REGULAR MEETING AGENDA
CITY COUNCIL OF THE CITY OF COMPTON

TUESDAY – MAY 18, 2021 5:30 P.M.
TELECONFERENCE MEETING AUTHORIZED BY STATE OF CALIFORNIA EXECUTIVE ORDERS N-25-20 AND N-29-20 VIA ZOOM COMMUNICATIONS

COVID-19 NOTICE

To protect public health and safety during the local, state, and federally declared COVID-19 emergency, the City Council Chamber is closed to the public. Consistent with State of California Executive Orders N-25-20 and N-29-20 and the Los Angeles County Health Officer's "Safer at Home Order for Control of COVID-19" the City Council will participate in the meeting through teleconference. Public participation in the meeting will be facilitated through the electronic methods as described below.

Agenda Materials:

The agenda and agenda packet related to items on this agenda are available for public inspection at www.comptoncity.org.

Public Observation and Participation:

Members of the public may provide public comments through the follow method:

Teleconference Participation: You may provide audio public comments by connecting to the teleconference meeting online or by telephone/mobile call (please select only one method). Public speakers will be queued to provide comments at the appropriate time on the agenda. You must be available to provide comments at the time you are called upon to speak. If you are not planning on providing public comments we encourage you to observe the meeting via livestream at www.comptoncity.org or on Government Channel 36 to allow staff to more effectively manage the number of teleconference connections.

Compton Zoom meeting online line:
https://us02web.zoom.us/j/87030609060?pwd=cEVCNUg2WTc0elJFS3VFdnVQMGVKUT09

Compton Zoom meeting call-in telephone number:1-669-900-6833
Compton Zoom ID:870 3060 9060
Compton Zoom Passcode: 175498

Americans with Disabilities Act (ADA) Accommodations:

Any person with a disability who requires accommodation in order to participate in a meeting should contact of the Office of the City Clerk at (310) 605-5530 to request accommodation. The City will use its best efforts to provide reasonable accommodations related to the teleconference meeting.

Members of the public may observe this meeting via Channel 36 or via city website streaming services at www.comptoncity.org, and offer comments at this meeting via Zoom during the public comments portion of the meeting. If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the American with Disabilities Act ("ADA") please contact the City Clerk's Office at (310) 605-5530 or email contactcityclerk@comptoncity.org prior to the meeting for assistance.

(Zoom is only for Public Comments)

https://us02web.zoom.us/j/87030609060?pwd=cEVCNUg2WTc0elJFS3VFdnVQMGVKUT09

Meeting ID: 870 3060 9060
Passcode: 175498
Call In: 1-669-900-6833

COMPTON CITY COUNCIL AGENDA 05/18/2021 5:30 PM

WORKSHOP

4:00 P.M. - PROPOSED 2021-2022 FISCAL YEAR BUDGET WORKSHOP

OPENING

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

HEARING(S)

5:35 P.M. - PUBLIC HEARING - TO APPROVE AMENDMENT NO. 1 TO THE PURCHASE SALE AGREEMENT BETWEEN THE CITY OF COMPTON AND THE OLSON URBAN HOUSING, LLC, FOR THE DEVELOPMENT OF CERTAIN CITY-OWNED PROPERTY LOCATED AT 1950 NORTH CENTRAL AVENUE

5:40 P.M. - PUBLIC HEARING - DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE SEWER SERVICE CHARGES FOR FISCAL YEAR 2021-2022 (Item #5)

5:45 P.M. - PUBLIC HEARING - DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2021-2022 (Item #6)

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.

CITY ATTORNEY

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 25,642 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWELVE (12) MONTH AGREEMENT WITH VOLUNTEERS OF AMERICA OF LOS ANGELES FOR THE LEASE OF CITY-OWNED PROPERTY LOCATED AT 700 NORTH BULLIS ROAD

CITY MANAGER

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2020-2021 FISCAL YEAR BUDGET TO DELETE ONE (1) OFFICE ASSISTANT III POSITION AND ADD ONE (1) ADMINISTRATIVE SPECIALIST POSITION TO THE INTERNAL SERVICES DEPARTMENT

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO TRANSFER REDEVELOPMENT PROPERTY TAX TRUST FUNDS TO THE CITY ATTORNEY OFFICE'S BUDGET FOR LEGAL SERVICES ($150,000)

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR MEMORANDUM OF AGREEMENT WITH THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TOTAL MAXIMUM DAILY LOADS ($6,600)

REGULAR AGENDA

CITY MANAGER'S REPORT

5. A REQUEST TO RESCHEDULE THE HEARING DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE SEWER SERVICE CHARGES FOR FISCAL YEAR 2021-2022 (June 2, 2021 at 5:40 p.m.)

6. A REQUEST TO SCHEDULE A PUBLIC HEARING TO APPROVE A MITIGATED NEGATIVE DECLARATION NO. 948, GENERAL PLAN AMENDMENT NO. 2020-002 AND ZONE TEXT AMENDMENT CASE NO. 2021-001 FOR THE DEVELOPMENT OF CERTAIN CITY OWNED PROPERTY LOCATED AT 1950 NORTH CENTRAL AVENUE

7. A REQUEST TO RESCHEDULE THE HEARING DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR THE FISCAL YEAR 2021-2022 (June 2, 2021 at 5:45 p.m.)

UNFINISHED BUSINESS

8. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 30 OF THE COMPTON MUNICIPAL CODE TO ADD SECTION 30-54 (SPECIFIC PLAN ZONE REGULATIONS) (Second Reading)

NEW BUSINESS

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 958 (GIPSON) TO ENSURE LAW ENFORCEMENT AGENCIES HAVE POLICIES IN PLACE FOR THEIR PEACE OFFICERS REGARDING LAW ENFORCEMENT CLIQUES

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 1163 (NAZARIAN) WHICH WILL REPEAL CURRENT LAW THAT PREEMPTS LOCAL GOVERNMENTS FROM IMPOSING FUTRUE TAXES ON SUGARY DRINKS UNTIL 2030

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 520 (GIPSON) TO ESTABLISH CALIFORNIA DIVERSIFYING THE TEACHER WORKFORCE GRANT PROGRAM

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2020-2021 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE DIVISION OF OPERATIONS TO ENFORCE A LOCAL ORDINANCE OR STATE LAW RELATED TO THE ILLEGAL SALE AND MARKETING OF TOBACCO PRODUCTS TO MINORS ($550,455)

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: 5/25/2021 @ 5:30 PM

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

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **STREET SUPERINTENDENT**
PUBLIC WORKS-STREET MAINTENANCE DEPARTMENT

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 25,642 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWELVE (12) MONTH AGREEMENT WITH VOLUNTEERS OF AMERICA OF LOS ANGELES FOR THE LEASE OF CITY-OWNED PROPERTY LOCATED AT 700 NORTH BULLIS ROAD**

SUMMARY

Adoption of the attached resolution will rescind Resolution No. 25,642, adopted by the City Council on May 4, 2021, and authorize the City Manager to enter into a twelve (12) month lease agreement (i.e. May 1, 2021 through April 30, 2022); with a two (2) one year renewal options; with Volunteers of America of Los Angeles ("Volunteers of America") for use of approximately 2,794 square feet of dedicated indoor space at 700 North Bullis Road, Compton, commonly known as the "Career*Link*" facility ("Career*Link*") at the lease rate of $1.97 per square foot.

BACKGROUND

The City of Compton owns certain real property located at 700 North Bullis Road, commonly known as the "Career*Link*" facility. This property is used as a "shared occupancy" facility, offering indoor space for leasing to outside agencies, organizations, and individuals.

Pursuant to guidance of the City Council, in November 2012, the City Manager implemented a City-wide leasing policy which mandates that City-owned facilities and/or property *shall not* be leased without first obtaining proper authorization from the City Council (i.e. an adopted resolution) and execution of a written lease agreement [City of Compton Standard Operating Manual, Policy 4.17(A)]. In addition to other matters, the Policy specifies that lease rates shall be based on the square footage of the area(s) subject to the exclusive use/occupation of the Lessee and that the standard leasing rate for indoor floor space in a City-owned facility shall be ***at least*** **One Dollar ($1.00)** ***per square foot.***

In addition to the base minimum rental rate of $1.00 per square foot for indoor space, proposed lease agreements are to address the costs incurred by the City for utilities, maintenance and repairs, etc. At the Career*Link* location, staff has identified that cost to be ninety-seven cents ($0.97) per square foot.

Thus, the cost to the City will be recovered in a recommended minimal monthly rental rate based on a square footage charge of $1.97 (i.e. $1.00 per square foot base rental rate plus $0.97 per square foot for utilities, maintenance, custodial and security).

STATEMENT OF THE ISSUE

Volunteers of America was founded in 1896 on a core belief in the potential of every person no matter the circumstance. Since then, they have been transforming the lives of America's most vulnerable, including children and families from under–served communities, at–risk youth, veterans, individuals and families struggling with homelessness, men and women returning from prison, victims of human trafficking, and people challenged with addictions and substance use.

To further their mission and strengthen their partnership with the City and its citizens, Volunteers of America proposes to expand the services offered to the citizens of Compton by establishing a program for veterans in the surrounding community. Volunteers of America has partnered with the Los Angeles County Department of Mental Health to establish a Veteran Peer Access Network ("VPAN") in the City. Led by veterans for veterans, VPAN helps individuals navigate often complicated systems so that they receive the services they deserve. VPAN have achieved this goal by creating the first-ever community-driven support network serving veterans and their families in the U.S. The VPAN connects County departments, non-profits, the Veteran Affairs and other programs.

The network embodies the #YouMatter ideal – that veterans deserve hope, well-being and a greater quality of life as valued members of the Los Angeles County community. Programs available through the CareerLink facility will include:

- Workforce Development and Employment – Help with developing interview skills, resume creation, job coaching, plus volunteer and job opportunities Education – Support with school enrollment, vocational training, tuition assistance
- Legal Services – Help with eviction prevention, discharge upgrade, applying for VA benefits, etc.
- Social Connection/Recreation – Opportunities to connect with other veterans in a variety of settings

On May 4, 2021, the City Council adopted Resolution No. 25,642, which authorized the City Manager to enter into a lease agreement with Volunteers of America for exclusive use of specific indoor spaces within the Career*Link* facility. However, two (2) of the identified spaces were incorrectly identified in the Resolution. Specifically, Resolution No. 25,642 identified Rooms 9A and 10A as part of the planned leasehold, but the correct room numbers are 4A and 5A. Therefore, it is requested that Resolution No. 25,642 be rescinded and the attached resolution be adopted reflecting the correct leased spaces; to wit:

Indoor Space	Dimensions	Square Footage
Room 9B	16' x 13'	208 ft^2
Room 10B	20' x 9'	380 ft^2
Room 11B	13' x 13'	169 ft^2
Room 12B	14' x 17'	238 ft^2
Room 13B	14' x 13'	182 ft^2
Room 14B	14' x 17'	238 ft^2
Storage Room	3' x 17'	51 ft^2
Men's Restroom	8' x 9'	72 ft^2
Women's Restroom	8' x 9'	72 ft^2
Reception Area	11' x 13'	143 ft^2
Hallway/Common Area	54' x 8'	432 ft^2
Room 4A	20' x 20'	400 ft^2
Room 5A	20' x 20'	400 ft^2

Total Exclusive Indoor Square Footage ~2,794 square feet

FISCAL IMPACT

Leasing of these vacant spaces within the CareerLink facility at $1.97 per square foot will yield an estimated collection of Five Thousand Five Hundred Four Dollars and Eighteen Cents ($5,504.18) per month, or Sixty Six Thousand Fifty Dollars and Sixteen Cents ($66,050.16) per year.

RECOMMENDATION

Staff recommends Council adopted the attached Resolution.

**DAMION TIMMONS, STREET SUPERINTENDENT
PUBLIC WORKS - STREET MAINTENANCE DEPARTMENT**

APPROVED FOR FORWARDING:

**CRAIG J. CORNWELL
CITY MANAGER**

RESOLUTION NO. ___________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 25,642 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWELVE (12) MONTH AGREEMENT WITH VOLUNTEERS OF AMERICA OF LOS ANGELES FOR THE LEASE OF CITY-OWNED PROPERTY LOCATED AT 700 NORTH BULLIS ROAD

WHEREAS, the City of Compton owns certain real property located at 700 North Bullis Road, also known as the "Career*Link*" facility, which is used as a "shared occupancy" facility in that it houses certain City administered services in addition to offering indoor spaces for leasing to outside agencies, organizations and individuals; and

WHEREAS, pursuant to guidance of the City Council, in November 2012, the City Manager implemented a City-wide leasing policy [Standard Operating Manual, Policy 4.17(A)], which mandates that City-owned facilities and/or property shall not be leased without first obtaining proper authorization from the City Council (i.e. an adopted resolution) and execution of a written lease agreement; and

WHEREAS, the Policy specifies that lease rates shall be based on the square footage of the area(s) subject to the exclusive use/occupation of the Lessee and that the standard leasing rate for indoor floor space in a City-owned facility shall be *at least* One Dollar ($1.00) *per square foot*; and

WHEREAS, in addition to the base minimum rental rate of $1.00 per square foot for indoor space, proposed lease agreements are to address the costs incurred by the City for utilities, maintenance and repairs, etc. and at the CareerLink facility, staff has identified that cost to be at least ninety-seven cents ($0.97) per square foot, thus the cost to the City will be recovered in a recommended minimal monthly rental rate based on a square footage charge of $1.97 for exclusive use of indoor spaces; and

WHEREAS, Volunteers of America of Los Angeles ("Volunteers of America") has partnered with the Los Angeles County Department of Mental Health to establish a Veteran Peer Access Network ("VPAN") in the City of Compton; and

WHEREAS, led by veterans for veterans, VPAN helps individuals navigate often complicated systems so that they receive the services they deserve, a goal VPAN has achieved by creating the first-ever community-driven support network serving veterans and their families in the U.S. The VPAN connects County departments, non-profits, the Veteran Affairs and other programs; and

WHEREAS, Volunteers of America has requested to enter into a twelve (12) month (i.e. May 1, 2021 through April 30, 2022) lease agreement, with two (2) one-year renewal options, for use of approximately 2,794 square feet of dedicated indoor space at 700 North Bullis Road, Compton, ("Career*Link*") at the lease rate of $1.97 per square foot for use as general office space to administer the VPAN program; and

WHEREAS, on May 4, 2021, the City Council adopted Resolution No. 25,642, which authorized the City Manager to enter into a lease agreement with Volunteers of America for exclusive use of specific indoor spaces within the Career*Link* facility; however, two (2) of the identified spaces were incorrectly identified in the Resolution. Specifically, Resolution No. 25,642 identified Rooms 9A and 10A as part of the planned leasehold, but the correct room numbers are 4A and 5A; therefore, it is necessary to rescind Resolution No. 25,642.

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

<u>Section 1.</u> That the City Manager, upon the advice and approval of the City Attorney is hereby authorized to enter into a twelve (12) month lease agreement (i.e. May 1, 2021 through April 30, 2022) with Volunteers of America of Los Angeles for the use of approximately 2,794 square feet of indoor space at 700 North Bullis Road, Compton, for general office use to administer the Veteran Peer Access Network Program. Leased indoor spaces consist of the following:

Indoor Space	**Dimensions**	**Square Footage**
Room 9B	16’ x 13’	208 ft^2
Room 10B	20’ x 9’	380 ft^2
Room 11B	13’ x 13’	169 ft^2
Room 12B	14’ x 17’	238 ft^2
Room 13B	14’ x 13’	182 ft^2
Room 14B	14’ x 17’	238 ft^2
Storage Room	3’ x 17’	51 ft^2
Men’s Restroom	8’ x 9’	72 ft^2
Women’s Restroom	8’ x 9’	72 ft^2
Reception Area	11’ x 13’	143 ft^2
Hallway/Common Area	54’ x 8’	432 ft^2
Room 4A	20’ x 20’	400 ft^2
Room 5A	20’ x 20’	400 ft^2

Section 2. That the City Manager, on the advice and approval of the City Attorney is hereby authorized, upon agreement of the parties, to enter into up to two (2) 1-year lease renewal periods.

Section 3. That the monthly rental rate for the twelve (12) month term of the lease agreement shall be Five Thousand Five Hundred Four Dollars and Eighteen Cents ($5,504.18) per month, based on $1.97 per square foot.

Section 4. That Account No. 1001-000-000-3420 has been established to receive all facility lease payments.

Section 5. That a certified copy of this Resolution shall be filed in the offices of the City Manager (City Security), City Clerk, City Controller, Public Works – Street Maintenance Department (General Services) and the City Attorney.

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

ADOPTED this _________ day of ___________, 2021.

____
MAYOR OF THE CITY OF COMPTON

ATTEST:

____
CITY CLERK OF THE CITY OF COMPTON

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

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the ________ day of _______________, 2021.

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

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2020-2021 FISCAL YEAR BUDGET TO DELETE ONE (1) OFFICE ASSISTANT III POSITION AND ADD ONE (1) ADMINISTRATIVE SPECIALIST POSITION TO THE INTERNAL SERVICES DEPARTMENT**

SUMMARY

Adoption of this resolution will authorize the City Manager to amend the 2020-2021 Fiscal Year budget to delete one (1) Office Assistant III position and add one (1) Administrative Specialist position to the Internal Services Department.

BACKGROUND

On June 23, 2020, the City Council adopted the 2020-2021 Fiscal Year budget. The annual budget is a planning document used to fund policies and programs as directed by Council, and is based on assumptions and projections.

STATEMENT OF THE ISSUE

The City Manager is recommending upgrading a vacant Office Assistant III position to Administrative Specialist to better fit the Internal Services Department's administrative needs. This proposed transaction is "cost neutral"; that is, it does not affect the total revenue and expenditure balances projected for the Fiscal Year 2020-2021 budget.

The proposed changes focus on upgrading a vacant Office Assistant III position to an Administrative Specialist position in order to address administrative needs in the Internal Services Department. The following are the proposed changes:

Add Position:

- One (1) 1.0 FTE Administrative Specialist – Internal Services Department

Delete Position:

- One (1) 1.0 FTE Office Assistant III – Internal Services Department

FISCAL IMPACT

Funds are available to cover the difference of the Administrative Specialist salary cost in the amount of $1,358.00 in Account Number No. 1001-620-000-4101, utilizing the vacant Internal Services Director salary savings.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2020-2021 FISCAL YEAR BUDGET TO DELETE ONE (1) OFFICE ASSISTANT III POSITION AND ADD ONE (1) ADMINISTRATIVE SPECIALIST POSITION TO THE INTERNAL SERVICES DEPARTMENT

WHEREAS, pursuant to Resolution No. 25,302, the Council of the City of Compton adopted the Fiscal Year 2020-2021 budget on June 23, 2020; and

WHEREAS, the City Manager is recommending upgrading a vacant Office Assistant III position to Administrative Specialist to better fit the Internal Services Department's administrative needs; and

WHEREAS, the proposed budget amendment is "cost neutral" (i.e. they do not increase or decrease net budget appropriations) and do not affect the total revenue and expenditure balances projected for the Fiscal Year 2020-2021 Budget; and

WHEREAS, the difference in salaries will be absorbed by the salary saving in the Internal Services Department due to vacant Internal Services Director.

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

SECTION 1. That the City Manager is hereby authorized to make the following budget amendments to the Fiscal Year 2020-2021 adopted budget:

Add Position:

- One (1) 1.0 FTE Administrative Specialist - Internal Services Department

Delete Position:

- One (1) 1.0 FTE Office Assistant III - Internal Services Department

SECTION 2. That funds are available to cover the difference of the Administrative Specialist salary cost in the amount of $1,358.00 in Account No. 1001-620-000-4101, utilizing the vacant Internal Services Director salary savings.

SECTION 3. That a certified copy of this Resolution shall be filed in the Offices of the City Clerk, City Manager, City Controller and the Internal Services Department (Human Resources).

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

ADOPTED this __________ day of _____________, 2021.

____

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 _______________, 2021.

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

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO TRANSFER REDEVELOPMENT PROPERTY TAX TRUST FUNDS TO THE CITY ATTORNEY OFFICE'S BUDGET FOR LEGAL SERVICES ($150,000)**

SUMMARY

Adoption of the attached resolution will authorize the City Manager to amend the Fiscal Year 2020-2021 budget to transfer One Hundred Fifty Thousand Dollars ($150,000.00) from the budget of the Successor Agency to the Community Redevelopment Agency of the City of Compton ("Successor Agency") to the budget of the City Attorney's Office for the continued provision of legal services to the Successor Agency for the remainder of the fiscal year.

BACKGROUND

On June 23, 2020, the City Council adopted Resolution 25,302, which adopted the City Budget for Fiscal Year 2020-2021. Revenues in the amount of $65,000.00 from the Successor Agency funds were appropriated to the City Attorney's Office budget for provision of legal services to the Successor Agency.

Successor Agency funding is derived from Redevelopment Property Tax Trust Fund ("RPTTF") payments, which are determined each year by the State Department of Finance through the annual Recognized Obligation Payments ("ROPS") submitted by the Successor Agency after approved by the Successor Agency Board and the Los Angeles County 2nd District Consolidated Oversight Board.

Funds for legal services are included in the ROPS to pay for various costs related to the winding down of Successor Agency activities, including the negotiations of Purchase and Sale Agreements, Disposition Development Agreements, disposition of properties, compliance with regulatory and legal regulations, the expenditure of remaining bond proceeds and other matters related to the administration of the Successor Agency.

STATEMENT OF ISSUE

Thus far in this fiscal year, City staff has worked diligently and strategically negotiated the disposition of more than ten (10) Successor Agency properties and implemented several other projects that are going through the City's entitlement process. In light of these significant activities and accomplishments, the City Attorney's Office has exhausted their original Fiscal Year 2020-2021 budget allocation.

Staff anticipates the need for additional legal services during the remainder of the fiscal year, thus authorization is requested to transfer $150,000.00 from the Successor Agency's RPTTF to the City Attorney Office's Fiscal Year 2020-2021 budget to pay for legal services for the remainder of the fiscal year.

ALTERNATIVE

There is no alternative proposed at this time. If funds are not available, the Successor Agency will be unable to pay its legal bills and the much needed legal services to assist with the development and disposition of Successor Agency owned properties will cease.

FISCAL IMPACT

There is no impact to the City's General Fund. These funds are available in the balances of the Successor Agency Fund. The Fiscal Year 2020-2021 budget will need to be amended as follows:

Increase Expenditure	Account Description	Amount
1201-420-000-4261	Successor Agency-Legal Services	$150,000

RECOMMENDATION

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

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO.____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2020-2021 BUDGET TO TRANSFER REDEVELOPMENT PROPERTY TAX TRUST FUNDS TO THE CITY ATTORNEY OFFICE'S BUDGET FOR LEGAL SERVICES ($150,000)

WHEREAS, on June 23, 2020, the City Council adopted Resolution 25,302, which adopted the City Budget for Fiscal Year 2020-2021; and

WHEREAS, at the adoption of the Fiscal Year 2020-2021 budget, revenues in the amount of $65,000.00 from the Successor Agency to the Community Redevelopment Agency of the City of Compton ("Successor Agency") Fund were appropriated to the City Attorney's Office budget for provision of legal services to the Successor Agency; and

WHEREAS, Successor Agency funding is derived from the Redevelopment Property Tax Trust Fund ("RPTTF") payments, which are determined each year by the State Department of Finance through the annual Recognized Obligation Payments ("ROPS") submitted by the Successor Agency after approved by the Successor Agency Board and Los Angeles County 2nd District Consolidated Oversight Board; and

WHEREAS, funds for legal services are included in the ROPS to pay for various costs related to the winding down of Successor Agency activities, including the negotiations of Purchase and Sale Agreements, Disposition Development Agreements, disposition of properties, compliance with regulatory and legal regulations, the expenditure of remaining bond proceeds and other matters related to the administration of the Successor Agency; and

WHEREAS, thus far this fiscal year, City staff has negotiated the disposition of more than ten (10) Successor Agency properties and implementation of several other projects that are going through the City's entitlement process, resulting in the depletion of the Fiscal Year 2020-2021 budget allocation to the City Attorney's Office; and

WHEREAS, staff anticipates the need for further legal services during the remainder of the fiscal year and request authorization to transfer $150,000.00 in Successor Agency funds to the City Attorney Office budget.

WHEREAS, there is a need to amend the Fiscal Year budget to transfer the funds.

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

SECTION 1. That the 2020-2021 Fiscal Year budget shall be amended to transfer One Hundred and Fifty Thousand dollars ($150,000) from Successor Agency Fund balance to Legal Services to cover Successor Agency legal fees for the remainder of Fiscal Year 2020-2021, as follows:

Increase Expenditure	Account Description	Amount
1201-420-000-4261	Successor Agency-Legal Services	$150,000

SECTION 2. That a certified copy of this Resolution shall be filed in the offices of the City Clerk, City Manager/Executive Director, City Controller and the City Attorney's Office.

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

ADOPTED this ___________ day of ______________, 2021

____
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, Clerk of the City Council of the City of Compton, hereby certify that the foregoing Resolution was adopted by the Mayor, attested by the City Clerk at a regular meeting thereof held on the _____________ day of _______________, 2021.

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

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **PUBLIC WORKS – ENGINEERING DEPARTMENT**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR MEMORANDUM OF AGREEMENT WITH THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TOTAL MAXIMUM DAILY LOADS ($6,600)**

SUMMARY

Adoption of this resolution will authorize the City Manager to enter into a three (3) year (i.e. Fiscal Years 2020-2021, 2021-2011 and 2022-2023) Memorandum of Agreement ("MOA") with the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority for cost sharing for the installation of monitoring equipment and monitoring pursuant to the Harbor Toxic Pollutants Total Maximum Daily Loads and authorize the issuance of a purchase order in the amount of $2,220.00 for the City of Compton's share cost for Fiscal Year 2020-2021, $2,200.00 for Fiscal Year 2021-2022 and $2,200.00 for Fiscal Year 2022-2023.

BACKGROUND

The U.S. Environmental Protection Agency established the Total Maximum Daily Loads ("TMDL") for Toxic Pollutants on March 23, 2012, with the intent of protecting and improving water quality in the Dominguez Channel and the Greater Los Angeles and Long Beach Harbor Waters ("Harbor Toxic Pollutants TMDL"). The Harbor Toxic Pollutants TMDL regulates certain discharges from National Pollutant Discharge Elimination System ("NPDES") permit holders, requiring organization and cooperation among the MS4 Permittees ("Permittees").

The members of the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority ("Joint Powers Authority" or "JPA") are the cities of Artesia, Avalon, Bell, Bell Gardens, Bellflower, Cerritos, Commerce, Compton, Cudahy, Downey, Hawaiian Gardens, Huntington Park, La Mirada, Lakewood, Long Beach, Lynwood, Maywood, Montebello, Norwalk, Paramount, Pico Rivera, Port of Long Beach, Santa Fe Springs, Signal Hill, South Gate, Vernon, Whittier, the Water Replenishment District, Central Basin Municipal Water District and the Long Beach Water Department ("JPA Members").

The Permittees manage, drain or convey storm water into a portion of the Los Angeles River. Various Permittees desire to facilitate the achievement of the objectives of the Harbor Toxic Pollutants TMDL by installing one monitoring station in the Los Angeles River at Wardlow Road, one monitoring station in the San Gabriel River near Spring Street, and one monitoring station in the Coyote Creek, also near Spring Street, and conduct monitoring at said monitoring stations (collectively "Monitoring Stations") to ensure consistency with other regional monitoring programs and usability with other TMDL related studies. Installation of the Monitoring Stations and future monitoring requires administrative coordination for the various Permittees that the JPA can and is willing to provide.

Due to the financial savings and benefits resulting from this cost-sharing arrangement, other Permittees that are not JPA Members may request to participate in the cost sharing of the monitoring costs for the installation of the Monitoring Stations and the costs of monitoring conducted at the Monitoring Stations. The JPA Board of Directors authorized the JPA to enter into individual separate agreements with such individual Permittees for the purposes of only cost sharing in the monitoring costs.

Because JPA Members already pay annual membership fees that pay for JPA administrative costs, JPA Members that participate in the cost sharing for the monitoring costs shall pay a three percent (3%) administrative fee on each payment to cover various administrative costs.

Permittees that are not JPA Members that participate in the cost sharing for the monitoring costs shall pay an eight and seventy-six hundredths percent (8.76%) administrative fee on each payment to cover various administrative costs. Five percent (5%) of such amount represents the estimated direct, actual costs of the JPA's administrative expenses. Certain private NPDES permit holders that are subject to the Harbor Toxic Pollutants TMDL have also express interest in participating in the cost sharing for the monitoring costs and procuring the monitoring data generated pursuant to this MOA in order to satisfy their own permit obligations.

It is currently unknown how many Permittees and private NPDES permit holders will ultimately participate in the cost sharing of the monitoring costs. Depending on the number of Permittees and private NPDES permit holders that ultimately participate in the cost sharing for the monitoring costs, each participating Permittee's annual cost share amount will be adjusted and the JPA will notify each participating Permittee of its adjusted annual cost share amount in writing.

STATEMENT OF ISSUE

The City of Compton ("City") desires to share in the monitoring costs pursuant to the MOA. The City has determined that authorizing the JPA to hire consultants as necessary to install and maintain the Monitoring Stations and conduct the monitoring required by the Harbor Toxic Pollutants TMDL will be beneficial to the City.

The City agrees to pay: (a) its proportional share of the monitoring costs to be incurred by the JPA in accordance with the Cost Sharing Formula reflected in Exhibit "A" of the MOA; and (b) applicable administrative fees to cover administrative costs.

The role of the JPA is to: (1) invoice and collect funds from the City to cover its portion of the monitoring costs; and (2) hire and retain consultants to install Monitoring Stations and conduct monitoring at the Monitoring Stations.

ALTERNATIVE

There are no other alternatives being recommended at this time. The City is required to comply with the provisions of monitoring as part of the NPDES permit program.

FISCAL IMPACT

The City's initial payment amount shall cover the 2020-2021 Fiscal Year and is due upon execution of the MOA, but in no event later than June 30, 2021.

For each subsequent fiscal year, commencing with the 2021-2022 Fiscal Year, the JPA shall submit annual invoices to the City for the annual payment amount no later than the April 1st prior to the new fiscal year.

The initial payment amount, the annual payment amount, and the administrative costs payment amount of the MOA represent the estimated dollar amounts that the City is required to submit to the JPA, but may be adjusted based on the final number of Permittees that participate in the cost sharing for the monitoring costs, the need for equipment replacement or changes in TMDL monitoring required by changes to the MS4 Permit. The maximum adjustment in cost for the annual payment amount shall not exceed $2,220.00.

Funds in the amount of $2,220.00 are available in the Public Works 2020-2021 Fiscal Year budget in Account No. 1529-710-000-4262. Funds in the amount of $4,400 will be available in the future year budgets for 2021-2022 ($2,200) and 2022-2023 ($2,200), upon approval of the City's budget.

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution.

**CRAIG J. CORNWELL
CITY MANAGER**

RESOLUTION NO._________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR MEMORANDUM OF AGREEMENT WITH THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TOTAL MAXIMUM DAILY LOADS ($6,600)

WHEREAS, the U.S. Environmental Protection Agency established the Total Maximum Daily Loads ("TMDL") for Toxic Pollutants on March 23, 2012, with the intent of protecting and improving water quality in the Dominguez Channel and the Greater Los Angeles and Long Beach Harbor Waters ("Harbor Toxic Pollutants TMDL"); and

WHEREAS, the Harbor Toxic Pollutants TMDL regulates certain discharges from National Pollutant Discharge Elimination System ("NPDES") permit holders, requiring organization and cooperation among the MS4 Permittees ("Permittees"); and

WHEREAS, the members of the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority ("Joint Powers Authority" or "JPA") are the cities of Artesia, Avalon, Bell, Bell Gardens, Bellflower, Cerritos, Commerce, Compton, Cudahy, Downey, Hawaiian Gardens, Huntington Park, La Mirada, Lakewood, Long Beach, Lynwood, Maywood, Montebello, Norwalk, Paramount, Pico Rivera, Port of Long Beach, Santa Fe Springs, Signal Hill, South Gate, Vernon, Whittier, the Water Replenishment District, Central Basin Municipal Water District and the Long Beach Water Department ("JPA Members")

WHEREAS, the Permittees manage, drain or convey storm water into a portion of the Los Angeles River and various Permittees desire to facilitate the achievement of the objectives of the Harbor Toxic Pollutants TMDL by installing one monitoring station in the Los Angeles River at Wardlow Road, one monitoring station in the San Gabriel River near Spring Street, and one monitoring station in the Coyote Creek, also near Spring Street, and conduct monitoring at said monitoring stations (collectively "Monitoring Stations") to ensure consistency with other regional monitoring programs and usability with other TMDL related studies; and

WHEREAS, installation of the Monitoring Stations and future monitoring requires administrative coordination for the various Permittees that the JPA can and is willing to provide; and

WHEREAS, due to the financial savings and benefits resulting from this cost-sharing arrangement, other Permittees that are not JPA Members may request to participate in the cost sharing of the monitoring costs for the installation of the Monitoring Stations and the costs of monitoring conducted at the Monitoring Stations; and

WHEREAS, the JPA Board of Directors authorized the JPA to enter into individual separate agreements with such individual Permittees for the purposes of only cost sharing in the monitoring costs; and

WHEREAS, because JPA Members already pay annual membership fees that pay for JPA administrative costs, JPA Members that participate in the cost sharing for the monitoring costs shall pay a three percent (3%) administrative fee on each payment to cover various administrative costs, while Permittees that are not JPA Members that participate in the cost sharing shall pay an 8.76% administrative fee on each payment to cover various administrative costs; and

WHEREAS, certain private NPDES permit holders that are subject to the Harbor Toxic Pollutants TMDL have also express interest in participating in the cost sharing for the monitoring costs and procuring the monitoring data generated pursuant to this MOA in order to satisfy their own permit obligations; and

WHEREAS, it is currently unknown how many Permittees and private NPDES permit holders will ultimately participate in the cost sharing of the Monitoring Costs; however, depending on the number of Permittees and private NPDES permit holders that ultimately participate in the cost sharing for the monitoring costs, each participating Permittee's annual cost share amount will be adjusted and the JPA will notify each participating Permittee of its adjusted annual cost share amount in writing; and

WHEREAS, staff recommends that the City participate in the cost sharing of the monitoring costs pursuant to the MOA to comply with monitoring provisions required by the NPDES Permit Program; and

WHEREAS, the City's initial payment amount of $2,200.00 shall cover the 2020-2021 Fiscal Year and is due upon execution of the MOA, but in no event later than June 30, 2021; and

WHEREAS, for each subsequent fiscal year, commencing with the 2021-2022 Fiscal Year, the JPA shall submit annual invoices to the City for the $2,200.00 annual payment amount no later than the April 1st prior to the new fiscal year; and

WHEREAS, funds for this expenditure are available in the Public Works 2020-2021 Fiscal Year 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 of the City Attorney is hereby authorized to enter into a three (3) year (i.e. Fiscal Years 2020-2021 and 2021-2022) Memorandum of Agreement with the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority for cost sharing for the installation of monitoring equipment and monitoring pursuant to the Harbor Toxic Pollutants Total Maximum Daily Loads for the estimated cost of Two Thousand Two Hundred Dollars each fiscal year.

SECTION 2. That funds in the amount of $2,220.00 are available in the Public Works 2020-2021 Fiscal Years budget in Account No 1529-710-000-4262 for the first (1st) fiscal year of the Memorandum of Agreement.

SECTION 3. That funds in the amount of $4,400 will be available in the future year budgets for 2021-2022 ($2,200.00) and 2022-2023 ($2,200.00), upon approval of the City's budget.

SECTION 4. That a purchase order in the amount of Two Thousand Two Hundred Dollars ($2,200.00) is authorized to be issued to the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority.

SECTION 5. 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 – Engineering Department.

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

ADOPTED this ___________ day of ______________, 2021.

____
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 ___________________, 2021.

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

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

____
CITY CLERK OF THE CITY OF COMPTON

AGREEMENT
BETWEEN THE LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY
AND THE
CITY OF COMPTON

FOR COST SHARING FOR THE INSTALLATION OF MONITORING EQUIPMENT AND MONITORING PURSUANT TO THE HARBOR TOXIC POLLUTANTS TMDL

This Agreement is made and entered into as of March 15, 2021, by and between the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority ("GWMA"), a California Joint Powers Authority, and the City of Compton, (the "Permittee"). The Permittee and the GWMA are collectively referred to as the "Parties";

RECITALS

WHEREAS, the mission of the GWMA includes the equitable protection and management of water resources within its area;

WHEREAS, for the purposes of this Agreement, the term "MS4 Permittees" shall mean those public agencies that are co-permittees to a National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit Order ("MS4 Permit") issued by the Los Angeles Regional Water Quality Control Board;

WHEREAS, the United States Environmental Protection Agency established the Total Maximum Daily Loads ("TMDL") for Toxic Pollutants on March 23, 2012, with the intent of protecting and improving water quality in the Dominguez Channel and the Greater Los Angeles and Long Beach Harbor Waters ("Harbor Toxic Pollutants TMDL");

WHEREAS, the Harbor Toxic Pollutants TMDL regulates certain discharges from National Pollutant Discharge Elimination System ("NPDES") permit holders, requiring organization and cooperation among the MS4 Permittees;

WHEREAS, the Permittee manages, drains or conveys storm water into a portion of the Los Angeles River;

WHEREAS, various MS4 Permittees desire(d) to facilitate the achievement of the objectives of the Harbor Toxic Pollutants TMDL by installing one monitoring station in the Los Angeles River at Wardlow Road, one monitoring station in the San Gabriel River near Spring Street, and one monitoring station in the Coyote Creek, also near Spring Street and conducting monitoring at said monitoring stations (collectively "Monitoring Stations") to ensure consistency with other regional monitoring programs and usability with other TMDL related studies;

WHEREAS, installation of the Monitoring Stations and future monitoring requires administrative coordination for the various MS4 Permittees that the GWMA can and is willing to provide;

WHEREAS, the members of the GWMA are the Cities of Artesia, Avalon, Bell, Bell Gardens, Bellflower, Cerritos, Commerce, Compton, Cudahy, Downey, Hawaiian Gardens, Huntington Park, La Mirada, Lakewood, Long Beach, Lynwood, Maywood, Montebello, Norwalk, Paramount, Pico Rivera, Port of Long Beach, Santa Fe Springs, Signal Hill, South Gate, Vernon, Whittier, Water Replenishment District, Central Basin Municipal Water District and the Long Beach Water Department ("GWMA Members");

WHEREAS, because of the financial savings and benefits resulting from this cost-sharing arrangement, other MS4 Permittees that are not GWMA Members may request to participate in the cost sharing of the Monitoring Costs for the installation of the Monitoring Stations and the costs of monitoring conducted at the Monitoring Stations (collectively "Monitoring Costs");

WHEREAS, the GWMA Board of Directors authorized the GWMA to enter into individual separate agreements with such individual MS4 Permittees (which shall not have voting rights in any group relating to the GWMA Members) for purposes of only cost sharing in the Monitoring Costs;

WHEREAS, because GWMA Members already pay annual membership fees that pay for GWMA administrative costs, GWMA Members that participate in the cost share for the Monitoring Costs shall pay a three percent (3%) administrative fee on each payment to cover various administrative costs;

WHEREAS, MS4 Permittees that are not GWMA Members that participate in the cost share for the Monitoring Costs shall pay an eight and seventy-six hundredths percent (8.76%) administrative fee on each payment to cover various administrative costs. Five percent (5%) of such amount represents the estimated direct, actual costs of the GWMA's administrative expenses and three and seventy-six hundredths percent (3.76%) represents the estimated indirect, overhead costs of the GWMA's administrative expenses;

WHEREAS, certain private NPDES permit holders that are subject to the Harbor Toxic Pollutants TMDL have also expressed interest in participating in the cost share for the Monitoring Costs and procuring the monitoring data generated pursuant to this Agreement in order to satisfy their own permit obligations;

WHEREAS, it is currently unknown how many MS4 Permittees and private NPDES permit holders will ultimately participate in the cost sharing of the Monitoring Costs;

WHEREAS, depending on how many MS4 Permittees and private NPDES permit holders ultimately participate in the cost sharing for the Monitoring Costs, each participating Permittee's annual cost share amount will be adjusted and the GWMA will notify each participating Permittee of its adjusted annual cost share amount in writing;

WHEREAS, the Permittee desires to share in the Monitoring Costs;

WHEREAS, the Parties have determined that authorizing GWMA to hire consultants as necessary to install and maintain the Monitoring Stations and conduct the monitoring required by the Harbor Toxic Pollutants TMDL will be beneficial to the Parties;

WHEREAS, the Permittee agrees to pay: (a) its proportional share of the Monitoring Costs to be incurred by the GWMA in accordance with the Cost Sharing Formula reflected in Exhibit "A"; and (b) applicable administrative fees to cover administrative costs; and

WHEREAS, the role of the GWMA is to: (1) invoice and collect funds from the Permittee to cover its portion of the Monitoring Costs; and (2) hire and retain consultants to install Monitoring Stations and conduct monitoring at the Monitoring Stations.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties do hereby agree as follows:

Section 1. Recitals. The recitals set forth above are fully incorporated as part of this Agreement.

Section 2. Purpose. The purpose of this Agreement is for the Permittee to cost share in the Monitoring Costs.

Section 3. Cooperation. The Parties shall fully cooperate with one another to achieve the purposes of this Agreement.

Section 4. Voluntary Nature. The Parties voluntarily enter into this Agreement.

Section 5. Binding Effect. This Agreement shall become binding on GWMA and the Permittee.

Section 6. Term. This Agreement shall commence on March 15, 2021 and shall expire on June 30, 2023, unless terminated earlier pursuant to this Agreement.

Section 7. Role of the GWMA.

(a) The GWMA shall invoice and collect funds from the Permittee to cover the Monitoring Costs; and

(b) The GWMA shall administer the consultants' contracts for the Monitoring Costs. Provided the Permittee has paid all outstanding invoices to the GWMA to cover the Monitoring Costs and administrative costs, the GWMA will provide the Permittee with the monitoring data collected from the Monitoring Stations.

(c) At the request of an MS4 Permittee that participates in the cost sharing for the Monitoring Costs, the GWMA is authorized and may negotiate, enter into agreements with, and collect funds from general and individual NPDES permit holders that are not MS4 Permittees for cost-sharing the Monitoring Costs.

Section 8. Financial Terms.

(a) Initial Payment Amount. The Permittee shall pay Eight Hundred Fifty-Seven Dollars and Twenty-Five Cents ($857.25) for the Permittee's initial cost share amount ("Initial Payment Amount"), for the 2020-2021 fiscal year to the GWMA for managing the installation of the Monitoring Stations and the monitoring data collected at the Monitoring Stations for the 2020-2021 fiscal year.

(b) Annual Payment Amount. For each subsequent fiscal year, commencing with the 2021-2022 fiscal year, the Permittee shall pay Eight Hundred Fifty-Seven Dollars and Twenty-Five Cents ($857.25) ("Annual Payment Amount") for the Permittee's cost share annually on a fiscal year (July 1st to June 30th) basis to the GWMA in exchange for the monitoring data collected from the Monitoring Stations. .

(c) Administrative Costs. In addition to the Initial Payment Amount and the Annual Payment Amount, the Permittee shall also pay its proportional share of the GWMA's staff time for hiring the consultants and invoicing the Permittee, legal fees incurred by the GWMA in the performance of its duties under this Agreement, and audit expenses and other overhead costs ("Administrative Costs Payment Amount"). The Administrative Costs Payment Amount will be added to the Permittee's annual invoice to cover the Permittee's share of the administrative costs.

i. GWMA Members. If the Permittee is a GWMA Member, then the Administrative Costs Payment Amount shall be three percent (3%) of the Permittee's Cost Share Amount identified in Exhibit "A." Beginning with the 2020-2021 fiscal year and for each fiscal year thereafter, the GWMA will evaluate this Administrative Costs Payment Amount to ensure it adequately recovers the GWMA's cost of performing its duties under this Agreement. Based on this review, the GWMA may increase or decrease the Administrative Costs Payment Amount for the next fiscal year. The GWMA will provide the Permittee thirty (30) days' written notice prior to July 1st of the fiscal year in which a new Administrative Costs Payment Amount will take effect.

ii. Non-GWMA Members. If the Permittee is not a GWMA Member, then the GWMA shall charge eight and seventy-six hundredths percent (8.76%) of the Permittee's Cost Share Amount identified in Exhibit "A." Five percent (5%) of such amount represents the estimated direct, actual costs of the GWMA's Administrative Costs and three and seventy-six hundredths percent (3.76%) represents the estimated indirect, overhead costs of the GWMA's Administrative Costs. Beginning with the 2020-2021 fiscal year and for each fiscal year thereafter, the GWMA will evaluate this Administrative Costs Payment Amount to ensure it adequately recovers the GWMA's cost of performing its duties under this Agreement. Based on this review, the GWMA may increase or decrease the Administrative Costs Payment Amount for the next fiscal year. The GWMA will provide the Permittee thirty (30) days' written notice prior to July 1st of the fiscal year in which a new Administrative Costs Payment Amount will take effect.

(d) The Permittee's Initial Payment Amount shall cover the 2020-2021 fiscal year and is due upon execution of this Agreement, but in no event later than June 30, 2021. For each subsequent fiscal year, commencing with the 2021-2022 fiscal year, the GWMA shall submit annual invoices to the Permittee for the Annual Payment Amount and no later than the April 1st prior to the new fiscal year.

(e) Adjustment of Cost Share Based on Number of Participants. The Initial Payment Amount, the Annual Payment Amount, and the Administrative Costs Payment Amount identified in this Section 8 ("Financial Terms") of this Agreement represent the estimated dollar amounts that the Permittee is required to submit to the GWMA, but may be adjusted based on the final number of MS4 Permittees that participate in the cost sharing for the Monitoring Costs, the need for equipment replacement or changes in TMDL monitoring required by changes to the MS4 Permit. The maximum adjustment in cost for the Annual Payment Amount shall not exceed $2,220.00.

(f) Reserve Credits. If the Permittee's actual cost share amount plus administrative costs are less than the Initial Payment Amount or the Annual Payment Amount, plus the Administrative Costs Payment Amount, paid by the Permittee in a particular year, then the GWMA will notify the Permittee in writing on the next available invoice and will presume that the Permittee desires any excess balance be credited toward the Permittee's Annual Payment Amount and/or Administrative Costs Payment Amount in subsequent years, less a reasonable contingency as determined by the GWMA not to exceed $10,000. Such a credit will be applied to the Initial Payment Amount if an excess balance exists for funds paid by Permittee under a prior cost share agreement between the Parties. In lieu of a credit, the Permittee may elect to retain any excess balance as reserves for future Annual Payments Amounts and/or Administrative Costs Payment amounts, and pay the full invoiced amount to the GWMA. Notwithstanding the forgoing, the Administrative Costs Payment Amount charged to non-GWMA Members for indirect, overhead costs in the amount of three and seventy-six hundredths percent (3.76%) of the Permittee's Cost Share Amount will be retained by GWMA and is not subject to a credit.

(g) Upon receiving an invoice from the GWMA, the Permittee shall pay the invoiced amount to the GWMA within thirty (30) days of the invoice's date.

(h) The Permittee shall be delinquent if its invoiced payment is not received by the GWMA within forty-five (45) days after the invoice's date. If the Permittee is delinquent, the GWMA will: 1) verbally contact the representative of the Permittee; and 2) submit a formal letter from the GWMA Executive Officer to the Permittee at the address listed in Section 12 of this Agreement. If payment is not received within sixty (60) days of the original invoice date, the GWMA may terminate this Agreement. However, no such termination may be ordered unless the GWMA first provides the Permittee with thirty (30) days written notice of its intent to terminate the Agreement. The terminated Permittee shall remain obligated to GWMA for its delinquent payments and any other obligations incurred prior to the date of termination. If the GWMA terminates this Agreement because the Permittee is delinquent in its payment, the Permittee shall no longer be entitled to the monitoring data collected from the Monitoring Stations.

(i) Any delinquent payments by the Permittee shall accrue compound interest at the average rate of interest paid by the Local Agency Investment Fund during the time that the payment is delinquent.

Section 9. Independent Contractor.

(a) The GWMA is, and shall at all times remain, a wholly independent contractor for performance of the obligations described in this Agreement. The GWMA's officers, officials, employees and agents shall at all times during the term of this Agreement be under the exclusive control of the GWMA. The Permittee cannot control the conduct of the GWMA or any of its officers, officials, employees or agents. The GWMA and its officers, officials, employees, and agents shall not be deemed to be employees of the Permittee.

(b) The GWMA is solely responsible for the payment of salaries, wages, other compensation, employment taxes, workers' compensation, or similar taxes for its employees and consultants performing services hereunder.

Section 10. Indemnification and Insurance.

(a) The Permittee shall defend, indemnify and hold harmless the GWMA and its officers, employees, and other representatives and agents from and against any and all liabilities, actions, suits proceedings, claims, demands, losses, costs, and expenses, including legal costs and attorney's fees, for injury to or death of person(s), for damage to property (including property owned by the GWMA) for negligent or intentional acts, errors and omissions committed by the Permittee or its officers, employees, and agents, arising out of or related to that Permittee's performance under this Agreement, except for such loss as may be caused by GWMA's negligence or that of its officers, employees, or other representatives and agents, excluding the consultant.

(b) GWMA makes no guarantee or warranty that any monitoring data prepared by the consultants shall be approved by the relevant governmental authorities. GWMA shall have no liability to the Permittee for the negligent or intentional acts or omissions of GWMA's consultants.

Section 11. Termination.

(a) The Permittee may terminate this Agreement for any reason, or no reason, by giving the GWMA prior written notice thereof, but the Permittee shall remain responsible for its entire Annual Payment Amount through the end of the current fiscal year during which Permittee terminates the Agreement and shall not be entitled any refund of any portion of said Annual Payment Amount. Moreover, unless the Permittee provides written notice of termination to the GWMA by February 15th immediately prior to the new fiscal year, the Permittee shall also be responsible for its Annual Payment Amount through the end of the new fiscal year (*e.g.*, If the Permittee terminates on March 1st, 2022, the Permittee is responsible for the Annual Payment Amounts for both FY 2021-2022 and FY 2022-2023. If the Permittee terminates on February 10, 2022, the Permittee is responsible for its Annual Payment Amount only for FY 2021-2022, not for FY 2022-2023). If the Permittee terminates the Agreement, the Permittee shall remain liable for any loss, debt, or liability otherwise incurred through the end of the new fiscal year.

(b) The GWMA may, with a vote of the GWMA Board, terminate this Agreement upon not less than thirty (30) days written notice to the Permittee. Any remaining funds not due and payable or otherwise legally committed to Consultant shall be returned to the Permittee.

Section 12. Miscellaneous.

(a) Other NPDES Permit Holders. Individual or general NPDES permit holders who are not MS4 Permittees that receive Harbor Toxic Pollutants TMDL monitoring requirements in their NPDES permits may wish to participate in this cost share for the Monitoring Costs in order to receive the monitoring data collected from the Monitoring Stations. Upon receipt of a written request from an NPDES permit holder to participate in this cost share, the GWMA will either reject or accept the NPDES permit holder's participation in the cost share arrangement. If accepted, the NPDES permit holder will enter into a separate cost share agreement with the GWMA that will require the NPDES permit holder to pay annually twelve thousand three hundred dollars ($12,300) ("Private Monitoring Fee") for the Monitoring Costs. Failure to pay the Private Monitoring Fee by the date set forth in the cost share agreement will result in termination of the NPDES permit holder's participant status. An NPDES permit holder accepted as a participant will only be entitled to receive the monitoring data collected from the Monitoring Stations for any fiscal year in which the participant has paid its Private Monitoring Fee. The Private Monitoring Fee will be applied as a credit toward the Permittee's Annual Payment Amount in proportion to the Permittee's Cost Share Amount identified in Exhibit "A."

(b) Notices. All Notices which the Parties require or desire to give hereunder shall be in writing and shall be deemed given when delivered personally or three (3) days after mailing by registered or certified mail (return receipt requested) to the following address or as such other addresses as the Parties may from time to time designate by written notice in the aforesaid manner:

To GWMA:

Ms. Grace J. Kast
Executive Officer
16401 Paramount Boulevard
Paramount, CA 90723
Phone: (626) 485-0338
Email: gracekast.gateway@gmail.com

To the Permittee:

City of Compton
Attn: Michael L. Antwine, II
205 South Willowbrook Avenue
Compton, CA 90220
Phone: (310) 605-5577
Email: mantwine@comptoncity.org

(c) Amendment. The terms and provisions of this Agreement may not be amended, modified or waived, except by a written instrument signed by all Parties.

(d) Waiver. Waiver by either the GWMA or the Permittee of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver, by the GWMA or the Permittee, to any breach of the provisions of this Agreement shall not constitute a waiver of any other provision or a waiver of any subsequent breach of any provision of this Agreement.

(e) Law to Govern: Venue. This Agreement shall be interpreted, construed, and governed according to the laws of the State of California. In the event of litigation between the Parties, venue shall lie exclusively in the County of Los Angeles.

(f) No Presumption in Drafting. The Parties to this Agreement agree that the general rule than an agreement is to be interpreted against the Party drafting it, or causing it to be prepared, shall not apply.

(g) Severability. If any term, provision, condition or covenant of this Agreement is declared or determined by any court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and this Agreement shall be read and construed without the invalid, void, or unenforceable provisions(s).

(h) Entire Agreement. This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof and supersedes all prior or contemporaneous agreements, whether written or oral, with respect thereto.

(i) Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original, but all of which taken together shall constitute but one and the same instrument, provided, however, that such counterparts shall have been delivered to all Parties to this Agreement.

(j) Legal Representation. All Parties have been represented by counsel in the preparation and negotiation of this Agreement. Accordingly, this Agreement shall be construed according to its fair language.

(k) Authority to Execute this Agreement. The person or persons executing this Agreement on behalf of Permittee warrants and represents that he or she has the authority to execute this Agreement on behalf of the Permittee and has the authority to bind Permittee.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed on their behalf, respectively, as follows:

DATE:________________

LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY

____
Signature of GWMA Chair

____
Print Name

DATE: ________________

PERMITTEE
CITY OF COMPTON

____
Signature

____
Print Name

____
Print Title

EXHIBIT “A”

COST SHARE MATRIX

Harbor Toxics TMDL Upstream Cost Allocation						
Agency	Acreage in Watershed	GWMA member	Annual cost*	GWMA Direct Admin Fee (3%)**	GWMA Indirect Admin Fee (non-Members Only)	Annual Balance Due***
City of Compton	6,514	yes	$857.25	$25.72	N/A	$882.97

* The City of Compton’s maximum annual cost is not to exceed $2,220.00. The annual cost is based upon the estimated cost of performing the work and prorated among agencies participating in Harbor Toxics TMDL Monitoring Program.

** Direct Admin Fee is set at 3% for FY 2020-2021. Per Section 8.c.i of this Agreement, the GWMA will evaluate this Administrative Costs Payment Amount to ensure it adequately recovers the GWMA’s cost of performing its duties under this Agreement each fiscal year.

*** The annual balance due is based on the annual cost plus the GWMA administration fee.

May 18, 2021

TO: **HONORABLE MAYOR AND CITY COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A REQUEST TO SCHEDULE A PUBLIC HEARING TO APPROVE A MITIGATED NEGATIVE DECLARATION NO. 948, GENERAL PLAN AMENDMENT NO. 2020-002 AND ZONE TEXT AMENDMENT CASE NO. 2021-001 FOR THE DEVELOPMENT OF CERTAIN CITY OWNED PROEPRTY LOCATED AT 1950 N. CENTRAL AVENUE**

SUMMARY

Staff is requesting City Council sechedule a Public Hearing on Tuesday, June 8, 2021 at 5:40 p.m. to consider approval of a Mitigated Negative Declaration NO. 948, General Plan Amendment Case NO. 2020-002, Zoning Text Amendment Case NO. 2021-001 for the development of 29 townhouse style condominiums on city-owned property located at 1950 N. Central Avenue.

STATEMENT OF THE ISSUE

The Olson Company (Developer) requests for City Council's approval of the following discretionary land use actions: Mitigated Negative Declaration NO. 948, General Plan Amendment Case NO. 2020-002, Zoning Text Amendment Case NO. 2021-001.

The Developer is proposing the following actions in connection with a proposed development of 29 townhouse style condominiums, including an amendment to the City of Compton official Zoning map to change the existing zoning of 1950 N. Central Ave. from Low Density Residential to Specific Plan; adoption of the 134th and Central Ave. Specific Plan development regulations and approval of a Tentative Tract Map.

For reference, attached is the legal notice to be published in the Compton Bulletin on May 26, 2021 and June 2, 2021, for the requested public hearing scheduled for June 8, 2021.

RECOMMENDATION

Staff is requesting City Council authorization for a Public Hearing to be scheduled on Tuesday, June 8, 2021 at 5:40 p.m.

CRAIG J. CORNWELL
CITY MANAGER

Attachment

NOTICE OF CITY COUNCIL PUBLIC HEARING

MITIGATED NEGATIVE DECLARATION NO. 948
CHANGE OF ZONE CASE NO. 2020-002
TENTATIVE TRACT MAP 83170, Case No. 2021-001
(1950 N. Central Ave., Compton, Ca)

Notice is hereby given that the Olson Company has filed above-listed applications with the City of Compton Community Development Department**. The Olson Company is proposing to amend the City of Compton official Zoning Map to change the existing zoning of 1950 N. Central Ave from Low Density Residential to Specific Plan, to adopt the 134th and Central Ave. Specific Plan development regulations and approve a Tentative Tract Map to develop 29 townhouse style condominiums.**

The following actions are requested: 1) approval of **Mitigated Negative Declaration No. 948**, **Change of Zone Case No. 2020-002** and **Tentative Tract Map 83170 Case No. 2021-001.**

Notice is hereby given that a public hearing for the aforementioned project will be held before the City of Compton City Council on **Tuesday, June 8, at 5:40 p.m.** The public hearing will take place at Compton City Hall Council Chambers located at 205 South Willowbrook Avenue, Compton.

ROBERT DELGADILLO, SENIOR PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT

Publish: Compton Bulletin – May 26, 2021 and June 2, 2021

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **COMMUNITY DEVELOPMENT DEPARTMENT**

SUBJECT: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 30 OF THE COMPTON MUNICIPAL CODE TO ADD SECTION 30-54 (SPECIFIC PLAN ZONE REGULATIONS)**

SUMMARY

Adoption of the attached ordinance will amend Chapter XXX of the Compton Municipal Code to add Section 30-54, which will establish Specific Plan Zone Regulations, enabling the City to review and process future Specific Plans by creating the regulatory framework.

BACKGROUND

At the March 24, 2021 meeting, the Planning Commission considered and voted to approve the Olson Companies ("Applicant") request for granting General Plan Amendment Case No. 2020-002 and Zone Text Amendment 21-0001 (i.e. the attached proposed ordinance). The Applicant proposes a Specific Plan to build a 29-unit gated townhouse style condominium community on three (3) acres located at 1950 North Central Avenue, Compton.

New state laws allow applicants to request density bonuses of up to eighty (80%) percent on certain housing projects. Additionally, discussions with developers have indicated that density for mixed-use and higher density residential projects need to be at least sixty (60) units per acre and higher.

The existing housing shortage has created a Statewide need for more housing, especially affordable housing. This has generated a need for increased densities and has resulted in the State passing a variety of housing laws authorizing higher density projects, and in some case requiring administrative review of higher density projects. The City has received various Specific Plan development requests and application submissions since 2020 that are above the current maximum General Plan density.

STATEMENT OF ISSUE

At present, Chapter 30 of the Compton Municipal Code ("Code") does not have Zoning regulations relative to the submission, review or approval of Specific Plans. This absence of regulations creates a problem since Specific Plans are frequently the preferred planning tool to create mixed use, higher density and innovative projects, because the Specific Plan allows more flexibility than straight categorical zoning. Amending the Zoning Code will give the City an additional tool to create more innovative projects and affordable housing. Moreover, the proposed Specific Plan Zone is needed to approve the two (2) Transit Oriented Development ("TOD") projects the City is currently working on with the Los Angeles County Metropolitan Transit Authority ("LAMTA")

To facilitate these development proposals and comply with the State mandate to approve more market rate and affordable housing, the Specific Plan Zone is proposed to be created to develop regulations for City staff to use when reviewing Specific Plan requests. When an applicant proposes to submit a Specific Plan project, they will follow the adopted regulations, including the requirement that the applicant request to change the existing Zoning of the property to Specific Plan. This will give the City control over where Specific Plans are proposed and the flexibility to allow projects of varying density based on the merits of the project. The applicant will also be required to file a General Plan Amendment concurrently with the Zone Change to the Specific Plan Zone.

The proposed Specific Plan Zone submission, review and development regulations will be added to Chapter 30 of the Compton Municipal Code as Section 30-52 – "Specific Plan Zone Regulations." It shall provide that development standards be fixed and that standards can vary subject to City review. The Zoning standards, once approved will serve as the zoning for all future Specific Plan projects using the Specific Plan Zone and land use designation. The Specific Plan standards will work most similarly to the existing Planned Development Overlay Zone in the City, with the most significant difference being a higher density limit. The Specific Plan Zone provides flexibility in creating site-specific development standards (i.e. lot size, lot width, lot depth, setbacks, fence/wall heights, etc.) but will also require additional amenities and requirements; such as open space, private open space, private storage areas, etc. The proposed Specific Plan standards will also require the installation of public art onsite for projects over 50 units. The level of public art required will depend on the total cost of the project. This is a new aspect of regulation in the City that help beautify the public realm.

Having the ability to increase density for a specific site greatly helps the City facilitate mixed-use projects, the two (2) LAMTA TOD projects, affordable housing developments and bring the Zoning Code in line with the State goals of approving higher density projects.

<u>Environmental Review:</u>

In accordance with the California Environmental Quality Act ("CEQA"), California Public Resources Code, Division 13 §21000 et seq., an Initial Study for the project was prepared by Parker Environmental Consultants on behalf of the City. The City of Compton, in its capacity as Lead Agency, has determined that the proposed project requires a Mitigated Negative Declaration and mitigation-monitoring plan, as part of its environmental review.

A Mitigated Negative Declaration ("MND") is a determination that the proposed project will not have a significant effect on the environment with the implementation of the 14 mitigation measures. The proposed General Plan Amendment was included as part of the MND review and analysis.

The initial study/MND environmental document was posted in the Los Angeles County Clerk's Office in Norwalk, posted on the Compton Community Development Department's webpage and circulated to service providers, public agencies and adjacent property owners for a twenty (20) day public review period from March 4, 2021 to March 24, 2021.

FISCAL IMPACT

There is no direct fiscal impact to the General Fund that will result from the adoption of the attached Ordinance. The proposed Ordinance establishes the development regulations pertaining to the submission, review and adoption of Specific Plans in the City. No General Fund expenditure is proposed.

RECOMMENDATION

Staff recommends that City Council adopt the attached Ordinance.

ROBERT DELGADILLO, SENIOR PLANNER
PLANNING DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

APPROVED FOR FORWARDING:

CRAIG CORNWELL
CITY MANAGER

ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 30 OF THE COMPTON MUNICIPAL CODE TO ADD SECTION 30-54 (SPECIFIC PLAN ZONE REGULATIONS)

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

<u>Section 1</u>. That Chapter XXX of the Compton Municipal Code is hereby amended to add Section 10-54 to read as follows:

30-54 SPECIFIC PLAN ZONE REGULATIONS.

30-54.1 **<u>Purpose and Intent.</u>** This section establishes the process for the preparation, adoption, and amendment of a Specific Plan. The Specific Plan provides a tool for the development of more specific land use, infrastructure, and/or design or development standards for properties requiring special treatment or consideration. The Specific Plan is a policy and regulatory tool for implementation of the goals and policies of the 1991 Compton General Plan.

30-54.2 **<u>Applicability.</u>** The provisions of this section shall apply to the preparation, review, and adoption of all Specific Plans prepared for all real property within the City of Compton. The standards of this section, and eligibility for a Specific Plan, shall only apply to projects consisting of a minimum of two net acres of contiguous property. Any project of less than two net acres at shall not be eligible for a Specific Plan. However, if a site is already part of an approved Specific Plan, a subsequent amended Specific Plan for a site less than two acres can be submitted at the discretion of the Community Development Director or his/her authorized designee.

30-54.3 **<u>Specific Plan Standards.</u>** The preparation of a Specific Plan, and concurrent Zoning and General Plan Amendment(s), may be started by an applicant or property owner. The use of a Specific Plan is appropriate where site-specific regulation would be beneficial based on site features or unique characteristics of the property, such as infill and unusually configured sites. Such properties will benefit by a Specific Plan designation to facilitate innovative development in the form of buildings, construction, design, or use combinations otherwise not achievable inconsistent with the established provisions of this section.

30-54.4 **<u>General Plan and Zoning Consistency.</u>** All proposed Specific Plans shall be consistent with the goals and policies of the Compton General Plan and this section. All proposed Specific Plans shall submit a concurrent General Plan and Change of Zone application changing the current General Plan Land Use Designation and Zoning to Specific Plan to effect the adoption of a Specific Plan.

30-54.5 **<u>Regulating Document</u>**. A Specific Plan shall either supplement or supersede land use regulations in Chapter 30 of this Code, including all previously adopted ordinances, standards, and guidelines. Upon adoption of a Specific Plan and requisite Zoning/General Plan Amendments, the Specific Plan shall replace and take precedence over the Zoning regulations of Chapter 30 of this Code for the subject property. Where the regulations of a Specific Plan are silent, the Zoning Code regulations and all adopted ordinances, regulations, standards, and guidelines of the City shall apply, as deemed appropriate by the Community Development Department Director or his/her authorized designee.

30-54.6 **<u>Required Content.</u>** A Specific Plan shall provide regulations and design standards governing the minimum and maximum development parameters of all real property within the identified Specific Plan Zone. A Specific Plan shall include a statement of its relationship and consistency with the General Plan and compliance with Article 8, Chapter 3 of the California Government Code, as may be amended. The City maintains full authority and discretion to determine how a Specific Plan will be prepared. At minimum, a Specific Plan shall address the following:

a. <u>Purpose</u>. State the relationship to the goals and policies of the General Plan.

b. <u>Setting</u>. State the existing and regional setting to establish the conditions and reasons for the project.

c. <u>Proposed Land Uses</u>. Establish the distribution, type, definitions of, and regulations for all proposed land uses.

d. <u>Development Standards</u>. The Specific Plan shall establish all regulating policies, such as the following standards:

1. Building height, setbacks, massing, FAR, site coverage, landscaping and architecture and landscape design standards.
2. Lot area, minimum lot size, width, and depth.
3. Off street parking and loading facilities: any proposed reduction in any Zoning Code parking requirements shall be subject to the review and approval of the City Council and shall be shown as adequate to meet the parking needs of the project through the submittal of a Parking Study reviewed and approved by the Community Development Department, Public Works Department and City Council.
4. Maximum number of dwelling units, if applicable, and the maximum residential density of the Specific Plan area and designated land uses consistent with the General Plan.
5. Site planning design, phasing and development standards, which may include design themes or similar architectural treatments to control future construction of buildings on parcels covered by the adopted plan.
6. Sign Requirements**.** If different from the standards of this Chapter, to be addressed by a sign program incorporated in the Specific Plan.

7. Buildings over three (3) stories (i.e. 40 feet) shall perform a shadow study to determine if adjacent land uses will in a shadow caused by the project. Projects casting a shadow for more than one half hour on any one property shall mitigate the impact to the satisfaction of the Community Development Department Director or his/her authorized designee.

8. The height of any buildings or architectural feature over three (3) stories in height (40 feet) shall be stepped back at a 45-degree angle away from any property line abutting a one or two story single-family detached residence. A greater angle of up to 60 degrees can be approved by City Council, if an additional onsite amenity is proposed. Any proposed development across the street from single-family residences shall be stepped back at an angle of 60 degrees from the property line.

30-54.7 **Site Amenities.** All residential and mixed-use developments of fifteen (15) units or more shall provide amenities that compliment a required meeting room in addition to required common open space and private open space. Depending upon the number of units proposed, additional site amenities shall be required, selected from the list provided below, unless modified by the Community Development Department Director or his/her authorized designee:

a. Fifteen (15) to thirty (30) units, add two (2) additional amenities:

1. Tot lot with multiple play equipment.
2. Pool and Jacuzzi/spa.
3. Barbeque facility equipped with grill, picnic benches, etc.
4. Private yards of at least _____ square feet.
5. Other amenity accepted by the City Council.

b. Thirty (30) to fifty (50) units, add three (3) additional amenities:

1. Tot lot with multiple play equipment.
2. Pool and Jacuzzi/spa.
3. Barbeque facility equipped with grill, picnic benches, etc.
4. Court facilities (e.g. tennis, volleyball, basketball, etc.).
5. Other amenity accepted by the City Council.

c. Fifty-one (51) to seventy-five (75) units, add four (4) additional amenities:

1. Tot lot with multiple play equipment.
2. Pool and Jacuzzi/spa.
3. Barbeque facility equipped with grill, picnic benches, etc.
4. Court facilities (e.g. tennis, volleyball, basketball, etc.).
5. Exercise room.
6. Clubhouse equipped with kitchen, defined areas for games, exercise, recreation, and entertainment.
7. Other amenity accepted by the City Council.

d. Developments of more than seventy-five (75) units shall provide five (5) additional amenities as well include multiples dispersed throughout the project:

1. Tot lot with multiple play equipment.
2. Pool and Jacuzzi/spa.
3. Barbeque facility equipped with grill, picnic benches, etc.
4. Court facilities (e.g. tennis, volleyball, basketball, etc.).
5. Exercise equipment room.
6. Clubhouse equipped with kitchen, defined areas for games, exercise, recreation, and entertainment.
7. Jogging/walking trails with exercise stations.

8. Community garden.
9. Media/computer room.
10. Roof top garden, roof top outdoor running track.
11. Other amenity accepted by the City Council.

30-54.8 **Open Space.** The City shall review and approve the location, purpose, landscape treatment and method of maintaining each common open space or recreational element proposed.

a. Common Open Space. In addition to the amenities listed above, common open space shall include passive landscape, turf, paved areas and amenities subject to review and approval of the Planning Commission and City Council. A minimum of twenty (20%) percent, exclusive of roadways, street parkways, setback areas and private open space, of developments of three (3) stories or less shall be devoted to open and recreational common area. Open space requirements for developments of four (4) or more stories shall be determined by the City Council, but shall not be less than ten (10%) percent of the site area and shall incorporate five (5%) percent of the open space on the rooftop.

b. Private Open Space. Each residential unit in a development shall have an exclusive appurtenant private patio, deck, rear yard, balcony, atrium or solarium subject to review and approval of the Planning Commission and City Council, with a minimum usable area of fifty (50) square feet, with no one dimension being less than six (6) feet, except as follows:

1. Developments which contain one (1) bedroom and zero (0) bedroom units designed exclusively for senior citizens may request that the private open space standard be modified or waived by the Community Development Department Director or his/her authorized designee.

2. Residential developments of four (4) or more stories may propose alternative private open space if ground mounted or roof top open space is not feasible. However, the Community Development Department and the Planning Commission and City Council must first approve any proposed alternative private open space.

30.54.9 **Private Storage Space.** Each residential unit within a specific plan development shall have at least two hundred (200) cubic feet of usable, enclosed, weatherproofed and lockable storage space for the exclusive use of the unit owner. Such space must be over and above normal interior storage space such as guest, linen or clothes closets or food pantries. The location dimensions and usability of such space shall be determined by the Community Development Department, except that private storage space shall not be divided between two (2) or more locations. If such space is located within a common area within the project, the property owner's association shall be responsible for the care and maintenance of the exterior surface of the space. Private storage space can be waived by the City Council at the request of the applicant providing a reasonable alternative is proposed.

30-54.10 **Public Art.** Specific Plan developments that proposed one hundred (100) or more residential units or of 25,000 square feet or more of non-residential use shall be required to provide at least one (1) object of art onsite in public place such as a permanent outdoor sculpture, water feature or art feature on the project site. All proposals for onsite sculpture must be approved by the Architectural Review Board prior to installation. Sculpture ownership is bound by covenant to the property in perpetuity and must be maintained by successive property owners. Alteration or removal of sculpture must be approved by the City Council. The required sculpture cost allocation is calculated as one (1%) percent of the total project building valuation based upon the International Code Council ("ICC") Building Valuation Data table in effect at the time the building permit for each superstructure is issued.

For residential-only developments, the project's total building valuation will be based on an estimate of the total of the homes' market values. The sculpture allocation will be one (1%) percent of the market value as calculated by the City of Compton Building and Safety Department.

30-54.11 **Specific Plan Level of Specificity.** The Specific Plan shall describe acreage and approximate boundaries of the property, contour maps showing topography and areas proposed for major regrading if applicable, the approximate size, length, width and location of all existing and proposed streets and their connector roads all streets, open spaces, private and public property, and land uses for all affected properties, the distribution, extent, intensity, and location of major components of public and private circulation/transportation, drainage, energy, sewers, solid waste disposal, water, and other essential facilities proposed. Additionally, the locations and exteriors of all existing and proposed structures, structure colors and materials, open space locations and sizes, open space amenities, landscaping materials, parking spaces and signs.

30-54.12 **Implementation.** Provide a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the improvements.

a. Maintenance. Provisions ensuring the continued maintenance of private grounds, street, amenities and all common areas.

b. Phasing. If a developer-initiated Specific Plan, proposes development phasing, a full description and map of the proposed phasing as well as the anticipated schedule, including start date and completion of each construction phase.

c. Implementation Actions. If applicable, provide a list of implementation measures with responsible parties and times.

30-54.13 **Infrastructure.** Identify the proposed distribution, extent, intensity, and location of major components of public and private circulation/transportation, drainage, energy, sewers, solid waste disposal, water, and other essential facilities proposed.

a. Include physical and financing mechanisms for the construction, improvement, or extension of transportation facilities, public utilities, and all other public facilities/services required to serve the Specific Plan area.

b. All public rights-of-way within or abutting the development shall remain within applicable City specifications.

c. Include layout and design of private streets and alleys; such private facilities shall be privately owned and maintained without public cost and maintenance responsibility for their intended purpose.

d. Consideration of other forms of access, such as pedestrian ways, paseos, courts, plazas, driveways, horse trails, bike trails, or open public parking areas shall be made a part of the Specific Plan at the time of Specific Plan consideration by the City.

e. Include a utility plan for undergrounding all utilities required to serve the specific plan, unless exempted by the City council. Exemption of from the requirement to underground utilities shall require the provision of an additional onsite amenity and or additional public art or equal value to the cost of the undergrounding of utilities.

30-54.14 **Environmental Review.** A Specific Plan, which qualifies as a project under California Environmental Quality Act ("CEQA"), shall be subject to environmental review in accordance with CEQA.

30-54.15 **Approval Process.** The process to adopt a Specific Plan shall be the same process required to submit for the review of a Change of Zone. In conjunction with the Specific Plan/Change of Zone application, the applicant shall also concurrently submit a General Plan Amendment application as described in Section 30-28 of this Chapter.

The Specific Plan review process shall apply to the processing of all proposed Specific Plans within the City. The City shall establish the application requirements, which may include a pre-application consultation; review of maps, including constraint and schematic maps; and preliminary development proposal and schedule review.

30-54.16 **Public Hearings.** The Specific Plan review/approval process is considered a discretionary General Plan Amendment and Change of Zone action. Public hearings shall be held consistent with these discretionary permit processes consistent with Section 30-28 of this Chapter.

30-54.17 **Approval.** The Specific Plan shall be adopted by ordinance or resolution of the City Council, in compliance with state law (Section 65453 of the California Government Code). The City Council's action to adopt a Specific Plan shall be accompanied by the following findings that the Specific Plan is in conformance with the goals, policies, and objectives of the General Plan and other adopted goals and policies of the City.

Specific Plans and any amendment thereto shall be approved/adopted only when the City Council makes the following findings in the affirmative:

1. The proposed Specific Plan (amendment) is consistent with the General Plan goals, policies, and implementation programs.
2. The land use and development regulations within the Specific Plan provide enhancements to the use and design of the subject site that would otherwise not be available. The land use and development regulations within the Specific Plan (amendment) provide enhancements to the use and design that would otherwise not be available through categorical Zoning.
3. The administration and permit processes within the Specific Plan (amendment) are consistent with the administration and permit processes of the Zoning Ordinance.
4. The Specific Plan (amendment) will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood or result in a downgrade for the community.
5. The Specific Plan (amendment) will not adversely affect such necessary community services as traffic, circulation, sewage disposal, fire protection, and water supply

30-54.18 **Incorporation Upon Approval.** Upon Specific Plan approval, the General Plan Land Use Map and Zoning Map shall be updated by the City to reflect the adoption of a Specific Plan.

30-54.19 **<u>Specific Plan Fee.</u>** The Specific Plan fee shall be the same as the fee for a Change of Zone application or may be changed by resolution of the City Council.

30-54.20 **<u>Specific Plan Amendments.</u>** A Specific Plan may be amended in the same manner as a Change of Zone, subject to the process established by Section 30-28 or if the Community Development Director determines that the proposed amendment to the Specific Plan is minor, may administratively approve an amendment to the Specific Plan. A minor amendment cannot approve any increase in density, building height or reduction in open space, parking, public art or onsite amenities. A minor amendment shall be processed as an administrative review.

An amendment may be initiated by the City Council or by the applicant, provided the applicant has at the time of application submittal demonstrated a controlling interest in the development or management of uses within the Specific Plan area.

<u>Section 2</u><u>.</u> That the City Council declares that, should any provision, section, subsection, sentence, paragraph, clause, phrase or word of this Ordinance, hereby adopted, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, subsections, sentences, paragraphs, clauses, phrases or words of this Ordinance hereby adopted shall remain in full force and effect.

<u>Section 3.</u> That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, Building & Safety and Community Development Department (Planning).

<u>Section 4.</u> That this Ordinance shall take effect thirty (30) days from after adoption by the City Council.

<u>Section 5.</u> That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause same to be published as required by law.

ADOPTED this _________ day of _______________, 2021.

____
MAYOR OF THE CITY OF COMPTON

ATTEST:

____
CITY CLERK OF THE CITY OF COMPTON

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

I, Alita Godwin, City Clerk of the City of Compton, do hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the ___________ day of ________________, 2021.

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

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

____
CITY CLERK OF THE CITY OF COMPTON

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 958 (GIPSON) TO ENSURE LAW ENFORCEMENT AGENCIES HAVE POLICIES IN PLACE FOR THEIR PEACE OFFICERS REGARDING LAW ENFORCEMENT CLIQUES**

SUMMARY

Mayor Brown is requesting for City Council to support AB 958 (Gipson) to ensure law enforcement agencies have policies in place for their Peace Officers regarding law enforcement cliques.

BACKGROUND

According to a Loyola Law School report Los Angeles has had a long history of officers forming secret subgroups at stations in minority communities. Allegedly the communities they have served in span nearly over 50 years of activity and close to 18 different subgroups. Los Angeles does not appear to be the only region that has had allegations of malicious behavior by gangs formed within law enforcement.

This culture which has perpetuated a model of policing like an occupying force over minority communities. Law enforcement must move away from viewing themselves as at war with communities they police. Implementing a model of constitutional policing, community policing and procedural justice. AB 958 would give a definition to a law enforcement clique, this would bill would require all law enforcement agencies in the state to adopt a policy prohibiting participation in law enforcement cliques. Provided that it is grounds for termination if a peace officer willfully promoted or assisting in any illicit activity with a clique.

STATEMENT OF THE ISSUE

Assembly Bill 958 would ensure that law enforcement agencies have policies in place to terminate any officer who they find out to be a participant in a police gang, also known as a “clique.”

These subgroups foster a culture that resist police reforms such as community policing and constitutional policing and encourages aggressive tactics and even celebrate the use of excessive force on members of the community.

This bill would require all law enforcement agencies in the state to adopt a policy prohibiting participation in law enforcement cliques, and would provide that it is grounds for termination for a peace officer to participate in a clique and willfully promote, further, or assist the clique in any illicit activity.

Staff request that the City Council of the City of Compton to support AB 958, and commends Assembly Member Mike Gipson and the cosponsors for introducing it.

ALTERNATIVE

City Council may choose to not support AB 958.

RECOMMENDATION

Staff request that the City Council approve the attached Resolution.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. _____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON SUPPORTING ASSEMBLY BILL 958 (GIPSON) TO ENSURE LAW ENFORCEMENT AGENCIES HAVE POLICIES IN PLACE FOR THEIR PEACE OFFICERS REGARDING LAW ENFORCEMENT CLIQUES

WHEREAS, during the past year According to a Loyola Law School report Los Angeles has had a long history of officers forming secret subgroups at stations in minority communities; and

WHEREAS, allegedly the communities they have served in span nearly over 50 years of activity and close to 18 different subgroups; and

WHEREAS, some of the concerns are that these subgroups foster a culture that resist police reforms such as community policing and constitutional policing; and

WHEREAS, encouraging aggressive tactics and even celebrating use of excessive force on members of the community; and

WHEREAS, Los Angeles does not appear to be the only region that has had allegations of malicious behavior by gangs formed within law enforcement; and

WHEREAS, this culture which has perpetuated a model of policing like an occupying force over minority communities; and

WHEREAS, law enforcement must move away from viewing themselves as at war with communities they police; and

WHEREAS, implementing a model of constitutional policing, community policing and procedural justice; and

WHEREAS, AB 958 would give a definition to a law enforcement clique and would require all law enforcement agencies in the state to adopt a policy prohibiting participation in law enforcement cliques; and

WHEREAS, provided that it is grounds for termination if a peace officer willfully promoted or assisting in any illicit activity with a clique

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

<u>Section 1</u>. That the City of Compton supports AB 958 and commends Assemblyman Mike Gipson and cosponsors for introducing it and urge our Legislature to pass it.

<u>Section 2</u>. That certified copies of this Resolution shall be filed in the offices of the City Manager, City Attorney, City Clerk and Assembly Member Mile Gipson's Office.

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

ADOPTED this ________ day of ____________, 2021.

____
MAYOR OF THE CITY OF COMPTON

ATTEST:

____
CITY CLERK OF THE CITY OF COMPTON

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

I, Alita Godwin, City Clerk of the City of Compton hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on this ______ day of _______________, 2021.

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

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 1163 (NAZARIAN) WHICH WILL REPEAL CURRENT LAW THAT PREEMPTS LOCAL GOVERNMENTS FROM IMPOSING FUTURE TAXES ON SUGARY DRINKS UNTIL 2030**

SUMMARY

Councilperson Sharif is requesting that the City Council express support of Assembly Bill 1163 (Nazarian) which will repeal current law that preempts local governments from imposing future taxes on sugary drinks until 2030.

BACKGROUND

During the past year local governments have been searching for ways to recover from the economic impact COVID-19 imposed on the nation. Currently due to the turndown, projection of revenue will decline in state and local government going into 2022. The fiscal impact has been felt and now a health impact is on the rise. AB 1163 would restore the right of cities and counties and their voters to impose future taxes on sugary drinks should they desire to.

Legislation imposed a statewide ban on all California local governments from adopting sugary drink taxes due to special interest and business groups without a possible revenue option. As a result, locally approved taxes on sugary drink will be off the table until 2030 regardless of usage of this public health tool that would benefit supporting local governments. For people who already have diabetes, soda and other sugary drinks can reduce their ability to control blood glucose. During this pandemic Black and Brown communities have been disproportionately affected and children in our communities are more likely to develop Type 2 Diabetes due to this intake. Thus, the sugary drink tax will work to lower rates of chronic diseases by lowering the average consumption of sugary drinks.

STATEMENT OF THE ISSUE

According to the National Diabetes Statistics Report 2020, there is a direct correlation between diabetes rates and sugary drink consumption. Statistics have also shown that consumption of one or more sugary drinks daily would increase the risk of developing diabetes.

ALTERNATIVE

City Council may choose to not support.

RECOMMENDATION

Staff request that the City Council of the City of Compton to support AB 1163, and commends Assembly member Adrin Nazarian and the cosponsors for introducing it.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. _____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON SUPPORTING ASSEMBLY BILL 1163 (NAZARIAN) WHICH WILL REPEAL CURRENT LAW THAT PREEMPTS LOCAL GOVERNMENTS FROM IMPOSING FUTURE TAXES ON SUGARY DRINKS UNTIL 2030

WHEREAS, during the past year local governments have been searching for ways to recover from the economic impact COVID-19 imposed on the nation; and

WHEREAS, currently due to the turndown, projection of revenue will decline in state and local government going into 2022; and

WHEREAS, the fiscal impact has been felt and now a health impact is on the rise; and

WHEREAS, AB 1163 would restore the right of cities and counties and their voters to impose future taxes on sugary drinks should they desire to; and

WHEREAS, according to the National Diabetes Statistics Report 2020, there is a direct correlation between diabetes rates and sugary drink consumption; and

WHEREAS, statistics have also shown that consumption of one or more sugary drinks daily would increase the risk of developing diabetes; and

WHEREAS, legislation imposed a statewide ban on all California local governments from adopting sugary drink taxes due to special interest and business groups without a possible revenue option; and

WHEREAS, as a result, locally approved taxes on sugary drink will be off the table until 2030 regardless of usage of this public health tool that would benefit supporting local government; and

WHEREAS, for people who already have diabetes, soda and other sugary drinks can reduce their ability to control blood glucose; and

WHEREAS, during this pandemic Black and Brown communities have been disproportionately affected and children in our communities are more likely to develop Type 2 Diabetes due to this intake; and

WHEREAS, the sugary drink tax will work to lower rates of chronic diseases by lowering the average consumption of sugary drinks

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

Section 1. That the City of Compton supports AB 1163 and commends Adrin Nazarian and cosponsors for introducing it and urge our Legislature to pass it.

Section 2. That certified copies of this Resolution shall be filed in the offices of the City Manager, City Attorney, City Clerk and Senator Steven Bradford’s Office.

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

ADOPTED this ________ day of ____________, 2021.

____
MAYOR OF THE CITY OF COMPTON

ATTEST:

____
CITY CLERK OF THE CITY OF COMPTON

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

I, Alita Godwin, City Clerk of the City of Compton hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on this ______ day of _______________, 2021.

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

May 18, 2021

TO: **HONORABLE MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 520 (GIPSON) TO ESTABLISH CALIFORNIA DIVERSIFYING THE TEACHER WORKFORCE GRANT PROGRAM**

SUMMARY

Mayor Brown is requesting for City Council to support the Assembly Bill 520 (Gipson) to establish California Diversifying the Teacher Workforce Grant Program.

BACKGROUND

In recent times research has found that Black teachers have the highest rate of turn over. Shown in the same research it was also found that the strongest tie to that was due to the working conditions. Men of color represent less than 10 percent of California's teachers and within that percentage, Black and Latino men make up 1 to 2 percent of the workforce. However, California's student population has a makeup of 75 percent people of color.

When students can identify with their teachers and see them as role-models, they are ultimately more successful in school. They show greater confidence and it drives them to follow and achieve their dreams and aspirations. AB 520 (Gipson) would support local programming by establishing California Diversifying the Teacher Workforce Grant Program. Providing one-time competitive grants to local educational agencies to develop and implement new or expanded programs. Programs that address a local need to develop a teacher workforce that serves all pupil population.

Research has found that evidence of this mismatch can drive inequality in academic outcomes. Many researchers found that teachers of color produce more favorable academic outcomes in the short run for students of color in standardized test scores, attendance, course performance and suspensions.

STATEMENT OF THE ISSUE

AB 520 (Gipson) proposes to amend Section 69617 of the California Government Code, relating to education code. This legislation currently establishes the Golden State Teacher Grant program to provide one-time grant funds in a professional preparation program at a higher education institution leading to a preliminary teaching credential. The student must commit to working in a high-need field at a priority school for four years after they receive the teaching credential. AB 520 (Gipson) puts equity front and center by supporting local programming geared toward building a more diverse teacher workforce that more closely represents California's student population

AB 520 (Gipson) would establish the California Diversifying the Teacher Workforce Grant Program, administered by the California Department of Education to provide one-time competitive grants to local educational agencies to develop and implement new, or expand existing, programs that address a local need to develop a teacher workforce that serves all pupil populations, including Black pupils.

Staff request that the City Council of the City of Compton to support AB 520, and commends Assembly member Mike Gipson and the cosponsors for introducing it.

ALTERNATIVE

City Council may choose to not support AB 520 (Gipson).

RECOMMENDATION

Staff request that the City Council approve the attached Resolution.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY COMPTON SUPPORTING ASSEMBLY BILL 520 (GIPSON) TO ESTABLISH CALIFORNIA DIVERSIFYING THE TEACHER WORKFORCE GRANT PROGRAM

WHEREAS, research has found that Black teachers have the highest rate of turn over; and

WHEREAS, it was also found that the strongest tie to that was due to the working conditions; and

WHEREAS, men of color represent less than 10 percent of California's teachers and within that percentage Black and Latino men make up 1 to 2 percent of the workforce; and

WHEREAS, California's student population has a make-up of 75 percent people of color; and

WHEREAS, research has found that evidence of this mismatch can drive inequality in academic outcomes; and

WHEREAS, it has been found that teachers of color produce more favorable academic outcomes in the short run for students of color in standardized test scores, attendance, course performance and suspensions; and

WHEREAS, when students can identify with their teachers and see them as role-models, they are ultimately more successful in school; and

WHEREAS, they show greater confidence and it drives them to follow and achieve their dreams and aspirations; and

WHEREAS, AB 520 would support local programming by establishing California Diversifying the Teacher Workforce Grant Program; and

WHEREAS, providing one-time competitive grants to local educational agencies to develop and implement new or expanded programs; and

WHEREAS, programs that address a local need to develop a teacher workforce that serves all pupil population

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

Section 1. That the City of Compton supports AB 520 and commends Mike Gipson and cosponsors for introducing it and urge our Legislature to pass it.

Section 2. That certified copies of this Resolution shall be filed in the offices of the City Manager, City Attorney, City Clerk and Assembly Member Mike Gipson's Office.

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

ADOPTED this _________ day of ____________, 2021.

____
MAYOR OF THE CITY OF COMPTON

ATTEST:

____
CITY CLERK OF THE CITY OF COMPTON

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

I, Alita Godwin, City Clerk of the City of Compton hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on this ______ day of ________________, 2021.

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

May 18, 2021

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2020-2021 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE DIVISION OF OPERATIONS TO ENFORCE A LOCAL ORDINANCE OR STATE LAW RELATED TO THE ILLEGAL SALE AND MARKETING OF TOBACCO PRODUCTS TO MINORS ($550,455)

SUMMARY

Adoption of this resolution will amend the 2020-2021 Fiscal Year budget to accept and appropriate California Department of Justice ("DOJ") Tobacco Grant funds in the amount of Five Hundred Fifty Thousand Four Hundred Fifty Five dollars ($550,455.00) to enforce a local ordinance or state law related to the illegal sale and marketing of tobacco products to minors.

BACKGROUND

The California Healthcare, Research and Prevention Tobacco Tax Act of 2016 ("Proposition 56") provides local public agencies with funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors. The Office of the Attorney General makes these annual funds available to local law enforcement agencies through the California Department of Justice Tobacco Grant Program.

Essentially, Proposition 56 increased taxes on cigarettes and other tobacco products by $2.00 starting in April 2017. The initiative allocated a portion of annual revenue to the California Department of Justice. For Fiscal Year 2020-2021, a total of $28.5 million in grant funding was made available statewide to support local enforcement efforts to reduce the illegal sale of tobacco products to minors.

STATEMENT OF THE ISSUE

The City of Compton ("City") submitted a Tobacco Grant application on August 7, 2020. The DOJ reviewed and approved the City's application and plan for activities of the Grant funds and notified the City of the award in the amount of $550,455.00 on December 31, 2020. The City may use Grant funds to enforce a local ordinance or state law related to the illegal sale and marketing of tobacco products, including e-cigarettes, to minors and youth including, but not limited to:

- Retailer compliance checks
- Retailer training programs
- Public education outreach
- Parent engagement and education
- Tobacco retail license inspections
- Preventing and deterring use of tobacco products on school premises
- Hiring a school resource officer to focus on tobacco issues

The City can use the Grant funds over a three-year period to facilitate the aforementioned list of activities. The City proposes to budget $519,522.00 for security to enforce/conduct inspections, $5,400.00 in operating expenses and equipment to be used to purchase marketing materials/conduct outreach, and $25,533.00 for administrative cost (5% of award) to administer compliance functions of the Grant.

Total costs description for each activity, including administrative costs is provided in the attached "Tobacco Law Enforcement Grant Budget Detail" for the $550,455.00 allocation which was submitted to the DOJ.

FISCAL IMPACT

The cost of the proposed activities, as well as Grant oversight will be paid directly from the Division of Operations Tobacco Grant in the amount of $550,455.00. Staff is requesting that the Fiscal Year 2020-2021 budget be amended as follows:

Increase Revenue in the following Account:

ACCOUNT NO.	DESCRIPTION	AMOUNT
2765-780-001-3569	Other State Grants	$550,455

Increase Expenditure in the following Account:

ACCOUNT NO.	DESCRIPTION	AMOUNT
2765-780-001-4101	Salaries	$ 22,863
2765-780-001-4190	Worker's Compensation	$ 1,018
2765-780-001-4194	Life Insurance	$ 68
2765-780-001-4195	Dental Insurance	$ 300
2765-780-001-4196	Vision Insurance	$ 109
2765-780-001-4197	Unemployment Insurance	$ 683
2765-780-001-4198	SDI	$ 201
2765-780-001-4199	Medicare	$ 291
2765-780-001-4249	Special Department Expenses	$ 5,400
2765-780-001-4262	Other Professional Services	$519,522

RECOMMENDATION

Staff recommends that Council adopt the attached Resolution amending the 2020-2021 Fiscal Year budget to accept and appropriate Proposition 56 DOJ Tobacco Grant Program funds in the amount of $550.455.00.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. ____________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE 2020-2021 FISCAL YEAR BUDGET TO ACCEPT AND APPROPRIATE FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE DIVISION OF OPERATIONS TO ENFORCE A LOCAL ORDINANCE OR STATE LAW RELATED TO THE ILLEGAL SALE AND MARKETING OF TOBACCO PRODUCTS TO MINORS ($550,455)

WHEREAS, the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 ("Proposition 56") provides local public agencies with funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors; and

WHEREAS, the Proposition 56 increased taxes on cigarettes and tobacco products by $2.00 starting April 2017 and allocated a portion of annual revenue to the California Department of Justice (DOJ). For Fiscal Year 2020-2021, a total of $28.5 million in Grant funding was made available statewide to support local enforcement efforts to reduce illegal sale of tobacco products to minors; and

WHEREAS, the Office of the Attorney General has made funds available through California Department of Justice ("DOJ") Tobacco Grant Program in the amount of $550,455.00 to the City of Compton ("City") to enforce a local ordinance or state law related to the illegal sale of tobacco products to minors; and

WHEREAS, the Tobacco Grant funds may be used for: 1) Retailer compliance checks; 2) Retailer training programs; 3) Public education outreach; 4) Parent engagement and education; 5) Tobacco retail license inspections; 6) Preventing and deterring use of tobacco products on school premises; and 7) Hiring a school resource officer to focus on tobacco issues; and

WHEREAS, the City can use the Grant funds over a three-year period to facilitate the aforementioned list of activities and plans to use $519,522.00 for security to enforce /conduct inspections, $5,400.00 in operating expenses and equipment to be used to purchase marketing materials/conduct outreach, and $25,533.00 for administrative cost (5%of award) to administer compliance functions of the Grant; and

WHEREAS, the 2020-2021 Fiscal Year budget needs to be amended to accept and appropriate the Tobacco Grant funds awarded the City by the DOJ.

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

SECTION 1. That California Department of Justice Division of Operations Tobacco Grant funding in the amount of Five Hundred Fifty Thousand Four Hundred Fifty Five Dollars ($550,455.00) to enforce a local ordinance or state law related to the illegal sale and marketing of Tobacco Products to minors is hereby accepted.

SECTION 2. That the Grants Division's Fiscal Year 2020-2021 budget shall be amended as follows:

Increase Revenues in the following Accounts:

ACCOUNT NO.	DESCRIPTION	AMOUNT
2765-780-001-3569	Other State Grants	$550,455

<u>Increase Expenditures in the following Accounts:</u>

ACCOUNT NO.	DESCRIPTION	AMOUNT
2765-780-001-4101	Salaries	$ 22,863
2765-780-001-4190	Worker's Compensation	$ 1,018
2765-780-001-4194	Life Insurance	$ 68
2765-780-001-4195	Dental Insurance	$ 300
2765-780-001-4196	Vision Insurance	$ 109
2765-780-001-4197	Unemployment Insurance	$ 683
2765-780-001-4198	SDI	$ 201
2765-780-001-4199	Medicare	$ 291
2765-780-001-4249	Special Department Expenses	$ 5,400
2765-780-001-4262	Other Professional Services	$519,522
	Total	$550,455

<u>SECTION 3.</u> That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk and the Community Development Department (Grants Division).

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

ADOPTED this ____________ day of ____________, 2021.

____
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, do 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________________, 2021.

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

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

Costs Per Fiscal Year (July 1 - June 30)

A. Personal Services

Salaries

Classification/Positions	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Enforcement Officer I (2) Monthly	$33.61 x 160 hours x 2 Officers x 12 months	$ 129,062	$ 129,062	$ 129,062	$ -
Enforcement Officer II (1) Monthly	$36.76 x 100 hours x 1 Officer II x 12 months	$ 44,112	$ 44,112	$ 44,112	$ -
	SUBTOTAL	$ 173,174	$ 173,174	$ 173,174	$ -

Overtime

Classification/Positions	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
	SUBTOTAL				$ -

Benefits

Classification/Positions	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
	SUBTOTAL	$ -	$ -	$ -	$ -
	TOTAL PERSONAL SERVICES	$ 173,174	$ 173,174	$ 173,174	$ -

B. Operating Expenses and Equipment

Equipment (Tangible items with a per-unit cost of $5,000 or more)

Description	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Education outreach materials; flyers, posters, etc…	$350 x 18 months	$ 3,600	$ 1,800	$ -	$ -
	SUBTOTAL	$ 3,600	$ 1,800	$ -	$ -

Other Expenses

Description	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24

	SUBTOTAL	$ -	$ -	$ -	$ -

Travel Expenses/Registration Fees*

Description and Destination	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
	SUBTOTAL	$ -	$ -	$ -	$ -
	TOTAL OPERATING EXPENSES AND EQUIPMENT	$ 3,600	$ 1,800	$ -	$ -

*For approved tobacco related training only. Travel cannot exceed current state rates.

C. Administrative Costs*

Description	Computation	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Administrative Assistant	$28.37 x 25 hrs/month= 8,511 annually	$ 8,511	$ 8,511	$ 8,511	$ -
	TOTAL	$ 8,511	$ 8,511	$ 8,511	$ -

*Administrative costs may not exceed 5% of the total budget.

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

SUMMARY

Budget Category	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	Total Request
A. Personal Services	$ 173,174	$ 173,174	$ 173,174	$ -	$ 519,522
B. Operating Expenses and Equipment	$ 3,600	$ 1,800	$ -	$ -	$ 5,400
C. Administrative Costs	$ 8,511	$ 8,511	$ 8,511	$ -	$ 25,533
TOTAL PROJECT COSTS	$ 185,285	$ 183,485	$ 181,685	$ -	$ 550,455