

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, December 09, 2008
3:00 PM**

HEARING(S)

OPENING

ROLL CALL

APPROVAL OF MINUTES

INTRODUCTION OF SPECIAL GUESTS

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

CITY MANAGER/CITY ATTORNEY REPORTS

1. REQUEST FOR STREET BLOCKADE - Sacred Heart Church (December 11-14, 2008)
2. REQUEST TO APPROVE BEAUTIFICATION CONTEST AWARD (Fourth District)

CITY FIRE DEPARTMENT

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO ACCEPT THE BID OF MZN CONSTRUCTION TO BUILD AN ADA COMPLIANT RESTROOM AT COMPTON FIRE DEPARTMENT'S STATION #4.

CITY MANAGER

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AND PROVIDE FUNDING FOR THE COMPTON CHAMBER OF COMMERCE

COMMUNITY REDEVELOPMENT

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY'S 2008-2009 FISCAL YEAR BUDGET AND APPROPRIATING ADDITIONAL FUNDS TO EXPAND THE FIRST TIME HOMEBUYERS PROGRAM AND THE RESIDENTIAL REHABILITATION PROGRAM

HUMAN RESOURCES

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING A SALARY ADJUSTMENT FOR THE CLASSIFICATION OF PRINTING SERVICES SUPERVISOR

MUNICIPAL LAW ENFORCEMENT SERVICES

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH SHIELD'S SECURITY TO ADD ADDITIONAL FUNDS

RECREATION DEPARTMENT

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ESTABLISHING A HIV/AIDS POLICY FOR COMPTON SPECIAL SERVICES CENTER

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH C.H. STRAWTER DESIGN, INC. FOR SCOPING & CONCEPTUAL LANDSCAPE PLANNING OF THE COMPTON PAR 3 GOLF COURSE AND BURRELL-MACDONALD, GONZALES, ELLERMAN, FIG/OLEANDER, KELLY, OAKS, RAYMOND, SIBRIE, SOUTH, TRAGNIEW, TUCKER, OLYMPIC PARKS

WATER DEPARTMENT

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE BID OF MSO TECHNOLOGIES FOR THE CONNECTION OF WELL # 19 TO THE SCADA SYSTEM

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

11. DECLARE CITY COUNCIL DISTRICT 4 SEAT VACANT

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

12. Otis Haynes v. City of Compton - Claim I-8184

CITY TREASURER'S REPORTS

UNFINISHED BUSINESS

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON, AMENDING CHAPTER XXI OF THE COMPTON MUNICIPAL CODE RELATING TO REPORTING REQUIREMENTS FOR COLLECTORS OF SOLID WASTE AND RECYCLABLE MATERIALS **(SECOND READING)**

NEW BUSINESS

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF THE CITY'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP) SUBSTANTIAL AMENDMENT TO THE 2008-09 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN
15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 20 OF THE COMPTON MUNICIPAL CODE BY ADDING A NEW SECTION 20-5 REGULATING NEWSRACKS ON THE PUBLIC RIGHT-OF-WAY **(FIRST READING)**
16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 8-2.3 and 8-2.4 OF CHAPTER VIII OF THE COMPTON MUNICIPAL CODE TO AUTHORIZE THE POSITIONS OF DIRECTOR AND DEPUTY DIRECTOR OF THE MUNICIPAL LAW ENFORCEMENT SERVICES DEPARTMENT TO ISSUE CITATIONS AND/OR MAKE ARRESTS AND CARRY FIREARMS WHILE ON AUTHORIZED DUTY **(FIRST READING)**

APPROVAL OF WARRANTS

17. **Warrant #169337 - Date - 12/4/08 - Name - ASAP Sign Company - Description - Manufacturing and Installation of Monument Signs - Amount - \$58,215.00 - Requested by: City Manager's Office**

AUDIENCE COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, December 16, 2008 @ 7:00 PM.

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

MEMORANDUM – Street Closure

DATE: December 2, 2008
TO: City Clerk's Office
FROM: Municipal Law Enforcement Services Department
SUBJECT: Street Closure Applications

Please find attached a copy of the Street Closure Application that has been submitted to the City Manager's Office.

We are requesting that the application be put on the Council Agenda for December 9, 2008.

Please see attachments for details.

Sacred Heart Church

December 11th, 12th, 13th & 14th

5:00 p.m. December 11th until 12:00 a.m. December 14th

#1.

(Church is requesting that all fees be waived)

MEMORANDUM BLOCKCLUB COMMISSION

DATE: December 2, 2008
TO: CITY MANAGER/CITY COUNCIL
FROM: Municipal Law Enforcement Services Department
SUBJECT: SCARED HEART

The SACRED HEART CHURCH has submitted an application for a Street Blockade. The date and time requested for the Street Blockade would be as followed:

Dates Requested: December 11th, 12th, 13th, and 14th

Time: 5:00 p.m. – December 11, 2008 until
12:00 a.m. - December 14, 2008

The application has been reviewed and approved by the Compton Sheriff's Department, the Compton Fire Department and the Street Maintenance Department. The item also requires the City Manager's and the City Council's approval.

Please provide your recommendation below and please see that this item is place on the City Council Agenda for the Mayor and Council's approval.

☐ Approved ☐ Denied ☐ Pending

Thank you in advance for your prompt response.

JON THOMPSON

JON THOMPSON, FIRE CHIEF
DIRECTOR OF MLES DEPARTMENT

MEMORANDUM

BLOCK CLUB COMMISSION

#1.

DATE: November 17, 2008

TO: Charles Nelson – Street Maintenance
Lt. C. Cummings, Lt. Lucia, Lt. Goodin - Sheriff's Department;
Marcel Melanson – Fire Department

FROM: Jon Thompson – Fire Chief
Acting Director for the MLES Department

SUBJECT: **STREET BLOCKADE APPLICATION – SACRED HEART CHURCH**

Please be advised that the City Manager has requested that the Street Closure Application for Sacred Heart Church be pre-approved by the Street Maintenance Department, Sheriff Department and Fire Department before submitting to the Honorable Mayor and Council for approval. The following Block Club/Organization submitted a street blockade application

Event Sponsor:	Scared Heart Church
Contact Person:	Margarita Flores
Telephone Number:	(310) 635-5436
Dates Requested:	December 11 th , 12 th , 13 th , & 14 th
Time:	Thursday, December 11 th 6:00 p.m. until Sunday, December 14 th – 10:00 p.m.

Street Closure: Please see attached map

Type of Event: Carnival for parish fundraiser

After reviewing the application, the Block Club Commission recommended the following:

APPROVED DENIED PENDING

Please provide your recommendation below, indicate your department, print your name, sign, date and return or fax the form to me within three (3) days of receipt of this memorandum so that I can forward the package to the Honorable Mayor and Council in a timely manner for final approval. My fax number is (310) 537-1907.

LASD/Compton
Department

Byron Woods
Print Name

[Signature] 11/20/08
Signature/Date

Thank you for your courtesy and cooperation in this matter.

JON THOMPSON, FIRE CHIEF
Director of the Municipal Law Enforcement Services Department

Application attached

#1.

MEMORANDUM

BLOCK CLUB COMMISSION

DATE: November 17, 2008

TO: Charles Nelson – Street Maintenance
Lt. C. Cummings, Lt. Lucia, Lt. Goodin - Sheriff's Department;
Marcel Melanson – Fire Department

FROM: Jon Thompson – Fire Chief
Acting Director for the MLES Department

SUBJECT: **STREET BLOCKADE APPLICATION – SACRED HEART CHURCH**

Please be advised that the City Manager has requested that the Street Closure Application for Sacred Heart Church be pre-approved by the Street Maintenance Department, Sheriff Department and Fire Department before submitting to the Honorable Mayor and Council for approval. The following Block Club/Organization submitted a street blockade application

Event Sponsor:	Scared Heart Church
Contact Person:	Margarita Flores
Telephone Number:	(310) 635-5436
Dates Requested:	December 11 th , 12 th , 13 th , & 14 th
Time:	Thursday, December 11 th 6:00 p.m. until Sunday, December 14 th – 10:00 p.m.

Street Closure: Please see attached map

Type of Event: Carnival for parish fundraiser

After reviewing the application, the Block Club Commission recommended the following:

APPROVED

DENIED

PENDING

Please provide your recommendation below, indicate your department, print your name, sign, date and return or fax the form to me within three (3) days of receipt of this memorandum so that I can forward the package to the Honorable Mayor and Council in a timely manner for final approval. My fax number is (310) 537-1907.

PUBLIC WORKS

Department

CHARLES NELSON

Print Name

Charles K. Nelson 11-20-08

Signature/Date

Thank you for your courtesy and cooperation in this matter.

JON THOMPSON, FIRE CHIEF
Director of the Municipal Law Enforcement Services Department

Application attached

MEMORANDUM

BLOCK CLUB COMMISSION

#1.

DATE: November 17, 2008

TO: Charles Nelson – Street Maintenance
Lt. C. Cummings, Lt. Lucia, Lt. Goodin - Sheriff's Department;
Marcel Melanson – Fire Department

FROM: Jon Thompson – Fire Chief
Acting Director for the MLES Department

SUBJECT: STREET BLOCKADE APPLICATION – SACRED HEART CHURCH

Please be advised that the City Manager has requested that the Street Closure Application for Sacred Heart Church be pre-approved by the Street Maintenance Department, Sheriff Department and Fire Department before submitting to the Honorable Mayor and Council for approval. The following Block Club/Organization submitted a street blockade application

Event Sponsor:	Scared Heart Church
Contact Person:	Margarita Flores
Telephone Number:	(310) 635-5436
Dates Requested:	December 11 th , 12 th , 13 th , & 14 th
Time:	Thursday, December 11 th 6:00 p.m. until Sunday, December 14 th – 10:00 p.m.

Street Closure: Please see attached map

Type of Event: Carnival for parish fundraiser

After reviewing the application, the Block Club Commission recommended the following:

APPROVED

DENIED

PENDING

Please provide your recommendation below, indicate your department, print your name, sign, date and return or fax the form to me within three (3) days of receipt of this memorandum so that I can forward the package to the Honorable Mayor and Council in a timely manner for final approval. My fax number is (310) 537-1907.

MLES
Department

Jon Thompson
Print Name

[Signature] 11/18/08
Signature/Date

Thank you for your courtesy and cooperation in this matter.

JON THOMPSON, FIRE CHIEF
Director of the Municipal Law Enforcement Services Department

Application attached

#1.

MEMORANDUM BLOCK CLUB COMMISSION

DATE: November 17, 2008

TO: Charles Nelson – Street Maintenance
Lt. C. Cummings, Lt. Lucia, Lt. Goodin - Sheriff's Department;
Marcel Melanson – Fire Department

FROM: Jon Thompson – Fire Chief
Acting Director for the MLES Department

SUBJECT: STREET BLOCKADE APPLICATION – SACRED HEART CHURCH

Please be advised that the City Manager has requested that the Street Closure Application for Sacred Heart Church be pre-approved by the Street Maintenance Department, Sheriff Department and Fire Department before submitting to the Honorable Mayor and Council for approval. The following Block Club/Organization submitted a street blockade application

Event Sponsor:	Scared Heart Church
Contact Person:	Margarita Flores
Telephone Number:	(310) 635-5436
Dates Requested:	December 11 th , 12 th , 13 th , & 14 th
Time:	Thursday, December 11 th 6:00 p.m. until Sunday, December 14 th – 10:00 p.m.

Street Closure: Please see attached map

Type of Event: Carnival for parish fundraiser

After reviewing the application, the Block Club Commission recommended the following:

APPROVED

DENIED

PENDING

PENDING INSPECTIONS JO.

Please provide your recommendation below, indicate your department, print your name, sign, date and return or fax the form to me within three (3) days of receipt of this memorandum so that I can forward the package to the Honorable Mayor and Council in a timely manner for final approval. My fax number is (310) 537-1907.

FIRE

Department

Jon Thompson

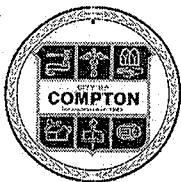
Print Name

[Signature] 11/18/08
Signature/Date

Thank you for your courtesy and cooperation in this matter.

JON THOMPSON, FIRE CHIEF
Director of the Municipal Law Enforcement Services Department

Application attached



#1.

City of Compton
Municipal Law Enforcement Services Department

600 North Alameda Street, Compton, CA 90221

(310) 605-6331 or Facsimile (310) 537-1907

TEMPORARY EVENT PERMIT

GROUP/ORGANIZATION NAME: Sacred Heart Church
ADDRESS: 1720 N. Culver Ave. Compton CA 90222
PHONE: (310) 635-5436 DATE REQUESTED: 12/12, 13 & 14/2008
TIME: Dec. 11, 6:00p end Sunday 10:00pm
TYPE OF ORGANIZATION: Church (non-profit org)
ORGANIZATION'S RESPONSIBLE PARTY: Msgr. John Woolway and Margarita Flores
EVENT LOCATION: _____
(IF THIS NOT YOUR OWN PROPERTY A WRITTEN AUTHORIZATION FROM OWNER MUST BE ATTACHED)
PURPOSE OF EVENT: Carnival as a parish fundraiser
EVENT CONTACT PERSON Margarita Flores PHONE: () _____
APPROXIMATE NUMBER OF PEOPLE ATTENDING: 400

DESCRIPTION OF EQUIPMENT TO BE USED (Stage, jumper, sound system, etc.): _____

Please acknowledge that these will be adhered to:

1. There will be no consumption of alcohol on City or public property INITIAL MT
2. No fee may be collected to attend. INITIAL MT
3. The applicant agrees to indemnify, defend and hold harmless the City and any and all of its employees, officials and agents from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including attorneys' fees and costs, court costs, interest, defense costs, and expert witness fees, where the same arise out of or are in consequence of, or are in any way attributable to, in whole or in part, the performance of this permit or by any individual or entity for which the person applying is legally liable, including but not limited to officers, agents, or employees or the person applying.

INITIAL MT

#1.

Application Policies

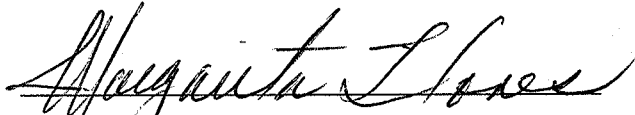
1. Must be over 18 years of age.
2. You must submit your application to the MLES Department at least 30 working days prior to your event (see attached application).
3. You must provide a petition with signatures from at least 70% of the residents within the affected area.
4. You must provide a diagram of the layout for the event for approval by City staff as well as Public Safety staff.
5. By submitting and signing the application you agree to Hold Harmless the City of Compton.

Event Policies

1. The street must be accessible to emergency vehicles at all times.
2. No alcohol may be consumed on City or public property.
3. Participants must obey all laws and local ordinances including, but not limited to, parking restrictions.
4. All businesses/residents must have unrestricted entry and exit privileges of the area.

I HEREBY STATE THAT THE ABOVE STATEMENTS AND ANSWERS CONTAINED HEREIN ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

I FURTHER STATE THAT I HAVE READ AND I UNDERSTAND THE RULES AND REGULATIONS AND, IN THE EVENT THE PERMIT IS GRANTED, I WILL COMPLY IN ALL RESPECTS TO THE REGULATIONS THEREIN.

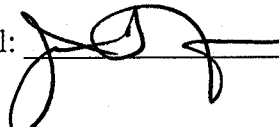

Signature of applicant

Do not write below this line.

Received by (Date) _____

INITIAL _____

Sheriff Department Personnel Signature of Approval: _____

Fire Department Personnel Signature of Approval:  _____

ICMS Personnel Signature of Approval: _____

Date of Approval: _____

This is *not* a permit to conduct a party, disturb the peace or create an unsafe condition. This is not a contract and shall only be used as consent from the City to create a temporary street closure for the dates and times indicated on this permit.

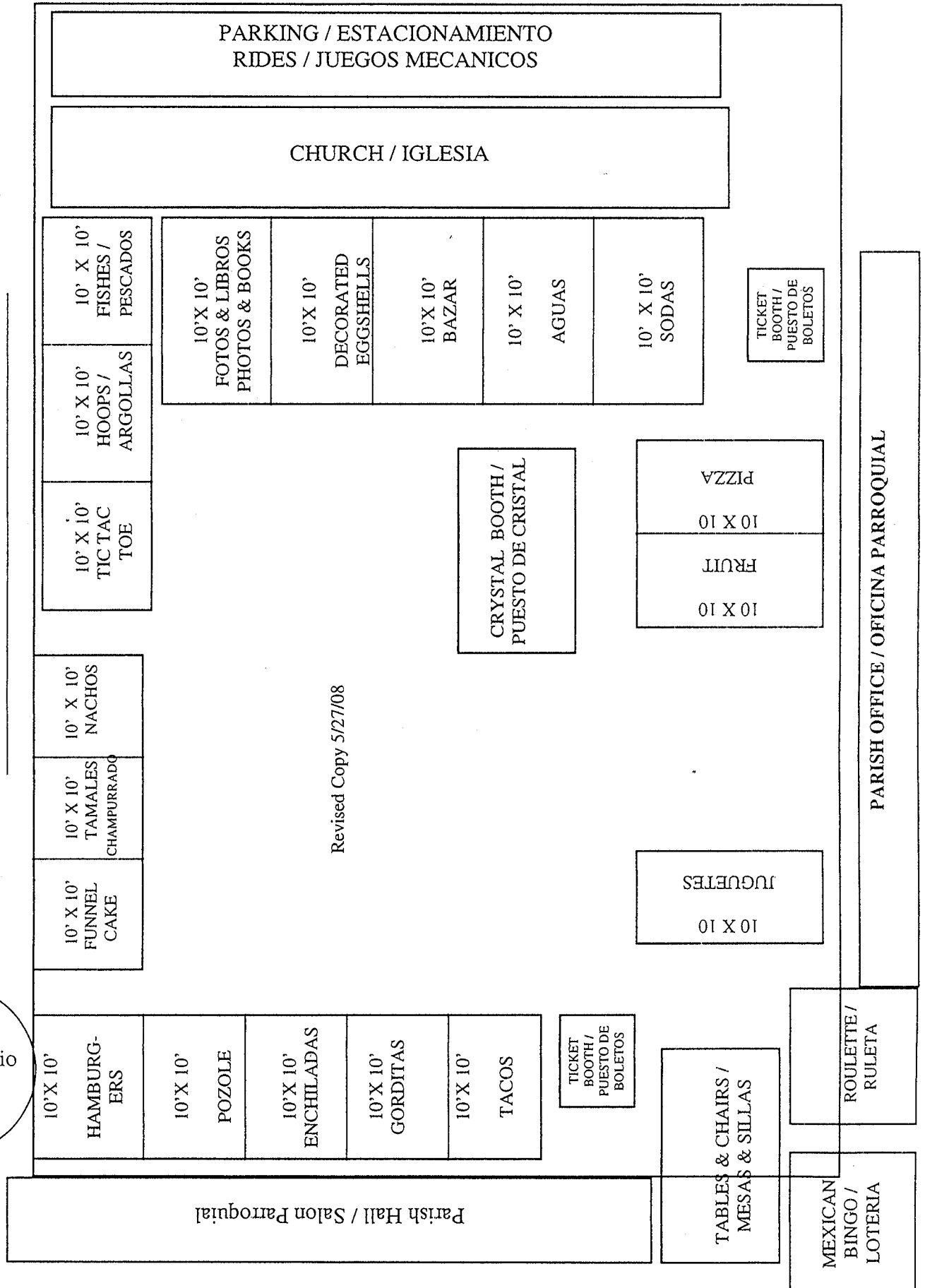
Cc: City Manager

03/03/08

ORIS STREET

CULVER STREET

Stage / Escenario
20'x 30'



WINONA STREET

#1.

Sacred Heart Church

1720 No. Culver Ave.

Compton, CA 90222

Tel. # (310) 635-5436 Fax # (310) 635-2121

Mr. Charles Evans, City Manager
Compton City Mayor and City Council
205 S. Willowbrook Ave.,
Compton, CA 90220

Nov. 14, 2008

Dear Mr. Evans, Mayor Perrodin, and City Council Members,

On December 12, 13, and 14, 2008, our parish will hold a carnival as a fundraiser and to honor Our Lady of Guadalupe. With this event, we are respectfully asking you to grant us permission for the carnival and for our religious procession connected with it. The carnival is intended as an event to promote harmony among our parishioners and to help them connect tradition and unity as members of our city. We believe that this carnival is an opportunity for our parish community to work together and strengthen our unity and our ministries.

There are various expenses in preparation for this event. With this in mind, we come to you for assistance. **We are requesting that you waive the special permit fee of \$230.00 which, I believe, is an administrative fee, and the General Use Permit fee of \$145.00.** Your generosity will help diminish the expenses and increase the collaborative efforts between the city and our parish.

To make this event run more smoothly and for the safety of all taking part in it, we are requesting that the following streets be blocked, starting Thursday, Dec. 11, at 5 PM, and ending Sunday, Dec. 14, at 12 AM: **Culver Ave., north to south from Winona to Oris, and Winona Ave., east to west from alley to alley.**

The **religious procession** in honor of Our Lady of Guadalupe will take place on Sunday, December 14, at 1 PM. The starting point will be the main doors of the church, proceeding to Vesta Ave., turning west on Hatchway St., south on Aranbe Ave., east on Pear St., south on Acacia Ave., east on Douglas Ave., north on Culver Ave., and ending back at the parish site where the carnival is taking place. We estimate that about 200 – 400 people will take part in this walking procession.

This year the challenges we face are substantially greater than those in the past. We need you to join with us and be part of this important event!

May the peace of our Lord be with you all!

Respectfully and gratefully,

Msgr. John A. Woolway

Msgr. John Woolway, Administrator Pro Tem

PETITION
(FOR RESIDENTIAL AREAS)
REQUEST FOR TEMPORARY STREET CLOSURE PERMIT

10-20-08

	Event Name	Primary Street	Date
1.	Ang B Edeta	25 W. Winona St	
	Name	Telephone #	
	María Alvaraz		
	Signature	Title	Address
2.	1711 N Alicia Ave Compton CA 90222		
	Name	Telephone #	
	Lernardo Fonseca		
	Signature	Title	Address
3.	Lernardo Fonseca		
	Name	Telephone #	
		310 654 6029	
	Raymonda A. Ramirez		
	Signature	Title	Address
4.	Ubaldo Salazar		
	Name	Telephone #	
	Ubaldo Salazar		
	Signature	Title	Address
5.	Oralia Collier		
	Name	Telephone #	
		310 213 5558	
	Signature	Title	Address
6.	Rose Orzco		
	Name	Telephone #	
		310 639-5053	
	R H Orzco		
	Signature	Title	Address
7.	Armando Contreras		
	Name	Telephone #	
		1608 N. Culver St.	
		(562) 843-7040	
	Signature	Title	Address

#1.

PETITION
(FOR RESIDENTIAL AREAS)
REQUEST FOR TEMPORARY STREET CLOSURE PERMIT

Event Name	Primary Street	Date
11. <u>Emelda Marin</u>		<u>310 928-32-85</u>
Name		Telephone #
<u>Emelda Marin</u>	<u>1706 N. Culver Ave Compton C. D.</u>	
Signature	Title	Address
12. <u>Linda Escobedo</u>		
Name		Telephone #
<u>1620 N. Culver Ave - Compton</u>		
Signature	Title	Address
13. <u>Maria Cumplido</u>	<u>1700 N Culver AVE</u>	<u>310 632-4671</u>
Name		Telephone #
Signature	Title	Address
14. _____		
Name		Telephone #
Signature	Title	Address
15. _____		
Name		Telephone #
Signature	Title	Address
16. _____		
Name		Telephone #
Signature	Title	Address
17. _____		
Name		Telephone #
Signature	Title	Address

December 9, 2008

TO: MAYOR & CITY COUNCIL
FROM: BEAUTIFICATION COMMITTEE
SUBJECT: APPROVAL OF AWARD FOR THE BEAUTIFICATION
RECOGNITION CONTEST

The Beautification Committee has implemented a Beautification Recognition Contest every quarter. The contest for the Fourth District was held October 1-31, 2008.

The committee has selected its winners and would like to present the winners of this contest with gift cards from The Home Depot Center at the December 16, 2008, Council meeting.

It is hereby requested that the Council approve the monetary amounts as follows:

Residential

First Place -	\$250.00
Second Place -	\$100.00

Business

First Place -	\$150.00
---------------	----------

Alita Godwin, CMC
City Clerk

December 9, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO ACCEPT THE BID OF MZN CONSTRUCTION TO BUILD AN ADA COMPLIANT RESTROOM AT COMPTON FIRE DEPARTMENT'S STATION #4.

SUMMARY

This resolution authorizes the City Manager to accept the bid and enter into a contract with MZN Construction to build an ADA compliant restroom at Compton Fire Station #4.

BACKGROUND

Under Title II of the Americans with Disabilities Act (ADA) reasonable accommodations must be made to ensure facilities are readily accessible and usable by individuals with disabilities. This includes all programs, services, and activities, provided by a public agency. Fire Station #4 is used twenty-four hours daily by on-duty personnel as a facility to respond from while providing emergency services. Station #4 was built in the 1970's. The current restroom status at the station only provides facilities for men and does not offer a women's restroom.

The City received Community Development Block Grant (CDBG) funds to construct ADA accessible restrooms. An invitation for bids was posted in the Compton Bulletin and the Long Beach Press Telegram. Sixteen contractors attended the Pre-Bid Meeting, although; only eight submitted a bid to complete this project.

STATEMENT OF THE ISSUE

MZN Construction submitted a bid to construct ADA compliant women's restroom at Compton's Fire Station #4. The City has never worked with this contractor before, however; this contractor submitted the most responsible bid, providing the bid evaluating committee with the lowest bid with the greatest amount of experience. The bid was in the amount of \$112,888.00 for the construction of a restroom that is consistent with the existing facility design. The top three (3) responsible bids were as follows:

CALTECT Corp.	\$185,500.00
C.G. Construction	\$136,780.00
MZN Construction	\$112,888.00

FISCAL IMPACT

There is no further financial impact to budget funds, the current funding for this project has been allocated into accounts 2800-69-0S59-4236 (FY 05-06) and 2800-69-0V59-4236 (FY 08-09).

#3.

RECOMMENDATION

It is recommended that the City Council approve the attached resolution to accept the bid and enter into a contract with MZN Construction.

JON THOMPSON
FIRE CHIEF

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO ACCEPT THE BID OF MZN CONSTRUCTION TO BUILD AN ADA COMPLIANT RESTROOM AT COMPTON FIRE DEPARTMENT’S STATION #4.

WHEREAS, Under Title II of the Americans with Disabilities Act (ADA) reasonable accommodations must be made to ensure facilities are readily accessible and usable by individuals with disabilities; and

WHEREAS, the Compton Fire Station #4 does not currently have a women’s ADA accessible restroom; and

WHEREAS, a CDBG grant was awarded to design and construct a women’s ADA compliant restrooms; and

WHEREAS, an invitation for bids was posted and MZN Construction was the most responsible and chosen for their submitted bid in the amount of \$112,888.00; and

WHEREAS, the top bids submitted were as follows:

1. CALTECT Corp	\$185,500.00
2. C.G. Construction	\$136,780.00
3. MZN Construction	\$112,888.00

WHEREAS, it is in the best interest of the City of Compton to accept the bid and enter into a contract with MZN Construction.

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

SECTION 1. That the bid of MZN Construction be accepted.

SECTION 2. That the City Manager is authorized to issue a purchase order and enter into a contract with MZN Construction in the amount of \$112,888.00 to construct an ADA compliant women’s restroom at Station #4.

SECTION 3. That funds are available in grant account 2800-69-0V59-4236 (FY 08-09) and 2800-69-0S59-4236 (FY 05-06) an shall be used to compensate MZN Construction for the construction of the women’s restroom at Compton Fire Station #4:

SECTION 4. That copies of this resolution shall be filed in the offices of the City Manager, City Controller, Fire Department, and City Clerk.

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

RESOLUTION NO. _____
Page 2

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 MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAINS: COUNCIL MEMBERS –

CITY CLERK OF THE CITY OF COMPTON

EVALUATION AND SELECTION REPORT

BID CFD—2008—4

**FIRE STATION
ADA RESTROOM RENOVATION PROJECT
COMPTON FIRE STATION No. 4**

For

COMPTON FIRE DEPARTMENT

October 15, 2008

#3.

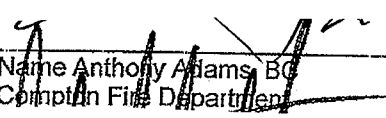
IFB/BID # CFD—2008—4

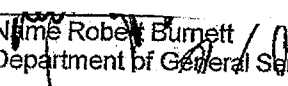
EVALUATION AND SELECTION REPORT

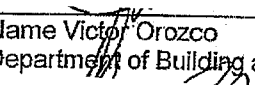
EVALUATION AND SELECTION TEAM

SIGN-OFF

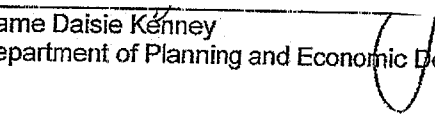
The following team members have read the enclosed Evaluation and Selection Report and concur with the findings as written:


Name Anthony Adams, BC
Compton Fire Department


Name Robert Burnett
Department of General Services


Name Victor Orozco
Department of Building and Safety


Name Vladimir Jefferson
Department of Planning and Economic Development


Name Daisy Kenney
Department of Planning and Economic Development

EVALUATION AND SECTION REPORT

RECOMMENDATION

The highest combined score was from **MZM Construction**, with a score of 161. **MZM** bid is \$112,888.00. It is the recommendation of the Evaluation and Selection Team that the Intent to Award be issued to **MZM Construction** as the vendor receiving the highest score in accordance with Evaluation of the BID.

Final selection was based on the highest weighted score among the responsive bid proposals. Responsiveness bids are bids with all the required documentations.

The Fire Station ADA Restroom Renovation Project competitive procurement was conducted using sealed envelope procedure.

SUMMARY

The purpose of this IFB/BID was to solicit proposals for a **FIRE STATION ADA RESTROOM RENOVATION PROJECT**. One 120 days is allocated for completion of the contract. The estimated value of the contract is approximately **\$139,753.00** calculated by Victor Orozco, Department of Building and Safety.

The scope of work is the renovation construction of a women's restroom in a public facility. The construction renovation is to be inclusive of mechanical, plumbing, electrical systems and any other specialties as may be required. The women restroom is to be renovated to include appliances detailed in the work specification and be ADA compliant.

The selected contractor is to provide labor, equipment, materials, and any other incidentals that complete the construction renovation of the ADA compliant women's restroom, including installation of energy efficient lighting and water saving fixtures. Construction working drawings and specifications were contained in this bid document.

Contractors were asked to provide the City with all required documents so that the City could determine which contractor would be the most responsible bidder to recommend the contract.

- I. Contractor's Project Cost BID
- II. BID Cost Schedule
- III. Contractor's Statement Of Qualification Questionnaire
 - A. Contact Information
 - B. Essential Requirements For Qualification
 - C. Organization, History, Organizations, Performance, Compliance with Civil and Criminal laws
 - D. Recent Construction Projects Completed
 - E. Description of related contracting services provided with references
- IV. Required Certifications and Documents--signed:

BID OPENING

On **September 16, 2006 at 5pm**, the City Clerk conducted a bid opening of all of the BID envelopes received for the Fire Station ADA Restroom Renovation Project, examining the contents of each BID envelope to determine if the required bid bond was included with the bid. The City Clerk then recorded each of the bidder's bid cost amount.

EVALUATION

The Evaluation and Selection Team met as a group to familiarize themselves with bid procedures. The team reviewed each bid submission to determine if all requested documents were included in BID; checked the **Federal Excluded Parties List** and **California Contractors State License Board** Web sites to determine the eligibility of each contractor. After the responsiveness review was completed, each bid proposal was read by each team member. Each proposal was reviewed, scored and weighted according to the contractor's experience and bid cost amount.

EVALUATION AND SECTION REPORT

The Evaluation Team then evaluated responsive bid submissions to determine the lowest responsible bidder. Each BID was evaluated and scored according to a 0 to 4 point scale. Note that non-responsive bids received zero points. Point scores were then weighted according to a 100 percent weight criteria. Experience of individuals and organization received a weight of 55% and BID cost was weighted 45%.

FINAL BID PROPOSALS SCORE SUMMARY:

Contractors	BID Cost	Anthony Adams	Victory Orozco	Vladimir Jefferson	Robert Burnett	Daisie Kenney	Total
Alpha Beta	\$ 246,000.00	0	0	0	0	0	0
First California Construction	\$ 176,986.72	0	0	0	0	0	0
2k Construction	\$95,950.00	2.35	2.35	2.35	2.35	2.9	9.95
Unique Performance	\$ 194,800.00	0	0	0	0	0	0
MZM Construction	\$ 112,888.00	3.55	3	3.55	2.45	3.55	16.1
CALTEC Corp	\$ 185,500.00	2.1	2.65	2.65	2.35	2.65	12.4
C.G. Construction	\$ 136,780.00	3.1	2.55	3.1	3.1	2.65	14.5
Average BID Amount	\$164,129.25	11.1	8.2	11.65	10.25	11.75	

Rater: Anthony Adams

Contractors	BID Cost	Section 3 Adjustment	Section 3 Adjusted Bid	Experience (55%)	BID (45%)	Total Score	Weighted Final Score
Alpha Beta	\$ 246,000.00	\$9,000.00	\$104,950.00	0	0	0	0
First California Construction	\$ 176,986.72	\$9,000.00	\$104,950.00	0	0	0	0
2k Construction	\$ 95,950.00	\$9,000.00	\$104,950.00	1	4	5	2.35
Unique Performance	\$ 194,800.00	\$9,000.00	\$104,950.00	0	0	0	0
MZM Construction	\$ 112,888.00	\$9,000.00	\$104,950.00	4	3	7	3.55
CALTEC Corp	\$ 185,500.00	\$9,000.00	\$104,950.00	3	1	4	2.1
C.G. Construction	\$ 136,780.00	\$9,000.00	\$104,950.00	4	2	6	3.1
Average BID Amount	\$164,129.25						

EVALUATION AND SECTION REPORT

Rater: Victor Orazco

Contractors	BID Cost	Section 3 Adjustment	Section 3 Adjusted BID	Experience (55%)	BID (45%)	Total Score	Weighted Final Score
Alpha Beta	\$ 246,000.00	\$9,000.00	\$104,950.00	0	0	0	0
First California Construction	\$ 176,986.72	\$9,000.00	\$104,950.00	0	0	0	0
2k Construction	\$ 95,950.00	\$9,000.00	\$104,950.00	1	4	5	2.35
Unique Performance	\$ 194,800.00	\$9,000.00	\$104,950.00	0	0	0	0
MZM Construction	\$ 112,888.00	\$9,000.00	\$104,950.00	3	3	6	3
CALTEC Corp	\$ 185,500.00	\$9,000.00	\$104,950.00	4	1	5	2.65
C.G. Construction	\$ 136,780.00	\$9,000.00	\$104,950.00	3	2	5	2.55
Average BID Amount	\$164,129.25						

Rater: Vladimir Jefferson

Contractors	BID Cost	Section 3 Adjustment	Section 3 Adjusted BID	Experience (55%)	BID (45%)	Total Score	Weighted Final Score
Alpha Beta	\$ 246,000.00	\$9,000.00	\$104,950.00	0	0	0	0
First California Construction	\$ 176,986.72	\$9,000.00	\$104,950.00	0	0	0	0
2k Construction	\$ 95,950.00	\$9,000.00	\$104,950.00	1	4	5	2.35
Unique Performance	\$ 194,800.00	\$9,000.00	\$104,950.00	0	0	0	0
MZM Construction	\$ 112,888.00	\$9,000.00	\$104,950.00	4	3	7	3.55
CALTEC Corp	\$ 185,500.00	\$9,000.00	\$104,950.00	4	1	5	2.65
C.G. Construction	\$ 136,780.00	\$9,000.00	\$104,950.00	4	2	6	3.1
Average BID Amount	\$164,129.25						

EVALUATION AND SECTION REPORT

Rater: Robert Burnett

Contractors	BID Cost	Section 3 Adjustment	Section 3 Adjusted BID	Experience (55%)	BID (45%)	Total Score	Weighted Final Score
Alpha Beta	\$ 246,000.00	\$9,000.00	\$104,950.00	0	0	0	0
First California Construction	\$ 176,986.72	\$9,000.00	\$104,950.00	0	0	0	0
2k Construction	\$95,950.00	\$9,000.00	\$104,950.00	1	4	5	2.35
Unique Performance	\$194,800.00	\$9,000.00	\$104,950.00	0	0	0	0
MZM Construction	\$112,888.00	\$9,000.00	\$104,950.00	2	3	5	2.45
CALTEC Corp	\$185,500.00	\$9,000.00	\$104,950.00	3	1	4	2.35
C.G. Construction	\$136,780.00	\$9,000.00	\$104,950.00	4	2	6	3.10
Average BID Amount	\$164,129.25						

Rater: Daisie Kenney

Contractors	BID Cost	Section 3 Adjustment	Section 3 Adjusted BID	Experience (55%)	BID (45%)	Total Score	Weighted Final Score
Alpha Beta	\$ 246,000.00	\$9,000.00	\$104,950.00	0	0	0	0
First California Construction	\$ 176,986.72	\$9,000.00	\$104,950.00	0	0	0	0
2k Construction	\$95,950.00	\$9,000.00	\$104,950.00	2	4	6	2.9
Unique Performance	\$ 194,800.00	\$9,000.00	\$104,950.00	0	0	0	0
MZM Construction	\$ 112,888.00	\$9,000.00	\$104,950.00	4	3	7	3.55
CALTEC Corp	\$ 185,500.00	\$9,000.00	\$104,950.00	4	1	5	2.65
C.G. Construction	\$ 136,780.00	\$9,000.00	\$104,950.00	4	2	6	3.1
Average BID Amount	\$ 164,129.25						

HUD SECTION 3

Since this procurement is to be funded with HUD CDBG funds, the City is required to offer HUD Section 3 bid preferences to qualified HUD Section 3 Contractors. The City is required to award the contract to the HUD Section 3 Contractor who has the lowest cost Bid.

First preference is given to a bidder who provides a reasonable bid and is a qualified Section 3 Business Concern. Second preference is given to a bidder who provides a reasonable bid and commits to achieving the Section 3 employment, training and subcontracting opportunity goals by submitting a written commitment (*Economic Opportunity Plan*).

None of the contractors who submitted bids were able to meet the HUD Section 3 test for responsiveness and cost reasonableness

EVALUATION AND SECTION REPORT

SECTION 3 BID EVALUATION MEMORANDUM

Date _____

Department: COMPTON FIRE DEPARTMENT
FIRE STATION RESTROOM RENOVATION PROJECT
COMPTON FIRE STATION No 4

LCC: _____

Project Name: _____

Project Number: BID CFD—2008—4

Bid Opening Date: September 16, 2008

REASONABLENESS OF BID (See guidelines on the back of this form for the *Zone of Consideration*)

X FACTOR	The Lowest Bid		\$95,950 00	
	PLUS			
	the Lesser of 10 % of Low Bid (\$9,595.00) - or \$9,000.00		\$9,000.00	
		EQUAL	\$104,950.00	
Maximum Acceptable Section 3 Reasonable Bid				
NAME OF BIDDER		Section 3 Responsive		Bid Amount (List Low Bid First)
(Documents Provided to demonstrate responsiveness to Section 3 Contracting, Employment and Training Goals)		Yes	No	
2k Construction		NA	NA	\$95,950.00
Sec 3 No Did not sign doc	☐ Qualified Section 3 Business Concern, ☐ 51% Owned by Section 3 person(s), or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____ % ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____ % ☐ Employees, or ☐ New Hires			
MZM Construction				\$112,888.00
Section 3 Yes	☐ Qualified Section 3 Business Concern, ☐ 51% Owned by Section 3 person(s), or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____ % ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____ % ☐ Employees, or ☐ New Hires		X	
C.G. Construction				\$136,780.00
Section 3 Yes	☐ Qualified Section 3 Business Concern, ☐ 51% Owned by Section 3 person(s), or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____ % ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____ % ☐ Employees, or ☐ New Hires		X	
1st California Construction		NA	NA	\$176,986.72
Not Section 3	☐ Qualified Section 3 Business Concern, ☐ 51% Owned by Section 3 person(s) or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____ % ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____ % ☐ Employees, or ☐ New Hires			
CALTEC Corp		NA	NA	\$185,500.00
Section 3 No	☐ Qualified Section 3 Business Concern, ☐ 51% Owned by Section 3 person(s), or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____ % ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____ % ☐ Employees, or ☐ New Hires			

#3.

BID CFD—2008—4

EVALUATION AND SECTION REPORT

Unique Performance				
Sec 3 No Did not sign doc	☐ Qualified Section 3 Business Concern ☐ 51% Owned by Section 3 person(s) or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____% ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____% ☐ Employees or ☐ New Hires		NA	\$194,800.00
Alpha Beta				
Not Section 3	☐ Qualified Section 3 Business Concern, ☐ 51% Owned by Section 3 person(s), or ☐ Section 3 Economic Opportunity Plan ☐ Section 3 Business Certification form(s) _____% ☐ Subcontracts ☐ Section 3 Resident Certification form(s) _____% ☐ Employees, or ☐ New Hires		NA	\$246,000.00

First preference will be given to a bidder who provides a reasonable bid and is a qualified Section 3 Business Concern. Second preference will be given to a bidder who provides a reasonable bid and commits to achieving the Section 3 employment training and subcontracting opportunity goals by submitting a written commitment (*Economic Opportunity Plan*).

RECOMMENDATION FOR SECTION 3 CONTRACT AWARD

The contractor listed below is a Section 3 Responsive Bidder within the "Zone of Consideration"

(Print Name of Labor Compliance Coordinator)

Check the box below if applicable

(Signature of Labor Compliance Coordinator)



No bidders were able to meet Section 3 responsive and reasonable bidding requirements. Therefore, the construction contract will be awarded to the lowest bidder who has provided a reasonable bid in accordance with the awarding agency's policy and procedures.

(Date)

RECOMMENDATION FOR SECTION 3 CONTRACT AWARD

A Section 3 Responsive bidder is one who:

A. Qualifies as a Section 3 Business concern because the business:

- Is 51% owned by low-income residents, or
- 30% or more of its permanent full-time employees are low-income residents.

Business concerns must provide the following support documentation:

- * Section 3 Business Certification form
- * Section 3 Resident Certification forms

- OR -

B. Makes a written commitment (*Economic Opportunity Plan*) to:

- Hire low-income residents (Provide Resident Certification(s) for at least 30% aggregate new-hires) and/or
- Subcontract 25% or more of the contract dollar amount to qualified Section 3 Business concerns

- OR -

A Section 3 Non-responsive bidder is one who:

- ▶ Fails to make a written commitment, or
- ▶ Fails to provide Resident or Business Certification form(s) that would support a responsive claim

However, if the lowest bid of a qualified Section 3 Business concern is not reasonable, as defined below, the contract shall be awarded to the lowest responsive bid from any responsible bidder

EVALUATION AND SECTION REPORT

A reasonable bid is a bid that is not more than the value of "X" higher than the **LOWEST RESPONSIVE BID**

- 1 The actual dollar amount of bid received from any responsible bidder, PLUS
- 2 The "X" FACTOR, which is the lesser of;
 - a The dollar amount of the required percentage listed on the chart below of the Bid submitted, or
 - b The actual dollar amount listed on the chart below
- 3 Equal the **MAXIMUM ACCEPTABLE BID**

Zone of Consideration

If the Lowest Bid is		The "X" FACTOR	
At Least	But Less Than	is the lesser than	
\$100,000	N/A	10%	\$9,000
\$100,000	\$200,000	9%	\$16,000
\$200,000	\$300,000	8%	\$21,000
\$300,000	\$400,000	7%	\$24,000
\$400,000	\$500,000	6%	\$25,000
\$500,000	\$1,000,000	5%	\$40,000
\$1,000,000	\$2,000,000	4%	\$60,000
\$2,000,000	\$4,000,000	3%	\$80,000
\$4,000,000	\$7,000,000	2%	\$105,000
\$7,000,000		1.5%	

EVALUATION AND SECTION REPORTPUBLIC NOTICE PUBLISHING AND POSTING

Notice of Invitation for BID was *published as listed below*. One addendum was posted at City Hall

Three (3) Notices of Invitation for BID and one (1) addendum was posted

Date	Public Notice Published / Posted	Publication
------	-------------------------------------	-------------

BIDDER'S CONFERENCE

A mandatory pre-bid conference was held on the following:

Date	Bidder's Conference Location	Number of Contractors
2/25/08	250 Willowbrook Ave.	0
4/23/08	950 W Walnut	1
9/10/08	950 W Walnut	

BIDDER COST SUMMARY
CERTIFICATION OF UNDERSTANDING AND AUTHORIZATION

PROJECT NAME: FIRE STATION ADA RESTROOM RENOVATION PROJECT
COMPTON FIRE STATION No. 4

PROJECT NO.: CFD—2008--01

HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL
COMPTON CITY HALL
COMPTON, CALIFORNIA 90220

Ladies and Gentlemen:

The undersigned, having carefully examined all of the contract documents; the accompanying instructions to bidders; the plans, specifications and special provisions for the construction listed above in and for the City of Compton, and is familiar with the conditions, having personally visited the site of the work, hereby proposes to furnish all labor, materials, and equipment, and/or all incidental work necessary to deliver all the improvements completed in place in strict conformity with the plans and specifications, including the addenda thereto for the unit prices named in the following schedule.

*This proposal is for a total price of one hundred thirty six
thousand seven hundred eighty only (\$136,780.00)*

based upon the estimated quantities and unit bid prices indicated on the Bid schedule.

NOTE: BIDDERS ARE ADVISED TO READ ALL INSTRUCTIONS, NOTICE TO BIDDERS, GENERAL CONDITIONS, STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND ALL OTHER PROVISIONS OF THE SPECIFICATION, AND SATISFY THEMSELVES OF SUCH REQUIREMENTS, AND COMPLY ACCORDINGLY.

BIDDER'S NAME: Gil Yoo, TITLE: President

COMPANY: Choong Gil Construction, Inc. d.b.a. C.G. Construction

ADDRESS: 8565 Alondra Blvd

Paramount, CA 90723

TEL. NO. (902) 630-2600 FAX. NO. (902) 630-2616

SIGNATURE: Gil Yoo

CONSTRUCTION COST BID SCHEDULE

PROJECT:

PROJECT NO.:

[illegible]

TOTAL BID AMOUNT:

\$ 136,780.00

TOTAL BID AMOUNT WRITTEN IN WORDS:

One hundred thirty six thousand seven hundred eighty only

Notes:

- Quantities are estimated, payment for additive/deductive items will be for the actual quantity furnished. Actual quantity may vary from zero (0) to quantity shown in the Bid Schedule. Make copies of this sheet if you need additional space to list cost items.
- Contract shall ensure that existing utilities (manholes and water valve cover, etc.) are properly marked, protected, and accounted for after resurfacing.
- All indirect costs, including but not limited to, bonds and insurance premiums for prime and subcontractors shall be included in the above bid items.
- The City has the option to decrease the work to stay within the budget.
- The City retains the right to reject any and all Bids.

BIDDER COST SUMMARY
CERTIFICATION OF UNDERSTANDING AND AUTHORIZATION

PROJECT NAME: FIRE STATION ADA RESTROOM RENOVATION PROJECT
COMPTON FIRE STATION No. 4

PROJECT NO.: CFD—2008--01

HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL
COMPTON CITY HALL
COMPTON, CALIFORNIA 90220

Ladies and Gentlemen:

The undersigned, having carefully examined all of the contract documents; the accompanying instructions to bidders; the plans, specifications and special provisions for the construction listed above in and for the City of Compton, and is familiar with the conditions, having personally visited the site of the work, hereby proposes to furnish all labor, materials, and equipment, and/or all incidental work necessary to deliver all the improvements completed in place in strict conformity with the plans and specifications, including the addenda thereto for the unit prices named in the following schedule.

This proposal is for a total price of 95,950.00
95,950.00
NINETY FIVE THOUSAND NINE HUNDRED FIFTY DOLLARS (\$95,950.00)
 based upon the estimated quantities and unit bid prices indicated on the Bid schedule.

NOTE: BIDDERS ARE ADVISED TO READ ALL INSTRUCTIONS, NOTICE TO BIDDERS, GENERAL CONDITIONS, STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND ALL OTHER PROVISIONS OF THE SPECIFICATION, AND SATISFY THEMSELVES OF SUCH REQUIREMENTS, AND COMPLY ACCORDINGLY.

BIDDER'S NAME: ZK CONSTRUCTION TITLE: OWNER

COMPANY: ZK CONSTRUCTION

ADDRESS: 18031 SAN FERNANDO MISSION BLVD
GRANADA HILLS, CA, 91344

TEL. NO. 818 488-1038 FAX. NO. 818 488-1048

SIGNATURE: [Signature]

#3.

CONSTRUCTION COST BID SCHEDULE

PROJECT:

PROJECT NO.:

Bid Item No.	Estimate d Quantity	Unit	Description	Unit Bid Price	Total
			DEMOLITION		3,000
			FOUNDATION, concrete		8,000
			FRAMING WALLS, ROOF		20,000
			ELECTRIC WIRING PLUMBING		5,000
			DRY WALL FINISH DRYWALL		2,500
			LIGHTS FIXTURE ~~WATER LINE, 2, copper~~		
	2		4 FANS EXHAUST FANS		2,500
			2-20 AMPS CIRCUIT extend		
	3		GFI OUTLETS AIR CONDITION		7,000
	5		SWITCHES vent		
	6		FLORECENT RECESSED LIGHTS		18,000
	1		WALL LIGHT 3er		10,000
			PLUMBING COPPER & PIPING		18,000
			FINISH PLUMBING		
	2		20 SINK by KOHLER		350
	2		OAK CABINET 36"		700
	1		WALL MOUNTED CABINET		700
	5		HANDICAP TOILETS		1,500
	2		SHOWER pan		4,000
			12X12" TILE by DOL TILL		6,000
			FLOOR TILE		
			NEW WATER HEATER 80 GAL		1,500
			SKY LIGHT 18"X48"		
			MISCELLANEOUS		10,000

TOTAL BID AMOUNT:

\$

195,950

TOTAL BID AMOUNT WRITTEN IN WORDS:

NINETY FIVE THOUSAND TWO HUNDRED FIFTY

Notes:

- Quantities are estimated, payment for additive/deductive items will be for the actual quantity furnished. Actual quantity may vary from zero (0) to quantity shown in the Bid Schedule. Make copies of this sheet if you need additional space to list cost items.
- Contract shall ensure that existing utilities (manholes and water valve cover, etc.) are properly marked, protected, and accounted for after resurfacing.
- All indirect costs, including but not limited to, bonds and insurance premiums for prime and subcontractors shall be included in the above bid items.
- The City has the option to decrease the work to stay within the budget.
- The City retains the right to reject any and all Bids.

BIDDER COST SUMMARY
CERTIFICATION OF UNDERSTANDING AND AUTHORIZATION

PROJECT NAME: FIRE STATION ADA RESTROOM RENOVATION PROJECT
COMPTON FIRE STATION No. 4

PROJECT NO.: CFD--2008--01

HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL
COMPTON CITY HALL
COMPTON, CALIFORNIA 90220

Ladies and Gentlemen:

The undersigned, having carefully examined all of the contract documents; the accompanying instructions to bidders; the plans, specifications and special provisions for the construction listed above in and for the City of Compton, and is familiar with the conditions, having personally visited the site of the work, hereby proposes to furnish all labor, materials, and equipment, and/or all incidental work necessary to deliver all the improvements completed in place in strict conformity with the plans and specifications, including the addenda thereto for the unit prices named in the following schedule.

This proposal is for a total price of One Hundred Twelve Thousand Eight Hundred
Eighty-Eight Dollars and Zero Cents (\$112,888.00)

based upon the estimated quantities and unit bid prices indicated on the Bid schedule.

NOTE: BIDDERS ARE ADVISED TO READ ALL INSTRUCTIONS, NOTICE TO BIDDERS, GENERAL CONDITIONS, STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION AND ALL OTHER PROVISIONS OF THE SPECIFICATION, AND SATISFY THEMSELVES OF SUCH REQUIREMENTS, AND COMPLY ACCORDINGLY.

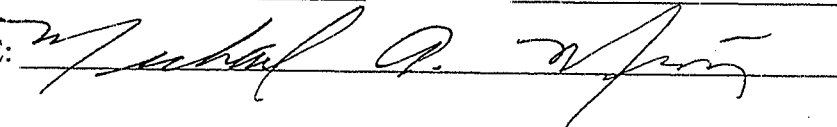
BIDDER'S NAME: Michael A. Munoz, TITLE: President

COMPANY: MZN Construction, Inc.

ADDRESS: 701 N. Harbor Blvd.

La Habra, CA 90631

TEL. NO. (562) 694-5441 FAX. NO. (562) 694-5622

SIGNATURE: 

CONSTRUCTION COST BID SCHEDULE

PROJECT: Fire Station ADA Restroom Renovation

PROJECT NO.: CFD-2008-01

[illegible]

TOTAL BID AMOUNT:

\$ 112,888.00

TOTAL BID AMOUNT WRITTEN IN WORDS: One Hundred Twelve Thousand Eight Hundred Eighty-Eight Dollars and Zero Cents

Notes:

- Quantities are estimated, payment for additive/deductive items will be for the actual quantity furnished. Actual quantity may vary from zero (0) to quantity shown in the Bid Schedule. Make copies of this sheet if you need additional space to list cost items.
- Contract shall ensure that existing utilities (manholes and water valve cover, etc.) are properly marked, protected, and accounted for after resurfacing.
- All indirect costs, including but not limited to, bonds and insurance premiums for prime and subcontractors shall be included in the above bid items.
- The City has the option to decrease the work to stay within the budget.
- The City retains the right to reject any and all Bids.

Invitation for Bids- Fire Station
ADA Restroom Renovation Project10

REQUEST FOR PROPOSAL

CONSTRUCTION COST BID SCHEDULE

PROJECT: Fire Station ADA Restroom Renovation

PROJECT NO.:CFD-2008-01

[illegible]

Notes:

- Quantities are estimated, payment for additive/deductive items will be for the actual quantity furnished. Actual quantity may vary from zero (0) to quantity shown in the Bid Schedule. Make copies of this sheet if you need additional space to list cost items.
- Contract shall ensure that existing utilities (manholes and water valve cover, etc.) are properly marked, protected, and accounted for after resurfacing.
- All indirect costs, including but not limited to, bonds and insurance premiums for prime and subcontractors shall be included in the above bid items.
- The City has the option to decrease the work to stay within the budget.
- The City retains the right to reject any and all Bids.

**Invitation for Bids- Fire Station
ADA Restroom Renovation Project10**

REQUEST FOR PROPOSAL IFB Fire Dept 2

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Fire Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TO ACCEPT THE BID OF MZN CONSTRUCTION TO BUILD AN ADA COMPLIANT RESTROOM AT COMPTON FIRE DEPARTMENT’S STATION #4.

Jon Thompson
DEPARTMENT MANAGER’S SIGNATURE

11/8/2008 12:23:08 PM
DATE

11/17/2008 3:01:53 PM

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

11/20/2008 7:12:35 PM
DATE

Willie Norfleet
CITY CONTROLLER

12/2/2008 9:45:45 AM
DATE

Charles Evans
CITY MANAGER

11/17/2008 12:00:46 PM
DATE

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

December 9, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AND PROVIDE FUNDING FOR THE COMPTON CHAMBER OF COMMERCE

SUMMARY

The City Council will consider a resolution authorizing the City Manager to enter into a memorandum of understanding agreement with the Compton Chamber of Commerce for Fiscal Year 2008-2009.

BACKGROUND

The Compton Chamber of Commerce is a private, voluntary, non-profit (501) © (6) business organization dedicated to improving the Compton economic environment. Through the dissemination of information and sponsorship of events, the Compton Chamber has historically collaborated with the City of Compton in fostering commercial and industrial development and growth in the City. In support of the Chamber's efforts, the City has funded the Chamber with a \$2,500 per month stipend, which the City views as an investment in fostering business development that will result in solid benefits for Compton residents. The City of Compton's support of its Chamber organizations exemplifies the City's on-going desire and intention to strengthen its partnership with its key economic development partners.

STATEMENT OF THE ISSUE

The City desires to continue the support of the Compton Chamber of Commerce during Fiscal Year 2008-2009. The City's financial contribution will not exceed \$30,000 for the contract period. The City will set forth its understanding of the specific activities and tasks that it seeks the Chamber to perform in a memorandum of understanding agreement.

FISCAL IMPACT

The total funding amount is not to exceed \$30,000 for the contract period. Funding is available in account 1200-610-000-4262

RECOMMENDATION

Staff recommends that the Mayor and Council adopt the attached Resolution.

**CHARLES EVANS,
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AND
PROVIDE FUNDING FOR THE COMPTON CHAMBER OF COMMERCE

WHEREAS, the Mayor and City Council members of the City of Compton are authorized by laws of the State of California to appropriate and expend funds of the City of Compton for the intent and goodwill of the City of Compton; and

WHEREAS, the City desires to advertise and promote the advantages of the Chamber as a commercial and industrial information center, disseminate information relating to these advantages, and provide assistance to established commercial and industrial enterprises; and

WHEREAS, the commercial and industrial expansion of Compton will benefit the residents and taxpayers of the City by generating additional revenues for the City and by providing commercial and industrial growth; and

WHEREAS, the promotion of industrial and commercial growth will generate new jobs for Compton residents; and

WHEREAS, the Chamber has partnered with the City to foster commercial and industrial growth and disseminate information, solicit commercial and industrial prospects, service both established and prospective commercial and industrial enterprises, and sponsor special events that promote the commercial areas of the City; and

WHEREAS, the City has previously authorized and paid the Chamber annual stipends for the purpose of funding Chamber activities and operations, and the parties desire to set forth their understanding and agreement with regard to further funding from the City for the contract period.

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

SECTION 1. That the Chamber, acting by and through its Executive Board during the 2008-2009 contract period, commencing July 1, 2008 and ending June 30, 2009, promote the commercial and industrial areas of Compton and the benefits of moving to a local business industry within Compton. In this regard, the Chamber will in a manner commensurate with available funding, perform the service described in a memorandum of understanding agreement.

SECTION 2. That the City of Compton shall pay the Compton Chamber of Commerce a sum of Thirty Thousand Dollars in twelve month installments.

SECTION 3. That funds shall be made available in account 1200-610-000-4262.

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

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, 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 –
ABSTAINS:	COUNCIL MEMBERS –

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

City Management

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AND PROVIDE FUNDING FOR THE COMPTON CHAMBER OF COMMERCE

<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.

December 9, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY'S 2008-2009 FISCAL YEAR BUDGET AND APPROPRIATING ADDITIONAL FUNDS TO EXPAND THE FIRST TIME HOMEBUYERS PROGRAM AND THE RESIDENTIAL REHABILITATION PROGRAM

SUMMARY

Authorizing the City Manager to amend the City's 2008-2009 fiscal year budget and appropriating additional funds to expand the First Time Homebuyers Program and the Residential Rehabilitation Program.

BACKGROUND

The Community Redevelopment Agency (Agency) currently operates two housing programs- the First Time Homebuyers Program and the Residential Rehab Program. Over the past several months, the Agency has experienced unexpected surge of applicants for assistance under the two programs. This unanticipated increase of demand has necessitated additional budgetary appropriation to meet outstanding needs of participants under the two programs.

STATEMENT OF THE ISSUE

The Agency is currently reviewing applicants for both the First-Time Homebuyer program and the Residential Rehabilitation program. Due to the success of both programs the Agency must appropriate additional funds in order to fulfill these unanticipated needs. Consequently, the Agency has identified program income in the amount of \$4,500,000 to replenish these programs.

RECOMMENDATION

That the attached Resolution be adopted.

**KOFI SEFA-BOAKYE
DIRECTOR OF REDEVELOPMENT**

**CHARLES EVANS
CITY MANAGER**

#5.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY’S 2008-2009 FISCAL YEAR BUDGET AND APPROPRIATING ADDITIONAL FUNDS TO EXPAND THE FIRST TIME HOMEBUYERS PROGRAM AND THE RESIDENTIAL REHABILITATION PROGRAM

WHEREAS, the Community Redevelopment Agency of the City of Compton (the “Agency”) is carrying out the Redevelopment Plan for the Compton Redevelopment Project Area, as merged and amended by Ordinance No. 2,114 adopted by the City Council on November 16, 2004; and

WHEREAS, on July 25, 1995, Resolution No. 1,367 was adopted by the City Council to authorize the City Manager to implement the First Time Homebuyers Assistance Program in an effort to promote homeownership opportunities for the City’s low-to-moderate income households who have been priced out of the homeownership market;; and

WHEREAS, pursuant to Resolution No. 1,633, dated March 15, 2005 the City Council authorized continuous implementation of the Residential Rehabilitation program to assist qualified, owner-occupied Compton residents with the rehabilitation of their homes in an effort to bring their property in compliance with the City’s Municipal Code

WHEREAS, a due to the success of both the First Time Homebuyers Program and the Residential Rehabilitation Programs the original funding allocation for 2008-2009 fiscal year is not adequate to meet the unprecedented demands for both programs; and

WHEREAS, the Agency is requesting amendment of the City’s 2008-2009 budget to appropriate funds from Agency fund balances in the amount of \$4,500,000.00 for continued implementation of the First Time Homebuyer program and Residential Rehabilitation Program; and

WHEREAS, the City Council desires to amend its 2008-2009 budget to appropriate additional funds in the amount of \$4,500,000.00 for continued implementation of the Agency’s First Time Homebuyer program and Residential Rehabilitation Program; and

WHEREAS, funds for the First Time Homebuyers Assistance Program and Residential Rehab Program have been identified in Account No. 12038000004291 and 28058000004291

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

Section 1. That the City Council hereby authorizes the City Manager to amend the City’s 2008-2009 budget to appropriate additional funds in the amount of \$4,500,000.00 for continued implementation of the First Time Homebuyer program and Residential Rehabilitation Program; and

Section 2. That the City of Compton’s 2008-2009 fiscal year budget be amended and revenues and expenditures be increased as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
12030000003990	Revenues	\$3,000,000.00
12038000004291	Loan Programs	\$3,000,000.00
28050000003990	Revenues	\$1,500,000.00
28058000004291	Loan Programs	\$1,500,000.00

Section 3. That the City Manager is hereby authorized to execute all necessary documents upon the advice of the City Attorney

Section 4. That a certified copy of this resolution shall be filed in the offices of the City Manager, City Attorney, City Controller, and Community Redevelopment Agency.

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: 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 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 -

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Community Redevelopment

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY’S 2008-2009 FISCAL YEAR BUDGET AND APPROPRIATING ADDITIONAL FUNDS TO EXPAND THE FIRST TIME HOMEBUYERS PROGRAM AND THE RESIDENTIAL REHABILITATION PROGRAM

Kofi Sefa-Boakye
DEPARTMENT MANAGER’S SIGNATURE

10/28/2008 6:29:14 PM
DATE

10/29/2008 2:49:05 PM

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

11/6/2008 3:14:19 PM
DATE

Willie Norfleet
CITY CONTROLLER

11/6/2008 5:28:17 PM
DATE

Charles Evans
CITY MANAGER

10/27/2008 4:54:03 PM
DATE

10/29/2008 1:47:08 PM

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.

December 9, 2008

TO: MAYOR AND CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
APPROVING A SALARY ADJUSTMENT FOR THE CLASSIFICATION OF
PRINTING SERVICES SUPERVISOR

BACKGROUND

This resolution will consider approving a salary adjustment for the classification of Printing Services Supervisor.

STATEMENT OF PROBLEM

The City has met with the Compton Management Employees' Association, AFSCME, Local 2325 and both have agreed that the salary for Printing Services Supervisor should be adjusted.

FINANCIAL IMPACT

The adoption of this resolution will not have a financial impact on the City's 2008-2009 fiscal year budget.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution to approve the salary adjustment for the classification of Printing Services Supervisor.

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
APPROVING A SALARY ADJUSTMENT FOR THE CLASSIFICATION OF
PRINTING SERVICES SUPERVISOR

WHEREAS, the City has met with the Compton Management Employees’ Association, AFSCME, Local 2325 and both have agreed that the salary for Printing Services Supervisor should be adjusted.

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

Section 1. That effective December 1, 2008, the salary for Printing Services Supervisor shall be adjusted as follows:

<u>Classification Title</u>	<u>Salary Range</u>	
	<u>From</u>	<u>To</u>
Printing Services Supervisor	113	135

Section 2. That a duly certified copy of this Resolution shall be delivered to the offices of the City Manager, City Controller and Human Resources.

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: 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 _____, 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: Human Resources

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING A SALARY ADJUSTMENT FOR THE CLASSIFICATION OF PRINTING SERVICES SUPERVISOR

<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.

December 9, 2008

TO: CITY COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE CITY MANAGER TO AMEND
THE CONTRACT WITH SHIELD SECURITY, INC.

BACKGROUND

There exists a continued need for a qualified security company to protect the Compton Career Link Work Source Center, the City Hall and other City facilities.

In April of 2008 the Compton Career Link Work Source Center was responsible for any invoices that had been incurred, but due to budgetary reassignment the Municipal Law Enforcement Services Department is now responsible for all outstanding and current invoice incurred by Shields Security, Inc.

This is a function normally handled by the City of Compton's Security Services. Due to reduced staffing because of promotions and leaves, contracting services out had become necessary. The responsibility of security services for the above mentioned facilities will be transferred to the City of Compton Security division during the month of December 2008. At that time staffing will be at the budgeted level. Until such time we must continue to pay Shield Security for their services.

FINANCIAL IMPACT

There will be no further fiscal impact as these funds were budgeted for within the budget for fiscal year 2008-2009 as follows:

<u>Account No.</u>	<u>Amount</u>
1001-670-000-4269	\$75,000.00

#7.

RECOMMENDATION

Staff recommends the adoption of the resolution in order to pay outstanding, current and future invoices for Shield Security, Inc.

JON THOMPSON
FIRE CHIEF
ACTING DIRECTOR OF THE
MUNICIPAL LAW ENFORCEMENT
SERVICES DEPARTMENT

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE CITY MANAGER TO AMEND
THE CONTRACT WITH SHIELD SECURITY, INC.

WHEREAS, there exists a continuous need for a qualified security contractor to monitor the Compton CareerLink WorkSource Center and City Hall; and

WHEREAS, pursuant to Resolution No. 22,522, the City Council authorized the City Manager to contract with Shield Security, Inc. to provide security guard services at the Compton CareerLink WorkSource Center during Fiscal Year 2008-2009; and

WHEREAS, it is in the best interest of the City to continue utilizing the services of Shield Security, Inc. until City Security personnel are available to assume said responsibilities; and

WHEREAS, there is a need to allocate additional funding to cover the compensation payable to Shield Security, Inc. for the remaining time that their services are used, in the sum of \$75,000.00; and

WHEREAS, funds have been identified in the budget for fiscal year 2008-2009.

THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY
RESOLVE AS FOLLOWS:

SECTION 1. That the City Manger is authorized to amend the contract for services with Shield Security, Inc. to provide for additional funding for the remainder of the contract in the amount of \$75,000.00.

SECTION 2. Funds are available in the budget for fiscal year 2008-2009 as follows:

<u>Account No.</u>	<u>Amount</u>
1001-670-000-4269	\$75,000.00

SECTION 3. That a duly certified copy of this resolution shall be delivered to the Offices of the City Manager, City Attorney, and City Controller, CareerLink WorkSource and Municipal Law enforcement Services.

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

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE 2

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

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

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

AYES: COUNCIL MEMBERS –
NOES COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Law Enforcement

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH SHIELD’S SECURITY TO ADD ADDITIONAL FUNDS

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

11/20/2008 7:22:08 PM
DATE

Willie Norfleet
CITY CONTROLLER

12/2/2008 12:26:17 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.

December 9, 2008

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY MANAGER

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON ESTABLISHING A HIV/AIDS POLICY FOR
COMPTON SPECIAL SERVICES CENTER**

Summary

In the continuing effort of the City of Compton, Parks, Recreation and Special Services Department to provide quality, well informed effective health and safety HIV/AIDS information, a HIV/AIDS Policy should be adopted

Background

The County of Los Angeles-Department of Public Health Alcohol and Drug Program Administration have made it mandatory for all agencies receiving funding through their agency, to adopt a HIV/AIDS Policy. The wording for that policy was approved on November 4, 2008 and provided to the various agencies by the County of Los Angeles for adoption.

Purpose

The purpose of the policy is to ensure that HIV positive persons are not denied alcohol or substance abuse services because of their HIV status and that staff are able to provide competent services, including treatment planning, which addresses HIV infections and HIV prevention. It is also to ensure that clients receive ongoing and updated HIV/AIDS information, education, and culturally competent HIV prevention messages.

Statement of Fact

The information included is a present practice of the Compton Special Services Center and will not effect its operation. The benefit of the policy is to make sure no one is discriminated against and that the information that is disseminated to the clientele is accurate.

Recommendation

Staff recommends the adoption of the attached resolution establishing a City of Compton Special Services Center HIV/AIDS Policy.

**SHEILA FENDERSON, DIRECTOR
PARKS, RECREATION AND SPECIAL SERVICES**

CHARLES EVANS, CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON ESTABLISHING A HIV/AIDS POLICY FOR
COMPTON SPECIAL SERVICES CENTER

WHEREAS, in the continuing effort of the City of Compton, Parks, Recreation and Special Services Department to provide quality, well informed effective health and safety information, a HIV/AIDS Policy should be adopted.

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

Section 1. That the name of the aforementioned policy shall be called the “City of Compton Special Services Center HIV/AIDS Policy,” hereafter referred to as “the Policy.”

Section 2. That the policy shall be applicable to all participants and employees participating in the City of Compton Special Services Program.

Section 3. That the policy shall read as follows:

- (A) The policy subject is Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS).
- (B) The purpose of the policy is to ensure that HIV positive persons are not denied alcohol or substance abuse services because of their HIV status and that staff are able to provide competent services, including treatment planning, which addresses HIV infections and HIV prevention. It is also to ensure that clients receive ongoing and updated HIV/AIDS information, education, and culturally competent HIV prevention messages.
- (C) Compton Special Services Center shall provide alcohol and substance abuse services to persons who are HIV positive in a confidential manner, without discrimination, and in a setting consistent with approved risk-reduction procedures. Compton Special Services Center must comply with all State and Federal confidentiality laws regarding the HIV status of clients. Compton Special Services Center shall also provide staff and clients with current HIV/Aids information, appropriate referrals, education and training.

Compton Special Services Center shall also provide all staff with training on HIV related issues (including sensitivity) on an ongoing basis. Contractors shall also provide staff and clients with culturally competent HIV prevention related issues on an ongoing basis.

//

//

//

//

RESOLUTION NO. _____
PAGE 2

Section 4. This HIV/AIDS Policy is subject to review and revision as required.

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

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, 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-
ABSTAIN: COUNCIL MEMBER-
ABSENT: COUNCIL MEMBER-**

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Recreation

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ESTABLISHING A HIV/AIDS POLICY FOR COMPTON SPECIAL SERVICES CENTER

<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.

December 9, 2008

TO: MAYOR AND 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 PROFESSIONAL SERVICES CONTRACT WITH C.H. STRAWTER DESIGN, INC. FOR SCOPING & CONCEPTUAL LANDSCAPE PLANNING OF THE COMPTON PAR 3 GOLF COURSE AND BURRELL-MACDONALD, GONZALES, ELLERMAN, FIG/OLEANDER, KELLY, OAKS, RAYMOND, SIBRIE, SOUTH, TRAGNIEW, TUCKER, OLYMPIC PARKS

SUMMARY

Authorizes the City Manager to enter into a professional services contract with C.H. Strawter Design, Inc. not to exceed \$40,000 for scoping and conceptual landscape planning at all city parks (excluding Wilson and Lueders Parks¹).

BACKGROUND

In keeping in line with the Mayor and City Council's vision of "Birthing A New Compton," the Parks, Recreation and Special Services Department ("the Department") has initiated several parks' renovation and rehabilitation projects. These projects are designed to change the face of the parks and offer contemporary thematic influences and play apparatus to Compton residents. To effectively coordinate the changes planned for our City parks, the Department is recommending a scoping and landscape planning process to define the nature of future improvements. This planning will help ensure the City's parks share a consistent design, are easy to maintain and incorporate the best mix of recreation and usability.

Historical Context

Based on old park plans, the last concerted effort to master plan the parks with facilities was done during the late 1970s through the mid-1980s. During this period, Lueders, Kelly, Tragniew, Tucker (formerly Martine Luther King Jr. Park) and Wilson parks were renovated. Themed renovations to parks without facilities (i.e. Cesar Chavez, Ellerman, Sibrie, etc.) either were never done, completed during a different time period or completed during the same time period and the plans are lost/never existed. Some other parks, like Fig Park, were never effectively planned. This process will provide a comprehensive conceptual plan for the parks that is "up-to-date" and able to be implemented in a phased approach.

¹ Due to unexpected CDBG funding received during the 2007-2008 Fiscal Year, Wilson and Lueders Park underwent a full master planning process, of which construction of specific phases has already begun.

C.H. Strawter, Inc.

C.H. Strawter, Inc. (“the Firm”), a minority-owned business, has worked in the area of landscape development (municipal, developers and private residential) for more than ten years. The Department became acquainted with the Firm during the construction of Tony Hawk Skate Park, Compton, CA. The Firm provided (as a sub-contractor) the design and some construction administration during that project. In addition, the Firm has provided Master Plans - including construction documents - for Wilson and Lueders Park, of which two phases of those documents are either out to bid or scheduled to be let. In addition to our productive relationship, the Firm has also worked with the City of Desert Hot Springs, Los Angeles County, City of Duarte, City of Columbia (South Carolina) and several other government agencies. The Firm is made up of Charles Strawter, ASLA, ISA – Principal Architect, Yael Lir, RLA – Production Consultant and Terry Akihito-Isa – Production Consultant. In addition, the Firm will employ all necessary sub-contractors (at no extra cost to the City) to meet the City’s expectations for timeliness. The Firm has agreed to work the City of Compton on an expedited manner, agreeing to provide completed conceptual plans for the aforementioned parks in seventy-five (75) days from the contract start date.

The Firm’s past performance has been timely and professional. It is staff’s belief that the Firm’s overall design of the projects will embrace present and future uses. This is a continuation of the parks improvement program and C.H. Strawter is familiar with the direction the City of Compton is going in from designing the landscape at Lueders and Wilson Parks.

STATEMENT OF THE ISSUE

Timeliness of the documents is a paramount issue since funds must be expended within this fiscal year. Another issue is the contract amount exceeds that which can be let without City Council approval.

FINANCIAL IMPACT

The Firm has agreed to accept \$32,800.00 for their services. An additional \$7,200.00 is being requested to cover additional services and reimbursable expenses as noted in Article 2 of the Firm’s proposal. Funds are available in the Department’s capital projects’ budget, account number 3030-840-002-4391.

RECOMMENDATION

Staff recommends approval of the attached resolution.

**SHEILA FENDERSON, MPA, DIRECTOR
PARKS, RECREATION AND SPECIAL SERVICES**

**CHARLES EVANS,
CITY MANAGER**

Enclosures

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH C.H. STRAWTER DESIGN, INC. FOR SCOPING & CONCEPTUAL LANDSCAPE PLANNING OF THE COMPTON PAR 3 GOLF COURSE AND BURRELL-MACDONALD, GONZALES, ELLERMAN, FIG/OLEANDER, OAKS, KELLY, RAYMOND, SIBRIE, SOUTH, TRAGNIEW, TUCKER, OLYMPIC PARKS

WHEREAS, the last planning of any type for the City of Compton’s park landscape and facilities was done during the late 1970s through the mid-1980s; and

WHEREAS, to effectively coordinate the changes planned for our City parks, the Department is recommending a scoping and landscape planning process to define the; nature of future improvements; and

WHEREAS, this planning will help ensure the City’s parks share a consistent design, are easy to maintain and incorporate the best mix of recreation and usability; and

WHEREAS, C.H. Strawter, Inc. (“the Firm”), a dually qualified minority-owned business, which has worked in the area of landscape development (municipal, developers and private residential) for more than ten years, has submitted a proposal to provide scoping and conceptual landscape planning in an expedited manner; and

WHEREAS, landscape planning design of C.H. Strawter, Inc, is a continuation of the parks improvement program and the firm is familiar with the direction the City of Compton is going in from the designs of two previous parks completed by the Firm; and

WHEREAS, C.H. Strawter, Inc. can produce the necessary Scoping and Conceptual Landscape Planning within 75 days from contract signing.

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 a professional services contract with C.H. Strawter, Inc. not to exceed \$40,000.00.

SECTION 2. That funds shall be paid from account number 3030-840-002-4391.

SECTION 3. That a certified copy of this resolution shall be filed in the office of the City Manager, City Controller, City Clerk and the Parks, Recreation and Special Services 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

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 the _____ day of _____, 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON



October 28, 2008

Charles Evans, City Manager
Parks & Recreation Department
City of Compton
205 S. Willowbrook Ave
Compton, CA 90220

Re: Landscape Architectural Services - City of Compton Parks, Scoping Project

Dear Mr. Evans:

It is my pleasure to propose the enclosed agreement for scoping City of Compton parks improvements.

This proposal is prepared at the request of City of Compton Parks and Recreation Staff who have expressed a need for coordinating recreational opportunities and improving the overall aesthetic qualities of the City's parks. Additional and equally important needs include improving park safety, access, and use by the community.

Exploring beyond turf, trees, and play equipment, we find that city parks offer unique opportunities to facilitate a broad range of public activities. In fact, studies show a correlation between the presence of adults, vendors, and regular users of all ages and the level of safety and attractiveness of public spaces. We believe that the residents of Compton deserve nothing less than safe, attractive places to recreate and interact with their neighbors while enjoying the Southern California sun.

Through the scoping process, our mission is to incorporate improvements that will offer the City of Compton the best opportunity to have vibrant, safe, and beautiful parks. Should you have any questions or require additional information, please do not hesitate to call.

Sincerely,



Charles H. Strawter, ASLA, ISA

#9.



Project Team- City of Compton Parks Scoping Project

**Charles H. Strawter, ASLA, ISA – Lead Landscape Architect /
Project Manager**

Current Professional Registration:
LAST UPDATED: JULY 17, 2008

California Licensed Landscape Architect #5134

Effective 02/28/2006, Renewed 6/30/2008, Expiration 6/30/2010

Utah Licensed Landscape Architect #5301

Effective 2/13/2007, Renewed 5/31/2008, Expiration 5/31/2010

Mississippi Registered Landscape Architect #508

Renewed 12/04/07, Expiration 12/23/09

Georgia Registered Landscape Architect #LA-T000023

Effective 12/03/07, Expiration 12/03/08

Texas Registered Landscape Architect#2501

Effective July 17, 2008, Expiration June 30, 2009

South Carolina Registered Landscape Architect#1055

Effective May 28, 2008, Expiration 12/ 31/ 2008

ISA Certified Arborist #WE-7181A

Expiration June 30, 2011

Education:

Master of Landscape Architecture

California State Polytechnic University, Pomona

Bachelor of Science in Landscape Architecture

University of California, Davis

Awards:

**California Park & Recreation Society's (CPRS) - 2007 Facility & Park Design
Award for Extreme Sports**

Professional Experience:

Principal - Landscape Architect

Charles H. Strawter Design Inc., Valencia, CA

Landscape Architectural Consultant – Landscape Review & Plan Check

Through LRM as an independent contractor

Community Development Department – Planning Division, City of Santa Clarita, CA

Senior Associate – Skatepark Division Project Manager/ Landscape Architect

Lawrence R. Moss & Associates Inc. (LRM), Glendale, CA

Landscape Designer / Office Manager

David J. Steinbauer Landscape Design & Build, Sacramento, CA
Internship – Research, Design, & Planning
 Community Design and Planning Service, UC Davis, CA

Professional Affiliations:

California Native Plant Society (CNPS)
American Society of Landscape Architecture (ASLA)
International Society of Arboriculture (ISA)

Select Project Experience:

Guy J. Tedesco Park-Freestyle BMX Park, Desert Hot Springs, California

Roll: Landscape Architect of Record, BMXpark design, park master plan & design, working drawings, construction administration

Contact: Eldon Lee, Public Works Director - City of Desert Hot Springs

Ph: (760) 329-6411 ext. 246

Address: 65950 Pierson Blvd., Desert Hot Springs, CA 92240

Park Address: 66140 W. Arroyo Drive, Desert Hot Springs, CA 92240

Hacienda Park, Desert Hot Springs, California

Roll: Landscape Architect of Record, park master plan & design, working drawings

Contact: Eldon Lee, Public Works Director - City of Desert Hot Springs

Ph: (760) 329-6411 ext. 246

Address: 65950 Pierson Blvd., Desert Hot Springs, CA 92240

Park Address: Hacienda Ave. & Long Canyon Rd., Desert Hot Springs, CA 92240

Los Angeles County - Belvedere Skatepark, East Los Angeles, California

Roll: skatepark design, decorative fence panel/ park logo design, working drawings, construction administration

Contact: Andy Lopez, Project Manager - County of Los Angeles

Department of Parks & Recreation

Ph: (626) 523-4784

Address: 5050 Commerce Dr., Baldwin Park, CA 91706

Park Address: 4914 E. Cesar E. Chavez Ave., Los Angeles, CA 90022

Park Phone (323) 260-2360 Information

Tecate River Master Plan, A framework for an Urban River Environment

Roll: Member of Cal Poly Pomona's 606 Studio Design Team. Park planning & design, hosting community workshops, coordinating with local grass roots organizations, local architects, Tecate Brewery, the University of San Diego and other stakeholders.

Contact: Foundation La Puerta of the Rancho La Puerta Resort and Spa.

(011-52)665-655-5000 (tel & fax) (011-52)665-654-8478 (tel)

Tecate, Baja California, Mexico

Yael Lir, ASLA – Production Manager

Education:

Certificate in Landscape Architecture.

University of California , Los Angeles

Master in Horticulture, and Ornamental Horticulture

School Of Agriculture, Hebrew University in Rehovot , Israel

B.S.C. in Horticulture

School of Agriculture, Hebrew University in Rehovot , Israel

Awards:

South Pasadena Beautiful, years 1995, 1997, 2004

UCLA Alumni of the Year 2005

Professional Experience:

1986 - present Private practice as a woman-owned SBE in Old Town Pasadena in Landscape Architecture and Interior Plant Design.

1987 -1988 Faculty member Landscape Architecture Extension program UCLA
CA - Lecturer

Select Project Experience:

Family Resource Center, a family care center in East Los Angeles. Los Angeles
Redevelopment Agency, CA. Carde Ten Architects.

Union Station Pasadena, addition of Women's Shelter and design of two
courtyards for the facility residence (amenities, planting, irrigation &
lighting design)

The Good Shepherd, a transitional home for abused women. Los Angeles, CA.
Healing Plaza/ Courtyard, drought tolerant plant material. Onyx
Architects, Pasadena, CA.

Bixel Luxury 80 unit Apartments, Aleks Istanbul Architects/ Birba Architects

South East High School, South Gate, CA. Gonzalez Goodale Architects

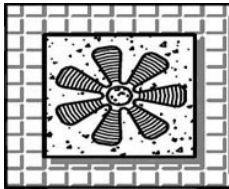
Roxbury 60 unit Condos, West Los Angeles, CA. Birba Architects

Osborn Garden 51 unit Garden Apartments, Pacoima, CA. FSY Architects

Agoura I, two new Communities of 28 new homes, Agoura, CA. Berman Brent
Architects

Terry Isa – Production/ CAD

Terry has over 5 years of experience drafting plans for municipal, commercial, multi-family and private residential projects. He is skilled at multi-media presentations, graphic illustration, Computer Aided Drafting, and information technology.



CHARLES H. STRAWTER DESIGN INC.

Landscape Architecture & Urban Design Consulting, ASLA, ISA

28005 Smyth Drive, Suite 175 | Valencia, CA 91355

Ph: (661)295-4631 | Fax: 661-244-4911 | charles@chstrawterdesign.com

CARLA# 5134

ISA Cert.#WE-7181A

Agreement between Landscape Architect and Client

This Agreement, effective as of October 28, 2008 is between:

Client Charles Evans, City Manager
Contact: Mr. Brandon Mims, Project Manager
Parks & Recreation Department
City of Compton
205 S. Willowbrook Ave
Compton, CA 90220

and:

Landscape Architect Charles H. Strawter, ASLA, ISA
California Landscape Architect Lic# 5134
ISA Cert Arborist # WE-7181A
28005 Smyth Dr. Suite 175
Valencia, CA 91355
Ph: 661.295.4631 Fax: 661.244.4911
E-mail: charles@chstrawterdesign.com

for the following:

- Project:** City of Compton Parks, Scoping Project
- Description:** Assist City Staff in developing the scope, relationship, and general nature of future improvements for the following parks:
- **Burrell-MacDonald**, Park 2516 W. Alondra Blvd. Compton, CA 90220 (5.0 Acres/217,800 Sq/Ft)
 - **Gonzales Park**, 1101 W. Cressey Street Compton, CA 90222 (14.06 Acres/609,840 Sq/Ft)
 - **Kelly Park**, 2319 E. Caldwell Street Compton, CA 90221 (3.8 Acres/165,528 Sq/Ft)
 - **Compton Par 3 Golf Course**, (12 Acres/522,720 Sq/Ft)
 - **Ellerman Park**, 400 (block) West Bennett Street 1.8 (acres/78,408 Sq/Ft)
 - **Fig/Oleander Park**, Fig Street & Oleander Avenue .8 (acres/34,848 Sq/Ft)
 - **Oaks Park**, 1812 North Santa Fe Avenue (2.4 acres/104,544 Sq/Ft)
 - **Raymond Street Park**, 400 (block) West Raymond Street, 2.5 acres /108,900 Sq/Ft
 - **Sibrie Park**, 1300 West El Segundo Blvd. 3.8 acres/165,528 Sq/Ft
 - **South Park**, Chester & Caldwell Streets, 4.83 acres /210,395 Sq/Ft
 - **Tragniew Park**, 2121 West Alondra Blvd. 4.5 acres /196,020 Sq/Ft
 - **Walter R. Tucker Park**, 560 West Laurel Street 4.9 (acres/213,444 Sq/Ft)
 - **Olympic Park**, Alameda & 91 Fwy. (2 acres/87,120 Sq/Ft)

Article 1 Compensation and Payments

A. Client agrees to pay Landscape Architect as follows:

a. Basic Services:

- Preliminary submittal of proposed park improvements to City Staff **\$16,400**
- Submittal of proposed park improvements to City Council **\$9,840**
- Final submittal of the proposed park improvements. Scoping Document. **\$6,560**

Total: **\$32,800.00**

b. **Additional Services:** Work to begin upon a written notice from Client to proceed with additional service. Compensation to be based on written agreement between Client and Landscape Architect or billed hourly at the following rates:

- i. Principal/ Lead Landscape Architect/ Project Manager: \$100.00 per hour
- ii. Production Manager/ Designer: \$80 per hour
- iii. Draftsman: \$50 per hour

c. **Reimbursable Expenses** are subject to Landscape Architect's Cost and include, but are not limited to: reproduction, postage, and handling of documents; long distance and facsimile charges; authorized travel; and Client requested renderings and models.

d. All payments are due Landscape Architect upon receipt of invoice.
Checks will be made payable to: Charles H. Strawter Design Inc.

Article 2 Landscape Architect's Basic and Additional Services

A. Landscape Architect's Basic Services are :

- i. Site observation
 - 1. Study the existing condition of park features including accessibility, safety, facilities, landscaping, and site amenities.
 - 2. Observe the current use of park space and facilities
- ii. Develop a proposed scope of future improvements to park accessibility, safety, facilities, landscaping, and site amenities.

#9.

- iii. Produce conceptual diagrams to graphically illustrate proposed scope of park improvements.
- iv. Produce a final document illustrating the scope of proposed improvements for the selected City of Compton Parks.

- B. Excluded Services are not a part of Landscape Architect's Basic or Additional Services** and are the responsibility of others. Excluded Services include, but are not limited to the following: Subsurface conditions; soil issues (including suitability for plant material, soil content, level of compaction); lot line location; hydraulic studies and drainage utilities' location; security; electrical engineering; traffic studies and project or construction cost estimates for items beyond Landscape Architect's Basic and Additional Services.
- C. Landscape Architect agrees to provide professional services in accordance with generally accepted standards of its profession. Landscape architects are licensed by the State of California.

Article 3 Client's Responsibilities

- A. Client agrees to provide Landscape Architect with all information, surveys, reports, and professional recommendations and any other related items requested by Landscape Architect in order to provide its professional services. Landscape Architect may rely on the accuracy and completeness of these items.
- B. Client agrees to advise Landscape Architect of any known or suspected contaminants at the Project site. Client shall be solely responsible for all subsurface soil conditions.
- C. Client will obtain and pay for all necessary permits from authorities with jurisdiction over the Project.
- D. Client agrees to provide the items described in Article 2A and to render decisions in a timely manner so as not to delay the orderly and sequential progress of Landscape Architect's services.

Article 4 Estimated Schedule and Project Budget

- A. The Project is scheduled to be completed within 72 days of the date the Agreement between Landscape Architect and Client is signed. Landscape Architect shall render services as expeditiously as is consistent with professional skill and care. During the course of the Project, anticipated and unanticipated events may impact any Project schedule.

Article 5 Termination

- A. Either Client or Landscape Architect may terminate this Agreement upon seven days written notice.
- B. If terminated, Client agrees to pay Landscape Architect for all Basic and Additional Services rendered and Reimbursable Expenses incurred up to the date of termination.
- C. Upon not less than seven days' written notice, Landscape Architect may suspend the performance of its services if Client fails to pay Landscape Architect in full for services rendered or expenses incurred. Landscape Architect shall have no liability because of such suspension of services or termination due to Client's nonpayment.

Article 6 Dispute Resolution

- A. Client and Landscape Architect agree to mediate claims or disputes arising out of or relating to this Agreement before initiating litigation. The mediation shall be conducted by a mediation service acceptable to the parties. A party shall make a demand for mediation within a reasonable time after a claim or dispute arises, and the parties agree to mediate in good faith. In no event shall any demand for mediation be made after such claim or dispute would be barred by applicable law. Mediation fees shall be shared equally.

Article 7 Use and Ownership of Landscape Architect's Documents

- B. Upon the parties signing this Agreement, Landscape Architect grants Client a nonexclusive license to use Landscape Architect's documents as described in this Agreement, provided Client performs in accordance with the terms of this Agreement. No other license is implied or granted under this Agreement. All instruments of professional service prepared by Landscape Architect, including but not limited to, drawings and specifications, are the property of Landscape Architect. These documents shall not be reused on other projects without Landscape Architect's written permission. Landscape Architect retains all rights, including copyrights, in its documents. Client or others cannot use Landscape Architect's documents to complete this Project with others unless Landscape Architect is found to have materially breached this Agreement.

Article 8 Miscellaneous Provisions

- C. This Agreement is governed by the law of Landscape Architect's principal place of business.
- D. This Agreement is the entire and integrated agreement between Client and Landscape Architect and supersedes all prior negotiations, statements or agreements, either written or oral. The parties may amend this Agreement only by a written instrument signed by both Client and Landscape Architect.
- E. In the event that any term or provision of this Agreement is found to be unenforceable or invalid for any reason, the remainder of this Agreement shall continue in full force and effect, and the parties agree that any unenforceable or invalid term or provision shall be amended to the minimum extent required to make such term or provision enforceable and valid.
- F. Neither Client nor Landscape Architect shall assign this Agreement without the written consent of the other.
- G. Irrespective of any other term in this Agreement, Landscape Architect shall not control or be responsible for construction means, methods, techniques, schedules, sequences or procedures; or for construction safety or any other related programs; or for another parties' errors or omissions or for another parties' failure to complete their work or services in accordance with Landscape Architect's documents.
- H. Client agrees to indemnify, defend and hold Landscape Architect harmless from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including, but not limited to, reasonable attorneys' fees and all legal expenses and fees incurred through appeal, and all interest thereon, accruing or resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or persons, including injuries or death, or economic losses, arising out of the Project and/or this Agreement, except that the Landscape Architect shall not be entitled to be indemnified to the extent such damages or losses are found by a court or forum of competent jurisdiction to be caused by Landscape Architect's negligent errors or omissions.
- I. Client and Landscape Architect waive consequential damages for any claims, disputes or other matters in question arising out of or relating to this Agreement. Landscape Architect's waiver of consequential damages, however, is contingent upon the Client requiring contractor and its subcontractors to waive all consequential damages against Landscape

Architect for claims, disputes or other matters in question arising out of or relating to the Project.

- J. To the extent damages are covered by property insurance during construction, Client and Landscape Architect waive all rights against each other and against the contractors, consultants, agents and employees of the other for such damages. Client or Landscape Architect, as appropriate, shall require of the contractors, consultants, agents and employees of any of them similar waivers in favor of the other parties described in this paragraph.
- K. Client acknowledges and agrees that proper Project maintenance is required after the Project is complete. A lack of or improper maintenance in areas such as, but not limited to, plant, irrigation, and hardscape material may result in damage to property or persons. Client further acknowledges and agrees that, as between the parties to this Agreement, Client is solely responsible for the results of any lack of or improper maintenance.
- L. Nothing in this Agreement shall create a contractual relationship for the benefit of any third party.
- M. If this Agreement is not signed and returned to Landscape Architect within 30 days, the offer to perform the described services may, in Landscape Architect's sole discretion, be withdrawn and be null and void.
- N. Work on this project may start immediately upon acceptance of this proposal. A signed faxed copy will be sufficient authority to begin the work with a signed hard copy to follow.

Please call if you have any questions.

Sincerely yours,

LANDSCAPE ARCHITECT



Charles H. Strawter, ASLA, ISA

CLIENT

*Charles Evans, City Manager
CITY OF COMPTON, CALIFORNIA*

Dated October 28, 2008
LA Cert. No. 5134, Renewal Date 6/30/10

Dated _____

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Recreation

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH C.H. STRAWTER DESIGN, INC. FOR SCOPING & CONCEPTUAL LANDSCAPE PLANNING OF THE COMPTON PAR 3 GOLF COURSE AND BURRELL-MACDONALD, GONZALES, ELLERMAN, FIG/OLEANDER, KELLY, OAKS, RAYMOND, SIBRIE, SOUTH, TRAGNIEW, TUCKER, OLYMPIC PARKS

<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.

December 9, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPTING THE BID OF MSO TECHNOLOGIES FOR THE CONNECTION OF WELL #19 TO THE SCADA SYSTEM

SUMMARY

This resolution authorizes the City Manager to issue a purchase order in the amount of \$34,500.00 to MSO Technologies to connect Well #19 to the SCADA System (Supervisory Control and Data Acquisition System).

BACKGROUND

In 2005 the Municipal Water Department received a grant from Metropolitan Water District to participate in the ground water storage program using prop 13 funds. The Department solicited bids and it was determined that MSO Technologies was the lowest most responsible bidder.

The grant covered the cost to construct Well # 19; however the Water Department will cover the cost to connect the Well to the SCADA system.

FINANCIAL IMPACT

The cost is Thirty-four Thousand, Five Hundred Dollars (\$34,500.00) which includes a 15 % Contingency. Funds are available in the Municipal Water Department's Fiscal Year 2008-2009 Budget in Account Number 5000-880-000-4332.

#10.

MSO TECHNOLOGIES

December 9, 2008

Page Two

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 BID OF MSO TECHNOLOGIES FOR
THE CONNECTION OF WELL # 19 TO THE SCADA SYSTEM**

WHEREAS, the Municipal Water Department received a Grant from Metropolitan Water District to participate in the Ground Water Dry-Year Storage Program; and

WHEREAS, part of the construction plan of Well # 19 includes the installation of a SCADA system (Supervisory Control and Data Acquisition) which monitors the amount of water pumped, as well as enhances the security of the Well; and

WHEREAS, bids were solicited and after receiving three (3) bids it was determined that MSO Technologies was the most responsible bidder; and

WHEREAS, MWD's grant has covered the cost of building Well # 19 however due to increased construction cost of the project the cost associated with the SCADA system will be administered by the Municipal Water Department; and

WHEREAS, funds are available in the Water Department's Fiscal Year 2008-2009 Budget in account number 5000-880-000-4332.

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

SECTION 1. That the bid of MSO Technologies in the amount of Thirty-four Thousand, Five Hundred Dollars which includes a 15% contingency (\$ 34,500.00) is hereby accepted.

SECTION 2. That funds for these services are available in the Water Department's Fiscal Year 2008-2009 budget in Account Number 5000-880-000-4332.

SECTION 3. That a certified copy of this Resolution shall be filed in the office of the City Manager, City Attorney, City Controller, 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 2

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-
ABSAIN:	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 MSO TECHNOLOGIES FOR THE CONNECTION OF WELL # 19 TO THE SCADA SYSTEM

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

11/20/08 7:33:49 PM
DATE

Willie Norfleet
CITY CONTROLLER

12/2/08 12:37:35 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.

December 9, 2008

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CITY CLERK

SUBJECT: DECLARING CITY COUNCIL, DISTRICT 4 SEAT VACANT

On December 1, 2008 Councilman Isadore Hall III was sworn in as Assemblyman of the 52nd District. Once the seat is declared vacant the City Council has two alternatives.

Option I: Appointment

If Council is prepared to make an appointment it may do so within thirty days of the seat being declared vacant.

Option II: Special Election

If Council determines that the vacated City Council seat of the Fourth District should not be filled by appointment, the seat will remain vacant until the Special Election is held.

Recommendation

It is hereby recommended that your Honorable Body declare the City Council, District 4 seat vacant and within the thirty day period select an option and approve by Minute Motion.

Alita Godwin, CMC
City Clerk

December 9, 2008

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CITY ATTORNEY'S OFFICE

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
COMPTON, AMENDING CHAPTER XXI OF THE COMPTON
MUNICIPAL CODE RELATING TO REPORTING REQUIREMENTS
FOR COLLECTORS OF SOLID WASTE AND RECYCLABLE
MATERIALS

SUMMARY

The attached is an amendment to Chapter XXI of the Compton Municipal Code to establish reporting requirements for collectors of solid waste and recyclable materials.

BACKGROUND

The California Integrated Waste Management Act of 1989 (the "Act"), commonly known as AB 939, requires that all cities in California annually divert at least 50% of solid waste from landfill disposal. In order to measure and track compliance with this requirement, the California Integrated Waste Management Board ("CIWMB") imposes certain reporting obligations on all cities and counties. One of these requirements is an annual report, that includes (among other things) a calculation of the annual diversion rate, and a description of progress in implementing the diversion programs selected in the jurisdiction's planning documents.

In order to comply with its reporting obligations to the CIWMB, the City must collect the raw data from the business entities that collect solid waste and recyclable materials within the City.

The attached ordinance, if adopted, authorizes the City Council to impose reporting requirements on all authorized collectors of solid waste and recyclable materials. If the ordinance is passed, staff will develop a set of standard reporting forms and make them

#13.

available to all authorized collectors of solid waste and recyclable materials within the City.

Staff expects that the additional information provided by the collectors will greatly improve the accuracy of the City's reporting to the CIWMB.

FISCAL IMPACT

There is no fiscal impact to the City with this ordinance.

RECOMMENDATION

Staff recommends that City Council adopt the attached ordinance.

CRAIG J. CORNWELL
CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON, AMENDING CHAPTER XXI OF THE COMPTON MUNICIPAL CODE RELATING TO REPORTING REQUIREMENTS FOR COLLECTORS OF SOLID WASTE AND RECYCLABLE MATERIALS

THE CITY COUNCIL OF THE CITY OF COMPTON DOES ORDAIN AS FOLLOWS:

Section 1. Section 21-1.3 of Chapter XXI of the Compton Municipal Code is hereby amended by adding subsection “j”, as follows:

“j. *Required Reports.*

Each collector shall provide the City with monthly, quarterly, and annual reports, to the extent required by the applicable license, or otherwise required by resolution of the City Council. An authorized officer of the collector shall sign each report.”

Section 2. 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 _____, 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 verify that the foregoing Ordinance 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 ordinance 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

#13.

Ordinance No. _____
Page 2 of 2

December 9, 2008

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF THE CITY'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP) SUBSTANTIAL AMENDMENT TO THE 2008-09 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN

SUMMARY

Staff would like Council to consider approving the City's proposed substantial amendment to its FY 2008-09 Annual Action Plan of the Consolidated Plan.

BACKGROUND

On September 29, 2008, the U.S. Department of Housing and Urban Development (HUD) posted a notice of Neighborhood Stabilization Program (NSP) funding availability. NSP is authorized under Title III of the Housing and Economic Recovery Act of 2008 (HERA) and is designed to provide emergency assistance through the acquisition and redevelopment of foreclosed properties that might otherwise become sources of abandonment and blight within the community. The City of Compton received a funding allocation of \$3,242,817 for this purpose.

The City is proposing a substantial amendment to its FY 2008-09 Annual Action Plan in order to incorporate these new funds. The NSP funding allocation would be used to implement the following program activities.

Acquisition/Rehabilitation and Sale – Approximately \$2,107,832 in funds will go to assist eligible households (120% of median and below) in the purchase of bank-owned housing units at a discount.

Acquisition/Rehabilitation and Rental (Affordable Rental Housing) – Approximately \$810,704 in funds will go to assist non-profit agencies to purchase bank-owned housing units to be used as rental for low income (50% and below) households.

Administration – Approximately 10 percent of the grant allocation (\$324,281) and 10 percent of the generated program income (unknown at this time) will be used for grant administration.

STAFF REPORT/NSP AMENDMENT

Page 2 of 2

The City has followed HUD's regulations for an NSP substantial amendment. A draft copy of the amendment was posted on the City's website beginning November 6, 2008 and a copy was made available in the Community Redevelopment Agency for public reviewing. Citizens were given until November 25, 2008 to provide written comments.

FISCAL IMPACT

The Community Redevelopment Agency's FY 2008-09 Budget would increase by \$3,242,817. Revenue and expenditures would be appropriated as follows:

<u>Account Number:</u>	<u>Description:</u>	<u>Amount:</u>
1674-000-000-3583	HUD Revenue	\$3,242,817
1674-800-000-4770	CRA/Acq-Rehab-Sale	\$2,107,832
1674-800-000-4771	CRA/Acq-Rehab-Rental	\$810,704
1674-800-000-4249	CRA/Administration	\$324,281

RECOMMENDATION

Staff recommends that the City Council approve the proposed NSP substantial amendment to the FY 2008-09 Annual Action Plan of the Consolidated Plan by adopting this resolution.

GAY MORRIS, AICP, DIRECTOR
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

KOFI SEFA-BOAKYE, DIRECTOR
COMMUNITY REDEVELOPMENT AGENCY

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE ADOPTION OF THE CITY'S
NEIGHBORHOOD STABILIZATION PROGRAM (NSP)
SUBSTANTIAL AMENDMENT TO THE 2008-09 ANNUAL
ACTION PLAN OF THE CONSOLIDATED PLAN**

WHEREAS, on September 29, 2008 the United States Department of Housing and Urban Development posted a notice of funding availability for the Neighborhood Stabilization Program (NSP); and

WHEREAS, the City of Compton was allocated \$3,242,817 in NSP funding to provide emergency assistance through the acquisition and redevelopment of foreclosed properties that might otherwise become sources of abandonment and blight within the city; and

WHEREAS, in order to receive NSP funding, grantees must prepare and submit an NSP substantial amendment to their 2008-09 Annual Action Plan to HUD by December 1, 2008; and

WHEREAS, in compliance with HUD's citizen comments requirement, the City posted its draft NSP substantial amendment on its website on November 6, 2008 and made a copy of it available for public review in the Community Redevelopment Agency; and

WHEREAS, citizens were given an opportunity to provide comments on the NSP substantial amendment.

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

Section 1: That the City Council shall adopt the proposed NSP substantial amendment to the 2008-09 Annual Action Plan of the Consolidated Plan, which shall include the following proposed programs:

Acquisition/Rehabilitation and Sale – Approximately \$2,107,832 in funds will go to assist eligible households (120% of median and below) in the purchase of bank-owned housing units at a discount.

Acquisition/Rehabilitation and Rental (Affordable Rental Housing) – Approximately \$810,704 in funds will go to assist non-profit agencies to purchase bank-owned housing units to be used as rental for low income (50% and below) households.

Administration – Approximately 10 percent of the grant allocation (\$324,281) and 10 percent of the generated program income (unknown at this time) will be used for grant administration.

Section 2: That the revenue and expenditures shall be appropriated as follows:

RESOLUTION NO. _____
PAGE 2 of 2

<u>Account Number:</u>	<u>Description:</u>	<u>Amount:</u>
1674-000-000-3583	HUD Revenue	\$3,242,817
1674-800-000-4770	CRA/Acq-Rehab-Sale	\$2,107,832
1674-800-000-4771	CRA/Acq-Rehab-Rental	\$810,704
1674-800-000-4249	CRA/Administration	\$324,281

Section 3: That the City Manager is authorized to execute the substantial amendment to the 2008-09 Annual Action Plans of the Consolidated Plan in accordance with HUD regulations as well as City regulations related to the projects.

Section 4. 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.

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 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 ADOPTION OF THE CITY’S NEIGHBORHOOD STABILIZATION PROGRAM (NSP) SUBSTANTIAL AMENDMENT TO THE 2008-09 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN

<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.

December 9, 2008

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

RE: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 20 OF THE COMPTON MUNICIPAL CODE BY ADDING A NEW SECTION 20-5 REGULATING NEWSRACKS ON THE PUBLIC RIGHT-OF-WAY.**

SUMMARY:

The City Council will consider adopting an Ordinance amending Chapter 20 of the Compton Municipal Code by adding a new Section 20-5, regulating newsracks on the public right-of-way.

BACKGROUND:

Newspaper vending machines on public right-of-ways are a means of distributing speech which cannot be wholly prohibited without violating the First Amendment to the Constitution of the United States of America. However, city ordinances which regulate and license newsracks generally will be upheld against constitutional challenge when the regulations are aimed at preventing the secondary effects of such newsracks on the surrounding neighborhood and community. The courts have held that regulation of such matters as the height, size and shape of newsracks and restrictions on the exposure of minors to the display of adult publications in unsupervised vending machines located in a public place are constitutional as long as certain procedural safeguards are contained within the regulating legislation.

STATEMENT OF ISSUE:

Currently, the only regulations that newsracks located within the City of Compton are subject to are the Compton Zoning Ordinance, which limits their location to within Limited Commercial (C-L), Commercial Manufacturing (C-M), Limited Manufacturing (M-L), and Heavy Manufacturing (M-H) zones, and an annual business license fee. The City has no legislation which regulates location standards for newsracks on public property; standards for the proper securing and removal of newsracks; the number of newsracks that can be located within a particular area; the content of the publications in the newsrack; the maintenance of newsracks; or, physical standards of newsracks.

**Staff Report Re Ordinance Add §20-5
Regulation of Newsrack on Public ROW
December 9, 2008, page 2**

Some of the features of this proposed ordinance are:

- Requires a permit for the installation and maintenance of any newsrack located upon, in or over any part of a public sidewalk or parkway.
- Sets physical standards for newsracks on the public right-of-way; such as, maximum height, width and depth specifications; requires continuous maintenance of newsracks in a reasonably neat, clean condition and in good repair; and, uniform installation specifications of newsracks on the public right-of-way.
- Sets standards for the removal of newsracks from the public right-of-way so as to require the permittee to eliminate any potential hazards to the public and restoration of the area to the same or similar condition as any adjoining public right-of-way, level and free of protrusions and depressions.
- Sets locational standards of newsracks; such as, prohibiting projection into or on any roadway; prohibiting placement of newsracks within a specified distance of any marked crosswalk, fire hydrant, traffic signal, driveway, bus stop, bus shelter, and other newsracks.
- Prohibits placement or maintenance of publications or materials which contain material harmful to minors (as defined by Section 313 of California Penal Code to include matter which to the average person, applying contemporary statewide standards, appeals to the prurient interest, and is matter which, taken as a whole, depicts or describes in a patently offensive way sexual conduct and which, taken as a whole, lacks serious literary, artistic, political or scientific value for minors).
- Requires that the newsrack permittee execute an indemnification and hold harmless agreement in favor of the City and maintain a policy of public liability insurance, naming the City as an 'additional insured.'
- Provides a mechanism for the City to remove newsracks that have been abandoned or installed, used or maintained in violation of the ordinance.
- Provides for procedural safeguards (i.e. appeal process) for any person or entity aggrieved by actions of the City; such as, the denial, suspension or revocation of a permit or the City's removal of a newsrack.

**Staff Report Re Ordinance Add §20-5
Regulation of Newsrack on Public ROW
December 9, 2008, page 3**

FISCAL IMPACT:

Annual permit fees will be established by City Council resolution. Additionally, fees for all reasonable costs of reinspection and City removal of any newsracks shall be recoverable. Thus, this Ordinance will allow for at least partial recovery of costs expended by the City for the processing of permit applications and enforcing permit requirements.

RECOMMEDATION:

Staff recommends that the City Council adopt the attached Ordinance, which will amend Chapter 20 of the Compton Municipal Code by adding a new Section 20-5 regulating newsracks on the public rights-of-way.

**L. ALAN PYEATT, ACTING DIRECTOR
PUBLIC WORKS DEPARTMENT**

**CHARLES EVANS
CITY MANAGER**

Staff report.amend ordinance.regulate newsracks.prow
CE:LAP::RAR:rar

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING CHAPTER 20 OF THE COMPTON MUNICIPAL CODE BY
ADDING SECTION 20-5 REGULATING NEWSRACKS ON THE PUBLIC
RIGHTS-OF-WAY.**

WHEREAS, the City of Compton is authorized by Article XI, Section 7 of the California Constitution to make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council of the City of Compton has determined that the public health, safety and welfare of the residents of the City will be promoted and the environmental setting of the City will be maintained and improved through enforcement of laws regulating newsracks on the public right-of-way.

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

Section 1. That Chapter 20 of the Compton Municipal Code is hereby amended to add **Section 20-5 – “Regulation of Newsracks on Public Rights-of-Way”** to read as follows:

20-5.1 Findings. The City Council of the City of Compton finds and determines as follows:

- a. That the uncontrolled proliferation and placement of newsracks in the public right-of-way constitutes a threat to public health, safety and general welfare including impeding pedestrian, wheelchair and vehicular traffic; interfering with ingress and egress to and from buildings, vehicles and public transportation; obstructing views of traffic signs and street-crossing pedestrians; and impeding performance of essential utility, traffic control and emergency services; and
- b. That unreasonably deteriorated or inadequately maintained newsracks threaten the public health and safety; and
- c. That newsracks not reasonably maintained in a neat and clean condition threaten the general welfare including the aesthetic appearance of the public right-of-way; and
- d. That the intent of these provisions is to ensure the public health, safety and general welfare is protected without unreasonably restricting the dissemination of constitutionally protected information; and
- e. That it is not the intent of these provisions to regulate the placement of newsracks on private property. It shall remain the responsibility of the permittee to determine the property lines and ensure newsracks are placed within the public right-of-way in compliance with this Chapter.

20-5.2 Definitions. As used in this Chapter:

- a. “Applicant” or “permittee” means the publisher or distributor, or custodian, employee, officer or other person who, as an agent of the publisher or distributor, has applied for (applicant) or been grant (permittee) a permit pursuant to the provisions of this Chapter.

b. "City Manager" means the City Manager or the City Manager's designee(s).

c. "Director" means the Director of the Department of Public Works, or his/her designee.

d. "Harmful matter" has the meaning set forth in Section 313 of the California Penal Code, or in any successor provision.

e. "Minor" means any natural person under eighteen years of age.

f. "Newsrack" means any self-service container or coin-operated box, storage unit or other dispenser that rests or projects, in whole or in part, in or upon any portion of the public right-of-way, and is installed, used or maintained for the display, sale or distribution of any publication listed in the permit granted under this Chapter. Unless otherwise stated in this Chapter, the term newsrack includes shared newsrack and combination dispenser and the same standards and regulations apply to all three.

g. "Operable element" means any component of a newsrack requiring handling or manipulation to obtain the publication therein including the door or coin mechanism.

h. "Parkway" means that area between the sidewalk and the curb of any street, and where there is no sidewalk, that area between the edge of the roadway and property line adjacent thereto. Parkway also includes any area within the roadway which is not open to vehicular travel.

i. "Permit" means a permit issued pursuant to this Chapter allowing the placement of a newsrack within a specifically designated portion of a public sidewalk or parkway.

j. "Person" means any individual, company, corporation, association, business, firm, partnership or other legal entity.

k. "Public right-of-way" means any area used or intended for use by the public for pedestrian or vehicular travel within the City, including but not limited to public streets, highways, roadways, sidewalks, median strips, parkways, plazas or alleys.

l. "Roadway" means that part of a public right-of-way that is designated and used primarily for vehicular travel.

m. "Shared newsrack" means a single newsrack housing more than one publication, and is subject to the same standards and regulations as a newsrack, unless otherwise stated in this Chapter.

n. "Shared permit" means a permit issued to a person as a primary applicant providing for the sharing of a newsrack among specified publications as long as all of the standards of this Chapter are otherwise met. The primary applicant shall be considered the permittee for all purposes under this Chapter except as explicitly set forth.

o. "Sidewalk" means that part of a public right-of-way that is designated and used primarily for pedestrian travel.

p. "Street" means all areas dedicated to public use for public street purposes and includes but is not limited to roadways, parkways, alleys and sidewalks.

20-5.3 **General Prohibition.** No person shall install, use or maintain any newsrack or other related structure which projects onto, into or over any part of the roadway or which rests wholly or in part upon, along or over any portion of the roadway.

20-5.4 **Display of Certain Matter Prohibited.** No person or entity shall knowingly place or maintain in any newsrack which rests in whole or in part, upon, in or on any portion of a public right-of-way, or which projects onto, into or over any part of a public right-of-way, any publication or material exposed to public view which contains material harmful to minors.

20-5.5 **Permit Requirements and Standards.** It is unlawful for any person to install or permit the installation or maintenance of any newsrack which in whole or in part rests upon, in or over any public sidewalk or parkway without first obtaining a Permit from the City.

 a. General Provisions. One permit will be issued per applicant covering all newsracks in each application. Each permit may be amended quarterly by submitting an Amendment of Permit Application to the Director, provided fees are paid for additional newsracks. A condition of any permit issued under this Chapter is that the permittee shall keep on file with the City an accurate record readily identifying the locations of its newsracks. This information may be used to check the accuracy of information provided in the permit application or compliance with conditions of any existing permit or this Chapter.

 b. Initial Permit Application. Applicants interested in installing newsracks shall first submit to the Director a Permit Application available from the Public Works Department. Applications that do not include all of the requested information and/or documents shall be deemed incomplete. Incomplete applications shall not be processed and shall not automatically be deemed approved under the circumstances specified in subsection (d) below. Applications shall contain the following as to each newsrack:

- (1) The name, address and telephone number of the owner of the newsrack;
- (2) The name, address and telephone number of the responsible person whom the City may notify or contact at any time concerning the newsrack;
- (3) The number of newsracks and the exact proposed location of each newsrack shown on an eight and one-half inch by 11 inch diagram (to scale), and identifying all items in the public right-of-way, including but not limited to bus benches, street poles and posts, fire hydrants, fire call boxes, driveways, wheelchair ramps, crosswalks, curb returns, buildings, landscaping, other newsracks, and any other public or private improvements within a 20 feet radius of the proposed location. The above required document shall also be submitted in a digital format that is AUTO cad compatible;
- (4) A photograph and/or model number of the type of newsrack being used;
- (5) The name of the publication(s) to be contained in each newsrack;
- (6) An Indemnification and Hold Harmless Agreement pursuant to Section 20-5.9 below, and agreement to conform to the requirements of this Chapter;
- (7) A Certificate of Insurance pursuant to Section 20-5.10 below;

(8) The date that said newsrack(s) is proposed to be installed;

(10) An application and processing fee, as established by resolution of the City Council; and

(11) Any additional information which the Director may deem necessary for the proper disposition of the application.

(12) In the case of a shared permit, all of the information set forth above must be supplied for all publications sharing the newsrack. In addition, the primary applicant shall assume responsibility and authority for complying with all of the standards of this Chapter for the shared permit, and all publications sharing the newsrack must assent to the assumption of responsibility and authority for the primary applicant.

c. Permit Renewal Applications. If a permittee is in compliance with this Chapter, a permit may be automatically renewed for each successive fiscal year by timely payment of the renewal fee established by resolution of the City Council and the filing of a complete Permit Renewal Application by or before the first day of July of each year. Applications that do not include all of the requested information or documents shall be deemed incomplete, shall not be processed, and shall not automatically be deemed approved under the circumstances specified in subsection (d) below.

d. Review of Permits. Once submitted, a complete permit application will be reviewed and acted upon within fifteen business days. If the applicant is not notified in writing by the fifteenth business day of approval, denial or extension of the permit review period, the permit application shall be deemed approved.

e. Issuance of Permits. Upon a finding by the Director that the application is complete, accurate and in compliance with this Chapter, a permit shall be issued. Approval of a newsrack permit shall not in any event constitute an easement on or an encumbrance against the public right-of-way. No right, title or interest in the public property upon, in or over which the newsrack is located, or any part thereof, shall vest or accrue in the distributor or owner of the newsrack by reason of approval of a newsrack permit.

f. Denial of Permit. If an application or portion of an application for a permit is denied, the Director shall promptly notify the applicant in writing of the specific cause for such denial.

g. Permit Revocation. A permit may be revoked if the permittee is found to be in violation of the provisions of this Chapter. Any permit issued in error may be revoked without liability to the City.

h. Sale or Transfer of Permits. Permits shall not be sold or transferred except as a part of the sale of a majority of the related business assets of the permittee. The proposed new permittee shall notify the Director in writing within ten business days that the permit has been sold or transferred. The notification shall include the name and contact information for the proposed new permittee. No transfer or sale shall be effective until the proposed new permittee executes an Indemnification and Hold Harmless Agreement in favor of the City as required in Section 20-5.9 below, and obtains the requisite insurance coverage pursuant to Section 20-5.10 below. Until such time, the existing permittee shall maintain the required insurance coverage and shall remain liable for any personal injury or property damage caused by or related to the permittee's newsrack(s).

20-5.6 Physical Standards for Newsracks. Newsracks shall comply with the following standards:

- a. Any operable element of a newsrack shall not exceed 48 inches in height or be less than 15 inches above the public right-of-way on which it is located.
- b. No newsrack or shared newsrack shall exceed 48 inches in height, 30 inches in width or 24 inches in depth. No combination dispenser shall exceed 60 inches in height, 120 inches in width or 30 inches in depth. The top of the coin mechanism shall not be more than 6 inches above the top of the newsrack.
- c. No exterior or interior component of any newsrack shall advertise, publicize or promote anything other than the display, sale or purchase of the publication(s) therein.
- d. Newsracks shall only contain current editions of the publication(s) for which the permit was issued.
- e. Coin-operated newsracks shall be equipped with a functional coin-return mechanism.
- f. Each newsrack shall have permanently affixed in a readily visible place the current name, address and telephone number of the permittee.
- g. Each newsrack shall have a door, covering and/or other appropriate device(s) preventing the publications therein from getting wet or falling out due to rain, wind or similar environmental conditions.
- h. Each newsrack shall be continuously maintained in a reasonably neat and clean condition and in good repair including: (1) reasonably free of dirt, trash, debris, foreign objects, graffiti, stickers, dents and grease; (2) reasonably free of chipped, faded, peeling and cracked paint in any visible painted areas; (3) reasonably free of rust and corrosion in any visible unpainted metal areas; (4) any clear parts through which publications are visible shall be unbroken and reasonably free of cracks, scratched, dents, blemishes and discoloration; (5) any paper or cardboard parts or inserts shall be reasonably free of tears, peeling or fading; and (6) no structural components shall be broken or unduly misshapen. A maintenance log documenting the permittee's inspection of each newsrack shall be maintained by the permittee and available for inspection upon request of the City.
- i. Newsrack shall be installed on a single pedestal or a multiple post using drop-in type anchor bolts to secure newsracks to the public right-of-way, and shall be constructed, installed and maintained in a safe and secure condition approved by the Director.
- j. Newsracks shall not be chained, bolted or otherwise attached to any property or to any permanently fixed object not owned by the owner of the newsrack unless consent of the owner of such property or object is obtained in writing and presented with the permit application or permit renewal application.
- k. All newsracks attached as a group must open in the same direction.
- l. Newsracks shall comply with the Americans with Disabilities Act of 1980, as amended, and all regulations adopted thereunder.

20-5.7 Standards for Proper Removal of Newsracks. Upon removal of any newsrack, the permittee, at its expense, shall eliminate any potential hazards to the public, such as bolts, brackets or holes, and shall restore any disturbed area of the

public right-of-way to the same or reasonably similar condition as any adjoining public right-of-way by removing any protrusions, cleaning the cavity of debris, filling the cavity with high strength epoxy or grout to meet the elevation of the adjoining public right-of-way, and avoiding potential depressions by taking into account shrinkage and settlement of the new material. The public right-of-way shall be level and free of protrusions or depressions. The permittee shall match as closely as reasonably possible the color, texture and material of any adjoining public right-of-way surface.

20-5.8 **Location Standards for Newsracks.** Newsracks shall be located in accordance with the following:

- a. No portion of any newsrack shall project into or be located in any roadway.
- b. Newsracks shall be placed no closer than 6 inches of the roadway edge of any curb painted red.
- c. Newsracks shall be located only adjacent to the curb (if there is no curb, then to the edge of the roadway), or the wall of a building.
- d. Except as stated in subsection (b) above, newsracks located adjacent to the curb (or edge of the roadway) shall be located no less than 18 inches or more than 24 inches from the roadway edge and shall not open toward the roadway.
- e. Newsracks located adjacent to a building shall be located parallel to and not more than 6 inches from the wall. The Director may approve a distance of more than 6 inches if required for proper maintenance of surface behind the newsrack, and the safe flow of pedestrian or wheelchair traffic is not impaired.
- f. No portion of a newsrack shall be located directly in front of any display window except near the curb.
- g. No newsrack shall be located directly opposite another newsrack on the same public right-of-way.
- h. Newsracks may be placed next to each other, provided no group of newsracks extends more than 10 feet along a curb and a clear paved space of at least 4 feet separates each group of newsracks. If the Director determines a violation exists, priority to remain shall be given first to newsracks evidencing the earliest date of installation, followed by newsracks with the highest frequency of publication, followed by a lottery.
- i. No newsrack of shared newsracks shall weigh, in the aggregate, in excess of 125 pounds when empty.
- j. No newsrack shall be placed, installed, used or maintained:
 - (1) Within 5 feet of any marked crosswalk;
 - (2) Within 15 feet of the curb return of any unmarked crosswalk;
 - (3) Within 5 feet of fire hydrant, fire call box, fire lane, police call box, traffic signal controller, traffic signals or other emergency facility;
 - (4) Within 10 feet of a driveway or alley approach;
 - (5) Within 5 feet ahead of and 25 feet to the rear of any sign marking a designated bus stop;

- (6) Within 6 feet of any bus bench or transit advertising shelter;
- (7) At any location reducing the clear space for the passage of pedestrians to less than 4 feet. When feasible, newsracks should be placed to allow the widest path of travel;
- (8) Within 3 feet of or on any public area improved with lawn, flowers, shrubs, trees or other landscaping approved by the City;
- (9) Within 150 feet of another newsrack containing the same publication and located on the same side of the public right-of-way in the same block;
- (10) Within 5 feet of a curb painted blue, or within 3 feet of a curb painted yellow or white; or
- (11) So as to unreasonably obstruct or interfere with: the flow of pedestrian, wheelchair or vehicular traffic; sites used for public utility purposes or other government use; the ingress or egress to or from any residence or building; or the use of poles, traffic signs and signals, hydrants, mailboxes or other objects permitted by the City at that site.

20-5.9 Indemnification Requirement. The Permit Application and any Permit Renewal Application shall include an Indemnification and Hold Harmless Agreement in favor of the City in substantial compliance with this Chapter, which must be executed by every permittee, and person on a shared permit, prior to issuance of any permit under this Chapter. Pursuant to the Indemnification and Hold Harmless Agreement, the permittee shall agree to defend, indemnify, protect and hold the City, and its elected officials, officers, representatives, agents and employees harmless from and against all claims asserted or liability established for damages or injuries to any person or property, including its own employees, agents or officers which arise from or are connected with or are caused or claimed to be caused by any newsrack owned by or attributable to the permittee; provided however, that the permittee's duty to indemnify and hold harmless shall not include any claims or liability arising from the established sole negligence or sole willful misconduct of the City.

20-5.10 Insurance Requirements. A condition for issuance of a permit pursuant to this Chapter, is that every permittee, and person on a shared permit, agrees to maintain a policy of public liability insurance, naming the City of Compton, its officials, officers and employees as an "additional insured," in an amount of not less than \$500,000.00 combined singled limit for any injury to persons and/or damage to property by reason of installation, use and maintenance of such newsrack on public property. The policy shall provide that the insurance coverage shall not be cancelled or reduced by the insurance carrier without the City having been given 30 days' prior written notice thereof by such carrier. The permittee shall provide and keep in force that policy of public liability insurance during such time as it continues to operate any newsrack under the terms of this Ordinance. If the insurance is canceled at any time during the term of the permit, it shall be grounds for revocation of the permit. No newsrack may be installed, used or maintained until permittee provides the City with evidence of the requisite insurance, including proof on the endorsement page(s) that the City is an "additional Insured."

20-5.11 Newsracks in Violation of Chapter.

- a. Notwithstanding any condition upon which summary removal is available, enforcement action may be initiated upon determination by the Director that a newsrack has been abandoned as set forth in Section 20-5.14 below, or installed, used,

or maintained in violation of this Chapter or any condition of the permit. The permittee will be notified in writing of the alleged violation, the intent of the City to remove the newsrack if the violation is not corrected or a hearing not requested within 5 business days after the giving of such notice of violation and intent to remove, and the procedure for requesting an appeal hearing. Failure to properly correct the violation or to appeal the notice within 5 business days of the date of the notification shall result in the newsrack being summarily removed and stored by the Public Works Department. Appeals shall be processed pursuant to Section 20-5.15 below. A removal and storage fee, as established by City Council resolution, shall be assessed against each newsrack removed. A timely request for an appeal hearing shall stay removal; provided, however, if the violation is not corrected within 5 calendar days after the decision of the City Manager, the City may remove the newsrack in accordance with subsection (b) of this section.

b. Whenever a newsrack is removed by the City and stored, the Director shall notify the permittee by mailing a notice of removal, stating the date the newsrack was removed, the reasons therefore, the procedure for claiming the newsrack and the procedure for obtaining a post-removal hearing, if desired. Any newsrack removed and stored pursuant to the provisions of this subsection shall be released to the permittee if claimed within 30 continuous calendar days from the date of notice of removal and on payment of reasonably incurred removal and storage fees. Upon the failure of the permittee to claim such newsrack and pay the fees within 30 continuous calendar days after the mailing of the written notice of removal, the newsrack shall be deemed abandoned property in possession of the City and may be disposed of pursuant to law.

c. If the Director determines that the condition or placement of a newsrack poses an imminent threat to the safety of pedestrians or wheelchair users, or the safe flow of vehicles; or that a newsrack is located within the public right-of-way without a permit, the Director may cause the newsrack to be summarily removed without prior notice.

d. Upon the summary removal of a newsrack, the Director shall notify the permittee by mailing a notice of summary removal, stating the date the newsrack was removed, the reasons therefore, the procedure for claiming the newsrack and the procedure for obtaining a post-removal hearing, if desired. Any newsrack removed and stored pursuant to the provisions of this subsection shall be released to the permittee if claimed within 30 continuous calendar days from the date of notice of summary removal and on payment of reasonably incurred removal and storage fees. Upon the failure of the permittee to claim such newsrack and pay the fees within 30 continuous calendar days after the mailing of the written notice of removal, the newsrack shall be deemed abandoned property in possession of the City and may be disposed of pursuant to law.

e. If the permittee or otherwise responsible party can not be readily contacted based exclusively on information provided in a current permit, related permit application or information affixed to the newsrack, no further action on behalf of the City is required. If the responsible party thereafter notifies the Director to reclaim the offending newsrack, and the newsrack has not been deemed abandoned and disposed of, a notice of summary removal and procedure for obtaining a post-removal hearing shall be served in accordance with subsection (d) above, unless waived by the responsible party.

20-5.12 **Permit Fees.** All newsracks require timely payment of an annual permit fee established by the City Council. No refunds are provided for newsracks taken out of service. Permit fees are due and payable annually on the first day of July of each year, and shall be prorated for any partial year. Annual permit fees shall be delinquent after 30 days past due. A late payment fee shall be assessed on all

delinquent amounts in accordance with Section 9-1.6. The fee is based on the total number of newsracks in service in the public right-of-way. This fee shall be sufficient to recover the costs of processing the permit application and enforcing permit requirements.

20-5.13 **Recovery of Costs, Fees and Penalties.** The City Council may set fees on an annual basis to recover all reasonable costs of reinspection and removal of newsracks. Any time a newsrack is caused to be removed, summarily or otherwise, due to violations of this Chapter, the City may recover all reasonable costs to include:

- a. Cost of the investigative and administrative staff to process the case.
- b. Cost of newsrack removal including the costs of any necessary sidewalk repair and/or storage of the newsrack.

20-5.14 **Abandonment.** A newsrack shall be deemed abandoned if it: (1) is removed pursuant to Section 20-5.11 above, and unclaimed for thirty (30) continuous calendar days from the date of notification of removal; or (2) remains empty or without a permitted publication for thirty (30) continuous calendar days. Newsracks deemed abandoned may be disposed of pursuant to law. The City may dispose of a newsrack and shall not be responsible for any newsrack, including its contents, deemed abandoned for sixty continuous calendar days.

20-5.15 **Appeal.** Any person or entity aggrieved by a finding, determination, notice, order or action taken under the provisions of this Chapter may appeal the same by filing an appeal. An appeal must be perfected within 5 business days after receipt of notice of any protested finding, determination, notice, order or action by filing with the City Manager a letter of appeal briefly stating therein the basis for such appeal. A hearing shall be held on a date no more than fifteen business days after receipt of the letter of appeal unless appellant requests a longer time period. The City Manager shall give the appellant, and any other interested party, a reasonable opportunity to be heard, in order to show cause why the finding, determination, notice, order or action should not be upheld. Within thirty (30) calendar days of the conclusion of the hearing, the City Manager shall affirm, overrule or modify the finding, determination, notice, order or action. The decision of the City Manager shall be final and conclusive.

20-5.16 **Business License.** A permit issued under this Chapter shall not substitute for any business license otherwise required under this Code.

20-5.17 **Penalty.** Any violation of the provisions of this Chapter is an infraction, and upon conviction thereof, shall be subject to a fine not to exceed fifty dollars (\$50.00) for a first violation; a fine not exceeding one hundred dollars (\$100.00) for a second violation in the same calendar year; and a fine not exceeding two hundred dollars (\$200.00) for each additional violation in the same calendar year. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

20-5.18 **Applicability of Chapter Provisions.**

a. The provisions of this Chapter shall apply to all newsracks, whether installed and maintained prior to or after the effective date of this Ordinance. Those newsracks installed prior to the effective date of this Ordinance shall be brought into compliance with the provisions of this Chapter within 90 calendar days of the effective date of this Ordinance.

b. Any newsracks not brought into compliance within 90 days after the effective date of this Ordinance shall be deemed to be in violation of this Chapter.

c. The City Clerk shall notify all publications or distributors who, prior to the effective date of this Ordinance, have newsracks located within the City of the enactment of this Ordinance by mailing a copy thereof to each such distributor or publication.

Section 2. That if any provision of this Ordinance is determined by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such invalidity shall not affect the remaining provision of this Ordinance which can be implemented without the invalid provisions, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 3. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, City Attorney, Public Works Department, Municipal Law Enforcement Services Department, Building & Safety Department, Planning and Economic Development Department, City Treasurer and the Los Angeles County Sheriff's Department, Compton Station.

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

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

ADOPTED this _____ day of _____, 2008.

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 Ordinance was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on _____ day of _____, 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 20 OF THE COMPTON MUNICIPAL CODE BY ADDING A NEW SECTION 20-5 REGULATING NEWSRACKS ON THE PUBLIC RIGHT-OF-WAY.

<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.

December 9, 2008

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 8-2.3 and 8-2.4 OF CHAPTER VIII OF THE COMPTON MUNICIPAL CODE TO AUTHORIZE THE POSITIONS OF DIRECTOR AND DEPUTY DIRECTOR OF THE MUNICIPAL LAW ENFORCEMENT SERVICES DEPARTMENT TO ISSUE CITATIONS AND/OR MAKE ARRESTS AND CARRY FIREARMS WHILE ON AUTHORIZED DUTY.

SUMMARY

The City Council will consider an Ordinance that will amend Sections 8-2.3 and 8-2.4 of Chapter 8 of the Compton Municipal Code so as to authorize the job classifications of Director and Deputy Director of the Municipal Law Enforcement Services Department to issue citations and/or make arrests and carry firearms while on authorized duty.

BACKGROUND

On July 8, 2008, the City Council adopted Ordinance No. 2,173 (codified at CMC §8-2). That legislation consolidated provisions of the Compton Municipal Code relating to Municipal Law Enforcement Services, Security Services and Parking Control Services under the same Chapter.

STATEMENT OF THE ISSUE

While Ordinance No. 2,173 identifies those job classifications and division employees within the Municipal Law Enforcement Services Department which are authorized, during the course and within the scope of their employment, to exercise the power to issue citations and/or make arrests and the authorization to carry a firearm, inadvertently, the classifications of Director and Deputy Director were inadvertently omitted from the authorization sections.

DISCUSSION

While the job classifications of Director and Deputy Director within the Municipal Law Enforcement Services Department may function primarily in an administrative capacity, were the need to arise, it would be necessary and

#16.

**Staff Report Re Ordinance Amending
§§ 8-2.3 & 8-2.4 of Chapter 8 – Authorize
Director/Deputy Director to Arrest/Carry Firearms
December 9, 2008, page 2**

appropriate for the individuals employed in these positions to be authorized to issuance citations, make arrests and carry firearms while on authorized duty and during the course and within the scope of their employment. This proposed Ordinance amendment will correct the inadvertent omission of these job classifications.

RECOMMENDATION

It is the recommendation of this office that the Council adopt the attached Ordinance.

**CRAIG J. CORNWELL
CITY ATTORNEY**

**CHARLES EVANS
CITY MANAGER**

Attachmnts: Proposed Ordinance
CJC:CE:RAR:rar

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 8-2.3 AND 8-2.4 OF CHAPTER VIII OF THE COMPTON MUNICIPAL CODE TO AUTHORIZE THE POSITIONS OF DIRECTOR AND DEPUTY DIRECTOR OF THE MUNICIPAL LAW ENFORCEMENT SERVICES DEPARTMENT TO ISSUE CITATIONS AND/OR MAKE ARRESTS AND CARRY FIREARMS WHILE ON AUTHORIZED DUTY.

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

Section 1. That Section 8-2.3 (Employees Authorized to Arrest) of Chapter 8 of the Compton Municipal Code is hereby amended to read as follows:

8-2.3 Employees Authorized to Arrest. Any person employed by the City in the Municipal Law Enforcement Services Department in the classifications of Director, Deputy Director, Business License Inspector, Code Enforcement Officer, License Coordinator, Park Patrol Officer, Parking Control Officer and Security Officer, assigned to enforcement of the City's municipal ordinances and laws and/or the laws of the State of California is authorized, during the course and within the scope of their employment, to exercise the powers contained in California Penal Code Section 836.5, including the power to arrest without warrant upon reasonable cause and the power to issue citations, whenever such employee has reasonable cause to believe that the person to be arrested or cited has committed a violation of the provisions of the City's municipal ordinances or other statute such employee is required to enforce, provided that such employee has satisfactorily completed the peace officers standards and training course and possesses a valid certificate of completion for P.O.S.T. certified courses provided for in California Penal Code Section 832.

Section 2. That Section 8-2.4 (Authorization to Carry Firearms) of Chapter 8 of the Compton Municipal Code is hereby amended to read as follows:

8-2.4 Authorization to Carry Firearms. The Director, Deputy Director and those employees of the Code Enforcement Services Division, Park Patrol Services Division and Security Services Division of the Municipal Law Enforcement Services Department are authorized by the City to carry a firearm while on authorized duty and during the course and within the scope of their employment, provided that such employees have satisfactorily completed the peace officers standards and training course and possesses a valid certificate of completion for P.O.S.T. certified courses provided for in California Penal Code Section 832.

Section 3. The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance hereby adopted shall remain in full force and effect.

Section 4. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, City Attorney, Municipal Law Enforcement Service Department and the Compton Station of the Los Angeles County Sheriff's Department.

Section 5. That this Ordinance shall take effect thirty (30) days after its adoption.

Section 6. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this _____ day of _____, 2008.

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 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 _____, 2008.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTIONS 8-2.3 and 8-2.4 OF CHAPTER VIII OF THE COMPTON MUNICIPAL CODE TO AUTHORIZE THE POSITIONS OF DIRECTOR AND DEPUTY DIRECTOR OF THE MUNICIPAL LAW ENFORCEMENT SERVICES DEPARTMENT TO ISSUE CITATIONS AND/OR MAKE ARRESTS AND CARRY FIREARMS WHILE ON AUTHORIZED DUTY.

<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.

WARRANTS APPROVED BY COUNCIL

<u>Warrant #</u>	<u>Date</u>	<u>Name</u>	<u>Description</u>	<u>Amount</u>
169337	12/04/08	ASAP Sign Company	Manufacturing & Installation Monument Signs	\$58,215.00

Requested By: City Manager

I hereby certify that the above demand in the amount of \$58,215.00 was approved at a regular meeting of the City Council and reject _____ as of December 9, 2008.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on December 9, 2008 allowed the above demand.

Alita Godwin
City Clerk

