

NOTICE

Members of the public may address the City Council on any item shown on the agenda or matter of the Council's authority after completion of "Request to Address the Council Form" available in the lobby of the Council Chambers or in the City Clerk's office. This form must be completed 15 minutes prior to the scheduled meeting time. Pursuant to Section 54957.5 of the California Government Code, Any writings (Except for those writings which are exempt from disclosure) which are distributed to all or a majority of the members of the City Council are available for public inspection in the lobby of the City Council Chambers and in the office of the City Clerk during regular business hours.

**COMPTON CITY COUNCIL
AGENDA
Tuesday, October 14, 2008
3:00 PM**

HEARING(S)

OPENING

ROLL CALL

APPROVAL OF MINUTES

INTRODUCTION OF SPECIAL GUESTS

ORAL AND WRITTEN COMMUNICATIONS

1. ORAL PRESENTATION - **David Irons** - (Restroom Facility at Gonzales Park)
2. ORAL PRESENTATION - **Dennis Lord, The Gas Company** - (Natural Gas Winter Utility Bills)

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.

REPORTS OF OFFICERS AND COMMISSIONS

PUBLIC WORKS-ENGINEERING

3. REPORT AND RECOMMENDATION TO ADOPT RESOLUTION NO. ,
ADOPTING THE MEMORANDUM OF AGREEMENT FOR THE
ADMINISTRATION AND COST SHARING OF THE COORDINATED
MONITORING PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES
METALS TMDL

PUBLIC WORKS-MAINTENANCE

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
AGREEMENT WITH THE CASTING HOPE AGAINST NEGATIVE GANG
ENVIRONMENT (C.H.A.N.G.E.) FOUNDATION TO PROVIDE WEEKEND
MAINTENANCE SUPPORT SERVICES

WATER DEPARTMENT

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON ACCEPTING THE ENVIRONMENTAL PROTECTION
AGENCY'S (EPA) FINDING ON THE POTENTIAL IMPACT OF PROPOSED
EXTRACTION WELL NO. 20 AT SIBRIE PARK
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING THE WATER DEPARTMENT'S 2008-2009 FISCAL YEAR
BUDGET TO ACCEPT & APPROPRIATE TWO HUNDRED THOUSAND
DOLLARS GRANT FROM COUNTY OF LOS ANGELES
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
ACCEPTING THE BID OF ARMORCAST PRODUCTS FOR THE
FURNISHING AND DELIVERY OF METER BOXES AND COVERS

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

CITY MANAGER'S REPORT

8. REQUEST TO SCHEDULE A WORKSHOP - "Smart Growth Implementation
Plan" - (October 16, 2008 at 5:00 p.m.)

CITY ATTORNEY'S REPORTS

9. CLAIM: I-8178 - Franklin Moore vs City of Compton

CITY TREASURER'S REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE SUBMISSION OF THE CITY'S 2007-2008 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

APPROVAL OF WARRANTS

11. **Warrant #167513 - Dated - 10/7/08 - Name - Pacific Coast Waste & Recycling - Description - Integrated Waste Management Services for September 2008 - Requested by: Water Department - Amount \$543,567.72**

AUDIENCE COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, October 21, 2008 @ 7:00 PM.

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

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October 14, 2008

TO: MAYOR AND CITY COUNCIL

FROM: DIRECTOR OF PUBLIC WORKS

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE GATEWAY CITIES COUNCIL OF GOVERNMENT FOR ADMINISTRATION AND COST SHARING OF THE COORDINATED MONITORING PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES METALS TMDL

SUMMARY:

The Los Angeles River (LAR) and Tributaries Metals Total Maximum Daily Load (TMDL), adopted by the Los Angeles Regional Water Quality Control Board (LARWQCB), requires that watershed cities and agencies (regulated entities) fund a coordinated monitoring program. This report outlines the requirement for these efforts, their foreseeable costs, proposed implementation through a cost sharing agreement and fiscal management through the Gateway Cities Council of Governments (GCCOG).

BACKGROUND:

Several segments of the LAR and its tributaries were identified on the 1998 and 2002 Clean Water Act (CWA) 303(d) list of impaired water bodies as impaired due to various metals. A TMDL establishes a maximum limit for a specific pollutant that can be discharged into a water body without exceeding water quality standards and impairing beneficial uses. Those uses most likely to be impacted by metal loadings to the LAR are uses associated with aquatic life and water supply. As a result of a 1999 consent decree between three environmental organizations (Heal the Bay, Natural Resources Defense Council (NRDC), and Santa Monica Baykeeper) and the US Environmental Protection Agency (EPA), the LARWQCB was required to abide by a 13 year schedule to develop over 90 TMDLs. The consent decree required that the LAR and Tributaries Metals TMDL (LAR Metals TMDL) be completed by March 22, 2004, however that deadline was extended by mutual consent of the plaintiffs and the EPA to December 2005. The EPA approved the LAR Metals TMDL as an amendment to the regional Water Quality Control Plan for the Los Angeles Region (Basin Plan) on December 22, 2005 and the TMDL became effective January 11, 2006.

The LAR Metals TMDL organizes the six 303(d) listed reaches and tributaries of the LAR into responsible Jurisdictional Groups so as to isolate major tributaries and other

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flow sources, such as dams and publicly owned treatment works (POTWs). This TMDL addresses impairments for selenium, zinc, lead, copper, and cadmium, and even though not all reaches or tributaries were listed as impaired, metal allocations were developed for upstream reaches and tributaries that drain to impaired reaches. Selenium, most probably, leaches from natural areas with high selenium containing soils in the Santa Monica Mountains. Zinc, lead, copper and cadmium may be associated with industrial discharges to sewage treatment plants, runoff from roadways, parking lots, and other areas associated with vehicle usage, and atmospheric deposition over the entire watershed.

The LAR Metals TMDL required the 42 responsible entities to submit a Coordinated Monitoring Plan (CMP) for each jurisdiction in the River, within 15 months of the effective date of the TMDL, or April 11, 2007. Also, sampling would need to begin within 6 months after approval of the CMP by the LARWQCB. The LARWQCB identified three monitoring objectives in association with this TMDL. The first is to collect data (e.g., hardness, flow, and background concentrations) to evaluate the uncertainties and assumptions made during development of the TMDL. The second is to collect data to assess compliance with the waste load allocations. The third is to collect data to evaluate potential management scenarios. To achieve these objectives, the LARWQCB suggested utilizing: (1) ambient monitoring, (2) effectiveness monitoring and (3) special studies. Per the TMDL language: *“An ambient monitoring program is necessary to assess water quality throughout the Los Angeles River and its tributaries. The MS4 and Caltrans NPDES permittees assigned waste load allocations in each jurisdictional group are jointly responsible for implementing the ambient monitoring program. The responsible agencies shall sample for total recoverable metals, dissolved metals, and hardness once per month at each ambient monitoring location until at least year five when the TMDL is reconsidered.”*

The A 22-year implementation schedule for the TMDL requires dry and wet weather compliance milestones for each of the five Jurisdictional groups or reaches of the LAR watershed. The four-year background or ambient monitoring period is covered by this Agreement. For the balance of the 22-year period, the compliance or effectiveness-monitoring period will require another agreement because the watershed may separate into Jurisdictional Groups for the implementation of projects to comply with the TMDL.

Coordinated Monitoring Plan

Preparation and implementation of a Coordinated Monitoring Plan (CMP) is a mandatory TMDL requirement. The CMP was developed by an 11 member Technical Committee (TC) that included representatives from every Jurisdictional Group in the watershed. The following agencies are currently members of the TC: Cities of Los Angeles, Hidden Hills, Burbank, Glendale, Pasadena, Irwindale, Downey, Signal Hill, Long Beach, County of Los Angeles, and Caltrans. A similar Steering Committee, comprised of City Managers, was also convened to oversee the optional special studies and funding details.

The CMP's goals are to monitor water quality at key locations along the river, in addition to future targeted monitoring if found necessary. The estimated first year watershed wide CMP costs are approximately \$590,000, which includes purchase and installation of auto-sampling devices. The annual monitoring costs are estimated at \$192,000. An additional amount of approximately \$23,000 is required for the first two years for additional wet weather sampling to verify the default translator values used in the TMDL to calculate the fractionation between dissolved and total metals. The current estimated City of Compton costs are \$9,411 for the first year, \$3,426 for the second year, and \$3,063 for the final two years, based on the Metal TMDLs allocation formula.

An important concept in this CMP was the inclusion of a tiered monitoring scheme. Since the CMP is intended to cover both the ambient and effectiveness monitoring, this method allows control of costs while also having the ability to isolate the source of an exceedance of the water quality standards during the effectiveness-monitoring period at a particular location. This method was adopted from a previously approved monitoring plan for the Santa Monica Bay Bacteria TMDL. The concept is simple; there are three tiers (Tier I, II, and III) of monitoring with samples only being taken at Tiers II or III upon exceedances of Tier I samples. During ambient monitoring, only Tier I sites will be sampled in order to assess the water quality of the watershed. Once effectiveness monitoring is required by the TMDL, the Tier II activation and deactivation criteria will be applied to the data from the Tier I locations to determine when monitoring at the upstream Tier II locations would begin and end in order to narrow the search for the source of the exceedance(s).

There are a total of 16 monitoring locations, 13 in the main channel and 3 in tributaries. The sampling frequency as required in the TMDL is monthly for total recoverable and dissolved metals and hardness for both the ambient and effectiveness monitoring periods unless Tier II or III monitoring is triggered during the compliance monitoring period. The pollutants of concern to be monitored include cadmium, copper, lead, selenium, zinc, and hardness. Consistent with the TMDL, Cadmium will be tested only in Reach 1 and only during wet-weather events and likewise, selenium will only be tested during dry-weather monitoring events in Reach 6. The TC decided that dry-weather sampling would be taken by grab sampling methods and that only wet-weather sampling would be collected with expensive autosampler apparatus located at the base of each jurisdiction.

The City of Los Angeles will be responsible for the monitoring services, defined as sampling services, laboratory analysis, and reporting services. The County of Los Angeles will be responsible for the installation of the automated sampling equipment through use of their own forces or an outside contractor.

Administration of the CMP

The CMP will require administration, invoicing of participating local governments, bill payments and auditing. The Steering Committee considered administering the projects through existing organizations or creating a new Joint Powers Agency, but short timeframe for organizing this monitoring effort and agency contracting obstacles with the

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County of Los Angeles and Caltrans were prohibitive. Additionally, the administrative tasks would overburden any one city or agency.

The Steering Committee recommends that the Gateway Cities Council of Governments (GCCOG) administer the CMP. The GCCOG has a decade of experience in administering multi-agency agreements with Los Angeles County, Caltrans and local communities. Fifteen of the COG cities are impacted, along with large areas of unincorporated Los Angeles County. The GCCOG's direct and actual administration costs would be fully paid by the participating agencies, including the costs of auditing, legal reviews of agreements and staff. The GCCOG Board of Directors unanimously approved a previous Project Oversight Agreement for Special Studies on May 3, 2007. The GCCOG anticipates costs of \$10,000 per year in administrative costs, which will be shared among the 42 agencies, based on the funding formula.

Execution and Activation of the CMP Agreement

Each watershed agency must authorize the CMP MOA with the GCCOG in order for the watershed to meet the monitoring deadline of October 11, 2008 (six months after approval of the CMP). The Steering Committee surveyed the agencies to assess management support for the funding formula and the mandatory CMP, prior to drafting this MOA. All cities and agencies have responded in the affirmative to participate in this CMP.

FISCAL IMPACT:

The estimated budget for this agreement is shown in Exhibit B. The first year costs include the capital costs for autosampler installation and the first year of additional sampling for a translator study in addition to the regular sampling. The second year costs include the final year of additional sampling for the translator study in addition to the regular sampling. The amounts for the third and fourth year are only for the regular sampling costs. These amounts are to be shared among the 42 regulated entities, based on a funding formula, shown in Exhibit A. The City of Compton allocation is \$1,595.82 per \$100,000 of costs, resulting in an estimated cost of \$18,962.09 over four years (refer to Exhibit C for annual cost breakdown per regulated entity).

The funds for the first year are available in the FY 2008/2009 budget in Account No. 2502-710-000-4249.

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution No, authorizing the City Manager to enter into a Memorandum of Agreement with the Gateway Cities Council of Government for administration and cost sharing of the Coordinated Monitoring Plan for the Los Angeles River and Tributaries Metals TMDL.

PUBLIC WORKS DIRECTOR/CITY ENGINEER

CITY MANAGER

Attachments: CMP Memorandum of Agreement

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A
MEMORANDUM OF AGREEMENT WITH THE GATEWAY CITIES
COUNCIL OF GOVERNMENT FOR ADMINISTRATION AND COST
SHARING OF THE COORDINATED MONITORING PLAN FOR THE LOS
ANGELES RIVER AND TRIBUTARIES METALS TMDL**

WHEREAS, a Consent Decree between local environmental organizations and the United States Environmental Protection Agency identified over 700 local water body-pollutant impairments in Los Angeles County, including the Los Angeles River and its tributaries; and

WHEREAS, the Consent Decree, which was adopted in 1999, mandated a schedule for addressing these water bodies, including the adoption of Total Daily Maximum Loads (TMDLs.); and

WHEREAS, the Los Angeles Regional Water Quality Control Board adopted the Los Angeles River Metals TMDL (Metals TMDL) in January of 2006 pursuant to the Consent Decree; and

WHEREAS, the Metals TMDL regulates dissolved concentrations of cadmium, copper, lead, selenium and zinc in urban runoff (storm water and dry-weather flows) from 41 Cities, Los Angeles County and Caltrans, by requiring metal load reductions from local agencies; and

WHEREAS, the Metals TMDL is based on the California Toxics Rule (CTR), which was adopted by the United States Environmental Protection Agency (EPA) in 2000; and

WHEREAS, the Metals TMDL allows for reconsideration of the standards, if the regulated local agencies promptly complete several suggested special studies; and

WHEREAS, the Los Angeles River Metals TMDL, adopted by the Regional Water Quality Control Board, requires that watershed agencies fund a monitoring program and recommends several scientific special studies; and

WHEREAS, Steering and Technical Committees, consisting of staff from the cities, County, Caltrans, the Sanitation Districts and the Regional Board were formed to assess the need for these special studies, identify their costs, propose a funding formula and address administrative issues; and

WHEREAS, the Steering Committee is proposing two studies; and

WHEREAS, the first study would recommend adjustments to the CTR standards based on actual river conditions, not laboratory conditions; and

WHEREAS, the second study would examine natural and atmospheric sources of the metals; and

WHEREAS, the Steering Committee recommended retaining a specialized consultant as the Project Manager to assist the Committee in completing the studies; and

WHEREAS, the project manager would coordinate monitoring and the SSO study, manage the atmospheric deposition/watershed runoff study and prepare final reports; and

RESOLUTION NO. _____
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WHEREAS, preparation and implementation of a Coordinated Monitoring Plan (CMP) is a mandatory TMDL requirement that was undertaken by a Technical Committee made up of agency staff and environmental consultants; and

WHEREAS, the special studies and CMP will require administration, professional contracts, invoicing of participating local governments, bill payments and auditing, which would overburden any one City; and

WHEREAS, the Steering Committee recommends that the Gateway Cities Council of Governments (GCCOG) administer the special studies and the CMP; and

WHEREAS, the GCCOG has a decade of experience in administering multi-agency agreements with Los Angeles County, Caltrans and local communities; and

WHEREAS, the GCCOG Board of Directors unanimously approved the Project Oversight Agreement on May 3, 2007; and

WHEREAS, the Steering Committee has established a cost sharing formula with a base amount of \$500 per \$100,000 of study costs, with the balance allocated according to the square mileage of each community in the watershed; and

WHEREAS, the estimated budget for Project Management Oversight of Special Studies is \$338,700, which is to be shared among 40 agencies, based on the funding formula; and

WHEREAS, the Gateway Cities Council of Governments anticipates costs of \$10,000 per year in administrative costs, which will be shared among the 40 agencies, based on the funding formula; and

WHEREAS, the City of Compton’s allocation is \$1,595.82 per \$100,000 of costs, resulting in an estimated cost of \$18,962.09 over four years; and

WHEREAS, the City Council intends that no resolution accepting any proposal be considered as binding the City until a valid contract has been executed by all parties to the contract;

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

SECTION 1. That the City Manager is authorized to enter into an implementation agreement for monitoring related to the Los Angeles River Metal TMDLs with gateway cities council of governments.

SECTION 2. That the contract amount shall be based on the cost sharing formula adopted by the Steering Committee.

SECTION 3. That \$10,352.10 be allocated to cover the first year of the City of Compton’s share of costs according to the cost sharing formula, and a 10% contingency.

SECTION 4. That the funds are available in the fiscal year 2008/2009 budget from Account Number 2502-710-000-4249.

SECTION 5. That a copy of this resolution shall be filed in the offices of the City Manager, City Controller and the Director of Public Works/City Engineer.

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

ADOPTED this _____ day of _____ 2008.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

**STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON**

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on this _____ day of _____, 2008.

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

MEMORANDUM OF AGREEMENT
BETWEEN
THE GATEWAY CITIES COUNCIL OF GOVERNMENTS
AND
THE CITY OF COMPTON

REGARDING THE ADMINISTRATION AND COST SHARING OF THE
COORDINATED MONITORING PLAN FOR THE LOS ANGELES RIVER AND
TRIBUTARIES METALS TMDL

This Memorandum of Agreement (“Agreement”) is made and entered into as of the date of the last signature set forth below by and between the Gateway Cities Council of Governments, a California joint powers authority (“GCCOG”), and the City of Compton, a California municipal corporation (“City”); (hereinafter “Party” or “Parties”) with respect to the following:

RECITALS

WHEREAS, the mission of the GCCOG includes environmental planning and providing technically sound science and analyses to its member cities and agencies; and

WHEREAS, fifteen of the GCCOG’s member cities are located within the Los Angeles River watershed and the GCCOG has established effective working relationships with the adjacent Councils of Governments; and

WHEREAS, the GCCOG has previously entered into interagency agreements, successfully partnering with various cities, SCAG, CALTRANS and the County of Los Angeles to undertake projects and studies of regional significance; and

WHEREAS, the Regional Water Quality Control Board, Los Angeles Region (“Regional Board”) adopted the Los Angeles River and Tributaries Metals Total Maximum Daily Load (“TMDL” or “Los Angeles River Metals TMDL”) in September of 2005, with the intent of improving water quality in the Los Angeles River and its tributaries; and

WHEREAS, the Parties recognize that the TMDL is not self-enforcing and has not been incorporated into the 2001 National Pollutant Discharge Elimination System Permit for Waste Discharge Requirements for Municipal Storm Water and Urban Runoff Dischargers within the County of Los Angeles, and the unincorporated cities therein except the City of Long Beach, Avalon, Palmdale and Lancaster dated December 13, 2001 for the LA River Metals TMDL to be legally enforceable; and

WHEREAS, this TMDL regulates the discharge of runoff from, forty cities, the County of Los Angeles, and CALTRANS, herein referred to as collectively the “Regulated Entities” or singularly a “Regulated Entity”, requiring a high degree of organization and cooperation from the local watershed agencies; and

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WHEREAS, this TMDL requires the preparation and implementation of a Coordinated Monitoring Plan (“CMP”) by the Regulated Entities that is designed to monitor water quality at key locations along the Los Angeles River and its tributaries, in addition to proving compliance with the TMDL waste load allocations; and

WHEREAS, a Los Angeles River Metals TMDL Technical Committee, consisting of representatives from the Regulated Entities, has been established with the purpose of preparing and submitting the CMP to the Regional Board; and

WHEREAS, a Los Angeles River Metals TMDL Steering Committee, consisting of representatives from the Regulated Entities, has been established for the purpose of providing general oversight of the implementation of the Los Angeles River Metals TMDL which includes the CMP and technical Special Studies; and

WHEREAS, a Los Angeles River Watershed Management Committee, required by the Municipal Storm Water NPDES Permit, meets on a regular basis and is attended by all the Regulated Entities in the watershed; and

WHEREAS, the draft and final CMP titled “Los Angeles River Metals TMDL Coordinated Monitoring Plan,” was prepared by the Technical Committee, reviewed by the Los Angeles River Watershed Management Committee and Steering Committee, and submitted to the Regional Board on April 11, 2007 and March 26, 2008, respectively; and

WHEREAS, the Regulated Entities agree to implement the monitoring program within six months of the approval date of the CMP by the Regional Board and upon the adoption and initial funding of this Agreement by the Regulated Entities; and

WHEREAS, the CMP requires administrative services that the Regulated Entities desire the GCCOG to coordinate, including contracting for the purchase and installation of automated water sampling devices, collection of dry and wet weather water quality samples, laboratory analysis and reporting services, and other CMP related activities; and

WHEREAS, the GCCOG has agreed to provide administrative services to the Regulated Entities to facilitate the successful implementation of the CMP; and

WHEREAS, the Regulated Entities have agreed to share in fully funding the costs of the CMP, including those costs incurred by the GCCOG in administering this Agreement, based on the cost allocation formula contained in Exhibit A and the estimated monitoring plan costs shown in Exhibit B of this Agreement; and

WHEREAS, the City of Los Angeles has the expertise and equipment to perform sampling services, laboratory analysis, and reporting services (“Monitoring Services”) consistent with the CMP; and

WHEREAS, the GCCOG and the Regulated Entities agree to employ the City of Los Angeles to perform the Monitoring Services on their behalf at locations identified in

the CMP, and the Regulated Entities are willing to pay the City of Los Angeles for its Monitoring Services through the GCCOG, and City of Los Angeles is willing to perform the Monitoring Services and be reimbursed for such services as indicated in Exhibit B; and

WHEREAS, the County of Los Angeles has the expertise and equipment to perform the installation, or the ability to contract the installation to an outside entity, of the automated water sampling devices consistent with the CMP; and

WHEREAS, the GCCOG and the Regulated Entities agree to employ the County of Los Angeles to perform the installation of the automated water sampling devices on their behalf at locations identified in the CMP, and the Regulated Entities are willing to pay the County of Los Angeles for its installation services through the GCCOG, and County of Los Angeles is willing to provide, perform and be reimbursed for such installation services as indicated in Exhibit B; and

WHEREAS, GCCOG will execute similar cost-sharing agreements with all other Regulated Entities before this agreement becomes enforceable, unless stated otherwise elsewhere in this Agreement.

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 to cooperatively fund the implementation of the CMP

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

Section 4. Voluntary Nature. This Agreement is voluntarily entered into for the implementation of the CMP.

Section 5. Term. The term of this Agreement shall remain and continue in effect until completion of the ambient monitoring period of the CMP or June 30, 2012, whichever occurs first.

Section 6. Coordinated Monitoring Plan. The Los Angeles River Metals TMDL CMP consists of the regulatory background, ambient and effectiveness monitoring, monitoring sites, sampling parameters, analytical methods, schedule, reporting, and other regulatory requirements. Digital versions of the Regional Board approved CMP have been provided to all of the Regulated Entities. The final CMP was approved by the Regional Board on April 11, 2008, and is incorporated into this Agreement by this reference.

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Section 7. Assessment for Proportional Costs of the CMP. The City of Compton agrees to provide funds to the GCCOG in the amount shown in Exhibit C, based on the cost allocation formula set forth in Exhibit A and the estimated annual monitoring costs in Exhibit B, attached hereto and made a part of this Agreement by this reference. The GCCOG will annually invoice the City upon the execution of this Agreement, based on allocated CMP costs, which includes all administrative costs incurred by the GCCOG in the performance of its duties under this Agreement. The GCCOG administrative costs include compensation for staff time, audit expenses, and costs incurred in administering agreements. Any overpayment or underpayment of the CMP costs shall be credited or billed to the City in the next year's invoice or if it occurs in the last year of the Agreement it shall be reimbursed at its termination.

Section 8. Role of the GCCOG. The GCCOG shall enter into agreements with each of the Regulated Entities to effectuate the CMP, invoice and collect from the Regulated Entities the estimated amounts identified in Exhibit C, which are based on the cost allocation formula in Exhibit A and estimated annual monitoring costs in Exhibit B, and reimburse the City of Los Angeles and the County of Los Angeles for their respective services as described in this Agreement.

Section 9. Role of the City of Los Angeles.

- a) Monitoring – The City of Los Angeles will perform the Monitoring Services at locations indicated in the CMP on behalf of the Regulated Entities. Performance of the Monitoring Services by the City of Los Angeles is expressly conditioned upon all Regulated Entities listed in Exhibit A executing a similar agreement with the GCCOG for cost sharing of the CMP.
- b) Early Start of Monitoring – The TMDL requires monitoring to begin within six months of the Regional Board approval of the Final CMP; therefore, all Regulated Entities agree that the City of Los Angeles will start the Monitoring Services, if necessary, even before this agreement has been signed by all the Regulated Entities to ensure compliance with the TMDL. The Regulated Entities thereby authorize that all costs incurred by the City of Los Angeles for any early monitoring required by the CMP be included in the initial GCCOG invoice to the Regulated Entities.
- c) Reporting – The City of Los Angeles will submit final summary monitoring reports to the Regional Board annually as described in the CMP and distribute copies of the annual reports to the Regulated Entities prior to submittal to the Regional Board for review and approval. Regulated entities will have the right to request monitoring reports at any time.

Section 10. Role of the County of Los Angeles. The County of Los Angeles will perform the installation of the automated water sampling devices at the locations identified in the CMP. Installation of the automated water sampling devices by the County of Los Angeles is expressly conditioned upon all Regulated Entities listed in

Exhibit A executing a similar agreement with the GCCOG for cost sharing of the CMP. The TMDL requires monitoring to begin within six months of the Regional Board approval of the Final CMP; therefore, all Regulated Entities agree that the County of Los Angeles will start the installation of the auto samplers, if necessary, even before this agreement has been signed by all the Regulated Entities to ensure compliance with the TMDL. The Regulated Entities thereby authorize that all capital costs incurred by the County of Los Angeles for any early installations be included in the initial GCCOG invoice to the Regulated Entities.

Section 11. Invoice and Payment.

- a) Annual Monitoring Payment – The GCCOG shall reimburse the City of Los Angeles for the Monitoring Services in accordance with Exhibits B and C within ninety (90) days of receipt of the invoice from City of Los Angeles, minus the cost share of the City of Los Angeles’ portion of the GCCOG annual administration services cost. The GCCOG shall not be obligated to remit to the City of Los Angeles more than the amount it has actually collected from Regulated Entities pursuant to this Agreement less its estimated administrative costs. In the event that funds received by the GCCOG are not sufficient to cover the full GCCOG administrative costs and City of Los Angeles invoice within 90 days of invoice, but are subsequently received, those subsequent amounts shall be paid to the City of Los Angeles within 30 days of receipt by the GCCOG. The annual payment shall be increased by the State of California Consumer Price Index (CPI) annually¹. The total annual monitoring costs shown in Exhibit B are estimates that have been agreed upon amongst the City of Los Angeles and the Regulated Entities. The cost estimates of Monitoring Services presented in Exhibit B and C and costs of any monitoring activities, are subject to changes in the CMP pursuant to a Regional Board requirement or unforeseen challenges in the field. The GCCOG shall be notified by the City of Los Angeles of any decreases or increases in sampling frequency; the actual cost of any decreases or increases in sampling frequency will be reconciled with the next annual payment.
- b) Auto Sampler Payment – The GCCOG shall reimburse the County of Los Angeles for the auto sampler infrastructure and installation capital costs as shown in Exhibit B and C within ninety (90) days of receipt of any invoices from County of Los Angeles. The GCCOG shall not be obligated to remit to the County of Los Angeles more than the amount it has actually collected from Regulated Entities pursuant to this agreement less its estimated administrative costs. In the event that funds received by the GCCOG are not sufficient to cover the full GCCOG administrative costs and County of Los Angeles invoice within 90 days of invoice, but are subsequently received,

¹ The State of California CPI is referenced at <http://www.dir.ca.gov/DLSR> for Los Angeles-Riverside-Orange County Region for the month of June.

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those subsequent amounts shall be paid to the County of Los Angeles within 30 days of receipt by the GCCOG.

- c) Invoice – The GCCOG shall invoice the Regulated Entities annually in January except for the first invoice, which will take place immediately following the execution of this Agreement. The first invoice will consist of the allocated CMP costs for the first and second fiscal years, which include the costs of the auto sampler infrastructure and installation capital costs, and from thereon invoicing will be done in January of each year and will be based on the estimated costs of the following fiscal year as indicated in Exhibits B and C. The Regulated Entities shall pay the GCCOG invoices within sixty (60) days of receipt of the invoices. The City of Los Angeles will invoice the GCCOG immediately upon execution of this Agreement and from thereon on annual basis starting July 2009 and the GCCOG shall pay the City of Los Angeles invoices within ninety (90) days of receipt. Since the City of Los Angeles is providing the Monitoring Services, the City of Los Angeles will not be invoiced by the GCCOG for any monitoring related costs for the City's costs share; similarly, the County will not be invoiced for any auto sampler costs. Therefore, the City of Los Angeles and County of Los Angeles invoices will be adjusted to exclude the City and County's cost shares, respectively.
- d) Late Payment Penalty – Any payment that is late shall be subject to interest on the original amount due from the date that the payment first became due. The interest rate shall be equal to the Prime Rate in effect when the payment first became due plus one percent for any payment that is made from 1 to 30 days after the due date. The Prime Rate in effect when the payment first became due plus five (5) percent shall apply for any payment that is made from 31 to 60 days after the due date. The Prime Rate in effect when the payment first became due plus ten (10) percent shall apply for any payment that is made more than 60 days after the due date. The rates shall, nevertheless, not exceed the maximum allowed by law.
- e) Delinquent Payments – A Regulated Entity's payment is considered to be delinquent 180 days after being invoiced by the GCCOG. The following procedure may be implemented to attain payments from the delinquent Regulated Entity or Entities per instructions from the Steering Committee: 1) verbally contact/meet with the manager from the delinquent Regulated Entity or Entities, 2) submit a formal letter to the delinquent Regulated Entity or Entities from the GCCOG attorney, and 3) notify the Regional Board that the delinquent Regulated Entity or Entities are no longer a participating member of the CMP. If a Regulated Entity or Entities remain delinquent after the above procedures, then any delinquent amount(s) will be distributed in the following year's invoice amongst all remaining Regulated Entities proportionate to each Entity's area as it relates to the overall remaining total Regulated Entities area, excluding the delinquent Regulated Entity or Entities.

The Steering Committee will revise Exhibits A and C to show the recalculated costs for each participating Regulated Entity; these revised exhibits will be sent to the GCCOG and included with the annual invoices to the Regulated Entities.

- f) Interest Accrual – Any interest accrued on the funds collected per this Agreement during the term of this Agreement shall be redeposited into the appropriate account and used for implementation of the CMP. The GCCOG shall report on an annual basis to the Steering Committee the amount of interest accrued by the CMP account(s).

Section 12. Independent Contractor.

- a) The GCCOG is and shall at all times remain a wholly independent contractor for performance of the obligations described in this Agreement. The GCCOG officers, employees and agents performing such obligations shall at all times be under the GCCOG's exclusive control. The Regulated Entities shall not have control over the conduct of the GCCOG or any of its officers, employees or agents, except as set forth in this Agreement. The GCCOG, and its officers, employees, or agents are not and shall not be deemed to be employees of the Regulated Entities.
- b) No employee benefits shall be available to the GCCOG in connection with the performance of its obligations under this Agreement. The GCCOG is solely responsible for the payment of salaries, wages, other compensation, employment taxes, worker's compensation, or similar taxes for its employees for performing obligations hereunder.

Section 13. Indemnification. To the fullest extent permitted by law, the City of Compton and the GCCOG agree to save, indemnify, defend, and hold harmless each other from any and all liability, claims, suits, actions, arbitration proceedings, administrative proceedings, and regulatory proceedings, losses, expenses, or any injury or damage of any kind whatsoever, whether actual, alleged or threatened, attorney fees, court costs, and any other costs of any nature without restriction incurred in relation to, as a consequence of, or arising out of, the performance of this Agreement, and attributable to the fault of the other. Following a determination of the percentage of fault and or liability by agreement between the Parties or a court of competent jurisdiction, the Party responsible for liability to the other will indemnify the other Party to this Agreement for the percentage of liability determined.

Section 14. Termination of Agreement. Either Party may terminate this Agreement for any reason, in whole or part, by giving the other Party thirty (30) days written notice thereof. The City of Compton shall be responsible for the allocated costs of CMP activities incurred up to the date of the termination. GCCOG shall notify in writing all Regulated Entities within fourteen (14) days of receiving written notice from any Regulated Entity that intends to terminate this Agreement.

Section 15. Miscellaneous.

- a) Notices. All notices which any Party is required or desires 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 GCCOG: Mr. Richard Powers
Executive Director
16401 Paramount Blvd.
Paramount, CA 90723

To City of Compton: Mr. Charles Evans
City Manager
205 S. Willowbrook Ave.
Compton, CA 90220

- b) Separate Accounting and Auditing. The GCCOG agrees to establish a separate account to track the revenues from the Regulated Entities and the expenses from of the CMP. Quarterly financial statements and the annual audit will be made available to all of the participating Regulated Entities and will be provided to the Steering and Technical Committees.
- c) Binding Effect. This Agreement shall be binding upon and inure to the benefit of each Party to this Agreement and their respective heirs, administrators, representatives, successors and assigns.
- d) Amendment. The terms and provisions of this Agreement may not be amended, modified or waived, except by an instrument in writing signed by the Parties.
- e) Waiver. Waiver by any Party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any Party to any breach of the provisions of this Agreement shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this Agreement.
- f) 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 in the state trial courts shall lie exclusively in the County of Los Angeles.

- g) No Presumption in Drafting. The Parties to this Agreement agree that the general rule that an Agreement is to be interpreted against the Party drafting it, or causing it to be prepared shall not apply.
- 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) 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 constructed without the invalid, void, or unenforceable provision(s).
- j) 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 both Parties to this Agreement.
- k) 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.
- l) Each of the persons signing below on behalf of a Party represents and warrants that he or she is authorized to sign this Agreement on behalf of such Party.

#3.

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

DATE: _____

CITY OF COMPTON

Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

DATE: _____

GATEWAY CITIES COUNCIL OF
GOVERNMENTS

Larry R. Nelson, President

ATTEST:

Richard Powers, Secretary

EXHIBIT A

LOS ANGELES RIVER METALS TMDL
COORDINATED MONITORING PLAN
COST ALLOCATION FORMULA

(showing cost allocation for every \$100,000 in costs)

Name	Area in sq miles	Distribution	Base Rate (\$)	Allocation on Sq Miles (\$)	Total Rate (\$)
Alhambra	7.6	0.012258262	500	968.40	1,468.40
Arcadia	10.93	0.017629317	500	1,392.72	1,892.72
Bell	2.74	0.004419426	500	349.13	849.13
Bell Gardens	2.48	0.004000065	500	316.01	816.01
Bradbury	1.4	0.002258101	500	178.39	678.39
Burbank	17.35	0.027984322	500	2,210.76	2,710.76
Caltrans	11.24	0.018129325	500	1,432.22	1,932.22
Calabasas	5.58	0.009000145	500	711.01	1,211.01
Carson	0.88	0.001419378	500	112.13	612.13
Commerce	6.56	0.010580816	500	835.88	1,335.88
Compton	8.6	0.013871191	500	1,095.82	1,595.82
Cudahy	1.12	0.001806481	500	142.71	642.71
Downey	5.66	0.00912918	500	721.21	1,221.21
Duarte	2.3	0.003709737	500	293.07	793.07
El Monte	6.97	0.011242117	500	888.13	1,388.13
Glendale	30.62	0.049387893	500	3,901.64	4,401.64
Hidden Hills	1.57	0.002532299	500	200.05	700.05
Huntington Park	3.03	0.004887176	500	386.09	886.09
Irwindale	1.89	0.003048436	500	240.83	740.83
La Canada Flintridge	8.57	0.013822804	500	1,092.00	1,592.00
Long Beach	16.66	0.026871401	500	2,122.84	2,622.84
City of Los Angeles	281.44	0.453942806	500	35,861.48	36,361.48
Lynwood	4.85	0.007822707	500	617.99	1,117.99
Maywood	1.18	0.001903257	500	150.36	650.36
Monrovia	10.34	0.016677688	500	1,317.54	1,817.54
Montebello	8.36	0.013484088	500	1,065.24	1,565.24
Monterey Park	7.66	0.012355038	500	976.05	1,476.05
Paramount	4.34	0.007000113	500	553.01	1,053.01
Pasadena	22.7	0.036613494	500	2,892.47	3,392.47
Pico Rivera	3.12	0.005032339	500	397.55	897.55
Rosemead	5.14	0.008290456	500	654.95	1,154.95
San Fernando	2.41	0.003887159	500	307.09	807.09
San Gabriel	4.12	0.006645268	500	524.98	1,024.98
San Marino	3.76	0.006064614	500	479.10	979.10
Sierra Madre	2.99	0.004822658	500	380.99	880.99
Signal Hill	1.13	0.00182261	500	143.99	643.99

#3.

South El Monte	2.09	0.003371022	500	266.31	766.31
South Gate	7.48	0.012064711	500	953.11	1,453.11
South Pasadena	3.43	0.005532347	500	437.06	937.06
Temple City	4.01	0.006467846	500	510.96	1,010.96
Vernon	5.08	0.008193681	500	647.30	1,147.30
Unincorporated LA County Areas	80.61	0.130018226	500	10,271.44	10,771.44
	619.99	1	21,000	79,000	100,000

Notes: The calculation of square miles in the watershed is based on GIS information supplied by the Regional Water Quality Control Board. The distribution column indicates the square miles located within the jurisdiction of each Regulated Entity as a fraction of the total watershed. The base rate is \$500 per Regulated Entity per \$100,000 in monitoring costs. This base rate ensures a minimum contribution from each Regulated Entity, resulting in a total base of \$21,000. The allocation based on square miles is \$100,000 minus the base of \$21,000 (\$79,000) multiplied by the figure in the distribution column for each Regulated Entity. Each Regulated Entity's total cost for every \$100,000 in costs is the sum of the base (\$500 per \$100,000), plus the Regulated Entity's allocation based on square miles.

EXHIBIT B - Los Angeles River Metals TMDL Coordinated Monitoring Plan Estimated Costs

MONITORING COSTS - Work Performed by City of Los Angeles	LABOR Cost/Site	LAB ANALYSIS Cost/Site	No. of Sites	Cost per Sample Event	No. Sample Events	Annual Cost
DRY-Weather Monitoring	\$116	\$365	12	\$5,772	12	\$69,264
WET-Weather Monitoring	\$440	\$365	5	\$4,025	6	\$24,150
Special Dissolved Field Sampling (2 yrs)	\$67	0	12	\$804	Sub-total	\$93,414
Special Dissolved Lab Analysis QA (2 yrs)		\$730			12	\$9,648
					18	\$13,140
					Sub-total	\$22,788
Other Monitoring Related Costs (estimates from Steering Committee via LACoDPW)						
Data Analysis	--		--	--	--	\$50,000
Reporting & Program Management	--		--	--	--	\$30,000
Stream Gage Service/data collection	\$700		5	--	--	\$3,500
Auto Sampler Maintenance	\$1,000		5	--	--	\$5,000
					Sub-total	\$88,500
						CITY Annual Costs for Years 1 & 2
						\$204,702
						CITY Annual Costs for Years 3 & 4
						\$181,914

ONE-TIME CAPITAL COSTS - Work Performed by County of Los Angeles			
Auto Sampler Infrastructure & Installation	Unit Cost	No. Units	Total Cost
	\$75,000	5	\$375,000
	Total COUNTY Costs		\$375,000

ADMINISTRATIVE COSTS - Work Performed by Gateway Cities Council of Governments	
GCCOG Annual Costs	\$10,000

Notes:
 This cost analysis **does not** include the cost of Tier II or III sampling.
 This cost analysis is based on the number of sampling sites and frequency being proposed in the Revised CMP in response to the RWQCB comments.
 The laboratory costs are based on EPA Analytical Method 200.8 (ICP-MS); Hardness is measured using SM 2340C.
 The wet-weather labor costs are based on 2 trips to the auto-sampler per storm event.
 The special dissolved field sampling and lab analysis QA are for the first two years of monitoring only; the QA is analysis for a field blank and field duplicate.

TOTAL COST SUMMARY	YEAR 1	YEAR 2	YEAR 3	YEAR 4	TOTAL
City of Los Angeles Monitoring Costs	\$204,702	\$204,702	\$181,914	\$181,914	\$773,232
County of Los Angeles Auto Sampler Capital Costs	\$375,000				\$375,000
Gateway Cities COG Administrative Costs	\$10,000	\$10,000	\$10,000	\$10,000	\$40,000
TOTAL COSTS	\$589,702	\$214,702	\$191,914	\$191,914	\$1,188,232

EXHIBIT C - Estimated Monitoring Cost Allocations for 40 TMDL Identified Cities, LA County & Caltrans

City	Watershed Area		Base Rate	Area	Year 1** Invoice Amount***	Base Rate	Area	Year 2 Invoice Amount***	Base Rate	Area	Year 3 & 4 Invoice Amount***	Total Estimated Costs per Agreement Term
	sq miles	Percentage										
Alhambra	7.6	1.22583%	\$2,949	\$5,711	\$8,659	\$1,074	\$2,079	\$3,153	\$960	\$1,859	\$2,818	\$17,448.03
Arcadia	10.93	1.76293%	\$2,949	\$8,213	\$11,161	\$1,074	\$2,990	\$4,064	\$960	\$2,673	\$3,632	\$22,489.86
Bell	2.74	0.44194%	\$2,949	\$2,059	\$5,007	\$1,074	\$750	\$1,823	\$960	\$670	\$1,630	\$10,089.69
Bell Gardens	2.48	0.40001%	\$2,949	\$1,863	\$4,812	\$1,074	\$678	\$1,752	\$960	\$606	\$1,566	\$9,696.03
Bradbury	1.4	0.22581%	\$2,949	\$1,052	\$4,000	\$1,074	\$383	\$1,457	\$960	\$342	\$1,302	\$8,060.85
Burbank	17.35	2.79843%	\$2,949	\$13,037	\$15,985	\$1,074	\$4,747	\$5,820	\$960	\$4,243	\$5,202	\$32,210.14
Caltrans	11.24	1.81293%	\$2,949	\$8,446	\$11,394	\$1,074	\$3,075	\$4,149	\$960	\$2,749	\$3,708	\$22,959.22
Calabasas	5.58	0.90001%	\$2,949	\$4,193	\$7,141	\$1,074	\$1,527	\$2,600	\$960	\$1,365	\$2,324	\$14,389.63
Carson	0.88	0.14194%	\$2,949	\$661	\$3,610	\$1,074	\$241	\$1,314	\$960	\$215	\$1,175	\$7,273.53
Commerence	6.56	1.05808%	\$2,949	\$4,929	\$7,878	\$1,074	\$1,795	\$2,868	\$960	\$1,604	\$2,564	\$15,873.41
Compton	8.6	1.38712%	\$2,949	\$6,462	\$9,411	\$1,074	\$2,353	\$3,426	\$960	\$2,103	\$3,063	\$18,962.09
Cudahy	1.12	0.18065%	\$2,949	\$842	\$3,790	\$1,074	\$306	\$1,380	\$960	\$274	\$1,233	\$7,636.91
Downey	5.66	0.91292%	\$2,949	\$4,253	\$7,201	\$1,074	\$1,548	\$2,622	\$960	\$1,384	\$2,344	\$14,510.75
Duarte	2.3	0.37097%	\$2,949	\$1,728	\$4,677	\$1,074	\$629	\$1,703	\$960	\$562	\$1,522	\$9,423.50
El Monte	6.97	1.12421%	\$2,949	\$5,237	\$8,186	\$1,074	\$1,907	\$2,980	\$960	\$1,704	\$2,664	\$16,494.17
Glendale	30.62	4.93879%	\$2,949	\$23,008	\$25,957	\$1,074	\$8,377	\$9,450	\$960	\$7,488	\$8,447	\$52,301.74
Hidden Hills	1.57	0.25323%	\$2,949	\$1,180	\$4,128	\$1,074	\$430	\$1,503	\$960	\$384	\$1,343	\$8,318.24
Huntington Park	3.03	0.48872%	\$2,949	\$2,277	\$5,225	\$1,074	\$829	\$1,902	\$960	\$741	\$1,701	\$10,528.77
Inverdale	1.89	0.30484%	\$2,949	\$1,420	\$4,369	\$1,074	\$517	\$1,591	\$960	\$462	\$1,422	\$8,802.74
La Canada Flintridge	8.57	1.38228%	\$2,949	\$6,440	\$9,388	\$1,074	\$2,345	\$3,418	\$960	\$2,096	\$3,055	\$18,916.67
Long Beach	16.66	2.68714%	\$2,949	\$12,518	\$15,467	\$1,074	\$4,558	\$5,631	\$960	\$4,074	\$5,034	\$31,165.43
Los Angeles	281.44	45.39428%	\$2,949	\$211,476	\$214,424	\$1,074	\$76,995	\$78,069	\$960	\$68,823	\$69,783	\$432,058.76
Lynwood	4.85	0.78227%	\$2,949	\$3,644	\$6,593	\$1,074	\$1,327	\$2,400	\$960	\$1,186	\$2,146	\$13,284.36
Maywood	1.18	0.19033%	\$2,949	\$887	\$3,835	\$1,074	\$323	\$1,396	\$960	\$289	\$1,248	\$7,727.75
Monrovia	10.34	1.66777%	\$2,949	\$7,770	\$10,718	\$1,074	\$2,829	\$3,902	\$960	\$2,529	\$3,488	\$21,596.56
Montebello	8.36	1.34841%	\$2,949	\$6,282	\$9,230	\$1,074	\$2,287	\$3,361	\$960	\$2,044	\$3,004	\$18,598.72
Monterey Park	7.66	1.23550%	\$2,949	\$5,756	\$8,704	\$1,074	\$2,096	\$3,169	\$960	\$1,873	\$2,833	\$17,538.87
Paramount	4.34	0.70001%	\$2,949	\$3,261	\$6,210	\$1,074	\$1,187	\$2,261	\$960	\$1,061	\$2,021	\$12,512.19
Pasadena	22.7	3.66135%	\$2,949	\$17,057	\$20,005	\$1,074	\$6,210	\$7,284	\$960	\$5,551	\$6,511	\$40,310.37
Pico Rivera	3.12	0.50323%	\$2,949	\$2,344	\$5,293	\$1,074	\$854	\$1,927	\$960	\$763	\$1,723	\$10,665.03
Rosemead	5.14	0.82905%	\$2,949	\$3,862	\$6,811	\$1,074	\$1,406	\$2,480	\$960	\$1,257	\$2,217	\$13,723.44
San Fernando	2.41	0.38872%	\$2,949	\$1,811	\$4,759	\$1,074	\$659	\$1,733	\$960	\$589	\$1,549	\$9,590.05
San Gabriel	4.12	0.66453%	\$2,949	\$3,096	\$6,044	\$1,074	\$1,127	\$2,201	\$960	\$1,008	\$1,967	\$12,179.10
San Marino	3.76	0.60646%	\$2,949	\$2,825	\$5,774	\$1,074	\$1,029	\$2,102	\$960	\$919	\$1,879	\$11,634.03
Sierra Madre	2.99	0.48227%	\$2,949	\$2,247	\$5,195	\$1,074	\$818	\$1,892	\$960	\$731	\$1,691	\$10,468.21
Signal Hill	1.13	0.18226%	\$2,949	\$849	\$3,798	\$1,074	\$309	\$1,383	\$960	\$276	\$1,236	\$7,652.05
South El Monte	2.09	0.33710%	\$2,949	\$1,570	\$4,519	\$1,074	\$572	\$1,645	\$960	\$511	\$1,471	\$9,105.55
South Gate	7.48	1.20647%	\$2,949	\$5,621	\$8,569	\$1,074	\$2,046	\$3,120	\$960	\$1,829	\$2,789	\$17,266.34
South Pasadena	3.43	0.55323%	\$2,949	\$2,577	\$5,526	\$1,074	\$938	\$2,012	\$960	\$839	\$1,798	\$11,134.39
Temple City	4.01	0.64678%	\$2,949	\$3,013	\$5,962	\$1,074	\$1,097	\$2,171	\$960	\$981	\$1,940	\$12,012.55
Vernon	5.08	0.81937%	\$2,949	\$3,817	\$6,766	\$1,074	\$1,390	\$2,463	\$960	\$1,242	\$2,202	\$13,632.59
LA County Unincorp.	80.61	13.00182%	\$2,949	\$60,571	\$63,519	\$1,074	\$22,053	\$23,126	\$960	\$19,712	\$20,672	\$127,989.70
Total	619.99	100.00000%	\$123,837	\$465,865	\$589,702	\$45,087	\$169,615	\$214,702	\$40,302	\$151,612	\$191,914	\$1,188,232.00

**Includes \$375,000 capital costs for sampler equipment and installation.

***21% and 79% of allocation from base and area apportionments respectively

**** Includes \$10,000 GCOG administrative costs per year, but does not include CPI adjustments.

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

Public Works-Engineering

RESOLUTION TITLE:

REPORT AND RECOMMENDATION TO ADOPT RESOLUTION NO. , ADOPTING THE MEMORANDUM OF AGREEMENT FOR THE ADMINISTRATION AND COST SHARING OF THE COORDINATED MONITORING PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES METALS TMDL

<ManagersName>

DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>

DATE

REVIEW / APPROVAL

<LegalName>

CITY ATTORNEY

<LegalDate>

DATE

<ControllerName>

CITY CONTROLLER

<ControllerDate>

DATE

<CityManager>

CITY MANAGER

<CityManagerDate>

DATE

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

#4.

October 14, 2008

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AGREEMENT WITH THE CASTING HOPE AGAINST NEGATIVE GANG ENVIRONMENT (C.H.A.N.G.E.) FOUNDATION TO PROVIDE WEEKEND MAINTENANCE SUPPORT SERVICES

SUMMARY

This resolution authorizes the City Manager to enter into a contract agreement with the Casting Hope Against Negative Gang Environment (C.H.A.N.G.E.) Foundation for the provision of weekend maintenance support services.

BACKGROUND

The Public Works Department awarded a six (6) month contract to C.H.A.N.G.E. on November 7, 2007, per Resolution No. 22,467. C.H.A.N.G.E. has done an adequate job performing weekend maintenance support services and is available and wishes to continue providing maintenance support services to the Public Works Street Maintenance Division for the 2008-2009 Fiscal Year. The C.H.A.N.G.E. Foundation's mission is to provide apprenticeship, mentoring, tutoring, and career planning programs for youth in the Compton community. C.H.A.N.G.E. is a Compton based non-profit agency that will employ at least 4 Compton residents throughout the duration of this contract.

The C.H.A.N.G.E. Foundation's aim is to enlighten and encourage young people in the community by providing training and employment opportunities to combat gang violence, drug abuse, truancy from school, and other issues that can potentially lead to possible incarceration. The C.H.A.N.G.E. Foundation offers services to reform former gang members and ex-felons to promote hope and the value of life by setting attainable goals to increase self-respect. The C.H.A.N.G.E. Foundation will provide job training opportunities by utilizing individuals from its programs to provide weekend maintenance support services to the City of Compton Public Works Street Maintenance Division for one (1) year commencing July 1, 2008 to June 30, 2009.

#4.

C.H.A.N.G.E. Foundation
October 14, 2008
Page Two

FINANCIAL IMPACT

The cost for weekend maintenance support services is **One Hundred Twenty Thousand Dollars and No Cents (\$120,000.00)**. Funds will come from the Public Works Street Maintenance Division's 2008-2009 Fiscal Year Budget from Account Number 1001-720-000-4269.

RECOMMENDATION

Staff recommends adoption of the attached resolution.

**CHARLES BERGSON, P.E.
PUBLIC WORKS DIRECTOR**

**CHARLES EVANS
CITY MANAGER**

CE:CB:SDZ:sdz

SMD08-143S

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON AUTHORIZING THE CITY MANAGER TO
ENTER INTO A CONTRACT AGREEMENT WITH THE
CASTING HOPE AGAINST NEGATIVE GANG ENVIRONMENT
(C.H.A.N.G.E.) FOUNDATION TO PROVIDE WEEKEND
MAINTENANCE SUPPORT SERVICES**

WHEREAS, the Casting Hope Against Negative Gang Environment (C.H.A.N.G.E.) Foundation wishes to provide maintenance support services to the Public Works Street Maintenance Division through its youth development programs; and

WHEREAS, C.H.A.N.G.E. is a Compton based non-profit agency that will employ at least four (4) Compton residents throughout the duration of this contract; and

WHEREAS, the C.H.A.N.G.E. Foundation's mission is to provide apprenticeship, mentoring, tutoring, and career planning programs to youth in the Compton community; and

WHEREAS, the C.H.A.N.G.E. Foundation's aim is to enlighten and encourage young people in the community by providing training and employment opportunities to combat gang violence, drug abuse, truancy from school, and other issues that can potentially lead to possible incarceration; and

WHEREAS, the C.H.A.N.G.E. Foundation offers services to reform former gang members and ex-felons to promote hope and the value of life by setting attainable goals to increase self-respect; and

WHEREAS, the C.H.A.N.G.E. Foundation will provide job training opportunities by utilizing individuals from its programs to provide weekend maintenance support services to the City of Compton Public Works Department Street Maintenance Division; and

WHEREAS, the Public Works Department awarded a six (6) month contract to C.H.A.N.G.E. on November 7, 2007, per Resolution No. 22,467; and

WHEREAS, C.H.A.N.G.E. has performed adequate maintenance support services; and

WHEREAS, the cost for services is **One Hundred and Twenty Thousand Dollars and No Cents (\$120,000.00)** at **Ten Thousand Dollars and No Cents (\$10,000.00)** per month for one year; and

WHEREAS, the funds for these services are allocated in the Public Works Street Maintenance Division 2008-2009 Fiscal Year Budget in Account Number 1001-720-000-4269.

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

SECTION 1. That the City Council authorizes the City Manager, upon the advice of the City Attorney, to enter into an agreement with C.H.A.N.G.E. Foundation to provide weekend maintenance support services for a period not exceed twelve months effective July 1, 2008 to June 30, 2009.

SECTION 2. That the City Manager is hereby authorized to issue a purchase order to the C.H.A.N.G.E. Foundation in an amount not to exceed **One Hundred and Twenty Thousand Dollars and No Cents (\$120,000.00)**.

RESOLUTION NO. _____
PAGE TWO

SECTION 3. That the funds for these services shall come from Account Number 1001-720-000-4269.

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

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

ADOPTED this _____ day of _____ 2008.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2008.

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

AYES: COUNCIL MEMBER -
NOES: COUNCIL MEMBER -
ABSENT: COUNCIL MEMBER -
ABSTAIN: COUNCIL MEMBER -

CITY CLERK OF THE CITY COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Maintenance

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT AGREEMENT WITH THE CASTING HOPE AGAINST NEGATIVE GANG ENVIRONMENT (C.H.A.N.G.E.) FOUNDATION TO PROVIDE WEEKEND MAINTENANCE SUPPORT SERVICES

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

Willie Norfleet
CITY CONTROLLER

9/11/2008 3:42:12 PM
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

#5.

October 14, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON ACCEPTING THE ENVIRONMENTAL PROTECTION
AGENCY'S (EPA) FINDINGS ON THE POTENTIAL IMPACT OF
PROPOSED EXTRACTION WELL NO. 20 AT SIBRIE PARK

SUMMARY

In compliance with the National Environmental Policy Act an Environmental Assessment (EA) has been prepared that examines the potential environmental impacts of the proposed project in the City of Compton. After considering a wide range of regulatory, socio-economic factors, the EA did not identify any significant impacts to the environment resulting from the implementation of this project and therefore finds that this project will not have a negative impact on the environment.

BACKGROUND

The Municipal Water Department maintains approximately 14,300 active service connections, serving a population of 67,000. The City's distribution system includes approximately 45 miles of old, cast iron water mains. These older lines account for one-third of the mains in the system and connect to four reservoirs. The City of Compton is proposing to install Extraction Well No. 20, a new water well and pump house, to ensure adequate water supplies are available to the City of Compton and potable water is free from contaminants. This project will provide better pressure on the North West side of the city. The water well pump house would be located on turf in the southwestern corner of Sibrie Park in the northwesterly portion of the City.

#5.

EPA FINDINGS
October 14, 2008
PAGE 2

FINANCIAL IMPACT

The grant in the amount of One Million, Six Hundred and Six Thousand Dollars (\$1,606,000.00) will pay for the construction of Well No. 20.

RECOMMENDATION

It is recommended that the attached resolution be adopted.

KAMBIZ SHOGHI
GENERAL MANAGER

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON ACCEPTING THE ENVIRONMENAL
PROTECTION AGENCY’S (EPA) FINDING ON THE
POTENTIAL IMPACT OF PROPOSED EXTRACTION WELL
NO. 20 AT SIBRIE PARK**

WHEREAS, the U.S. Environmental Protection Agency (EPA) is considering authorizing the award of a Water Infrastructure Grant in the amount of \$1,606,000.00 (One Million, Six Hundred and Six Thousand Dollars) to the City of Compton to construct Extraction Well No. 20 to ensure potable water is free from contaminants; and

WHEREAS, the proposed project will reduce the City’s reliance on costly imported water and provide better pressure on the north west side of the city; and

WHEREAS, In compliance with the National Environmental Policy Act an Environmental Assessment has been prepared to examine the potential environmental impacts of the proposed project in the City of Compton. After considering a wide range of regulatory, and socio-economic factors the Environmental Assessment (EA) did not identify any significant impacts to the environment resulting from the implementation of this project.

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

SECTION 1. That the Environmental Protection Agency and City of Compton has complied with the regulation set by the National Environmental Policy Act by posting the necessary information for public review for 30 calendar days.

SECTION 2. That the EPA findings determined that the proposed project will not have a negative impact on the environment and are acceptable by the Mayor and City Council.

SECTION 3. That a copy of this resolution shall be filed in the offices of the Planning Department, City Clerk’s Office and Municipal Water Department.

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

ADOPTED this _____ day of _____ 2008.

MAYOR OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE TWO

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____ 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE ENVIRONMENAL PROTECTION AGENCY’S (EPA) FINDING ON THE POTENTIAL IMPACT OF PROPOSED EXTRACTION WELL NO. 20 AT SIBRIE PARK

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

#6.

October 14, 2008

TO: MAYOR AND COUNCIL

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AMENDING THE WATER DEPARTMENT'S
2008-2009 FISCAL YEAR BUDGET TO ACCEPT &
APPROPRIATE TWO HUNDRED THOUSAND DOLLARS
FROM THE COUNTY OF LOS ANGELES

BACKGROUND

On July 29, 2008 the Mayor and Council adopted Resolution No. 22,663 to receive a Two Hundred Thousand Dollar Grant from the County of Los Angeles. These funds were accepted and deposited into account 5000-000000-3980 (Other State Grants). These funds will be used to install a new 10 inch water line which will replace the existing over aged and under sized 4 inch water line on the south west side of the City on Tartar Lane (between Greenleaf and College Way).

FINANCIAL IMPACT

The Compton Municipal Water received Two Hundred Thousand Dollars (\$200,000.00), and funds were deposited into the Other State Grants Account (5000-000-000-3980) and shall be appropriated into the Department's 2008-2009 Fiscal Year Budget into the following accounts:

2670-900-000-4235	Store Supplies
2670-900-000-4103	Overtime
2670-900-000-4249	Other Departmental Expenses

RECOMMENDATION

It is recommended that the attached resolution appropriating funds into the Water Departments 2008-09 Fiscal Year Budget be accepted.

KAMBIZ SHOGHI
GENERAL MANAGER

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE WATER DEPARTMENT’S 2008-2009 FISCAL YEAR BUDGET TO ACCEPT & APPROPRIATE TWO HUNDRED THOUSAND DOLLARS GRANT FROM COUNTY OF LOS ANGELES

WHEREAS, Council adopted Resolution # 22, 663 amending the Water Department’s 2008-2009 Fiscal Year Budget to accept Two Hundred Thousand Dollars from the County of Los Angeles; and

WHEREAS, the City of Compton’s Water Infrastructure is in need of improvements; and

WHEREAS, the Compton Municipal Water Department would like to appropriate these funds to be used to install a new 10 inch water line which will replace the existing over aged and undersized 4 inch water line and the attached house service connections on the south west side of the City; and

WHEREAS, the Compton Municipal Water Department received a Two Hundred Thousand Dollar grant; and

WHEREAS, it is necessary to amend the Water Department’s 2008/09 Fiscal Year Budget and appropriate funds as follows:

From:

<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000-000000-3980	Other State Grants	\$200,000.00

To:

2670-900-000-4235	Store Supplies	\$115,000.00
2670-900-000-4103	Overtime	\$ 70,000.00
2670-900-000-4249	Other Departmental Expenses	\$ 15,000.00

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

SECTION 1. That the revenues and appropriations be increased as stated.

SECTION 2. That a certified copy of this resolution shall be filed in the offices of the City Manager, City Controller, and Municipal Water Department.

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

ADOPTED this _____ day of _____, 2008.

MAYOR OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE TWO

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council at a regular meeting thereof held on the _____ day of _____, 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOULTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE WATER DEPARTMENT’S 2008-2009 FISCAL YEAR BUDGET TO ACCEPT & APPROPRIATE TWO HUNDRED THOUSAND DOLLARS GRANT FROM COUNTY OF LOS ANGELES

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

#7.

October 14, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: ACCEPTING THE BID OF ARMORCAST PRODUCTS COMPANY
FOR THE FURNISHING AND DELIVERY OF LEAD FREE MULTI-
JET METER BOXES AND COVERS

BACKGROUND

The Water Department is responsible for installing and replacing water meters boxes and covers in the City.

The department received sealed bids on August 27, 2008 for the furnishing and delivery of Lead-Free Multi-Jet Meter Boxes and Covers, and bids were received from the following vendors:

<u>VENDOR</u>	<u>AMOUNT</u>
Armorcast Products Company	\$ 54,755.55
Brandon Supply Corp.	\$ 59,400.00

Staff reviewed the bids submitted and selected the bid of Armorcast Products Company is the lowest responsible bidder. The meter boxes and covers will be stored at the vendor's facility and delivered on an as needed basis upon a twenty-four (24) hour notice. The vendor will bill the City for the meter boxes and cover after delivery.

FINANCIAL IMPACT

Funds are available in the Water Department's Fiscal Year 2008-09 Budget in Account Number 5000-880-000-4235.

RECOMMENDATION

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

#7.

Accepting the Bid of Armorcast Products Company
October 14, 2008
Page Two

SUMMARY

A resolution authorizing the purchase of water meter boxes and covers for the Municipal Water Department.

KAMBIZ SHOGHI
GENERAL MANAGER

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
ACCEPTING THE BID OF ARMORCAST PRODUCTS FOR THE
FURNISHING AND DELIVERY OF METER BOXES AND COVERS**

WHEREAS, the Water Department advertised for bids for the Furnishing and Delivery of Meter Boxes and Covers for Fiscal Year 2008-2009; and

WHEREAS, bids were received on Wednesday, August 27, 2008 as follows:

<u>VENDORS</u>	<u>AMOUNT</u>
Armorcast Products	\$54,755.55
Brandon Supply Corporation.	\$59,400.00

WHEREAS, staff reviewed the bids submitted and selected the bid of Armorcast Products; and

WHEREAS, funds have been allocated in the Water Department's Fiscal Year 2008-2009 Budget for these purchases; and

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

SECTION 1. That the bid of Armorcast Products in the amount of Fifty-four Thousand Seven Hundred and Fifty-Five Dollars and Fifty-five Cents (\$54,755.55). for the furnishing and delivery of meter boxes and covers is hereby accepted.

SECTION 2. That funds for these purchases are available in the Water Department's Fiscal Year 2008-2009 budget in Account Number 5000-880-000-4235.

SECTION 3. That the City Manager is hereby authorized to issue a purchase order in the amount of Fifty-four Thousand, Seven Hundred and Fifty-five Dollars and Fifty-five Cents (\$54,755.55).

SECTION 4. That a certified copy of this resolution shall be filed in the offices of the City Manager, City Controller, and Municipal Water Department.

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

ADOPTED this _____ day of _____, 2008.

MAYOR OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE TWO

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council at a regular meeting thereof held on the _____ day of _____ 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE BID OF ARMORCAST PRODUCTS FOR THE FURNISHING AND DELIVERY OF METER BOXES AND COVERS

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

#8.

October 14, 2008

TO: MAYOR AND COUNCIL MEMBERS
FROM: CITY MANAGER
SUBJECT: REQUEST TO SCHEDULE A WORKSHOP

Summary

The City Manager is requesting a workshop to be scheduled on Thursday, October 16, 2008 at 5:00 p.m. in the Community Meeting Room of the Council Chambers.

Background

The workshop is in regards to a "Smart Growth Implementation Plan" for the City of Compton presented by ICF International Consulting Services. ICF conducted an extensive review of the economic base in Compton and of future opportunities in the Enterprise Zone Application project. Drawing from this data, the ICF Team will develop a current picture of the economic and market conditions in Compton.

Recommendation

It is recommended that the City Council approve a workshop on the above date and time.

✓
CHARLES EVANS
CITY MANAGER

#9.

October 14, 2008

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: CITY ATTORNEY REPORT/CLAIM NO. I - 8178

SUMMARY

Staff is requesting that City Council deny the claim of Franklin Moore (Claim No. I-8178), presented to the City on September 9, 2008, pursuant to Govt. Code §§ 915, 912.4(a), and 912.6(a).

BACKGROUND

On September 9, 2008, Franklin Moore presented the above Claim to the City Controller's Office in the amount of \$505.68, for damages that he allegedly incurred to his vehicle while driving west bound on Compton Boulevard, past Central Avenue, when his car ran over a pot hole in the road, causing damage to a tire and rim. According to Claimant, both the tire and rim had to be replaced.

California law requires that the City have prior notice of the dangerous condition in order for the City to be held responsible for damages occurred to a third party. In this matter, there are no facts to show that the City had the requisite notice in order to assume responsibility.

FINANCIAL IMPACT

The amount of this claim is for Five Hundred Five Dollars and Sixty-Eight Cents.

RECOMMENDATION

Staff recommends that this claim be denied.

CRAIG J. CORNWELL
CITY ATTORNEY

#10.

October 14, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE SUBMISSION OF THE CITY'S 2007-2008 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

BACKGROUND

Each year, the City of Compton is required to submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Annual Performance and Evaluation Report (CAPER) detailing its funding levels, expenditures, and accomplishments for the Community Development Block Grant (CDBG), HOME Investment Partnership, and Emergency Shelter Grant (ESG) programs.

In compliance with HUD's citizen review and comments requirement, the City placed draft copies of its 2007-2008 CAPER in the following locations: El Camino College – Compton Center; Dollarhide Senior Citizen Center; Compton Unified School District; and in City Hall in the Planning and Economic Development Department, the Community Redevelopment Agency, the Office of the City Clerk, and the Office of the Mayor. The Report was made available for review and comment during the period of September 15, 2008 to September 29, 2008. A public hearing was held on October 7, 2008. At the conclusion of the comments period, the City Manager must obtain approval from the City Council in order to submit the CAPER to HUD.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to submit the 2007-2008 CAPER to HUD.

**GAY MORRIS, AICP, INTERIM PLANNING DIRECTOR
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**

**CHARLES EVANS
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE SUBMISSION OF THE CITY’S 2007-2008 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, in 2007-2008, the City of Compton received Community Development Block Grant (CDBG), HOME Investment Partnership, and Emergency Shelter Grant (ESG) funding from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD requires all recipients of CDBG, HOME and ESG funding to submit a Consolidated Annual Performance and Evaluation Report (CAPER) detailing its funding levels, expenditures, and accomplishments for the program year; and

WHEREAS, HUD requires that the CAPER be made available for public review and comment prior to its submission; and

WHEREAS, in compliance with HUD’s requirement, a draft copy of the CAPER was made available to the public during the period of September 15, 2008 and September 29, 2008 in the following locations: El Camino College - Compton Center; Dollarhide Senior Citizen Center; Compton Unified School District; and in City Hall in the Planning and Economic Development Department, the Community Redevelopment Agency, the Office of the City Clerk, and the Office of the Mayor; and

WHEREAS, a public hearing was held on October 7, 2008 to provide citizens with the opportunity to comment on the CAPER.

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

Section 1. That the City Manager on behalf of the City of Compton is authorized to submit the City’s 2007-2008 CAPER to the U.S. Department of Housing and Urban Development.

Section 2. That a certified copy of this resolution shall be filed in the Planning and Economic Development Department, Community Redevelopment Agency, Controller’s Office, City Manager’s Office, and City Clerk’s Office.

RESOLUTION NO. _____
PAGE 2 of 2

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

ADOPTED this _____ day of _____, 2008.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at the regular meeting thereof held on the _____ day of _____, 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

Planning

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE SUBMISSION OF THE CITY’S 2007-2008 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

<ManagersName>

DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>

DATE

REVIEW / APPROVAL

Ruth Rugley

CITY ATTORNEY

10/06/2008 4:15:06 PM

DATE

Willie Norfleet

CITY CONTROLLER

10/07/2008 5:24:58 PM

DATE

<CityManager>

CITY MANAGER

<CityManagerDate>

DATE

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

#11.

WARRANTS APPROVED BY COUNCIL

<u>Warrant #</u>	<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>
167513	10/7/08	Pacific Coast Waste & Recycling	Cost for Integrated Waste Mgmt. Services for September, 2008	\$543,567.72

Requested By: Water Department

I hereby certify that the above demand in the amount of \$543,567.72 was approved at a regular meeting of the City Council and reject _____ as of October 14, 2008.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on October 14, 2008 allowed the above demand.

Alita Godwin
City Clerk