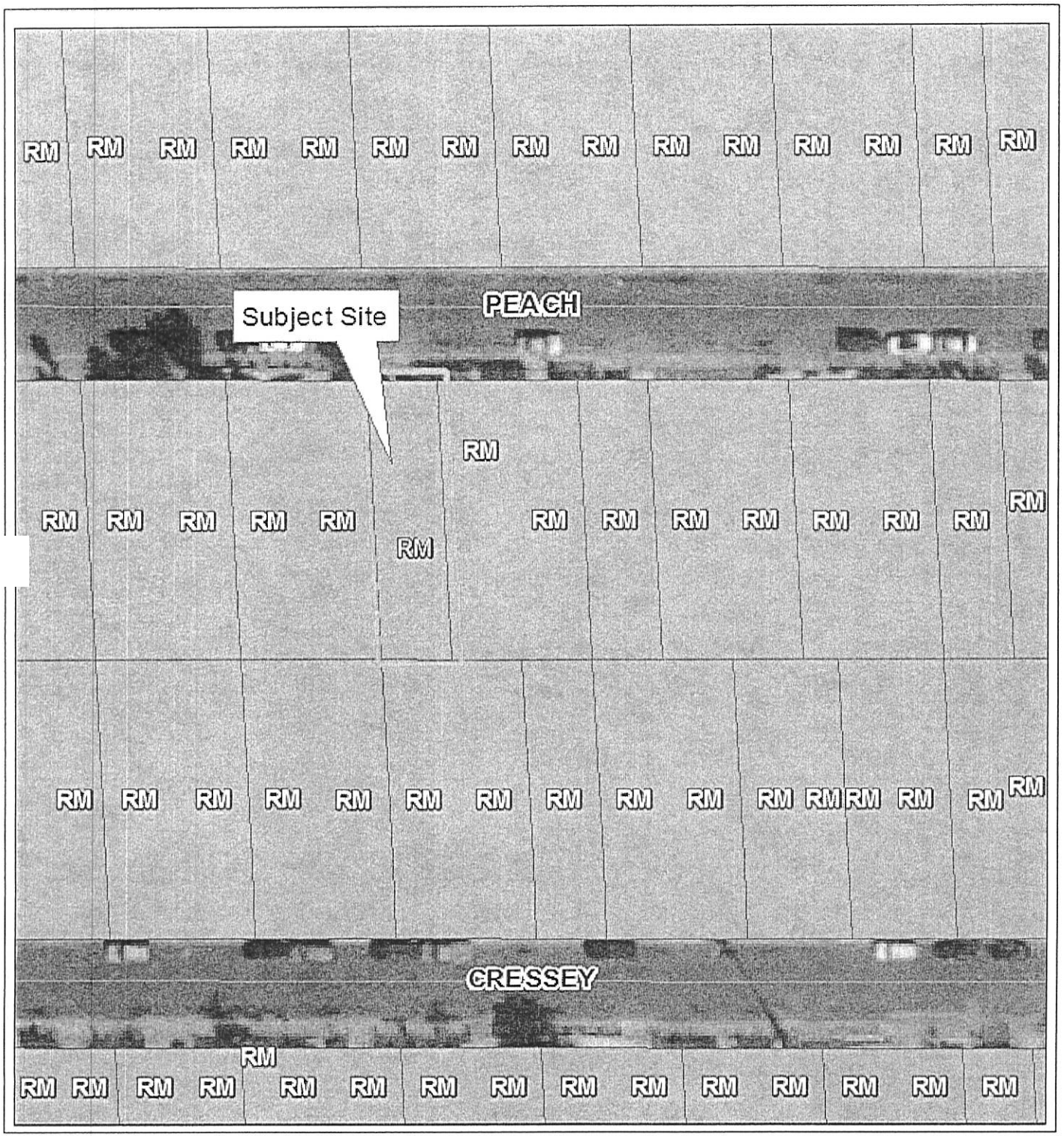
#3.

#3.

CITY OF COMPTON

ZONING MAP

Variance Case No. 17-000005
522 W. Peach St.
APN: 6153-011-010



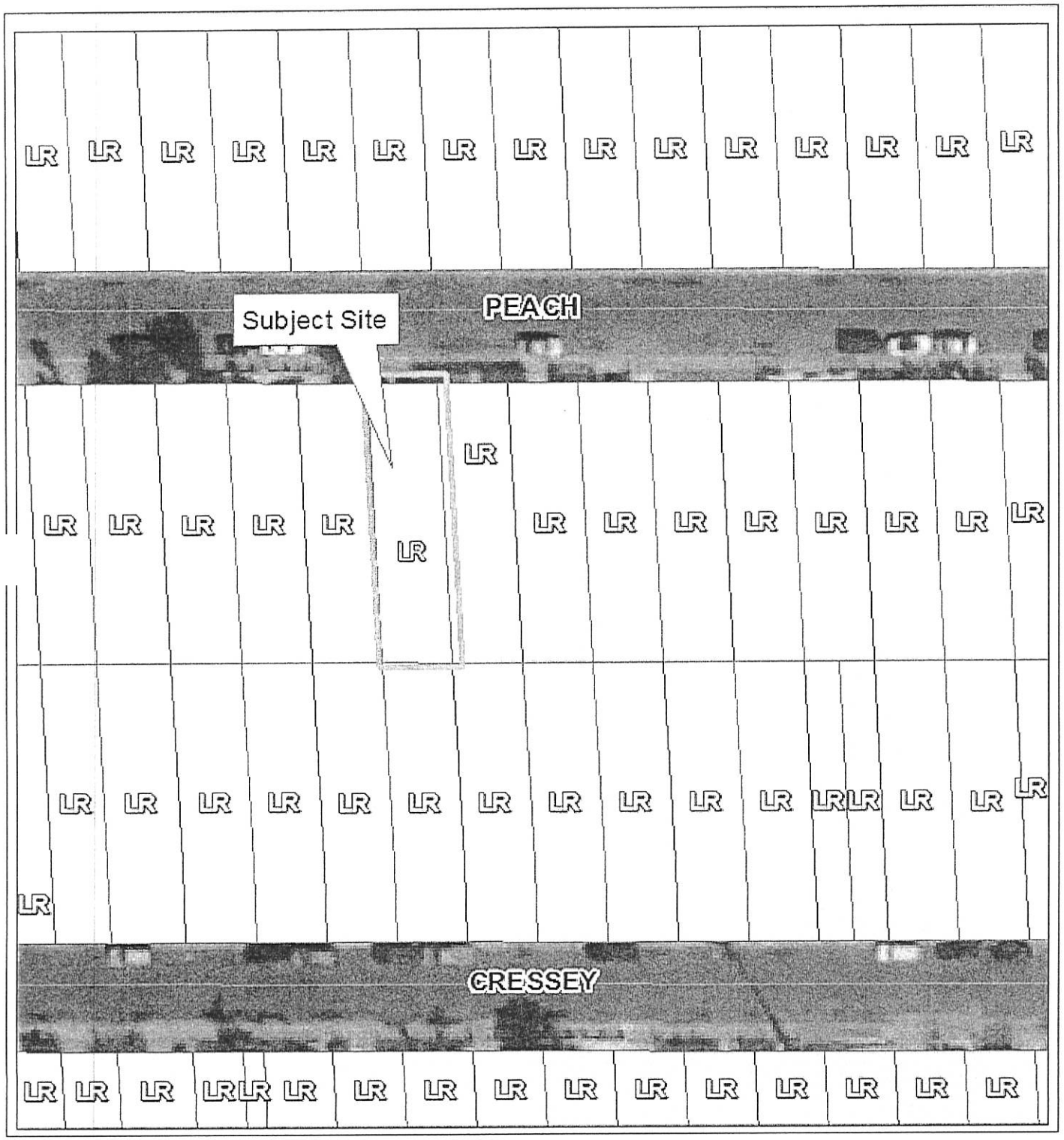
Legend

- parcels
- 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

N

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA/IMAGE 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 INACCURACIES 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.



CITY OF COMPTON

GENERAL PLAN MAP

Variance Case No. 17-000005
522 W. Peach St.
APN: 6153-011-010

Legend

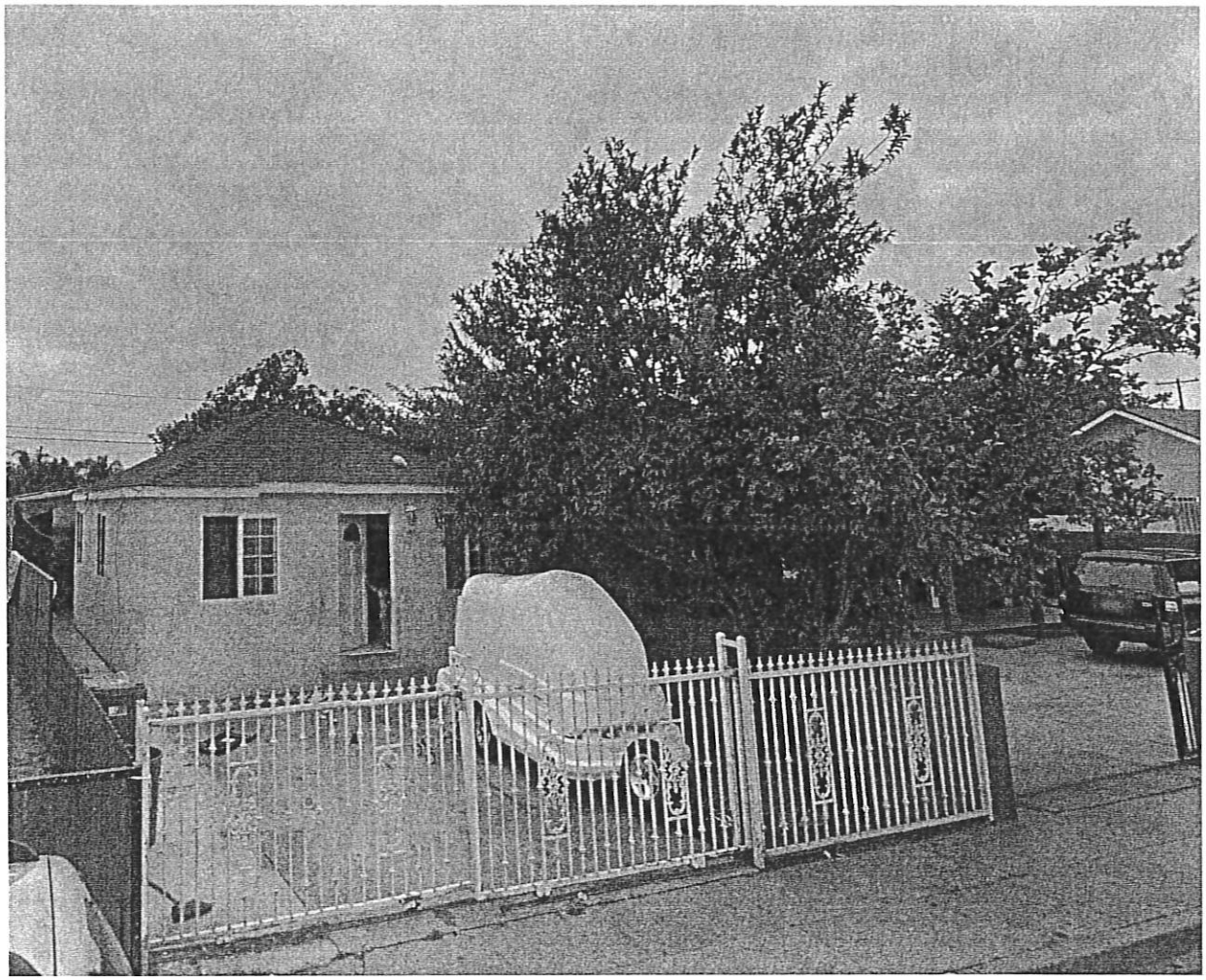
- parcels
- City Limits
- Low Density Residential <8.0 du/ac
- Medium Density Residential 8.1-17.0 du/ac
- High Density Residential 17.1-34.0 du/ac
- General Commercial
- Mixed Use
- Industrial
- Open Space/Parks
- Public/Quasi-Public
- Transportation

THIS MAP IS A PUBLIC RESOURCE OF GENERAL INFORMATION. THE CITY OF COMPTON MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA/USE 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 INACCURACIES 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.

#3.

#3.



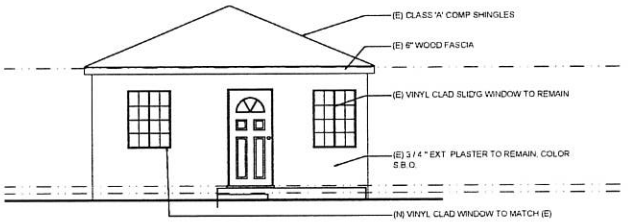
Front View

PROJECT DESCRIPTION
522 W. Peach Street
Compton, Ca 90222

The conversion of the garage to living space will provide an adequate size single family dwelling for the family of five displaced by a recent fire. The home is currently 416 square feet, a substandard size for a dwelling. The conversion will provide a more comfortable living space, 162 additional square feet for the current owner. Aesthetically, the proposed front elevation will maintain the character of the surrounding properties by providing a symmetrical balance with 2 windows, one on each side of the main entry door.

Because no new building addition is being built beyond the existing footprint @ the front of the house, the building line will remain the same, with no visible impact on the neighborhood. A 1 car parking space shall be provided as shown on the submitted site plan.

#3.



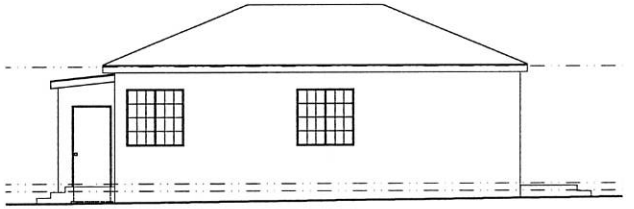
PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"



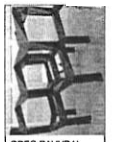
EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

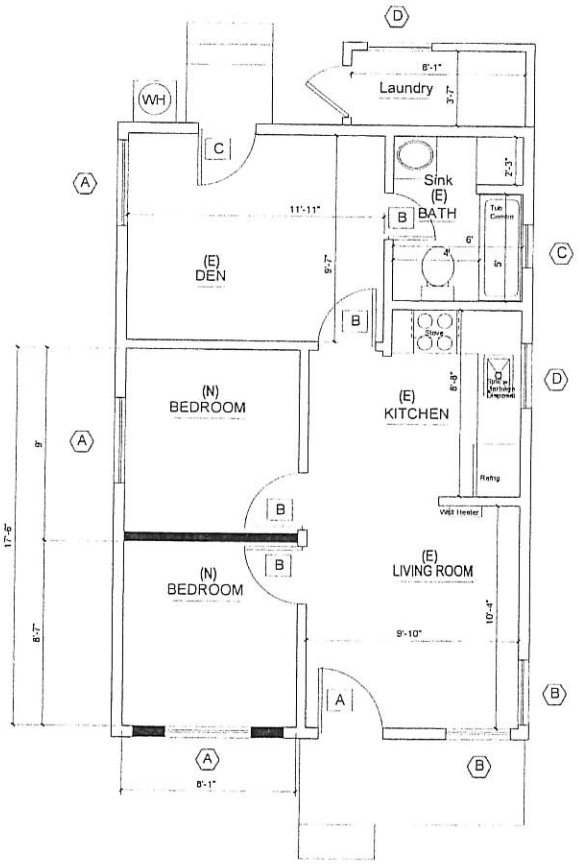


GREG RAVNDAL
5419 Hollywood Blvd, C152
Hollywood, California 90027

EXISTING EXTERIOR ELEVATIONS
PROPOSED NORTH ELEVATION

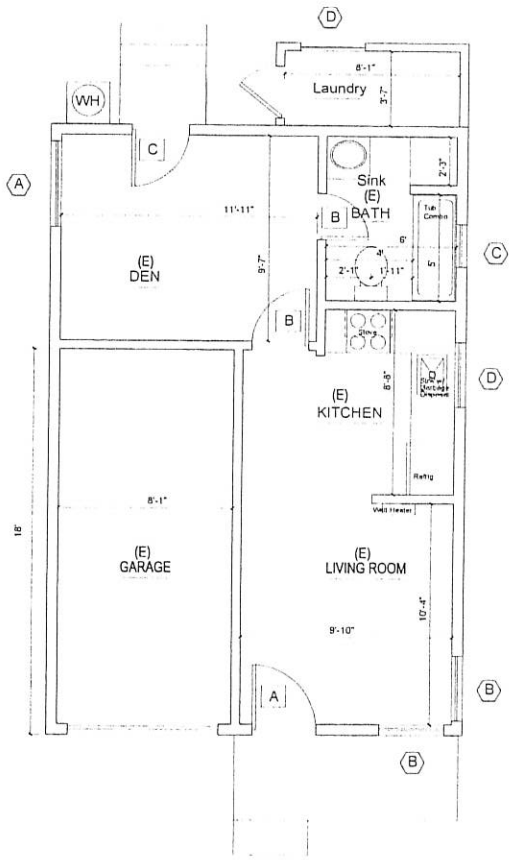
522 w. PEACH ST
CITY OF COMPTON
CALIFORNIA 90222

2



PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"

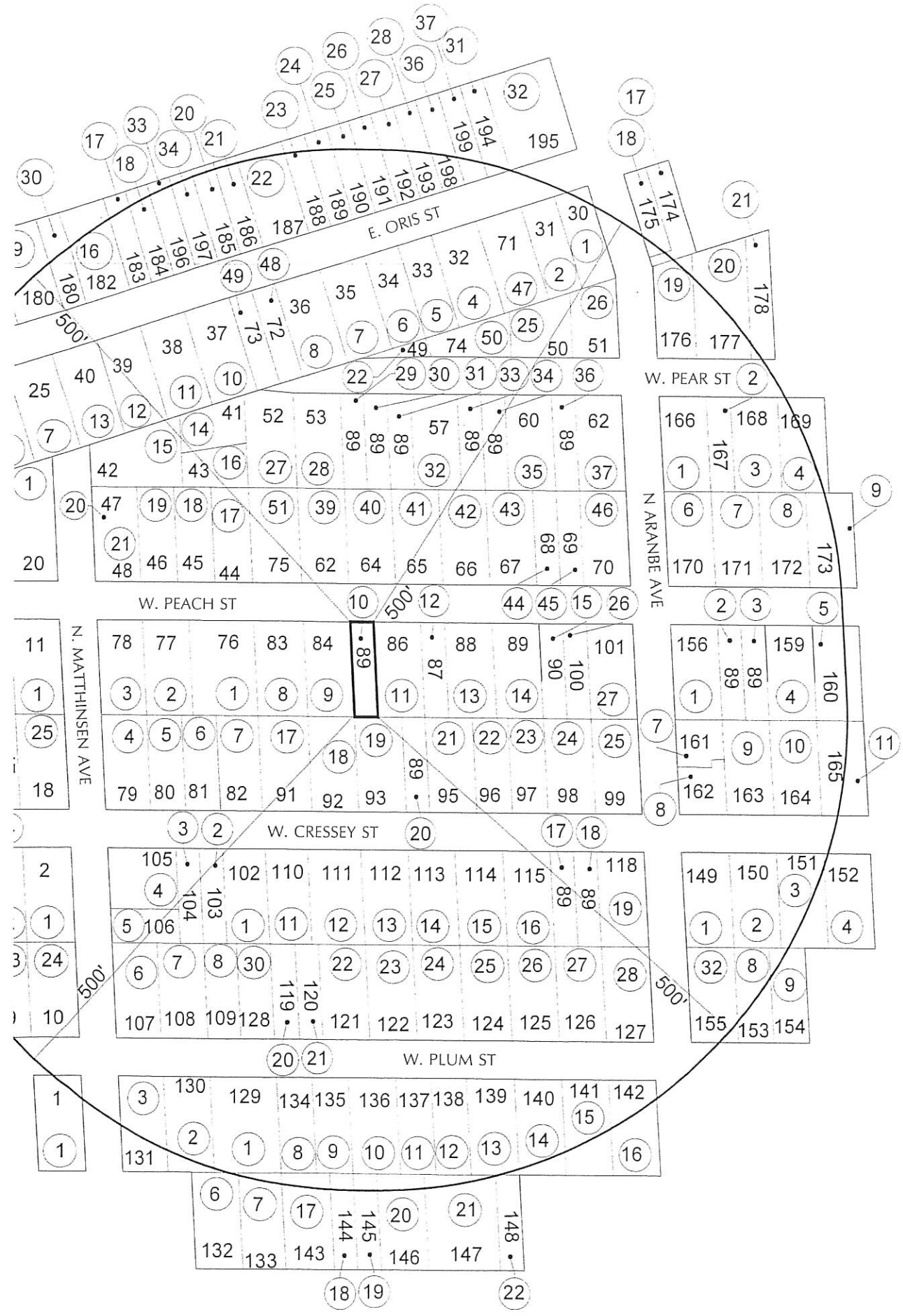


EXISTING FLOOR PLAN

SCALE: 1/4" = 1'-0"

#3.

#3.





GREG RAVNDAL
5419 Hollywood Blvd, C352
Hollywood, California 90027

I Greg Ravndal, certify that I have completed this radius map to the best of my ability and that the information on it is true and complete.
Dated this: 27th day of April, 2017
Signed:

500' RADIUS MAP

522 w. PEACH ST
CITY OF COMPTON
CALIFORNIA 90222

CITY OF COMPTON
PLANNING DEPARTMENT
NOTICE OF EXEMPTION
PURSUANT TO
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

To:
Los Angeles County Clerk
12400 East Imperial Highway
Suite #2001
Norwalk, California 90650

From:
City of Compton
Planning Division
205 S. Willowbrook Avenue
Compton, California 90220

Project Title: Conditional Use Permit No. 17-000005
Project Address: 522 W. Peach St.
Project Location: City of Compton

Description of Nature, Purpose, and Beneficiaries of Project:
William Kempton is requesting approval of Variance Case No. 17-000005 to permit a converted garage to remain a bedroom and not require conversion back to a garage as required by CMC section 30.21 located at 522 W. Peach St.

Name of Public Agency Approving Project:
City of Compton – Planning Commission

Name of Person or Agency Carrying Out Project:
William Kempton

Exemption Status:
The project is Categorically Exempt in accordance with Section 15301 of the State CEQA Guidelines. (Class 1)

Reasons why project is exempt:
The project is Categorically Exempt in accordance with Section 15301 of the State CEQA Guidelines (Class 1) consist of maintenance and permitting of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Lead Agency Contact Person:
Troy Gunter — Telephone #: (310) 605-5532

Signature:
Title: Assistant Planner

Date: November 2, 2017

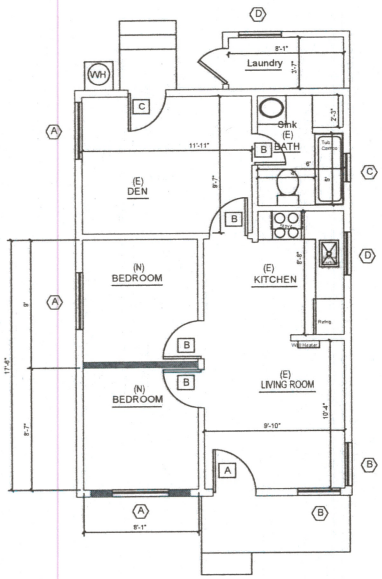
WINDOW SCHEDULE

	WINDOW SIZE	WINDOW TYPE	WINDOW FRAME	CLAD	
A	4 x 4	SLIDER	METAL	VINYL	BEDROOM / EGRESS WINDOW DEN
B	2 x 4	SLIDER			LIVING ROOM
C	2 x 3	SLIDER			BATHROOM
D	3 x 2	SLIDER			KITCHEN, LAUNDRY

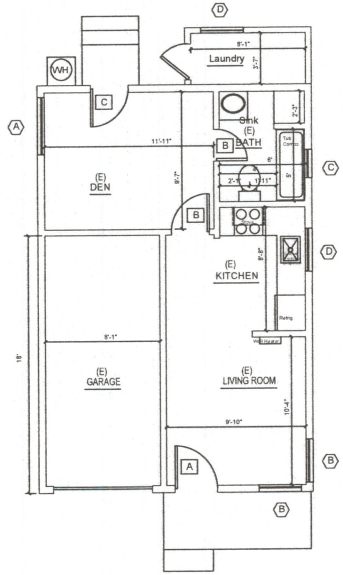
WINDOW NOTES:
1) ALL WINDOWS ARE DUAL GLAZED
2) ALL WINDOWS HAVE A U FACTOR OF .35 & SHGC OF .35
3) ALL WINDOWS ARE RETROFIT

DOOR SCHEDULE

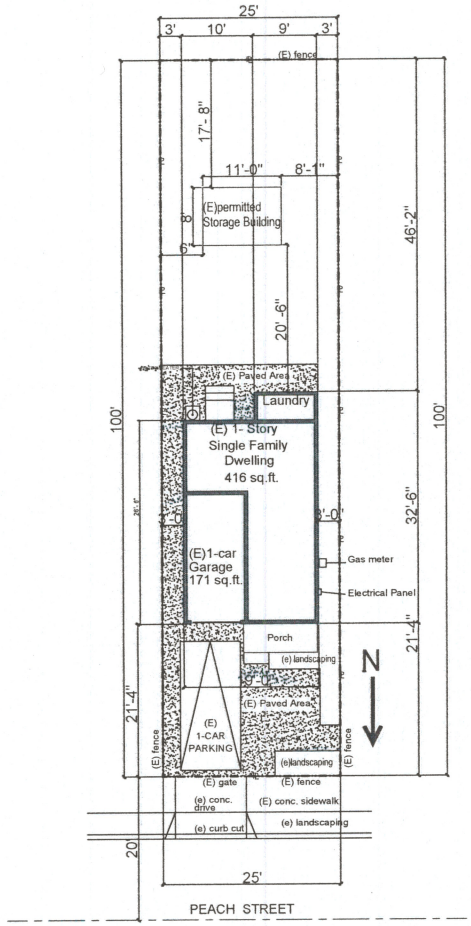
	DOOR SIZE	DOOR TYPE	DOOR FRAME	CLAD	
A	3'0 X 6'8	SWINGING	WOOD	VINYL	SOLID CORE EXT. ENTRY DOOR
B	2'0 X 6'8	SWINGING			HOLLOW CORE INT. DOOR
C	2'0 X 6'8	SWINGING			SOLID CORE EXT. DOOR



PROPOSED FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXISTING FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

GREG RAVNDAL
5419 Hollywood Blvd, C352
Hollywood, California 90027

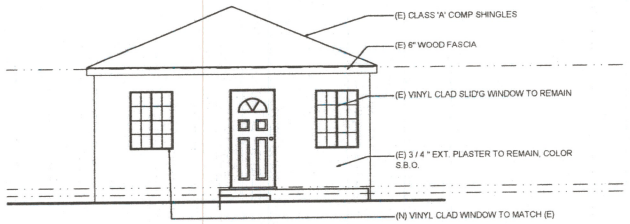
EXISTING SITE PLAN
EXISTING FLOOR PLAN
PROPOSED FLOOR PLAN

522 w. PEACH ST
CITY OF COMPTON
CALIFORNIA 90222

1

#3.

#3.



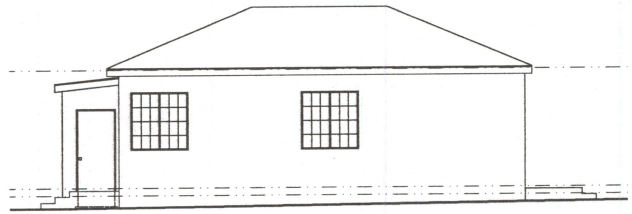
PROPOSED NORTH ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"



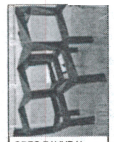
EXISTING WEST ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"



EXISTING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



GREG RAVNDAL
5419 Hollywood Blvd, C152
Hollywood, California 90027

EXISTING EXTERIOR ELEVATIONS
PROPOSED NORTH ELEVATION

522 w. PEACH ST
CITY OF COMPTON
CALIFORNIA 90222

2

RESOLUTION SIGN-OFF FORM

DEPARTMENT: **Planning**

RESOLUTION TITLE: **HEARING - APPEAL OF PLANNING COMMISSION DECISION DENYING VARIANCE CASE NO 17-000005 - A REQUEST BY APPLICANTS (BLANCA/DOMINGO HERNANDEZ) TO WAIVE THE REQUIREMENT TO PROVIDE AN ONSITE GARAGE AND TO PERMIT A CONVERTED GARAGE TO REMAIN AS LIVING SPACE AT 522 WEST PEACH STREET (RESOLUTIONS DENYING/APPROVING VARIANCE CASE NO. 17-000005 ATTACHED)**

Robert Delgadillo — **1/31/2018 9:53:11 AM**
DEPARTMENT MANAGER'S SIGNATURE — DATE

REVIEW / APPROVAL

Ruth Rugley — **3/1/2018 12:17:47 PM**
CITY ATTORNEY — DATE

Nita McKay — **2/5/2018 10:48:15 AM**
CITY CONTROLLER — DATE

Cecil Rhambo — **2/3/2018 3:10:15 PM**
CITY MANAGER — 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.

March 6, 2018

TO: **MAYOR AND CITY COUNCIL**

FROM: **WENDELL E. JOHNSON, P.E., (INTERIM) DIRECTOR**
PUBLIC WORKS DEPARTMENT

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS 2017-2018 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE $55,669 IN FUNDS FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY NATIONAL TRANSIT DATA FUND AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2014-2015**

SUMMARY

Adoption of this resolution will amend the Public Works Department's 2017-2018 Fiscal Year budget to accept and appropriate Fifty Five Thousand Six Hundred Sixty Nine Dollars ($55,669.00) in funds from the Los Angeles County Metropolitan Transportation Authority ("LACMTA") National Transit Data ("NTD") and authorize the City Manager to enter into a Memorandum of Understanding with LACMTA for successfully reporting to the National Transit Database for Fiscal Year 2014-2015.

BACKGROUND

On November 14, 1980, the voters of the County of Los Angeles approved, by majority vote, Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes.

There are many cities that operate locally-funded fixed route and dial-a-ride public transit services in Los Angeles County. Rather than have each city report data directly to the Federal Transit Administration ("FTA"), the LACMTA submits a consolidated NTD report to the FTA on behalf of more than 45 cities. The data submitted by each of the local operators generates additional Federal Section 5307 capital funds to the region. Once Congress apportions the funds, LACMTA enters into Memorandum of Understandings ("MOU") with each city to make payment to each city for their share of the revenues generated for the Los Angeles County region. Each participating jurisdiction city is paid dollar-for-dollar for what their service generates for the Los Angeles County Region, minus the cost of the audit. The local funds provided through this MOU must be spent consistent with Proposition A and C Local Return Guidelines.

On September 26, 2001, the LACMTA authorized payment of Proposition A Discretionary Incentive Funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data to the National Transit Database.

STATEMENT OF THE ISSUE

On June 15, 2016, LACMTA approved the FY 2016-2017 transit funding allocations, which included funds to make payments to all cities that voluntarily reported NTD data for FY 2014-2015. On July 11, 2017, the Federal Transit Administration (FTA) published in the Federal Register the FY 2016-2017 Apportionments, Allocations, and Program Information including unit values for the data reported to the NTD.

On adoption of this resolution, the City Manager will sign a Letter of Agreement and Memorandum of Understanding with the LACMTA which entitles the City of Compton to receive a grant of Fifty Five Thousand Six Hundred Sixty Nine Dollars ($55,669.00) for the City's participation in the National Transit Data Base development for Fiscal Year 2014-2015. The City will agree that the expenditures of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit, and lapsing requirements of Proposition A and Proposition C Local Return guidelines, which include the expenditures of funds deemed to be for public transit purposes, to sustain or improve the quality and safety of and/or access to public transit by the general public or those requiring special public transit assistance.

City Council authorization is required for amendment of the 2017-2018 Fiscal Year budget to accept and appropriate the grant funds and authorize the City Manager to to enter into a Memorandum of Understanding with the LACMTA for successfully reporting to the NTD for FY 2014-2015.

ALTERNATIVE

The City of Compton desires to receive its portion of Proposition A Discretionary Incentive Funds entitled to each participating agency for submitting data to the National Transit Database. Therefore, no other alternative is being proposed.

FISCAL IMPACT

Grant funding sources include Federal Transit Administration, United States Department of Transportation ("USDOT") and Federal Highway Administration, which will be appropriated as follows:

Proposition A, Discretionary Incentive Grant Program:

(MOU.PAICOMPT17) Account No. 2000-710-000-4269 $55,669

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

WENDELL E. JOHNSON, P.E., (INTERIM) DIRECTOR
PUBLIC WORKS DEPARTMENT

APPROVED FOR FORWARDING:

CECIL W. RHAMBO, JR.
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS 2017-2018 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE $55,669 IN FUNDS FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY NATIONAL TRANSIT DATA AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2014-2015

WHEREAS, on November 14, 1980, the voters of the County of Los Angeles approved by majority vote, Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes; and

WHEREAS, at its September 26, 2001 meeting, the Los Angeles County Metropolitan Transportation Authority ("LACMTA") authorized payment of Proposition A Discretionary Incentive Funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data; and

WHEREAS, at its June 15, 2016 meeting, the LACMTA approved the Fiscal Year 2016-2017 transit fund allocations, which included funds to make payments to all cities that voluntarily reported NTD data for FY 2014-2015; and

WHEREAS, on July 11, 2017, the Federal Transit Administration ("FTA") published in the Federal Register the FY 2016-2017 Apportionments, Allocations, and Program Information including unit values for the data reported to the National Transit Database ("NTD"); and

WHEREAS, the City of Compton has been a participant in the LACMTA's Consolidated NTD Reporters Random Sampling Program for Fiscal Year 2014-2015 and has voluntarily submitted NTD data to the LACMTA, which successfully passed the independent audit; and

WHEREAS, the City has been awarded funds under the Proposition A Discretionary Incentive Program for collecting and reporting data for the NTD from the Fiscal Year 2014-2015 Report Year; and

WHEREAS, the City agrees that the expenditures of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit, and lapsing requirements of Proposition A and Proposition C Local Return guidelines which include the expenditures of funds deemed to be for public transit purposes to sustain or improve the quality and safety of and/or access to public transit by the general public or those requiring special public transit assistance; and

WHEREAS, the Public Works Department will accept the Fifty Five Thousand Six Hundred Sixty Nine Dollars ($55,669) from the Los Angeles County Metropolitan Transportation Authority National Transit Data Funds and amend the Public Works Department's FY 2017-2018 budget; and

WHEREAS, LACMTA requires that the City of Compton execute a Memorandum of Understanding and submit an invoice in the amount of Fifty Five Thousand Six Hundred Sixty Nine Dollars ($55,669) in order to receive payment.

#4.

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

SECTION 1. That the City hereby accepts and appropriates Fifty Five Thousand Six Hundred Sixty Nine Dollars ($55,669.00) in National Transit Data funds from the Los Angeles County Metropolitan Transportation for successfully reporting to the National Transit Database for Fiscal Year 2014-2015.

SECTION 2. That the City Manager, on the advice and approval of the City Attorney is hereby authorized to enter into a "Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and Reporting Data for the National Transit Database for Report Year 2015" with the Los Angeles County Metropolitan Transportation Authority.

SECTION 3. That the Public Works Department's Fiscal Year 2017-2018 budget shall be amended to accept and appropriate $55,669.00 into Account No. 2000-710-000-4269 for the additional expenditures and Account No. 2000-000-000-3579 for the increased revenues.

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

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

ADOPTED this ____ day of _____, 2018.

_____
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 _____, 2018.

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

PROPOSITION A DISCRETIONARY INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING FOR COLLECTING AND REPORTING DATA FOR THE NATIONAL TRANSIT DATABASE FOR REPORT YEAR 2015

This Memorandum of Understanding (MOU) is entered into as of July 31, 2017 by and between Los Angeles County Metropolitan Transportation Authority ("LACMTA") and the City of Compton (the "City").

WHEREAS, on November 14, 1980, the voters of the County of Los Angeles approved by majority vote Proposition A, an ordinance establishing a one-half percent sales tax for public transit purposes; and

WHEREAS, at its September 26, 2001 meeting, the LACMTA authorized payment of Proposition A Discretionary Incentive funds to each participating agency in an amount equal to the Federal funds generated for the region by each agency's reported data; and

WHEREAS, at its June 15, 2016 meeting, LACMTA approved the Fiscal Year FY 2016-17 transit fund allocations, which included funds to make payments to all cities that voluntarily reported NTD data for FY 2014-15; and

WHEREAS, the City has been a participant in LACMTA's Consolidated National Transit Database (NTD) Reporters Random Sampling Program for FY 2014-15 and has voluntarily submitted NTD data to the LACMTA for FY 2014-15 which successfully passed independent audit without findings; and

WHEREAS, the City has requested funds under the Proposition A Discretionary Incentive Program for collecting and reporting data for the NTD from the FY 2014-15 Report Year (the "Project"); and

WHEREAS, on July 11, 2017, the Federal Transit Administration (FTA) published in the Federal Register the FY 2016-17 Apportionments, Allocations, and Program Information including unit values for the data reported to the NTD; and

WHEREAS, the parties desire to agree on the terms and conditions for payment for the Project.

NOW, THEREFORE, LACMTA and the City hereby agree to the following terms and procedures:

ARTICLE 1. TERM

1.0 This Memorandum of Understanding ("MOU") will be in effect from **July 1, 2017**, through **June 30, 2019** at which time all unused funds shall lapse.

ARTICLE 2. STANDARDS

2.0 To receive payment for the submittal of the FY 2014-15 NTD statistics, the City warrants that it:

A. Adhered to the Federal Guidelines for collecting and Reporting NTD statistics;

B. Prepared and submitted the FY 2014-15 **ANNUAL NTD REPORT** of the City's fixed-route and/or demand response transit service to the LACMTA on or before **September 30, 2015**;

C. Allowed the LACMTA to assign an independent auditor to review the submitted FY 2014-15 NTD statistics for conformity in all material respects with the accounting requirements of the FTA as set forth in its applicable Uniform System of Accounts.

ARTICLE 3. PAYMENT OF FUNDS TO CITY

3.0 LACMTA shall pay the City for collecting and reporting FY 2014-15 NTD statistics. LACMTA shall pay the City for submitting the FY 2014-15 **ANNUAL NTD REPORT** for the applicable transit services as follows:

MOTOR BUS SERVICE

For City's motor bus service, LACMTA shall pay an amount equal to the 135,726 revenue vehicle miles reported by the City multiplied by the FTA unit value of $.4219075 per revenue vehicle mile, plus the 241,984 passenger miles reported by the City squared, divided by the $987,077 operating cost reported by the City, multiplied by the FTA unit value of $.0115687 less the cost of the $2,281 in audits paid by LACMTA. See Attachment A for detail.

3.1 The City shall submit one invoice to LACMTA prior to **December 31, 2018**, in the amount of **$55,669** in order to receive its payment described above.

3.2 INVOICE BY CITY:

Send invoice with supporting documentation to:

Los Angeles County Metropolitan Transportation Authority
Accounts Payable
P. O. Box 512296
Los Angeles, CA 90051-0296
accountspayable@metro.net

Re: LACMTA MOU# 910000000PAICOMPT17 M.S. Susan Richan (99-4-4)

ARTICLE 4. CONDITIONS

4.0 The City agrees to comply with all requirements specified by the FTA guidelines for reporting NTD statistics.

4.1 The City understands and agrees that LACMTA shall have no liability in connection with the City's use of the funds. The City shall indemnify, defend, and hold harmless LACMTA and its officers, agents, and employees from and against any and all liability and expenses including defense costs and legal fees and claims for damages of any nature whatsoever, arising out of any act or omission of the City, its officers, agents, employees, and subcontractors in performing the services under this MOU.

4.2 The City is not a contractor, agent or employee of LACMTA. The City shall not represent itself as a contractor, agent or employee of LACMTA and shall have no power to bind LACMTA in contract or otherwise.

4.3 The City agrees that expenditure of the Proposition A Discretionary Incentive funds will be used for projects that meet the eligibility, administrative, audit and lapsing requirements of the Proposition A and Proposition C Local Return guidelines most recently adopted by the LACMTA Board.

4.4 These expenditures will be subject to **AUDIT** as part of LACMTA's annual Consolidated Audit.

ARTICLE 5. REMEDIES

5.0 LACMTA reserves the right to terminate this MOU and withhold or recoup funds if it determines that the City has not met the requirements specified by the FTA for collecting and submitting NTD statistics through LACMTA.

ARTICLE 6. MISCELLANEOUS

6.0 This MOU constitutes the entire understanding between the parties, with respect to the subject matter herein.

6.1 The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the parties who agreed to the original MOU or the same level of authority.

ARTICLE 7. CONTACT INFORMATION

7.0 LACMTA's Address:

Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012
Attention: Susan Richan (99-4-4)

7.1 City's Address:
Compton
205 S. Willowbrook Ave.
Compton,CA 90220
Attn: John Strickland
jstrickland@comptoncity.org

IN WITNESS WHEREOF, the City and LACMTA have caused this MOU to be executed by their duly authorized representatives on the date noted below:

CITY:

City of Compton

_____

Mayor/City Manager

Date: _____

APPROVED AS TO FORM:

By: _____
Legal Counsel

Date: _____

Los Angeles County Metropolitan Transportation Authority

By: _____
PHILLIP A. WASHINGTON
Chief Executive Officer

Date: _____

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By: _____
Deputy

Date: 1/27/18

#4.

ATTACHMENT A
LACMTA Voluntary NTD Reporting Program for FY '14
Using FY '16 FTA Formula Programs Apportionment Data Unit Values

Jurisdiction	MODE	Total Vehicle Revenue Miles	Total Passenger Miles	Total Operating Costs	Cost of Audit	Tier II Deduction	Total ($)Due to Jurisdiction
Agoura Hills	DR	70,787	54,046	481,140	$ 1,178		28,758
Alhambra	MB	166,716	1,427,655	931,972	$ 3,764		91,875
Alhambra	DR	124,913	106,994	1,047,834	$ 2,079		50,749
Artesia	DR	16,717	15,986	142,891	$ 278		6,795
Avalon	MB	12,371	153,269	215,824	$ 255		6,224
Avalon	DT	29,306	35,816	411,042	$ 488		11,913
Azusa	DR	106,012	149,555	925,262	$ 1,771		43,236
Baldwin Park	MB	254,572	479,167	996,081	$ 4,332		105,741
Baldwin Park	DR	45,774	58,077	231,439	$ 767		18,714
Bell	MB	32,496	172,458	169,392	$ 620		15,122
Bell	DT	13,180	26,273	60,388	$ 224		5,469
Bellflower	MB	72,066	210,787	317,991	$ 1,260		30,761
Bellflower	DR	38,526	34,985	243,698	$ 642		15,671
Bell Gardens	MB	96,562	421,915	573,070	$ 1,745		42,589
Bell Gardens	DR	52,928	88,558	514,917	$ 886		21,621
Beverly Hills	DT	8,391	8,686	121,260	$ 140		3,408
Burbank	MB	258,232	579,195	1,498,546	$ 4,390	(17,010)	90,140
Calabasas	MB	127,197	479,683	575,456	$ 2,294		55,997
Calabasas	DR	17,769	9,533	119,193	$ 295		7,210
Carson	MB	373,591	1,131,354	2,193,992	$ 6,469		157,901
Carson	DT	90,021	142,136	585,929	$ 1,510		36,869
Cerritos	MB	172,617	352,917	1,175,952	$ 2,914		71,139
Compton	MB	135,726	241,985	987,077	$ 2,281		55,670
Covina	DR	67,734	65,001	398,608	$ 1,129		27,571
Cudahy	MB	33,954	383,301	181,399	$ 933		22,763
Cudahy	DT	8,230	13,966	44,808	$ 139		3,384
Downey	MB	141,042	509,308	1,522,914	$ 2,419		59,058
Downey	DR	84,150	113,837	1,057,459	$ 1,403		34,242
Duarte	MB	81,111	513,665	782,464	$ 1,500		36,622
El Monte	MB	254,315	1,560,323	1,486,117	$ 4,969		121,281
El Monte	DR	101,807	112,751	1,358,484	$ 1,695		41,367
Glendale	MB	698,822	4,523,048	7,054,041	$ 12,924	(49,346)	266,120
Glendale	DR	140,970	219,335	1,059,875	$ 2,361		57,640
Glendora	MB	34,697	17,646	119,239	$ 577		14,092
Glendora	DR	107,704	86,548	521,285	$ 1,795		43,813
Huntington Park	MB	105,301	339,010	442,515	$ 1,867		45,565
Huntington Park	DT	209,289	398,803	839,102	$ 3,561		86,932
Inglewood	MB	15,030	23,817	69,220	$ 253		6,183
Inglewood	DR	76,011	156,991	626,903	$ 1,280		31,244
Inglewood	DT	41,598	41,598	155,160	$ 696		16,984
LACDPWAvocado	MB	36,448	140,817	245,873	$ 642		15,669
LACDPWELA	MB	248,456	3,366,906	1,314,475	$ 8,052		196,542
LACDPWELA	DR	9,498	18,428	59,172	$ 160		3,913
LACDPWEast Valinda	MB	54,878	214,870	273,455	$ 988		24,119
LACDPWKing Medical	MB	19,188	135,632	174,659	$ 367		8,947
LACDPWWillowbrook Shuttle	MB	87,902	223,124	364,291	$ 1,522		37,146
LACDPWWillowbrook Shuttle	DR	48,949	47,218	253,254	$ 817		19,937
LACDPWS.Whittier	MB	146,966	708,848	646,407	$ 2,794		68,205
LACDPWS.Whittier	DR	235,556	176,907	894,578	$ 3,927		95,860
Lawndale	MB	83,149	214,579	421,158	$ 1,430		34,916
Lynwood	MB	142,831	732,257	718,907	$ 2,711		66,179
Malibu	DT	52,755	64,668	186,641	$ 886		21,631
ManhattanBeach	DR	44,067	84,144	676,907	$ 736		17,977
Maywood	MB	18,636	96,689	155,815	$ 337		8,220
Maywood	DR	10,676	12,748	190,166	$ 178		4,337
Monrovia	DR	126,316	105,107	817,941	$ 2,103		51,346
MontereyPark	MB	221,288	839,560	1,107,184	$ 3,964		96,764
MontereyPark	DR	32,061	18,591	493,125	$ 533		13,002
Palos Verdes	MB	284,854	377,039	1,900,331	$ 4,764		116,284
Palos Verdes	DT	45,566	65,079	252,145	$ 764		18,655
Pasadena	MB	627,324	3,799,955	4,170,063	$ 11,993	(45,538)	247,201
Pasadena	DR	227,812	302,297	1,475,238	$ 3,811		93,021
Pico Rivera	DR	54,216	62,715	332,993	$ 906		22,105
Pomona	DR	306,512	562,542	2,251,614	$ 5,153		125,792
Pomona	DT	401,481	480,680	1,609,958	$ 6,732		164,317
Rosemead	MB	128,542	286,309	683,474	$ 2,189		53,431
Rosemead	DR	55,722	50,905	361,781	$ 928		22,664
SantaFeSprings	DR	12,288	27,063	199,337	$ 206		5,021
South Gate	MB	174,523	656,411	932,399	$ 3,108		75,870
South Gate	DT	163,358	306,000	801,803	$ 2,766		67,507
SouthPasadena	DR	32,155	23,911	371,053	$ 535		13,050
WestCovina	MB	169,033	155,312	625,960	$ 2,824		68,938
WestCovina	DR	85,305	71,749	399,643	$ 1,422		34,718
West Hollywood	MB	81,940	162,037	1,056,445	$ 1,372		33,487
West Hollywood	DR	86,375	70,812	1,366,797	$ 1,436		35,049
West Hollywood	DT	26,779	30,178	304,407	$ 446		10,887
Whittier	DR	188,970	212,220	1,419,146	$ 3,152		76,943
Total		8,917,699	29,997,030	58,177,044	$ 161,700	(111,894)	3,835,203
LADOT COMMUNITY DASH	MB	3,337,412	19,580,751	31,967,646	$71,876	(229,117)	1,245,836
LADOT DEPARTMENT OF AGING	DR	492,673	603,495	4,147,674	$9,706		199,172
Total LADOT		3,830,085	20,184,246	36,115,320	$ 81,582	$ (229,117)	1,445,008
Total NTD 9166 Funds		12,747,784	50,181,275	94,292,364	243,282	(341,011)	5,280,211

FY16 Revenue Mile Rate 0.4219075
FY16 Passenger Mile Rate 0.0115687

RESOLUTION SIGN-OFF FORM

DEPARTMENT: **Public Works-Engineering**

RESOLUTION TITLE: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS 2017-2018 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE $55,669 IN FUNDS FROM THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY NATIONAL TRANSIT DATA FUND AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2014-2015**

Wendell Johnson	**2/14/2018 4:15:02 PM**
DEPARTMENT MANAGER'S SIGNATURE	DATE

REVIEW / APPROVAL

<LegalName>	**<LegalDate>**
CITY ATTORNEY	DATE
Austin Okonta	**2/15/2018 10:17:14 AM**
CITY CONTROLLER	DATE
Cecil Rhambo	**2/14/2018 7:06:45 PM**
CITY MANAGER	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.

March 6, 2018

TO: MAYOR AND CITY COUNCIL

FROM: WENDELL E. JOHNSON, P.E., (INTERIM) DIRECTOR
PUBLIC WORKS DEPARTMENT

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE ABATEMENT SERVICES AGREEMENT WITH NEW WEST LANDSCAPING TO PROVIDE ADDITIONAL COMPENSATION AND ESTABLISH A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $55,000

SUMMARY

Adoption of this resolution will authorize the City Manager to enter into a Second (2nd) Amendment to the Abatement Services Agreement with New West Landscaping to provide additional compensation in the amount of Fifty Five Thousand Dollars ($55,000.00) for services to be rendered during the second (2nd) year of the agreement and establish a purchase order in an amount not to exceed $55,000.00.

BACKGROUND

The City of Compton ("City") is responsible for providing clean-up, removal and haul away services City-wide. The City continues to experience high volume of illegal dumping activities City-wide.

Illegal dumping occurs in alleyways, on vacant private properties, near the freeway underpasses and even near the bike path along Compton Creek. The City also experience illegal dumping on our residential streets. To address the large amounts of illegal dumping that occurs throughout the City; staff requested the assistance of a qualified abatement company to assist field staff in mitigating large amounts of illegal dumping that continues to plague our community.

On October 18, 2016, pursuant to Resolution No. 24,454, the City Council authorized the City Manager to enter into a two (2) year agreement (i.e. November 1, 2016 through October 31, 2018), with two (2) one-year options to renew, with New West Landscaping to provide abatement services City-wide on an "as needed" basis in the amount of $135,000 annually.

Due to excessive illegal dumping activity, the services of the Contractor were utilized more than initially anticipated, exhausting the authorized funding; thus, on April 4, 2017, pursuant to Resolution No. 24,549, the City Council authorized the City Manager to amend (1st Amendment) the agreement to provide additional compensation in the amount of $75,000.00.

STATEMENT OF THE ISSUE

The City continues to be inundated with illegal dumping activity on its publicly maintained or City-owned properties and the funds that were allocated for the second (2nd) year of the agreement with Contractor have been exhausted.

Therefore, in order to continue utilizing the City-wide abatement services of New West Landscaping through the remainder of the contract term (i.e. October 31, 2018), City Council's authorization to provide additional compensation is necessary. All other terms and conditions of the original agreement between the City of Compton and New West Landscaping will remain in effect.

FISCAL IMPACT

Funds in the amount of $55,000.00 are available in the Public Works 2017-2018 Fiscal Year's budget in Account No. 1004-720-000-4269.

ALTERNATIVE

Due to the large amount of illegal dumping activities City-wide, no other alternative is being recommended. The City desires to retain the services of a qualified contractor to provide clean-up, removal and haul away services Citywide.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

**WENDELL E. JOHNSON, P.E., (INTERIM) DIRECTOR
PUBLIC WORKS DEPARTMENT**

APPROVED FOR FORWARDING:

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE ABATEMENT SERVICES AGREEMENT WITH NEW WEST LANDSCAPING TO PROVIDE ADDITIONAL COMPENSATION AND ESTABLISH A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $55,000

WHEREAS, the City of Compton is responsible for providing clean-up, removal and haul away services city-wide; and

WHEREAS, on October 18, 2016, pursuant to Resolution No. 24,454, the City Council authorized the City Manager to enter into a two (2) year abatement services agreement (i.e. November 1, 2016 through October 31, 2018), with two (2) one-year options to renew with New West Landscaping ("Contractor") to provide abatement services City-wide on an "as needed" basis in the amount of $135,000 annually; and

WHEREAS, due to excessive illegal dumping activity, the services of the Contractor were utilized more than initially anticipated, exhausting the authorized funding; thus, on April 4, 2017, pursuant to Resolution No. 24,549, the City Council authorized the City Manager to amend (1st Amendment) the agreement to provide additional compensation in the amount of $75,000.00.

WHEREAS, the City continues to be inundated with illegal dumping activity on its publicly maintained or City-owned properties and the funds that were allocated for the second (2nd) year of the agreement with Contractor have been exhausted; and

WHEREAS, in order to continue utilizing the City-wide abatement services of New West Landscaping through the remainder of the contract term (i.e. October 31, 2018), City Council's authorization to provide additional compensation is necessary; and

WHEREAS, funds for this expenditure are available in the Public Works 2017-2018 Fiscal Year's budget.

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

SECTION 1. That the City Manager, on the advice and approval of the City Attorney is hereby authorized to enter into a Second (2nd) Amendment to the Abatement Services Agreement with New West Landscaping to provide additional compensation in an amount not to exceed $55,000.00 for City-wide abatement services to be rendered during the remainder of the contract term (i.e. October 31, 2018).

SECTION 2. That funds in the amount of $55,000.00 is available in the Public Works 2017-2018 Fiscal Year's budget in Account No. 1004-720-000-4269.

SECTION 3. That a supplemental purchase order to provide additional compensation in the amount of $55,000.00 is hereby authorized to be established for New West Landscaping.

SECTION 4. That copies of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and the 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 _____, 2018.

_____

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 _____, 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

SECOND AMENDMENT TO
ABATEMENT SERVICES AGREEMENT
BETWEEN
CITY OF COMPTON
AND
NEW WEST LANDSCAPING

This **SECOND AMENDMENT** to the Abatement Services Agreement is made by and between the **CITY OF COMPTON**, a municipal corporation of the State of California (hereinafter referred to as **"CITY"**) located at 205 South Willowbrook Avenue, Compton, California 90220, and **NEW WEST LANDSCAPING** (hereinafter referred to as **"CONTRACTOR"**), located at 1019 West 133rd Street, Gardena, California 90247.

RECITALS:

WHEREAS, on October 18, 2016, the City Council adopted Resolution No. 24,454, which authorized the City Manager to enter into a two (2) year Abatement Services Agreement (i.e. November 1, 2016 through October 31, 2018), with two (2) one-year options to renew, with New West Landscaping ("Contractor") to provide City-wide abatement services on an "as-needed" basis in the amount of $135,000.00 annually; and

WHEREAS, pursuant to the provisions of the Abatement Services Agreement, the Contractor is to render services which include, but are not limited to: trash and debris removal; bulk item removal; weed abatement; alley, roadside, right-of-way cleanup services; and

WHEREAS, due to excessive illegal dumping activity, the services of the Contractor were utilized more than initially anticipated, exhausting the authorized funding; thus, on April 4, 2017, pursuant to Resolution No. 24,549, the City Council authorized the City Manager to amend (1st Amendment) the agreement to provide additional compensation in the amount of $75,000.00; and

WHEREAS, the City continues to be inundated with illegal dumping activity on its publicly maintained or City-owned properties and the funds that were allocated for the second (2nd) year of the agreement with Contractor have been exhausted; thus, the Parties desire to enter into an amendment to the original Agreement to authorize additional compensation in the amount of Fifty Five Thousand Dollars ($55,000.00) for further services to be rendered during the remaining contract term (i.e. October 31, 2018); and

WHEREAS, Section 16 of the original Agreement provides that the Agreement may be amended by a written document executed by both parties; and

WHEREAS, by Resolution No. _____, adopted on the __ day of _____, 2018, the City Council authorized the City Manager to amend the abatement services agreement with New West Landscaping to increase the contract price for the remainder of the contract term.

WITNESSETH:

That the City and Contractor, for the consideration, terms and conditions herein described, mutually agree to amend the original Agreement as follows:

AMENDMENTS

1. The parties agree to amend **Section 2 – Compensation** of the original Agreement to revise the maximum amount of compensation payable to Consultant for services performed and completed pursuant to the Agreement **during the remainder of the Agreement term (i.e. October 31, 2018)** by providing additional available compensation in the not-to-exceed amount of **Fifty Five Thousand Dollars ($55,000.00)**, based on a lump sum amount calculated at an hourly rate of **Thirty Seven Dollars ($37.00)**, and agreed to by the City for each project assigned.

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

IN WITNESS WHEREOF, the authorized representatives of the parties have executed this **SECOND AMENDMENT** to the above-identified **NEW WEST LANDSCAPING ABATEMENT SERVICES AGREEMENT.**

NEW WEST LANDSCAPING/CONTRACTOR

Dated: _____ **By _____**
Keith Dickerson, Owner

CITY OF COMPTON
Recommended for Approval:

By _____ **Dated: _____**
Wendell E. Johnson, P.E., (Interim) Director
Public Works Department

Approved by:

Dated: _____ **By _____**
Cecil Rhambo, Jr., City Manager

Approved as to form:

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

ATTEST:

Dated: _____ **By _____**
Alita Godwin, City Clerk

RESOLUTION SIGN-OFF FORM

DEPARTMENT: **Public Works-Engineering**

RESOLUTION TITLE: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE ABATEMENT SERVICES AGREEMENT WITH NEW WEST LANDSCAPING TO PROVIDE ADDITIONAL COMPENSATION AND ESTABLISH A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED $55,000**

Wendell Johnson	**2/22/2018 10:47:11 AM**
DEPARTMENT MANAGER'S SIGNATURE	DATE

REVIEW / APPROVAL

Ruth Rugley	**3/1/2018 2:36:21 PM**
CITY ATTORNEY	DATE
Austin Okonta	**2/28/2018 4:29:38 PM**
CITY CONTROLLER	DATE
Cecil Rhambo	**2/26/2018 2:27:48 PM**
CITY MANAGER	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.

March 6, 2018

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **DELMONSHA GREEN, DIRECTOR**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AN AMENDMENT TO THE LOCAL HOUSING AUTHORITY'S 2017-2018 FISCAL YEAR BUDGET TO TRANSFER FUNDS BETWEEN ACCOUNTS ($113,000)**

SUMMARY

Adoption of this resolution will authorize an amendment to the 2017-2018 Fiscal Year budget to transfer One Hundred Thirteen Thousand Dollars ($113,000.00) between accounts in the Local Housing Authority's budget to accommodate projected expenditures through the remainder of Fiscal Year 2017-2018.

BACKGROUND

The Compton Local Housing Authority ("LHA") receives federal program funding from the U.S. Housing and Urban Development Department ("HUD") to assist low-income families, the elderly and disabled to afford decent, safe and sanitary housing in the private market. The LHA is designated by HUD to administer the voucher program, which provides rental subsidies to very-low and low-income families.

STATEMENT OF THE ISSUE

A budget amendment is necessary to accommodate projected expenditures; such as, paying rents for participants porting to other Housing Authority's jurisdictions for the remainder of this fiscal year.

FINANCIAL IMPACT

A budget amendment is necessary in order to reconcile negative balances and accommodate 2017-2018 Fiscal Year projected expenditures in specific line item accounts. It is requested that the budget of the Local Housing Authority be amended to transfer funds between accounts as follows:

From	Amount	Description
2820-790-000-4285	$ 110,000	HAP
2820-790-000-4285	$ 3,000	HAP

To	Amount	Description
2820-790-000-4208	$ 110,000	HAP
2820-790-000-4209	$ 3,000	Portability Admin. Fees

The Urban Community Development Commission ("UCDC") is the governing body of the Compton Local Housing Authority, thus a companion resolution has been presented to that legislative body for authorization to transfer the funds between accounts. However, the Local Housing Authority's budget is controlled by the City Council therefore; Council approval is needed for the budget amendment.

RECOMMENDATION

Staff recommends that the Council adopted the attached Resolution.

DELMONSHA GREEN, DIRECTOR
COMPTON LOCAL HOUSING AUTHORITY

APPROVED FOR FORWARDING:

CECIL W. RHAMBO, JR.
CITY MANAGER

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AN AMENDMENT TO THE LOCAL HOUSING AUTHORITY'S 2017-2018 FISCAL YEAR BUDGET TO TRANSFER FUNDS BETWEEN ACCOUNTS ($113,000)

WHEREAS, the Compton Local Housing Authority ("LHA") receives federal program funding from the U.S. Housing and Urban Development Department ("HUD") to assist low-income families, the elderly and disabled to afford decent, safe and sanitary housing in the private market; and

WHEREAS, the LHA is designated by HUD to administer the voucher program, which provides rental subsidies to very-low and low-income families; and

WHEREAS, a budget amendment is necessary to reconcile negative balances and accommodate projected expenditures; such as, paying rents for participants porting to other Housing Authority's jurisdictions for the remainder of this fiscal year; and

WHEREAS, funds for the transfer between accounts are available in the Fiscal Year 2017-2018 Budget.

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

Section 1. That the 2017-2018 Fiscal Year budget shall be amended to transfer One Hundred Thirteen Thousand Dollars ($113,000.00) between accounts in the Local Housing Authority's budget to accommodate projected expenditures through the remainder of Fiscal Year 2017-2018, as follows:

From	Amount	Description
2820-790-000-4285	$ 110,000	HAP
2820-790-000-4285	$ 3,000	HAP

To	Amount	Description
2820-790-000-4208	$ 110,000	HAP
2820-790-000-4209	$ 3,000	Portability Admin.Fees

Section 2. That a certified copy of this Resolution shall be filed in the offices of the City Clerk, City Manager, City Controller and the Compton Local Housing Authority.

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

ADOPTED this _____ day of _____, 2018

_____
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 Clerk at a regular meeting thereof held on the _____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: **Housing Authority**

RESOLUTION TITLE: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AN AMENDMENT TO THE LOCAL HOUSING AUTHORITY'S 2017-2018 FISCAL YEAR BUDGET TO TRANSFER FUNDS BETWEEN ACCOUNTS ($113,000)**

Delmonsha Green — **2/21/2018 1:03:47 PM**
DEPARTMENT MANAGER'S SIGNATURE — DATE

REVIEW / APPROVAL

Ruth Rugley — **2/28/2018 6:24:19 PM**
CITY ATTORNEY — DATE

Austin Okonta — **2/28/2018 5:18:22 PM**
CITY CONTROLLER — DATE

Cecil Rhambo — **2/26/2018 2:33:25 PM**
CITY MANAGER — 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

Warrant #	Date	Name	Services Provided	Amount	Amount Paid Year to Date
243649	2/15/18	First American Title CO	Payment for First time homebuyer program	$80,000.00	$80,000.00
Requested by City Manager					
243856	3/1/18	Broker Solutions INC New American Funding	Payment for First time homebuyer program	$72,500.00	$72,500.00
Requested by City Manager					
243871	3/1/18	Tonnie Turner	Lunch and refreshments for Black History Month events	$3,300.00	$12,950.00
Requested by City Manager					

I hereby certify that the above demands in the amount of **$155,800.00** wer approved at a regular meeting of the City Council or reject _____ as of March 6, 2018.

_____ Council Member

_____ Council Member

_____ City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on March 6, 2018 allowed the above demands.

_____
Alita Godwin
City Clerk

#7.

CITY OF COMPTON
FIRST TIME HOMEBUYER LOAN PROGRAM

PARTICIPATION AGREEMENT

This Participation Agreement, dated as of December 19, 2017 (the "Agreement") is hereby entered into by and between the City of Compton, a municipal corporation (the "City") and Jose J. Elias and Alicia Elias (the "Participant"). This Agreement stipulates the conditions for participation in the City of Compton's First Time Homebuyer Loan Program (the "Program"). The Program is being funded with and subject to the terms, conditions, and restrictions of the Federal HOME Investment Partnerships Program ("HOME") as set forth in 24 CFR Part 92, all of which are hereby incorporated by reference.

It is agreed by and between the parties hereto as follows:

1. Participant is an eligible First Time Homebuyer by virtue of both:

   a. not having owned a home during the three-year period prior to the purchase of a home with HOME assistance, or is an eligible displaced home maker, or a single parent who is unmarried or legally separated from a spouse and has one or more minor children for whom the individual has custody or joint custody or is pregnant, or who owns or owned, as a principal residence during the three-year period before the purchase of a home with HOME assistance, a dwelling unit whose structure is either not permanently affixed to a permanent foundation in accordance with the local and state regulations, or not in compliance with state and local building codes and cannot be brought into compliance with such codes for less than the cost of constructing a permanent structure; and

   b. having an annual household income, inclusive of the income of all persons to be living in the residence, that does not exceed the current 80% of area median income limit for Los Angeles County, adjusted for household size.

2. Housing acquired under the Program must be single family housing.

3. Housing acquired under the Program shall not exceed 95% of the current median purchase price for existing housing in the area as required under 24 CFR 92.254(a)(2)(iii), which is currently $375,000 for existing housing, and $419,000 for newly-constructed housing.

4. City and Participant agree that Program financial assistance for the proposed property acquisition contemplated under this Agreement exceeds the minimum HOME Program requirement of $1,000, and will not exceed the Section 221(d)(3) subsidy limits in effect at the time of the purchase approval for the applicable bedroom count of the property being acquired.

5. Housing acquired under the Program must be maintained as the principal residence of the Participant for not less than 30 years, subject to the provisions of the regulatory agreement and promissory note.

6. Participant agrees to execute a recordable regulatory agreement with the City which details the conditions and requirements of the Program and specifies the required affordability period.

7. The property being acquired by Participant under the Program is located at: 530 W. Elm Street, Compton, CA 90220 ("Property").

8. The Property acquired must meet State and City housing quality standards and code requirements. The City will inspect the property prior to occupancy for health and safety defects.

#7.

9. Prior to the occupancy of the Property, the applicable lead-based paint provisions and requirements of 24 CFR Part 35 shall be met.

10. Participant is receiving $ 80,000.00 ("HOME Investment Amount" and "City Loan") in Program down-payment assistance in the form of a Program loan, evidenced by a promissory note and secured by a deed of trust for the acquisition of the Property. Participant is required to execute a promissory note ("Note") and deed of trust for the amount of the City Loan provided for the acquisition of the Property. Participant must close escrow on the Property within ninety (90 days) of City Loan approval, and must occupy the Property as their principal residence within sixty (60) days of escrow closure.

11. The acquisition price of the Property is: $ 320,000.00.

12. The promissory note for the Program does not require the payment of interest on the outstanding principal balance of the City Loan if paid when due. In accordance with the recapture provisions of the HOME program, repayment of the principal loan amount is required and is deferred. The City shall recapture all or a portion of the HOME funded City Loan from available Net Proceeds if an event of acceleration as detailed herein in Section 18 occurs. Net Proceeds are defined as the sales price minus superior loan repayment (other than HOME funds) and any closing costs. The Participant is able to sell the property to any willing buyer during the period of affordability.

13. Relocation is not contemplated as a part of the acquisition of the Property; however if an unanticipated event occurs which requires relocation, such relocation shall be performed in compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 and Section 104(d) of the Housing and Community Development Act.

14. Participant may pre-pay the City Loan at any time without penalty. All payments received on account of the Note shall be applied to the reduction of principal.

15. In the event that the net proceeds resulting from a sale are not sufficient to provide for the full return of the Participant's investment inclusive of the original down payment and capital improvements performed on the acquired property (subject to City verification and approval), then the Participant shall be entitled to recover the remaining down payment providing the net proceeds of sale shall first cover;
    a. Primary lenders existing balance,
    b. City Home's investments
    c. Participants initial down payment, inclusive of any capital improvements.

For the purposes of this calculation, net proceeds shall mean the sales price minus the Primary loan repayment (other than the HOME Investment Amount) and any reasonable closing costs.

16. The Program Loan is not assumable except under the following limited circumstances:

    a. The transfer of the Property to the surviving joint tenant by devise, descent or operation of the law, on the death of a joint tenant.

    b. A transfer of the Property where the spouse becomes an owner of the property;

    c. A transfer of the Property resulting from a decree of dissolution of marriage, legal separation or from an incidental property settlement agreement by which the spouse becomes an owner of the Property.

    d. A transfer to an inter vivos trust in which the Borrower is and remains the beneficiary and occupant of the property.

The allowable assumptions contained within this Section 10 shall not be construed as a transfer under the provisions of Section 8 of this Agreement.

17. As a condition of Program participation, Participant agrees to provide the following:

    a. Verification of continuing adequate property insurance coverage; and

    b. Timely submission of monitoring certifications, as requested by the City; and

    c. Timely notification of the sale, transfer, lease, or encumbrance of all or any interest in the Property.

18. The principal amount of the City Loan, together with any then outstanding accrued interest thereon shall become immediately due and payable, at the option of the City and without demand or notice, upon the occurrence of any of the following events of acceleration:

    a. In the event of a default under the terms of the Note or the Deed of Trust; or

    b. In the event that the Participant shall cease to occupy the Property as Borrower's principal place of residence; or

    c. In the event of any sale, transfer, lease, or encumbrance of the Property without City's prior written consent; or

    d. Participant Failure to report changes to the Property, including but not limited to additions, fire and vandalism; or

    e. Participant failure to maintain current payments on the primary loan or other obligations secured by the property; or

    f. Participant failure to maintain current payments on property taxes; or

    g. Participant failure to maintain and submit verification of adequate hazard insurance; or

    h. Participant failure to submit documentation acceptable to the City which verifies residency at the Property.

    i. Participant failure to adhere to the provisions of the Regulatory Agreement.

    j. Upon discovery of willful misrepresentations by Participant in connection with the Program.

19. Participant acknowledges that the ability to re-finance and/or borrow funds with the Property as collateral is severely limited.

    The City will only agree to subordinate its position one time to refinance a new First Mortgage (on a case-by-case basis) when the intent of said refinance is to achieve the following:

    a. the homeowner is refinancing the First Mortgage Loan to obtain a lower fixed interest rate and the City's security is not diminished from its original position, and

    b. that such refinancing decreases the homeowner's monthly housing expense or the amortization schedule.

    Refinancing of the First Time Home Buyer Loan shall only be allowed when refinancing does not exceed the then outstanding balance (plus refinancing and closing costs) of the existing Primary Loan. In the event the homeowner refinances the Primary Loan, and the refinancing returns money

to the homeowner, the homeowner must use the loan proceeds to pay down the City loan, thereby reducing the principal balance owed on the City loan.

20. City and Participant agree to comply with the following applicable Federal requirements as noted in the respective program regulations:

    a. Nondiscrimination and equal opportunity: The Fair Housing Act (42 U.S.C. 3601–19) and implementing regulations at 24 CFR Part 100 et seq.; Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959–1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing Programs) and implementing regulations at 24 CFR Part 107; title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR Part 1; the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107) and implementing regulations at 24 CFR Part 146; Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at part 8 of this title; title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; 24 CFR Part 8; Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135; Executive Order 11246, as amended by Executive Orders 11375, 11478, 12086, and 12107 (3 CFR, 1964–1965 Comp., p. 339; 3 CFR, 1966–1970 Comp., p. 684; 3 CFR, 1966–1970 Comp., p. 803; 3 CFR, 1978 Comp., p. 230; and 3 CFR, 1978 Comp., p. 264, respectively) (Equal Employment Opportunity Programs) and implementing regulations at 41 CFR Chapter 60; Executive Order 11625, as amended by Executive Order 12007 (3 CFR, 1971–1975 Comp., p. 616 and 3 CFR, 1977 Comp., p. 139) (Minority Business Enterprises); Executive Order 12432 (3 CFR, 1983 Comp., p. 198) (Minority Business Enterprise Development); and Executive Order 12138, as amended by Executive Order 12608 (3 CFR, 1977 Comp., p. 393 and 3 CFR, 1987 Comp., p. 245) (Women's Business Enterprise).

    b. Disclosure requirements: The disclosure requirements and prohibitions of 31 U.S.C. 1352 and implementing regulations at 24 CFR Part 87; and the requirements for funding competitions established by the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3531 et seq.).

    c. Debarred, suspended, or ineligible contractors and participants: The prohibitions at 2 CFR Part 2424 on the use of debarred, suspended, or ineligible contractors and participants.

    d. Drug-Free Workplace: The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD's implementing regulations at 24 CFR Part 21.

21. City and Participant agree to comply with the provisions of Section 282 of the HOME Investment Partnerships Act regarding nondiscrimination: "No person in the United States shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973 shall also apply to any such program or activity. [42 U.S.C. 12832]"

22. This Agreement shall remain in full force and effect for the duration of the term of the City Loan.

23. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

24. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

25. The waiver or failure to enforce any provisions of this Agreement shall not operate as a waiver of any future breach of any of the provisions or any other provision hereof.

26. If any action shall be instituted among the parties in connection with this Agreement, the party prevailing in such action shall be entitled to recover from the other party all of its costs related to the action, including actual attorneys' fees and attorney's costs.

27. This Agreement may be signed by the parties in two or more counterparts which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Participant and the City have caused this Agreement to be executed by their duly authorized respective officers, all as of the date first above written.

CITY OF COMPTON:

By: _____ 12/20/17
Cecil W. Rhambo Jr., City Manager — Date

PARTICIPANT:

_____ 12-19-17
Jose J. Elias — Date

_____ 12-19-17
Alicia Elias — Date

#7.

UPDATED

First American Title

First American Title Company

207 Goode Avenue, Suite 410
Glendale, CA 91203
California Department of Insurance License No. 151

Sandra Gutierrez
Excellence Escrow
5207 Rosemead Boulevard
Pico Rivera, CA 90660
Phone: (562)948-1440
Fax: (562)948-2522

Customer Reference:	10926-SPG
Order Number:	TOR-5568609 (MP)
Title Officer:	Michelle Pascual
Phone:	(818)550-2517
Fax No.:	(866)878-7977
E-Mail:	mpascual@firstam.com
Buyer:	Elias
Owner:	HNI Innovations, LLC
Property:	530 West Elm Street Compton, CA 90220

PRELIMINARY REPORT

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. *The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.* Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

CITY OF COMPTON
FIRST TIME HOMEBUYER LOAN PROGRAM

PARTICIPATION AGREEMENT

This Participation Agreement, dated as of February 26, 2018 (the "Agreement") is hereby entered into by and between the City of Compton, a municipal corporation (the "City") and Keosha Williams (the "Participant"). This Agreement stipulates the conditions for participation in the City of Compton's First Time Homebuyer Loan Program (the "Program"). The Program is being funded with and subject to the terms, conditions, and restrictions of the Federal HOME Investment Partnerships Program ("HOME") as set forth in 24 CFR Part 92, all of which are hereby incorporated by reference.

It is agreed by and between the parties hereto as follows:

1. Participant is an eligible First Time Homebuyer by virtue of both:

   a. not having owned a home during the three-year period prior to the purchase of a home with HOME assistance, or is an eligible displaced home maker, or a single parent who is unmarried or legally separated from a spouse and has one or more minor children for whom the individual has custody or joint custody or is pregnant, or who owns or owned, as a principal residence during the three-year period before the purchase of a home with HOME assistance, a dwelling unit whose structure is either not permanently affixed to a permanent foundation in accordance with the local and state regulations, or not in compliance with state and local building codes and cannot be brought into compliance with such codes for less than the cost of constructing a permanent structure; and

   b. having an annual household income, inclusive of the income of all persons to be living in the residence, that does not exceed the current 80% of area median income limit for Los Angeles County, adjusted for household size.

2. Housing acquired under the Program must be single family housing.

3. Housing acquired under the Program shall not exceed 95% of the current median purchase price for existing housing in the area as required under 24 CFR 92.254(a)(2)(iii), which is currently $375,000 for existing housing, and $419,000 for newly-constructed housing.

4. City and Participant agree that Program financial assistance for the proposed property acquisition contemplated under this Agreement exceeds the minimum HOME Program requirement of $1,000, and will not exceed the Section 221(d)(3) subsidy limits in effect at the time of the purchase approval for the applicable bedroom count of the property being acquired.

5. Housing acquired under the Program must be maintained as the principal residence of the Participant for not less than 30 years, subject to the provisions of the regulatory agreement and promissory note.

6. Participant agrees to execute a recordable regulatory agreement with the City which details the conditions and requirements of the Program and specifies the required affordability period.

7. The property being acquired by Participant under the Program is located at: 923 W. Cedar Street, Compton, CA 90220 ("Property").

8. The Property acquired must meet State and City housing quality standards and code requirements. The City will inspect the property prior to occupancy for health and safety defects.

#7.

9. Prior to the occupancy of the Property, the applicable lead-based paint provisions and requirements of 24 CFR Part 35 shall be met.

10. Participant is receiving $ 72,500.00 ("HOME Investment Amount" and "City Loan") in Program down-payment assistance in the form of a Program loan, evidenced by a promissory note and secured by a deed of trust for the acquisition of the Property. Participant is required to execute a promissory note ("Note") and deed of trust for the amount of the City Loan provided for the acquisition of the Property. Participant must close escrow on the Property within ninety (90 days) of City Loan approval, and must occupy the Property as their principal residence within sixty (60) days of escrow closure.

11. The acquisition price of the Property is: $ 330,000.00.

12. The promissory note for the Program does not require the payment of interest on the outstanding principal balance of the City Loan if paid when due. In accordance with the recapture provisions of the HOME program, repayment of the principal loan amount is required and is deferred. The City shall recapture all or a portion of the HOME funded City Loan from available Net Proceeds if an event of acceleration as detailed herein in Section 18 occurs. Net Proceeds are defined as the sales price minus superior loan repayment (other than HOME funds) and any closing costs. The Participant is able to sell the property to any willing buyer during the period of affordability.

13. Relocation is not contemplated as a part of the acquisition of the Property; however if an unanticipated event occurs which requires relocation, such relocation shall be performed in compliance with the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 and Section 104(d) of the Housing and Community Development Act.

14. Participant may pre-pay the City Loan at any time without penalty. All payments received on account of the Note shall be applied to the reduction of principal.

15. In the event that the net proceeds resulting from a sale are not sufficient to provide for the full return of the Participant's investment inclusive of the original down payment and capital improvements performed on the acquired property (subject to City verification and approval), then the Participant shall be entitled to recover the remaining down payment providing the net proceeds of sale shall first cover;
    a. Primary lenders existing balance,
    b. City Home's investments
    c. Participants initial down payment, inclusive of any capital improvements.

For the purposes of this calculation, net proceeds shall mean the sales price minus the Primary loan repayment (other than the HOME Investment Amount) and any reasonable closing costs.

16. The Program Loan is not assumable except under the following limited circumstances:

    a. The transfer of the Property to the surviving joint tenant by devise, descent or operation of the law, on the death of a joint tenant.

    b. A transfer of the Property where the spouse becomes an owner of the property;

    c. A transfer of the Property resulting from a decree of dissolution of marriage, legal separation or from an incidental property settlement agreement by which the spouse becomes an owner of the Property.

    d. A transfer to an inter vivos trust in which the Borrower is and remains the beneficiary and occupant of the property.

The allowable assumptions contained within this Section 10 shall not be construed as a transfer under the provisions of Section 8 of this Agreement.

17. As a condition of Program participation, Participant agrees to provide the following:

    a. Verification of continuing adequate property insurance coverage; and

    b. Timely submission of monitoring certifications, as requested by the City; and

    c. Timely notification of the sale, transfer, lease, or encumbrance of all or any interest in the Property.

18. The principal amount of the City Loan, together with any then outstanding accrued interest thereon shall become immediately due and payable, at the option of the City and without demand or notice, upon the occurrence of any of the following events of acceleration:

    a. In the event of a default under the terms of the Note or the Deed of Trust; or

    b. In the event that the Participant shall cease to occupy the Property as Borrower's principal place of residence; or

    c. In the event of any sale, transfer, lease, or encumbrance of the Property without City's prior written consent; or

    d. Participant Failure to report changes to the Property, including but not limited to additions, fire and vandalism; or

    e. Participant failure to maintain current payments on the primary loan or other obligations secured by the property; or

    f. Participant failure to maintain current payments on property taxes; or

    g. Participant failure to maintain and submit verification of adequate hazard insurance; or

    h. Participant failure to submit documentation acceptable to the City which verifies residency at the Property.

    i. Participant failure to adhere to the provisions of the Regulatory Agreement.

    j. Upon discovery of willful misrepresentations by Participant in connection with the Program.

19. Participant acknowledges that the ability to re-finance and/or borrow funds with the Property as collateral is severely limited.

    The City will only agree to subordinate its position one time to refinance a new First Mortgage (on a case-by-case basis) when the intent of said refinance is to achieve the following:

    a. the homeowner is refinancing the First Mortgage Loan to obtain a lower fixed interest rate and the City's security is not diminished from its original position, and

    b. that such refinancing decreases the homeowner's monthly housing expense or the amortization schedule.

    Refinancing of the First Time Home Buyer Loan shall only be allowed when refinancing does not exceed the then outstanding balance (plus refinancing and closing costs) of the existing Primary Loan. In the event the homeowner refinances the Primary Loan, and the refinancing returns money

#7.

to the homeowner, the homeowner must use the loan proceeds to pay down the City loan, thereby reducing the principal balance owed on the City loan.

20. City and Participant agree to comply with the following applicable Federal requirements as noted in the respective program regulations:

    a. Nondiscrimination and equal opportunity: The Fair Housing Act (42 U.S.C. 3601–19) and implementing regulations at 24 CFR Part 100 et seq.; Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959–1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing Programs) and implementing regulations at 24 CFR Part 107; title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR Part 1; the Age Discrimination Act of 1975 (42 U.S.C. 6101–6107) and implementing regulations at 24 CFR Part 146; Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at part 8 of this title; title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; 24 CFR Part 8; Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135; Executive Order 11246, as amended by Executive Orders 11375, 11478, 12086, and 12107 (3 CFR, 1964–1965 Comp., p. 339; 3 CFR, 1966–1970 Comp., p. 684; 3 CFR, 1966–1970 Comp., p. 803; 3 CFR, 1978 Comp., p. 230; and 3 CFR, 1978 Comp., p. 264, respectively) (Equal Employment Opportunity Programs) and implementing regulations at 41 CFR Chapter 60; Executive Order 11625, as amended by Executive Order 12007 (3 CFR, 1971–1975 Comp., p. 616 and 3 CFR, 1977 Comp., p. 139) (Minority Business Enterprises); Executive Order 12432 (3 CFR, 1983 Comp., p. 198) (Minority Business Enterprise Development); and Executive Order 12138, as amended by Executive Order 12608 (3 CFR, 1977 Comp., p. 393 and 3 CFR, 1987 Comp., p. 245) (Women's Business Enterprise).

    b. Disclosure requirements: The disclosure requirements and prohibitions of 31 U.S.C. 1352 and implementing regulations at 24 CFR Part 87; and the requirements for funding competitions established by the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3531 et seq.).

    c. Debarred, suspended, or ineligible contractors and participants: The prohibitions at 2 CFR Part 2424 on the use of debarred, suspended, or ineligible contractors and participants.

    d. Drug-Free Workplace: The Drug-Free Workplace Act of 1988 (41 U.S.C. 701, et seq.) and HUD's implementing regulations at 24 CFR Part 21.

21. City and Participant agree to comply with the provisions of Section 282 of the HOME Investment Partnerships Act regarding nondiscrimination: "No person in the United States shall on the grounds of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title. Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975 or with respect to an otherwise qualified handicapped individual as provided in Section 504 of the Rehabilitation Act of 1973 shall also apply to any such program or activity. [42 U.S.C. 12832]"

22. This Agreement shall remain in full force and effect for the duration of the term of the City Loan.

23. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

24. The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

25. The waiver or failure to enforce any provisions of this Agreement shall not operate as a waiver of any future breach of any of the provisions or any other provision hereof.

26. If any action shall be instituted among the parties in connection with this Agreement, the party prevailing in such action shall be entitled to recover from the other party all of its costs related to the action, including actual attorneys' fees and attorney's costs.

27. This Agreement may be signed by the parties in two or more counterparts which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Participant and the City have caused this Agreement to be executed by their duly authorized respective officers, all as of the date first above written.

CITY OF COMPTON:

By: Laurence Adams
for Cecil W. Rhambo Jr., City Manager

2/27/18
Date

PARTICIPANT:

Keosha Williams

2/26/18
Date

#7.

newamerican FUNDING

We put the *I can* in American

A DIRECT LENDER

Approved Homebuyer Certificate

Congratulations! This certificate is confirmation that on December 6, 2017

Keosha Williams

have been approved* for a home loan by Melinda Harleaux of New American Funding.

Sales Price:	$315,000
1st Loan Amount:	$249,287
LTV	77.78/100.79%
Rate:	4.1255% (subject to change)
Points:	0 Origination
FICO:	[redacted]
Loan Type:	30 year fixed
Term:	30 Year/360 Months
Conditions:	Satisfactory appraisal
Notes:	Compton FTHB Income, assets and credit verified. DU report available upon request.

Present this certificate to your Real Estate agent to confirm that you have been approved for a home loan by New American Funding.

Melinda Harleaux, NMLS# 481273
Branch Manager
Direct: 310 297-9098 | E-Fax: 310 861 -1524

Toni Carter, NMLS #1242550
Assistant Branch Manager
Direct: 310 356-0406 | E-Fax 310 634-0412

Disclaimer: **Loan Contingency.** Even though a buyer may hold a pre-approval letter, further investigations concerning the property or the borrower could result in a loan denial. We *suggest* the buyer consider a loan contingency requirement in the purchase contract (to protect earnest money deposit) in accordance with applicable state law.

* This certificate is valid for 60 days from date of issue. This certificate invalidates any prior certificate issued to this borrower.

*Approval based upon credit and information received from the Borrower. Loan closing is subject to receipt of satisfactory evidence that there has been no material change in the information provided on the loan application and a satisfactory appraisal. Actual APR will be disclosed upon receipt of application

QUOTE # R22318-BH2

Tonnie Turner

2331 West 111th Street
Inglewood, California 90303
(323) 481-3554 | Direct

DATE: February 15th, 2018

BILL TO:

c/o Ms. Deidre Duhart | Compton Parks & Recreation
301 North Tamarind Ave
Compton, California 90220

FOR:

Black History Luncheon for Seniors
on Feb 23rd, 2018.
Banquet time: 10:30am - 2:00pm.

Menu Items	AMOUNT
50 per person at $13.20	**$660.00**
Fried Chicken	
Baked Chicken	
Collard Greens	
Candied Yams	
Macaroni & Cheese	
Mixed Green Salad	
Cornbread Muffins	
Pecan & Sweet Potato Pies	
Lemonade & Ice Tea	
Chinet Paper Goods	
Table Cloths (Catering Table)	

Okay to Pay

SUBTOTAL	$660.00
BALANCE DUE	$0.00
TOTAL PAYMENT DUE	$660.00

Make all checks payable to Tonnie Turner
If you have any questions concerning this invoice, use the following contact information:

Tonnie Turner, (323) 481-3554 and tlturner01@gmail.com

THANK YOU FOR YOUR BUSINESS!

#7.

INVOICE # R22318-BH2

Tonnie Turner

2331 West 111th Street
Inglewood, California 90303
(323) 481-3554 | Direct

DATE: February 15th, 2018

BILL TO:

c/o Ms. Deidre Duhart | Compton Parks & Recreation
301 North Tamarind Ave
Compton, California 90220

FOR:

Black History Luncheon for Seniors
on Feb 23rd, 2018.
Banquet time: 10:30am - 2:00pm.

Menu Items	AMOUNT
50 per person at $13.20	**$660.00**
Fried Chicken	
Baked Chicken	
Collard Greens	
Candied Yams	
Macaroni & Cheese	
Mixed Green Salad	
Cornbread Muffins	
Pecan & Sweet Potato Pies	
Lemonade & Ice Tea	
Chinet Paper Goods	
Table Cloths (Catering Table)	

Paid By	AN
V#	10008483
PO #	18FY0611
A/C #	1001.40.0004.4238
A/C #	1001.84.0000.4238

SUBTOTAL	$660.00
BALANCE DUE	$0.00
TOTAL PAYMENT DUE	$660.00

Okay to Pay

Make all checks payable to Tonnie Turner
If you have any questions concerning this invoice, use the following contact information:

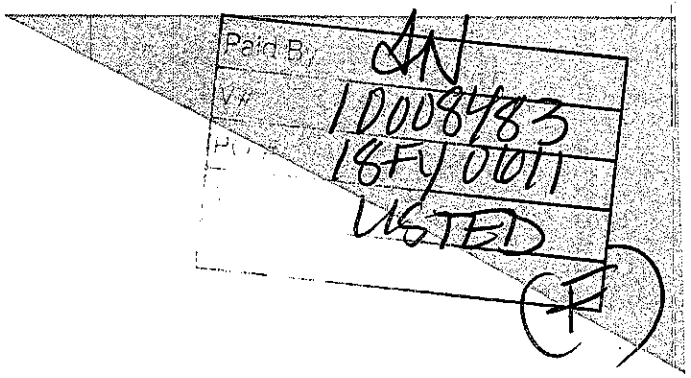
Tonnie Turner, (323) 481-3554 and tlturner01@gmail.com

THANK YOU FOR YOUR BUSINESS!

INVOICE # R22318-BH1

Tonnie Turner

2331 West 111th Street
Inglewood, California 90303
(323) 481-3554 | Direct



DATE: February 15th, 2018

BILL TO:

c/o Marvin Hunt | Compton Parks & Recreation
301 North Tamarind Ave
Compton, California 90220

FOR:

Black History Luncheon for Seniors
on Feb 23rd, 2018.
Banquet time: 10:30am - 2:00pm.

Menu Items	AMOUNT
200 per person at $13.20	**$2,640.00**
Fried Chicken	
Baked Chicken	
Collard Greens	
Candied Yams	
Macaroni & Cheese	
Mixed Green Salad	
Cornbread Muffins	
Pecan & Sweet Potato Pies	
Lemonade & Ice Tea	
Chinet Paper Goods	
Table Cloths (Catering Table)	

SUBTOTAL $2,640.00

REMAINING BALANCE DUE $0.00

TOTAL PAYMENT DUE $2,640.00

Okay to Pay

Make all checks payable to Tonnie Turner
If you have any questions concerning this invoice, use the following contact information:

Tonnie Turner, (323) 481-3554 and tlturner01@gmail.com

THANK YOU FOR YOUR BUSINESS!