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, July 21, 2009
7:00 PM

HEARING(S)

7:15 P.M. - PUBLIC HEARING - TO RECEIVE CITIZEN COMMENTS ON CITY'S PROPOSED SECTION 108 LOAN PROJECT **(Item 12)**

7:20 P.M. - (Continued) PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION ON CONDITIONAL USE PERMIT CASE NO. 2622 **(510 W. Compton Blvd.) (Item 13)**

7:25 P.M. - PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION ON VARIANCE CASE NO. 2616 - A REQUEST FOR MULTIPLE VARIANCES FROM DEVELOPMENT STANDARDS TO LEGALIZE THREE RESIDENTIAL UNITS IN AN R-M ZONE **(1016 E. Oaks Street) (Item 14)**

OPENING

ROLL CALL

APPROVAL OF MINUTES

1. **MARCH 17, 2009**
   MARCH 24, 2009
   APRIL 7, 2009
   APRIL 14, 2009
   APRIL 28, 2009
   MAY 6, 2009

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

2. RECEIVE AND FILE THE MINUTES OF THE FEDERAL GRANT ADVISORY BOARD **(June 4, 2009)** and PLANNING COMMISSION **(June 10, 2009)**

CITY CONTROLLER

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING MACIAS GINI & O'CONNELL TO PROVIDE AUDIT SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2009

CITY MANAGER

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MATADOR ENTERTAINMENT, INC. FOR THE COORDINATION OF THE MEXICAN INDEPENDENCE DAY CONCERT

END CONSENT AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

5. **Appointments to:**
Block Club Commission
Commission For Women
Disability Commission
Loan Review Board
Oversight Committee
Parks and Recreation Commission

6. APPOINTMENT(S) OF OFFICERS, COUNCIL MEMBERS, BOARDS/COMMISSIONS AND COMMITTEES

Reappointments to:
Beautification Committee
Disability Commission
Loan Review Board
Oversight Committee
Personnel Board
Planning Commission

7. Appointments of City Council Members to: Gateway Cities Council of Governments and Metropolitan Water District **(Alternate Only)**

8. DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE **(September 16-18, 2009)**

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

Removal of Commissioners: Block Club Commissioners

Accepting the Resignation Letter of **Kini Pasi** (Youth Leadership Council)

CITY MANAGER'S REPORT

10. COMPTON POLICE SERVICES FEASIBILITY STUDY GROUP, **Phase 1**

CITY ATTORNEY'S REPORTS

CITY TREASURER'S REPORTS

UNFINISHED BUSINESS

11. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON REPEALING CHAPTER 22 OF THE COMPTON MUNICIPAL CODE AND REVISING SAME BY ADOPTING BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (TITLE 24, CALIFORNIA CODE OF REGULATIONS), PART 9 (2007 CALIFORNIA FIRE CODE), AND THE 2006 INTERNATIONAL FIRE CODE AND PROVIDING FOR ADDITIONS, DELETIONS AND AMENDMENTS THEREOF **(SECOND READING)**

NEW BUSINESS

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF AN AMENDMENT TO THE CITY OF COMPTON'S SECTION 108 LOAN PROGRAM PROJECT – MARTIN LUTHER KING JR. TRANSIT CENTER PROJECT

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE DECISION BY THE PLANNING COMMISSION DENYING CONDITIONAL USE PERMIT CASE NO. 2622 **(510 W. Compton Blvd.)**

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE PLANNING COMMISSION DECISION AND DENY THE APPEAL OF VARIANCE CASE NO. 2616 **(1016 E. OAKS STREET)**

15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.6 (Special Meetings), 2-1.7 (Order of Business), 2-1.7.1 (Objection by Council Member to Item on Consent Agenda), 2-1.8 (Audience Comments at Council Meetings), 2-1.13 (Rules of Decorum for Meetings) and 2-1.15 (Council Time Limit on Agenda Items) **(First Reading)**

16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER VII OF THE COMPTON MUNICIPAL CODE BY ADDING SECTION 7-26 ESTABLISHING REGULATIONS FOR SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS OF MONEY OR OTHER PROPERTY **(First Reading)**

APPROVAL OF WARRANTS

17. **WARRANT #177318** - **Date** - 7-16-09 - **Name** - Marco Z - **Description** - Ground Water Storage Program Progress Payment - **Amount** - $12,427.74 - **Requested by:** Water
WARRANT #177333 - **Date** - 7-16-09 - **Name** - Victory Outreach - **Description** - Maintenance Service for May and June 2009 - **Amount** - $23,134.99 - **Requested by:** Parks
Total Amount of Warrants - $35,562.73

AUDIENCE COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, July 28, 2009 @ 3:00 PM.

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

MARCH 17, 2009

The City Council meeting was called to order at 7:31 p.m., in the Council Chambers of City Hall by Mayor Eric Perrodin.

ROLL CALL

Council Members Present: Dobson, Arceneaux, Clay, Perrodin
Council Members Absent: Calhoun

Other Officials Present: C. Cornwell, A. Godwin, C. Evans

APPROVAL OF MINUTES

February 10, 2009
February 17, 2009

On motion by Arceneaux, seconded by Dobson, the minutes of February 10, 2009 and February 17, 2009 were approved by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

ORAL AND WRITTEN COMMUNICATIONS

Phil Wilson, Founder/CEO of Black Aids Institute.
(Reagendad.)

7:15 P.M. PUBLIC HEARING - PREFERENTIAL PERMIT PARKING PROGRAM

(Reagendad.)

CONSENT AGENDA

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

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

COMPTON CAREERLINK

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO REDISTRIBUTE RAPID RESPONSE PROGRAM FUNDS WITHIN THE WORKFORCE INVESTMENT ACT (WIA) SERIES 100 AND 200 ACCOUNTS FOR FISCAL YEAR 2008/09. **(Resolution # 22,785)**

CITY FIRE DEPARTMENT

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (LA-RICS) JOINT POWERS AGREEMENT (JPA) THUS AUTHORIZING THE CITY'S MEMBERSHIP IN THE LA-RICS AUTHORITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE JPA AGREEMENT **(Resolution # 22,786)**

#1.

CITY MANAGER

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT BETWEEN THE CITY OF COMPTON AND NATIONAL UNIVERSITY **(Resolution # 22,787)**

HUMAN RESOURCES

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE POSITION CLASSIFICATION PLAN BY ADOPTING REVISED CLASSIFICATION SPECIFICATIONS FOR ACCOUNTANT I, AND APPROVING SALARY ADJUSTMENTS FOR THE CLASSIFICATIONS OF ACCOUNTANT I AND ACCOUNTANT II **(Resolution # 22,788)**

WATER DEPARTMENT

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE EXECUTION OF A STIPULATION AND SUPPORT OF AN AMENDMENT TO THE CENTRAL BASIN GROUNDWATER ADJUDICATION TO PROVIDE FOR STORAGE AND RECOVERY OF GROUNDWATER **(Resolution # 22,789)**

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE BID OF WESTERLY METER SERVICE COMPANY FOR THE REPAIR, MAINTENANCE, TESTING AND CALIBRATION OF LARGE WATER METERS AND TRANSFERRING MONIES BETWEEN ACCOUNTS **(Resolution # 22,790)**

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

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

RESIGNATION OF RUTHIE TOWNSELL (Commission for Women)

On motion by Clay, seconded by Arceneaux, the Resignation Letter of Ruthie Townsell was accepted by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

Mayor Perrodin thanked Ms. Townsell for her dedicated years of service to the Compton community.

CITY MANAGER'S REPORTS

10. REQUEST TO SCHEDULE A PUBLIC HEARING FOR A PUBLIC NUISANCE ABATEMENT HEARING AT 1050 WEST ALONDRA BOULEVARD

On motion by Arceneaux, seconded by Clay, the hearing was scheduled for April 14, 2009 at 3:15 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

11. REQUEST TO SCHEDULE A PUBLIC HEARING TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED SUBSTANTIAL AMENDMENTS TO THE 2004-05, 2005-06, 2006-07, 2007-08, and 2008-09 HUD-MANDATED ANNUAL ACTION PLANS OF THE CONSOLIDATED PLAN

On motion by Arceneaux, seconded by Clay, the hearing was scheduled for April 28, 2009 at 3:15 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

12. REQUESTING A JOINT PUBLIC HEARING TO CONSIDER A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY AND META HOUSING CORPORATION, INC. FOR THE DISPOSITION OF CERTAIN PUBLIC-OWNED REAL PROPERTY LOCATED IN THE REDEVELOPMENT PROJECT AREA

On motion by Arceneaux, seconded by Clay, the joint public hearing was scheduled for April 7, 2009 at 7:20 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

CITY ATTORNEY'S REPORTS

Craig Cornwell, City Attorney, requested that the following claims be denied:

13. **CLAIMS AGAINST THE CITY OF COMPTON**:

Lamont Foster v. City of Compton - I-8206
Kenneth Rachal v. City of Compton - I-8207
Quantrell Johnson v. City of Compton - I-8209
Yvonne Peele v. City of Compton - I-8210
Robert Ware v. City of Compton - I-8211
Eloise Horton v. City of Compton - I-8212
Brison Robinson v. City of Compton - I-8214
Karen Lopez (minor), Roxana San Martin (guardian) v. City of Compton - I-8215

On motion by Arceneaux, seconded by Clay, the above claims were denied by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

Mr. Cornwell requested that the following claim be approved:

21st Century (formerly AIG Insurance Company) - 0800205620

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

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

Mayor Perrodin indicated that three of the above incidents did not occur in the City of Compton.

#1.

UNFINISHED BUSINESS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTERS VII AND VIII OF THE COMPTON MUNICIPAL CODE BY DELETING SECTION 7-20, AND ADDING SECTION 8-11 (WEED ABATEMENT)

Councilperson Arceneaux requested an explanation on behalf of the citizens.

Craig Cornwell, City Attorney, stated that the previous weed abatement required staff to present various public nuisance properties once a year. For that reason, the City Attorney's Office has implemented an ordinance that allows staff to present various properties into compliance all year long.

On motion by Arceneaux, seconded by Clay, to waive the reading of the ordinance in full by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

On motion by Arceneaux, seconded by Dobson, **Ordinance # 2,188** entitled **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTERS VII AND VIII OF THE COMPTON MUNICIPAL CODE BY DELETING SECTION 7-20, AND ADDING SECTION 8-11"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

NEW BUSINESS

15. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE AND CREATING A COMMUNITY RELATIONS COMMISSION

Joyce Kelly, Compton resident, questioned if the Human Relations Commission was a duplicate committee of the Community Relations Commission.

Craig Cornwell, City Attorney, confirmed that the Community Relations Commission would be replacing the Human Relations Commissions.

On motion by Arceneaux, seconded by Clay, to waive the reading of the ordinance in full, by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

On motion by Arceneaux, seconded by Dobson, **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE AND CREATING A COMMUNITY RELATIONS COMMISSION"** was placed on first reading by title only, by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

16. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTION 12-9 OF THE COMPTON MUNICIPAL CODE REGARDING THE PREFERENTIAL PERMIT PARKING PROGRAM WITHIN THE CITY OF COMPTON **(Reagendad)**

17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ESTABLISHING EXEMPTED ENFORCEMENT DAYS FOR THE CITY'S PREFERENTIAL PERMIT PARKING PROGRAM **(Reagendad)**

APPROVAL OF WARRANTS

18. **Warrant #172052** - Shield Security Inc. - Security services at various locations throughout the city - $56,271.19 - **Requested by:** City Manager
Warrant #172121 - Pacific Coast Waste and Recycling - Waste management for residential, commercial, and Industrial customers - $574,721.54 - **Requested by:** Water Department

Total Amount of Warrants - $630,992.73

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

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

Mayor Perrodin indicated that the city would be distributing citations to citizens warning them against illegal dumping.

19. **Warrant #172208** - MV Transportation Inc. - Compton Renaissance Extended Rate - $68,339.70 - **Requested by:** Public Works Department
Warrant #172264 - Cleanstreet - Sweeper Service for Citywide Street Sweeping - $70,000.00 - **Requested by:** Public Works Department
Warrant #172283 - Shield Security Inc. - Security at City Maintenance - $20,469.12
Requested by: Public Works Department
Total Amount of Warrants - $158,808.82

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

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

AUDIENCE COMMENTS

Joyce Kelly, Compton resident, stated that she participated in a meeting with the City Manager, Assistant City Manager and Councilperson Arceneaux concerning the proposed uses for the armory.

Gwen Patrick, Compton resident, suggested that Gaming Revenue be used to fund school projects and programs.

Robert Ray, Compton resident, encouraged the city to apply for law enforcement technology grant funds at www.cops.usdoj.gov. as per United States Attorney Eric Holder, of the Department of Justice.

Minnie Sawyer, Compton resident, announced that she would be hosting a "Religious Luncheon" on March 21, 2009 at 1541 West 131st Street, Compton. Ms. Sawyer also expressed a concern for the Compton Access Channel.

#1.

Marie Hollis, Compton resident, suggested that Measure "L" be explained to the Compton community.

Craig Cornwell, City Attorney, invited Ms. Hollis to his office for a detailed explanation.

Mary Patterson, Compton resident, informed the council that the City of Compton is not on the list to receive public transportation improvement funding. Ms. Patterson encouraged the city to apply before the deadline.

Pastor Alex Leon, Pastor of Victory Outreach, invited the City Council to participate in the "Caesar Chavez Celebration" to be held on Saturday, March 28, 2009 at Lueders Park from 10 a.m. to 6 p.m.

Valera Dudley, Compton resident, commended the City Attorney for the work he's doing for the citizens and asked that the City Manager devise a plan to reach the Latino community to ensure a complete understanding of the city's codes and regulations.

COUNCIL COMMENTS

Councilperson Clay thanked everyone that participated in the "Townhall Meeting" and "4th District Clean-Up."

Councilperson Clay also reminded the community of the youth programs offered at Kelly Park.

Councilperson Arceneaux announced that Congresswoman Laura Richardson would be in the City of Compton for the "State of the Union Luncheon" on Friday, March 27, 2009 at the Crystal Park Hotel.

Councilperson Arceneaux also announced that Councilperson Calhoun would be hosting the "Hub-City Baseball Classic" at Gonzales Park on Saturday, March 21, 2009 beginning at 10 a.m.

Councilperson Dobson instructed the City Manager to investigate why ice cream trucks are going through her neighborhood at 10 p.m.

Councilperson Dobson also requested that the meeting be adjourned in memory of Clyde Patterson.

Mayor Perrodin introduced Councilperson Calhoun's temporary liaison, Judon Harris.

Judon Harris announced that he is the temporary liaison for District One and is eager to serve the community.

Mayor Perrodin stated that there is a possibility he will be absent from day council meetings, due to the complexity of a case he's working on as the Prosecuting Attorney at Airport Court.

Mayor Perrodin clarified any rumors that terrorists would be training at the armory.

Mayor Perrodin stated that all residents should exercise their right to vote during the April and June elections and explained the following Measures to the members of the audience:
Measure "L" is a proposal to clarify obsolete language within the City Charter per the City Attorney.
Measure "F" is a proposal to ban fireworks in the City of Compton.
Measure "P" is a proposal to add two council seats when the city reaches 150,000 citizens.

Mayor Perrodin maintained his support for Measure "P" and cited the incompetence of six council members representing 101,000 citizens. Mayor Perrodin assured the community that race has nothing to do with Measure "P" or his support for it. In fact, Mayor Perrodin reminded the citizens that his primary goal is for African Americans and Latino Americans to join together and move the city forward.

Measure "E" is a proposal to change the election dates from the first Tuesday in June, to the third Tuesday in June, to allow for the preparation of a run-off election, if applicable.

ADJOURNMENT

On motion by Arceneaux, seconded by Dobson, the meeting was adjourned in memory of **Clyde Patterson** at 8:47 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

_____ _____

Clerk of the City Council **Mayor of the City Council**

MARCH 24, 2009

The City Council meeting was called to order at 3:12 p.m. in the Council Chambers of City Hall by Mayor Pro-Tem Lillie Dobson.

ROLL CALL

Council Members Present: Arceneaux, Clay, Dobson
Council Members Absent: Calhoun, Perrodin

Other Officials Present: C. Cornwell, A. Godwin, C. Evans

APPROVAL OF MINUTES - There were no minutes to be approved.

CONSENT AGENDA

***Councilperson Calhoun in at 3:13 p.m.**

CITY MANAGER/CITY ATTORNEY REPORTS

1. REQUEST FROM THE REGISTRAR-RECORDER/COUNTY CLERK TO WAIVE THE FEES FOR THE USE OF THE COMPTON NEIGHBORHOOD CENTER (600 N. Alameda) FOR POLLWORKER TRAINING FOR THE MAY 19, 2009 STATEWIDE SPECIAL AND CONSOLIDATED ELECTION, May 1, 2009 from 9:00 a.m. - 9:00 p.m. **(Approved.)**

CITY MANAGER

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 22,732 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND AND EASEMENTS NEAR COMPTON CREEK **(RESOLUTION # 22,791)**

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE/PURCHASE AGREEMENT WITH CIT TECHNOLOGY FINANCING SERVICES, INC. FOR THE PROCUREMENT OF EMC DISASTER RECOVERY EQUIPMENT **(RESOLUTION NO. 22,792)**

COMMUNITY REDEVELOPMENT

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO WORK OUT THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF COMPTON AND THE COMMUNITY REDEVELOPMENT AGENCY IN CONNECTION WITH PROPOSED DEVELOPMENT OF SENIOR RESIDENTIAL DEVELOPMENT IN THE REDEVELOPMENT PROJECT AREA. **(RESOLUTION NO. 22,793)**

HUMAN RESOURCES

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING SALARY ADJUSTMENTS FOR THE CLASSIFICATIONS OF WATER SERVICE WORKER I, WATER SERVICE WORKER II AND WATER SERVICE WORKER III **(RESOLUTION NO. 22,794)**

#1.

Joyce Kelly, Compton resident, stated that she was under the impression that salary adjustments for all positions were being considered under the classification and compensation study.

William Kemp, Compton resident, questioned if salary adjustments as well as levels of certifications were being raised.

Charles Evans, City Manager, indicated that both salary adjustments and certifications were being raised.

PLANNING AND ECONOMIC DEVELOPMENT

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH MDG ASSOCIATES, B-ADAIR CONSULTING, AND HBJ ASSOCIATES FOR HUD PROGRAMS-RELATED CONSULTING SERVICES **(RESOLUTION NO. 22,795)**

PUBLIC WORKS-ENGINEERING

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2008-2009 ANNUAL BUDGET AND AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO SARAKKI ASSOCIATES INC., FOR DESIGN SERVICES CONNECTED WITH THE TRAFFIC SIGNAL IMPROVEMENT SYSTEM (CIP# 06-06) **(Removed)**

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ISSUE OF A PURCHASE ORDER TO SHIELD SECURITY FOR PROVISION OF SECURITY SERVICES AT THE CITY YARD **(RESOLUTION NO. 22,796)**

On motion by Arceneaux, seconded by Clay, the CONSENT AGENDA was approved, by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

CITY MANAGER'S REPORTS - There were no City Manager's Reports.

CITY ATTORNEY'S REPORTS

9. REQUEST FOR CITY COUNCIL AUTHORIZATION TO ISSUE BUSINESS LICENSE FOR 223 N. BULLIS ROAD, COMPTON

Craig Cornwell, City Attorney, stated that he conducted an additional investigation, as per the City Council's request and determined no relationship between the new business owner and the old business owner. Mr. Cornwell also noted that the new business owner has rehabilitated the property. Subsequently, staff recommends to allow the new owner the authority to obtain a business license.

Councilperson Arceneaux felt the responsibility of what happened on the property is with the property owner. Subsequently, she mentioned that lives were lost, as a result of the negligent behavior of the property owner.

Councilperson Calhoun asked if stipulations could be placed on the business license, as it relates to the type of business and actions held on the property.
Mr. Cornwell replied affirmatively.

Councilperson Calhoun recommended the approval of the business license with a one year monitored probation.

Councilperson Clay asked the new business owner if he understood the seriousness of this issue.

The new business owner replied affirmatively.

On motion by Calhoun, seconded by Arceneaux, the City Council approved the issuance of a business license for LBC Auto Repair as a one year probationary license with City Attorney monitoring, by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

UNFINISHED BUSINESS

10. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE AND CREATING A COMMUNITY RELATIONS COMMISSION

William Kemp, Compton resident, expressed the importance of community groups.

On motion by Arceneaux, seconded by Clay, to waive the reading of the ordinance in full, by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

On motion by Arceneaux, seconded by Clay, **Ordinance # 2,189** entitled **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE AND CREATING A COMMUNITY RELATIONS COMMISSION"** was adopted by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

3:15 P.M. - PUBLIC HEARING - APPEAL OF PLANNING COMMISSION VARIANCE CASE NO. 2621 FOR A PARKING VARIANCE IN LOW DENSITY (R-L) ZONE

On motion by Arceneaux, seconded by Clay, the public hearing was opened at 3:31 p.m., by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

Jessica Lopez, representative of the Planning and Economic Development Department, stated that the purpose of this hearing is an appeal of the Planning Commission's decision to deny variance case no. 2621. The applicant, Gustave Ramirez, is requesting that council authorize the legalization of a garage conversion without providing the replacement of off-street parking at 1703 North Castlegate Avenue, Compton, California.

#1.

On January 14, 2009 and February 11, 2009, the Planning Commission conducted public hearings to consider the request and subsequently denied Variance Case No. 2621. The site is a 5000 square foot rectangular-shaped parcel of land. According to building permits, the site was developed in 1948 as a single family home with an attached one car garage. As per the plans submitted by the applicant, the home included a den and had no garage when his mother purchased the property. She, therefore, requested a parking variance, in order to legalize the garage conversion to a den without having to replace the garage.

Ms. Lopez stated that the Compton Municipal Code requires a two car garage on site for single family homes, unless the house was legally built without a two car garage. In this case, building records indicate that the property was developed with a garage and was converted into a den without permits. Plans and pictures provided by the applicant strongly suggest the den was a single car garage, in addition to its interior dimensions coinciding with a single car garage, i.e., adapted ramp, size of window within the den and the den floor.

Ms. Lopez maintained that the applicant was advised to check with the local Tax Assessor's Office for reference to any additional permits, however none were listed. Therefore, after careful consideration of all documentation, staff expressed a concern for setting precedence through the recommendation of Variance Case No 2621. Therefore, staff suggests that council uphold the Planning Commission's decision to deny Variance Case No. 2621.

AUDIENCE COMMENTS ON THE HEARING

Rudolfo Ruval, Compton resident, felt the decision to use a garage for purposes other than storing vehicles, should be at the property owner's discretion.

Joyce Kelly, Compton resident, requested information concerning the state's requirements for garage conversions.

Gustave Ramirez, applicant, affirmed that garage conversions should not be used as living quarters, however he argued that his mother purchased the home 15 years ago with a den and no garage. Mr. Ramirez maintained that his mother has been paying the taxes on a 10 x 16 square foot property, which is on record in the City Controller's Office and County Assessor's Office.

Mr. Ramirez stated that he recently discovered building permit B15058, from the City of Compton that matches the same permit number in the County Assessor's Office dated February 18, 1975. Mr. Ramirez claimed that his mother has already spent $3,000.00 on this process and did everything the Building & Safety Department has instructed her to do. Nevertheless, they put a lien on her home. Mr. Ramirez alleged that his mother was intimidated during this appeal's process and taken advantage of, due to her limited knowledge of the English language.

William Kemp, Compton resident, asked that the citation process for this homeowner be suspended, until the city conducts additional research.

Gwen Patrick, Compton resident, expressed a concern for a Spanish-speaking translator present during council meetings.

It was motioned by Arceneaux, seconded by Clay, to close the hearing at 3:47 p.m.

COUNCIL COMMENTS ON THE HEARING

Councilperson Arceneaux requested that this hearing be continued, in order for council to make an informed decision, based on all relevant information.

It was motioned by Arceneaux, seconded by Clay to withdraw their motion.

Patrick Steward, Chief Building Inspector, stated that he spoke with the applicant and his mother concerning this issue, in which the permit indicates its for a general rehabilitation and not a den rehabilitation. i.e., gen. rehab. vs. den rehab.

Mr. Stewart stated that the County Assessor's admits to "taxing a chicken coop, if a person is staying in it." Mr. Stewart also stated that the city does not tax properties, further indicating that the documentation of the inspection in 1975 was not legal.

Mayor Pro-Tem Dobson questioned how this issue came about.

Mr. Stewart stated that the applicant was cited for an illegal garage conversion. Therefore, the city went through the process of researching city and county permits and invited the property owners to do the same. Consequently, both parties came up with the same results. Mr. Steward cited that the applicant is basing their claim on the 34 year-old Assessor's inspection, which they deem as a garage conversion approval.

On motion by Arceneaux, seconded by Clay, the public hearing was continued to April 14, 2009 at 3:30 p.m., by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Perrodin

3:20 P.M. - PUBLIC HEARING - CHANGE OF ZONE CASE NO. 2009-01 AND GENERAL PLAN CASE NO. 2009-01

On motion by Arceneaux, seconded by Clay, the public hearing was opened at 3:57 p.m., by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Perrodin

Gay Morris, Director of the Planning and Economic Development Department, stated that the purpose of this hearing is to consider an amendment of the General Plan and Redevelopment Plan land-use designation of vacant land, owned by the Redevelopment Agency. On February 25, 2009, the Planning Commission conducted a public hearing to consider the request to allow the construction of a 75-unit rental housing development for low-income senior citizens. After careful consideration, the Planning Commission approved the request for conditional use permits and variances.

Ms. Morris explained that the proposed site is approximately 1.94 acres in size, in which the Community Redevelopment Agency plans to develop a new Transit Center, parking structure and Senior Center in the area. The building is a proposed three stories tall with a maximum height of 35 feet and in compliance with the American Disabilities Act. There will be sixty one bedroom units and fifteen two bedroom units. Therefore, staff recommends that council approve the requested changes of zone and land use designations.

Tim Sul, Project Manager of META Housing, introduced the design plan to the City Council and Compton community.

Michael Anderson, Representative of BASE Development, presented the design of the new Senior Center and Transit Center to the City Council and Compton community.

AUDIENCE COMMENTS ON THE HEARING

Rudolfo Ruval, Compton resident, expressed a concern for the resources available to construct a new Transit Center and Senior Center.

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William Kemp, Compton resident, voiced his approval for both developments.

Floyd Smith, Compton resident, requested that council consider building entertainment facilities for the local community's enjoyment.

Gwen Patrick, Compton resident, asked if some units would be available for sale. Tim Sul stated that the units will be available for rent "only."

Joyce Kelly, Compton resident, questioned how the rent would be calculated and if the existing Transit Center would be demolished.

Mr. Sul indicated that rents would be calculated through the Federal Low-Income Tax Credits Program, of which the median income is between $19,000.00 and $30,000.00.

On motion by Arceneaux, seconded by Clay, the public hearing was closed at 4:16 p.m., by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Perrodin

COUNCIL COMMENTS ON THE HEARING

Councilperson Calhoun expressed her approval for the proposed development and mentioned that this project would incorporate the services currently being provided at the Dollarhide Neighborhood Center.

Councilperson Arceneaux inquired as to who would be maintaining the property and if other amenities would be available to the seniors. Mr. Sul indicated that the development would include a fitness room, computer center, library, outdoor barbeque area and open space.

Councilperson Arceneaux requested the locations of other META housing facilities. Mr. Sul indicated that META Housing facilities are located throughout the Los Angeles and Orange County areas.

Mayor Pro-Tem Dobson felt the seniors deserved a new facility and requested the projected completion date of the Senior Center. Mr. Sul stated that the completion date is dependent upon the financing cycle, however the company anticipates breaking ground during the first quarter of 2010.

Mayor Pro-Tem Dobson asked Mr. Sul if the citizens of Compton would be considered during the hiring process. Mr. Sul indicated that it is stated within the disposition and development agreement that META Housing consider hiring locally.

Councilperson Arceneaux questioned if there were any setback requirements being compromised. Ms. Morris affirmed that no setbacks were being compromised.

NEW BUSINESS

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE PLANNING COMMISSION DECISION AND DENY THE APPEAL OF VARIANCE CASE NO. 2621 (1703 N. CASTLEGATE AVENUE). **(Held Over to April 14, 2009 at 3:30 p.m.)**

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE LAND USE ELEMENT AND LAND USE POLICY MAP OF THE GENERAL PLAN TO CHANGE THE DESIGNATION OF A CERTAIN PROPERTY LOCATED AT 302 N. TAMARIND AVENUE, COMPTON

On motion by Arceneaux, seconded by Clay, **Resolution #22,797** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE LAND USE ELEMENT AND LAND USE POLICY MAP OF THE GENERAL PLAN TO CHANGE THE DESIGNATION OF A CERTAIN PROPERTY LOCATED AT 302 N. TAMARIND AVENUE, COMPTON"** was adopted by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP (CHANGE OF ZONE CASE NO. 2009-01)

On motion by Arceneaux, seconded by Clay, to waive the reading of the ordinance in full, by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

On motion by Arceneaux, seconded by Clay, **Ordinance # 2,190** entitled **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP (CHANGE OF ZONE CASE NO. 2009-01)"** was adopted by the following vote on roll call:

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

APPROVAL OF WARRANTS

14. **Warrant #172529** - MBIA/MuniServices - Service Fee for monitoring compliance of Utility User Tax and Sales Tax Compliance - $34,501.49 - **Requested by:** City Manager

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

AYES: Council Members - Calhoun, Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Perrodin

AUDIENCE COMMENTS

William Kemp, Compton resident, expressed opposition to Measure "F"; the proposed ban on fireworks.

Gwen Patrick, Compton resident, questioned if Measure "L" would remove the city's relationship with the Compton Unified School District.

Craig Cornwell, City Attorney, explained that the District has its own jurisdiction, therefore Measure "L" has nothing to do with the city's relationship with the school district.

Diane Sanchez, Compton resident, requested a detailed expenditure report for the cost to put on the "Cesar Chavez Celebration."

Joyce Kelly, Compton resident, expressed a concern for the approval of Measure "L" and its implications.

Francis Stevens, representative of Sully Miller Contracting, indicated that she is experiencing difficulties getting company invoices paid. Ms. Stevens stated that the city owes Sully Miller $500,000.00, in work that has been completed.

Charles Evans, City Manager, stated that he would discuss this matter with the City Treasurer.

Jose Ramirez, Compton resident, announced that the "Cesar Chavez Celebration" would be held on March 28, 2009 at Lueders Park.

COUNCIL COMMENTS

Councilperson Clay announced and made mention of the various youth programs available at Kelly Park, the Fair Housing Foundation's Education Outreach Program and the 4th District Clean-Up scheduled for April 4, 2009 at Kelly Park.

Councilperson Arceneaux announced and made mention of the various services available at the Salvation Army and requested that the meeting be adjourned in memory of Lonnie Seals Jr.

***Councilperson Arceneaux out at 4:53 p.m.**

Councilperson Calhoun announced and made mention of the Hub-City Classic Baseball Game held at Gonzales Park, the State of the District Address held at the Crystal Park Hotel and Congresswoman's Diane E. Walker and Assembly Speaker Karen Bass' "Working Into Recovery Resource Fair" scheduled for Saturday, April 11, 2009 in Room "A" of the First African American Methodist Evangelist Church.

Mayor Pro-Tem Dobson made mention of the Hub-City Classic Baseball Game and reiterated that the school district and city are two separate entities.

ADJOURNMENT

On motion by Clay, seconded by Calhoun, the meeting was adjourned in memory of **Lonnie Seals, Jr.** at 5:05 p.m. by the following vote on roll call:

AYES: Council Members - Calhoun, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Arceneaux, Perrodin

_____ _____

Clerk of the City Council **Mayor of the City Council**

APRIL 7, 2009

The City Council meeting was called to order at 7:21 p.m. in the Council Chambers of City Hall by Mayor Eric Perrodin.

ROLL CALL

Council Members Present: Dobson, Arceneaux, Clay, Perrodin
Council Members Absent: Calhoun

Other Officials Present: C. Cornwell, A. Godwin, C. Evans

APPROVAL OF MINUTES

1. February 24, 2009

On motion by Arceneaux, seconded by Dobson, the minutes of February 24, 2009 were approved by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

CONSENT AGENDA

CITY MANAGER/CITY ATTORNEY REPORTS

2. Weekly Graffiti Report/Urban Graffiti Enterprises, The week of February 23, 2009 and March 2, 2009. **(Received and Filed.)**

COMPTON CAREERLINK

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE BUDGET ALLOCATION OF THE COMPTON CAREERLINK WORKSOURCE CALIFORNIA CENTER WITH THE COMMUNITY AND SENIOR SERVICES OF LOS ANGELES COUNTY TO CONDUCT THE WORKFORCE INVESTMENT ACT (WIA) ADULT PROGRAM FOR FISCAL YEAR 2008/09 **(Resolution # 22,798)**

William Carr, Compton resident, stated that the loss of services provided by Careerlink Worksource Center would negatively impact the Compton community.

Mary Patterson, Compton resident, asked that the Council keep the Careerlink Center open for the next generation of Compton citizens.

Mayor Perrodin and **City Manager Evans** commented on the County of Los Angeles' responsibility in funding Careerlink services and the city's response to their actions.

Kimberly McKenzie, Director of Careerlink Worksource Center, explained that the Adult and Dislocated Worker Programs have been granted to an agency located in the City of Los Angeles and answered the council's questions regarding this matter.

CITY ATTORNEY

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT BETWEEN THE CITY AND VALLEY OAK SYSTEMS, INC. (DBA AON RESOLUTIONS) FOR PROVISION OF A CHECK INTERFACE SYSTEM. **(Resolution # 22,799)**

#1.

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AON RISK SERVICES FOR INSURANCE BROKERAGE SERVICES **(Resolution # 22,800)**

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH SERVICE PROVIDERS FOR THE WORKERS' COMPENSATION PROGRAM **(Resolution # 22,801)**

CITY FIRE DEPARTMENT

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING A PURCHASE ORDER WITH UCLA DAVID GEFFEN SCHOOL OF MEDICINE CENTER FOR PRE-HOSPITAL CARE FOR THE TRAINING OF PARAMEDICS FOR THE FIRE DEPARTMENT **(Resolution # 22,802)**

Joyce Kelly, Compton resident, commended the City Attorney for investigating the contractor awarded $35,000.00 to construct ADA compliant restrooms at Fire Station 4.

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO LLOVIO FORD FOR FIRE DEPARTMENT EMERGENCY VEHICLE MAINTENANCE AND REPAIRS. **(Resolution # 22,803)**

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING A PURCHASE ORDER WITH THE CITY OF DOWNEY FOR FIRE AND EMERGENCY MEDICAL DISPATCHING SERVICES **(Resolution # 22,804)**

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

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

REGULAR AGENDA

CITY MANAGER'S REPORT

10. REQUEST TO SCHEDULE A PUBLIC HEARING TO RECEIVE CITIZEN COMMENTS ON THE CITY'S HUD-MANDATED FISCAL YEAR 2009-2010 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN

On motion by Arceneaux, seconded by Clay, the hearing was scheduled for April 28, 2009 at 3:30 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

CITY ATTORNEY'S REPORTS

11. CLAIMS AGAINST THE CITY OF COMPTON:

Melissa Hernandez v. City of Compton - I-8219
Corvel Corp v. City of Compton - I-8224
Vanessa L. Davis v. City of Compton - I-8225

On motion by Arceneaux, seconded by Dobson, the above claims were denied by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

CLOSED SESSION

12. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Morris v. City of Compton, LASC Case No. BS 110218; and
City of Compton v. George Wilson, TC 022041
Pursuant to California Government Code Section 54956.9 (a)

13. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Ware v. City of Compton
Pursuant to California Government Code 54956.9(b)

On motion by Arceneaux, seconded by Dobson, closed session was approved, by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

UNFINISHED BUSINESS

14. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP (CHANGE OF ZONE CASE NO. 2009-01)

On motion by Arceneaux, seconded by Clay, to waive the reading of the ordinance in full by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

On motion by Arceneaux, seconded by Dobson, **Ordinance # 2,190** entitled **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE OFFICIAL ZONING MAP (CHANGE OF ZONE CASE NO. 2009-01)"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

NEW BUSINESS - There was no New Business.

#1.

APPROVAL OF WARRANTS

15. **Warrant # 172871** - Shield Security Inc. - Security Service at City Yard - $10,234.56 - **Requested by:** Public Works Department
Warrant # 173112 - Pacific Coast Waste - Integrated Waste Management Service for March 2009 - $672,934.02 - **Requested by:** Water Department

Total Amount of Warrants - $683,168.58

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

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

SUBSEQUENT NEED ITEM -
Request for a Street Blockade
Sacred Heart Church
April 10-11, 2009

On motion by Arceneaux, seconded by Dobson, to consider the subsequent need item by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

On motion by Arceneaux, seconded by Dobson, the subsequent need item was approved by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun

AUDIENCE COMMENTS

Lynn Boone, Compton resident, informed the council that her father applied for Housing Rehabilitation program funds in 2006 and has yet to be serviced.

Marisol Zuniga, Compton resident and representative of Golden State Soccer League, requested an appointment with the City Attorney's Office concerning her organization.

Craig Cornwell, City Attorney, stated that he would contact her to schedule a meeting.

Neilja Harewood, owner of the boats at the armory, spoke against terrorist training at the armory.

William Kemp, Compton resident, spoke against Assembly Bill 600, assault weapons training in the City of Compton.

Joyce Kelly, Compton resident, felt the background information concerning Measure "L" was unclear.

Lillie Darden, Compton resident, asked that council address the 10% utility tax and water rate increases.

Gwen Patrick, Compton resident, expressed a concern for public safety in the City of Compton.

Vanessa Davis, informed the council that on March 22, 2009, a city tree fell on her car and through her back window. As a result, Ms. Davis' requested that the city reimburse her for the damages.

Mary Patterson, Compton resident, announced that the Gateway Cities Government Council will be discussing Bus Route 127 on Thursday, April 9, 2009 at the Downey City Hall.

Louie Landeros, Compton resident, thanked the council for supporting the events conducted at Our Lady of Victory Church.

Otha Ray Scott, President of the Block Club Commission, encouraged all residents to contact him to address any issues on their street.

Bernard Tolliver, District Representative for Senator Rodderick Wright, invited the community to participate in the Foreclosure Fair to be held at Faithful Central Bible Church. Mr. Tolliver also announced that the Senator would be hosting a Mother's Day Appreciation Tea in the month of May.

Flora Ruiz, Compton resident, requested a Spanish copy of the city's rules and regulations for homeowners.

Margarita Flores, Compton resident, introduced community organization MACA (Multicultural Alliance Community Action) to the citizens of Compton.

Rolando Marquez, owner of La Quinta Restaurant, invited the community to enjoy Mexican and American food at his restaurant located at 400 East Compton Boulevard.

Ron Dowell, Compton resident, requested a copy of the agreement and invoices between the City of Compton and Joseph T. Rouzan Jr.

Maria Villareal, President of the Latino Chamber of Commerce, felt the Latino Chamber of Commerce is treated as a second rate organization.

Jean Moody, Compton resident, expressed a concern for the increase in water rates and the new vehicles purchased for the Municipal Law Enforcement Department.

Renard Smith, Compton resident, urged the members of the community to stand together and fight for the Careerlink.

Sylvia Hagler, Compton resident, stated that she applied for the Housing Rehabilitation funding in December 2007 and unfortunately, the housing contractor has informed her that he cannot finish the rehabilitation until the city pays him.

Lynn Boone, Compton resident, commended the residents for coming forward and voicing their opinions.

Mary Ann Leftwich, Compton resident, expressed a personal concern for the loss of Careerlink services.

Roudolfo Ruval, Compton resident, stated that he's happy with the progress of the Long Beach Boulevard Street Rehabilitation project. Mr. Ruval also commented on the water rate increase, homelessness in the city's parks and Careerlink.

Robert Ray, Compton resident, announced that the Census Bureau is now going door to door verifying addresses and mentioned that Census representatives are not interested in illegal dwellings. Mr. Ray also expressed the importance of Municipal Law Enforcement Services 24 hours a day/7 days a week and homes without posted street addresses.

#1.

COUNCIL COMMENTS

Councilperson Dobson reminded the citizens to call Senator Roderick Wright tonight concerning the current administration of Careerlink services. Ms. Dobson also commended the Director of Careerlink Services, Kimberly McKenzie and staff for the wonderful job that their doing for the citizens of Compton.

Councilperson Dobson encouraged her colleagues for doing a wonderful job for the citizens of Compton and announced that she would be hosting her quarterly "2nd District Clean-Up" event to be held on Saturday, April 25, 2009 at 7 a.m.

Councilperson Dobson stated that she would be attending her brother's funeral and thanked the citizens of Compton for being so kind to her during this difficult time in her life.

Councilperson Arceneaux announced that all individuals between the ages of 18 and 28 interested in the nursing field should apply at the University of the District of Columbia. The university is offering free tuition, books, a $250 monthly stipend and guaranteed job placement as a nurse at Providence Hospital. This is a three year program with a starting salary of $40,000.00. For more information concerning this opportunity, please contact Beshon Smith (202) 266-5481 or email her at bsmith@urbanalliance.org.

Councilperson Arceneaux addressed the cultural and language barrier in the Compton community and felt all school age children should be taught both languages to encourage diversity from kindergarten to adulthood.

Councilperson Arceneaux requested that the meeting be adjourned in memory of Councilperson Dobson's brother Willie Hooper Jr.

Councilperson Clay thanked everyone that supported the "4th District Clean-Up" event.

Councilperson Clay announced that the city would be hosting its "Annual Easter Extravaganza" to be held on Saturday, April 11, 2009 at the Compton Par 3 Golf Course beginning at 11 a.m.

Mayor Perrodin reiterated that the Census Bureau is not concerned with the number of people in a housing structure, citizenship status or criminal background.

Mayor Perrodin commented on the city's water infrastructure, water rates, and the purchase of new Municipal Law Enforcement vehicles.

Mayor Perrodin also commented on the Latino Chamber of Commerce and the Compton Chamber of Commerce.

Mayor Perrodin announced that the "Mayor's and Pastors Breakfast" would be held on April 18, 2009 at 8 a.m. at the Crystal Park Hotel. RSVP with Karen Haywood at (310) 605-5597.

Mayor Perrodin also announced the "Olson Homes Rally" to be held on April 18, 2009 from 11 a.m. to 3 p.m. at Willow Walk. Mayor Perrodin further announced the Grand Opening event for Assemblyman Hall's Field Office to be held on April 18, 2009 at 2200 South Artesia Boulevard from 12 p.m. to 5 p.m.

Councilperson Arceneaux requested that the meeting be adjourned in memory of long time resident Mary Ann Williams.

Mayor Perrodin mentioned the types of articles printed in the city's local newspaper and the accomplishments of his colleagues and city employees.

On motion by Arceneaux, seconded by Dobson, to extend the length of the council meeting at 10:06 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

On motion by Arceneaux, seconded by Dobson, the meeting was recessed at 10:07 p.m. by the following vote on roll call:

AYES: Council Members - Dobson, Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun

On motion by Arceneaux, seconded by Clay, the meeting was reconvened at 11:30 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Dobson

Craig Cornwell, City Attorney, requested that Claim I-8225, Vanessa L. Davis v. City of Compton be reconsidered.

On motion by Arceneaux, seconded by Clay, Claim I-8225 was reconsidered by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Dobson

On motion by Arceneaux, seconded by Clay, Claim I-8225 was pulled for further investigation by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Dobson

RESULTS OF CLOSED SESSION - Craig Cornwell, City Attorney, stated that council met in closed session regarding Conference with Legal Counsel -Existing Litigation, Morris v. City of Compton, LASC Case No. BS110218. The City Council unanimously agreed to accept the offer that arose from the mandatory settlement conference in this matter.

On motion by Arceneaux, seconded by Clay, the offer was accepted by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Dobson

As it relates to the case regarding Conference with Legal Counsel - Existing Litigation, City of Compton v. George Wilson TC022041. No action was taken.

As it relates to the case regarding Conference with Legal Counsel - Anticipated Litigation, Ware v. City of Compton, Pursuant to California Government Code 54956.9(b). The City Council unanimously approved to have the Law Firm of Richard, Watson & Gershon, LLC. represent the City of Compton in this matter.

ADJOURNMENT

On motion by Arceneaux, seconded by Clay, the meeting was adjourned in memory of **Willie Hooper Jr.** and **Mary Ann Williams** at 11:32 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

_____ _____

Clerk of the City Council **Mayor of the City Council**

APRIL 14, 2009

The City Council meeting was called to order at 3:28 p.m. in the Council Chambers of City Hall by Mayor Pro-Tem Lillie Dobson.

ROLL CALL

Council Members Present: Arceneaux, Clay, Dobson
Council Members Absent: Calhoun, Perrodin

Other Officials Present: C. Cornwell, A. Godwin, C. Evans

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. PRESENTATION OF NATIONAL COMMUNITY DEVELOPMENT WEEK PROCLAMATION (April 12-18, 2009)

Councilperson Arceneaux proclaimed April 12-18, 2009, as "National Community Development Week" in the City of Compton, on behalf of the Mayor and City Council.

2. PROCLAMATION PROCLAIMING APRIL AS SEXUAL ASSAULT AWARENESS MONTH (YWCA)

Councilperson Clay proclaimed the month of April 2009 as "Sexual Assault Awareness Month" in the City of Compton on behalf of the Mayor and City Council.

APPROVAL OF MINUTES - There were no minutes to be approved.

CONSENT AGENDA

ITEMS REMOVED FROM THE AGENDA - **Mayor Pro-Tem Dobson** announced that items 4, 5, 7, 8, 9 & 10 are being removed from the Consent Agenda.

CITY MANAGER/CITY ATTORNEY REPORTS

3. REQUEST FOR STREET BLOCKADE (Our Lady of Victory - 2009 Carnival) - April 16-20, 2009 **(Approved)**

COMPTON CAREERLINK

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE BUDGET ALLOCATION OF THE COMPTON CAREERLINK WORKSOURCE CALIFORNIA CENTER WITH THE COMMUNITY AND SENIOR SERVICES OF LOS ANGELES COUNTY TO CONDUCT THE WORKFORCE INVESTMENT ACT (WIA) YOUTH PROGRAM FOR FISCAL YEAR 2008/09 **(4 Vote Requirement)**

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE BUDGET ALLOCATION OF THE COMPTON CAREERLINK WORKSOURCE CALIFORNIA CENTER WITH THE COMMUNITY AND SENIOR SERVICES OF LOS ANGELES COUNTY TO CONDUCT THE WORKFORCE INVESTMENT ACT (WIA) DISLOCATED WORKER PROGRAM FOR FISCAL YEAR 2008/09 **4 Vote Requirement)**

#1.

CITY ATTORNEY

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 22,311 WHICH AUTHORIZED THE CITY MANAGER TO INCREASE THE MORTGAGE SUBSIDY AMOUNT PROVIDED TO HOME BUYERS UNDER THE FIRST TIME HOMEBUYERS ASSISTANCE PROGRAM **(Resolution # 22, 805)**

CITY FIRE DEPARTMENT

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING A PURCHASE ORDER WITH CALIFORNIA SEAGRAVE TO PROVIDE PREVENTATIVE MAINTENANCE, REPAIR SERVICES AND PARTS REPLACEMENT FOR THE FIRE DEPARTMENT'S HEAVY RESERVE VEHICLES **(Removed per staff)**

CITY MANAGER

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE WELCOMING INTERVENTION TO HEALING IN COMPTON **(Removed per staff)**

COMMUNITY REDEVELOPMENT

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 22,311 WHICH AUTHORIZED THE CITY MANAGER TO INCREASE THE MORTGAGE SUBSIDY AMOUNT PROVIDED TO HOME BUYERS UNDER THE FIRST TIME HOMEBUYERS ASSISTANCE PROGRAM **(Removed per staff)**

Craig Cornwell, City Attorney, stated that this item is a duplicate of agenda item number.

PUBLIC WORKS-ENGINEERING

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS DEPARTMENT'S 2008-2009 FISCAL YEAR BUDGET, AND AUTHORIZING THE CITY MANAGER TO ISSUE A SUPPLEMENTAL PURCHASE ORDER PURSUANT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SATISH CHANDER **(4 Vote Requirement)**

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT $72,109.00 METROPOLITAN TRANSPORTATION AUTHORITY (MTA) NATIONAL TRANSIT DATA (NTD) FUNDS, AMEND THE PUBLIC WORKS BUDGET AND ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES METROPOLITAN TRANSPORTATION AUTHORITY FOR SUCCESSFULLY REPORTING TO THE NATIONAL TRANSIT DATABASE FOR FISCAL YEAR 2005-2006 **(Resolution # 22,806)**

12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING ENTERING INTO A CONTRACT WITH SARAKKI ASSOCIATES, INC., FOR ENGINEERING SERVICES ON THE TRAFFIC SIGNAL UPGRADE AND TRAFFIC MANAGEMENT AND OPERATIONS CENTER (TMOC) PROJECT (FEDERAL PROJECT NO. TEA 21-940, CIP NO. 06-06) **(Resolution # 22,807)**

Alita Godwin, City Clerk, cited account number corrections from 1507 to 1916.

Robert Ray, Compton resident, asked that the Acting Public Works Director construct a traffic signal at Atlantic and Alondra Boulevard.

On motion by Arceneaux, seconded by Clay, the CONSENT AGENDA was approved by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

REGULAR AGENDA

CITY MANAGER'S REPORT

13. REQUEST TO SCHEDULE A PUBLIC HEARING TO RECEIVE CITIZEN COMMENTS ON THE HOMELESS PREVENTION AND RE-HOUSING PROGRAM SUBSTANTIAL AMENDMENT TO THE CITY'S HUD-MANDATED FY 2008-2009 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN

On motion by Arceneaux, seconded by Clay, the hearing was scheduled for April 28, 2009 at 3:45 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

NEW BUSINESS

14. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 8 OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 8-5 IN ITS ENTIRETY RELATING TO ABANDONED VEHICLE ABATEMENT

On motion by Arceneaux, seconded by Clay, to waive the reading of the ordinance in full by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

Councilperson Arceneaux requested additional clarification on behalf of the citizens.

Craig Cornwell, City Attorney, stated that this ordinance is a tool for Municipal Law Enforcement to use on public or private property concerning the removal of abandoned, wrecked, or inoperable vehicles.

Mayor Pro-Tem Dobson encouraged all citizens to be proactive by removing all inoperable or wrecked vehicles from their property.

#1.

On motion by Arceneaux, seconded by Clay, **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 8 OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 8-5 IN ITS ENTIRETY RELATING TO ABANDONED VEHICLE ABATEMENT"** was placed on first reading by title only, by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

On motion by Arceneaux, seconded by Clay, to consider the subsequent need item by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

On motion by Arceneaux, seconded by Clay, **Resolution # 22,808** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON SPONSORING THE 2ND ANNUAL UNITY PICNIC TO BE HELD ON APRIL 25, 2009 AT GONZALES PARK"** was adopted by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE PLANNING COMMISSION DECISION AND DENY THE APPEAL OF VARIANCE CASE NO. 2621 (1703 N. CASTLEGATE AVENUE) **(Removed.)**

APPROVAL OF WARRANTS

16. Warrant #173281- Quantum Quality Consulting Inc. - Inspection Services for July - $11,400.00 Requested by: Public Works

Warrant #173297 - ASAP Sign Co. - Electricity to monuments - $50,590.60 - Requested by: Public Works

Warrant #173305 - City of Paramount - Street Resurfacing - $89,813.12 - Requested by: Public Works

Total Amount of Warrants - $151,803.72

Mayor Pro-Tem Dobson requested additional information concerning warrant number 173305.

Allen Pyeat, Acting Public Works Director, explained that warrant number 173305 pays for street maintenance performed at a shared intersection with the City of Paramount.

SUBSEQUENT NEED ITEM - Warrant 173386 - Save Our Youth Today And Tomorrow Organization - Supplies & Equipment for Unity Picnic - $26,000.00

On motion by Arceneaux, seconded by Clay, to consider the subsequent need item by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

On motion by Arceneaux, seconded by Clay, the subsequent need warrant was approved by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

3:15 P.M. PUBLIC HEARING - Public Nuisance Abatement - 1050 W. Alondra Blvd.

On motion by Arceneaux, seconded by Clay, the public hearing was opened at 4:03 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

Edward Chavez, Deputy City Attorney, stated that the purpose of this hearing is for the council to consider the demolition of an abandoned and dilapidated gas station located at 1050 West Alondra Boulevard. At the conclusion of the hearing, staff recommends that council vote to affirm the demolition of the structure, based on the findings presented by Municipal Law Enforcement Services, Building & Safety and the Compton Fire Department. Mr. Chavez stated that the city's business license files reflect that the old and abandoned gas station has been closed for many years, of which the property owners have failed to maintain the property in compliance with the city's Municipal Code and California Building Code. Mr. Chavez cited that, due to such neglect, the building has severely deteriorated and decayed into a public safety hazard. Subsequently, the city through its Municipal Law Enforcement Services and Building and Safety Department has ordered the property owners to repair and make corrections to bring the property back into compliance. As a result, those departments and city officials have declared the property a public nuisance. The abandoned building contains several broken windows, suffered significant fire damage, promotes blight within the city and attracts vermin and local transients who convert the building into illegal housing.

Mr. Chavez conceded that the subject property conditions constitute a structure that is unsafe, dangerous, unsanitary or a menace to the safety and general welfare of the people of the city. All potential property owners and persons having legal interest in the property were notified several times of existing violations that needed to be abated. On or about July 28, 2008, the city's Department of Building and Safety mailed notices of violations out to owners of record Armen Louisian, Petros Sarafian and Karapet Sarafian. Additionally, notices were sent to the following parties who may have a legal interest in the subject property: Trustors Security Service, Thomas Bodamer, Trustee (Bodamer Family Trust), Alvin E. Cox and John A. Carr.

On or about April 2, 2009, the City Attorney's Office mailed and publicly posted notices to the same parties listed, as well as placing the public on notice of this public hearing regarding the intent to demolish the illegal structure. To date, there has been neither a response nor an attempt to comply by any of the parties to bring the property into compliance by either repair or demolition.

Mr. Chavez concluded that unless the property is demolished, the nuisance will continue unabated to the irreparable damage of the People of the State of California, and in violation of the laws of the State and the City of Compton.

AUDIENCE COMMENTS ON THE HEARING -

Robert Ray, Compton resident, spoke in favor of the City Attorney's decision to demolish the property located at 1050 West Alondra Boulevard.

#1.

William Kemp, Compton resident, spoke in favor of the City Attorney's decision to demolish the property located at 1050 West Alondra Boulevard.

Dr. Scott, Compton resident, spoke in favor of the City Attorney's decision to demolition the property located at 1050 West Alondra Boulevard.

Janelle Bison, Compton resident, stated that she is the president of a non-profit organization and requested that council consider her proposal to utilize the property located at 1050 West Alondra Boulevard.

Lorraine Cervantes, Compton resident, spoke in favor of the City Attorney's decision to demolish the property located at 1050 West Alondra Boulevard.

Louie Lendaros, Compton resident, spoke in favor of the City Attorney's decision to demolish the property located at 1050 West Alondra Boulevard. Mr. Lendaros also requested that the city ensure the demolition takes place under ground.

On motion by Arceneaux, seconded by Clay, the hearing was closed at 4:21 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

COUNCIL COMMENTS ON THE HEARING -

Councilperson Arceneaux voiced her approval of the demolition and addressed the underground demolition, as well as the recommended use suggested by the president of the non-profit organization.

Mayor Pro-Tem Dobson expressed her approval of the demolition and the negative affects of abandoned buildings.

Councilperson Arceneaux asked if the property owners owned any other properties in the City of Compton.

Mr. Chavez indicated that the property owners owned no other properties in the City of Compton.

Councilperson Arceneaux recommended that the city construct a "doggy park" on the property, which is a suggestion she received from a resident of Long Beach.

3:30 P.M. CONTINUED PUBLIC HEARING - Appeal of Planning Commission Variance Case #2621 for a Parking Variance in Low Density (R-L) Zone

On motion by Arceneaux, seconded by Clay, the public hearing was opened at 4:28 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

Jessica Lopez, representative of the Planning and Economic Development Department, stated that this is a continued hearing from the March 24, 2009 City Council meeting. The purpose of this hearing is to allow staff sufficient time to meet with the applicant to discuss a new permit that was referred to, by the applicant at the last hearing. Staff met with the applicant and affirmed the location of the permit in the Building and Safety Department, however the permit is for general rehabilitation and not a garage conversion. Furthermore, staff received a letter from the Chief Building Inspector stating that a pre-inspection had been requested since 1977 and that no pre-inspection was ever requested prior to the purchase of this home in 1993. Ms. Lopez stated that the buyers would have had the opportunity to purchase or abate the violations, if the process was completed by the previous owner. Therefore, since the process was not requested or completed, it is now the responsibility of the current owner. As a result, staff has requested that council deny Variance Case No. 2621.

Patrick Steward, Chief Building Inspector, maintained that records indicate that there was no permit ever issued for a garage conversion or car port. Mr. Steward stated that county records show an appraisal of a converted garage, however there was no permit to legalize the conversion. Mr. Steward further commented on the county's efforts to obtain taxes through property assessments.

Councilperson Arceneaux asked if the county could assess illegal structures. Mr. Steward replied affirmatively.

Councilperson Arceneaux questioned if a precedence would be set, in the event the council approves an illegal garage conversion. Mr. Steward replied affirmatively.

AUDIENCE COMMENTS ON THE HEARING

Louis Sanchez, son of the homeowner Ms. Ramirez, stated that the permit was confirmed by Phillip Archaletta, a county appraiser who worked in the Compton District. Mr. Sanchez cited that taxes have been paid on a "10 x 16" property, not an "8 x 24" property. Mr. Sanchez mentioned that there were other houses on the street with obvious illegal conversions and felt his mother was being unjustly targeted.

Lorraine Cervantes, Compton resident, claimed allegations of bribery in the Building & Safety Department during the 1970's and felt this family was being subjected to selective discrimination.

Lynn Boone, Compton resident, also cited selective discrimination and felt this variance should be approved, along with a precedence being set for homes that were not required to have a garage in the past.

Pedro Dean, representative of Los Angeles C.A.U.S.E., announced that his organization would be hosting a press conference addressing this issue on Wednesday, April 15, 2009.

Robert Ray, Compton resident, felt the permits should be honored as documented in the Assessor's Office.

Joyce Kelly, Compton resident, felt the property taxes should be paid back to the homeowners, in the event they have to convert their den.

William Kemp, Compton resident, stated that illegal conversions affected both the African American and Latino community. Mr. Kemp believed that this is not a racial issue and felt the property owners should not have to convert their property, at this time in the economy.

Louie Lendaros, Compton resident, asked that council make an informed decision that benefits the entire Compton community.

On motion by Clay, seconded by Arceneaux, the hearing was closed at 5:22 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

COUNCIL COMMENTS ON THE HEARING

Councilperson Clay encouraged audience members to provide evidence to support the statements made at the podium.

Councilperson Arceneaux stated that race has nothing to do with this issue and recommended that the city's rules and regulations be disseminated to all residents to ensure all homeowners are abreast of their responsibilities in the community.

Councilperson Arceneaux stated that she could not make an informed decision at this time and requested that this issue be revisited.

Mayor Pro-Tem Dobson stated that she still has questions and felt she could not make an informed decision at this time, either.

Craig Cornwell, City Attorney, stated that a motion should be made to reconsider the closure of this hearing.

On motion by Arceneaux, seconded by Clay, to reconsider the council's vote to close the hearing by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

On motion by Clay, seconded by Arceneaux, the hearing was reopened by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

On motion by Arceneaux, seconded by Clay, the hearing was continued by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

> **3:40 P.M. - JOINT PUBLIC HEARING** - TO CONSIDER A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY AND META HOUSING CORPORATION, INC. FOR THE DISPOSITION OF CERTAIN PUBLIC-OWNED REAL PROPERTY LOCATED IN THE REDEVELOPMENT PROJECT AREA - **(Rescheduled.)**

AUDIENCE COMMENTS

Gwen Patrick, Compton resident, expressed a concern for water increases and leaking fire hydrants.

Enrique Garcia, Sophomore at Dominguez High School, asked that council assist him with monetary donations to an athletic event in Brazil.

William Kemp, Compton resident, wished all candidates the best of luck in next week's election.

B.J. Douglas, President of the United Rangers, asked that council join with him to encourage the youth of Compton to become leaders of the future.

Joyce Kelly, Compton resident, announced that she is a candidate for the Mayor of the City of Compton.

Mr. Mathis, representative of Allen Chapel, announced that his church would be hosting a youth event this weekend.

Robert Ray, Compton resident, encouraged everyone to vote yes on "Measure F" the prohibition of all fireworks in the City of Compton.

COUNCIL COMMENTS

Councilperson Clay thanked everyone that participated in the "Easter Extravaganza" event and invited the community to take advantage of the "Free Golf Lessons" at the Compton Par 3 Golf Course on Wednesdays from 10 a.m. to 12:30 p.m.

Councilperson Arceneaux spoke concerning an outburst made earlier in the meeting and asked that a representative address the notices that went out to residents concerning their water bills. Ms. Arceneaux also mentioned that she is the new Director of the Metropolitan Water District for the City of Compton.

Kambiz Shoghi, Director of the Water Department, stated that notices went out to notify all residents that the city would no longer be hanging 48-hour notices on the doors of residents with overdue water bills. Mr. Shoghi stated that residents will be reminded of overdue water bills via telephone and encouraged them to update their phone numbers and addresses with the Water Department. Mr. Shoghi further commented that residents should contact the Water Department to report leaking fire hydrants.

Mayor Pro-Tem Dobson congratulated Staples Store #1364 for achieving the honor of being #1 in sales in their region. Ms. Dobson also invited the community to enjoy the "Concert in the Park" event at Willow Walk to be held on Saturday, May 18, 2009 from 10 a.m. to 3 p.m.

Mayor Pro-Tem Dobson also announced that she would be hosting her "2nd District Clean-Up" event to be held on Saturday, April 25, 2009 from 7 a.m. to 12 p.m. beginning at Whaley Middle School.

Craig Cornwell, City Attorney, requested that the meeting be recessed.

On motion by Arceneaux, seconded by Clay, the meeting was recessed at 6:22 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

On motion by Arceneaux, seconded by Clay, the meeting was reconvened at 6:50 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Perrodin

#1.

Craig Cornwell, City Attorney, announced that the city would be meeting with the County of Los Angeles concerning the continued administration of Careerlink Services. Therefore, the City Attorney's Office has requested the city's authorization to prepare a resolution to support Careerlink under its current management.

SUBSEQUENT NEED ITEM - DECLARING ITS SUPPORT FOR THE CITY OF COMPTON'S CONTINUED MANAGEMENT AND OPERATIONS OF THE WORKFORCE INVESTMENT ACT (WIA) ADULT & DISLOCATED WORKERS PROGRAM THROUGH ITS CAREERLINK WORKFORCE CENTER

On motion by Clay, seconded by Arceneaux, to consider the subsequent need item by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

On motion by Arceneaux, seconded by Clay, **Resolution # 22,809** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING ITS SUPPORT FOR THE CITY OF COMPTON'S CONTINUED MANAGEMENT AND OPERATIONS OF THE WORKFORCE INVESTMENT ACT (WIA) ADULT & DISLOCATED WORKERS PROGRAM THROUGH ITS CAREERLINK WORKFORCE CENTER"** was adopted by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

ADJOURNMENT

On motion by Arceneaux, seconded by Clay, the meeting was adjourned at 6:53 p.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Dobson
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Perrodin

_____ _____

Clerk of the City Council **Mayor of the City Council**

APRIL 28, 2009

The City Council meeting was called to order at p.m. in the Council Chambers of City Hall by Mayor Eric Perrodin.

ROLL CALL

Council Members Present: Dobson , Clay, Perrodin
Council Members Absent: Calhoun, Arceneaux

Other Officials Present: C. Cornwell, A. Godwin, C. Evans

APPROVAL OF MINUTES

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. PRESENTATION - California Legislative Black Caucus Foundation, Inc. (Special Needs Network, Inc.)

Denise Lamb, representative of the California Legislative Black Caucus Foundation, asked that the City of Compton declare Tuesday, April 28, 2009 "Diabetes Awareness Day" with a proclamation.

Joleen Rudal, **Michelle McCoy** and **Josea Chavaca** spoke concerning the diabetes related health crisis among African Americans, Latino Americans and Pacific Islanders in the Compton community.

Mayor Perrodin made a minute motion to declare Tuesday, April 28, 2009 "Diabetes Awareness Day" in the City of Compton.

On motion by Dobson, seconded by Clay, the City Council declared April 28, 2009 as "Diabetes Awareness Day" in the City of Compton.

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

Mayor Perrodin presented a proclamation to the California Black Caucus Foundation, Special Needs Network and the Advocacy in Action Health Disparities Program, in recognition of their personal dedication to the community.

PROCLAMATION - "Building and Safety Week" May 3 - 9, 2009

Mayor Perrodin and the City Council proclaimed May 3 - 9, 2009, as Building and Safety Week in the City of Compton, in an effort to educate the public and increase public awareness of the role that Building and Safety officials play in our lives.

CONSENT AGENDA

On motion by Dobson, seconded by Clay, the CONSENT AGENDA was approved by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

#1.

COMPTON CAREERLINK

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE BUDGET ALLOCATION OF THE COMPTON CAREERLINK WORKSOURCE CALIFORNIA CENTER WITH THE COMMUNITY AND SENIOR SERVICES OF LOS ANGELES COUNTY TO CONDUCT THE WORKFORCE INVESTMENT ACT (WIA) YOUTH PROGRAM FOR FISCAL YEAR 2008/09 **(4 Vote Requirement)**

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE BUDGET ALLOCATION OF THE COMPTON CAREERLINK WORKSOURCE CALIFORNIA CENTER WITH THE COMMUNITY AND SENIOR SERVICES OF LOS ANGELES COUNTY TO CONDUCT THE WORKFORCE INVESTMENT ACT (WIA) DISLOCATED WORKER PROGRAM FOR FISCAL YEAR 2008/09 **(4 Vote Requirement)**

CITY FIRE DEPARTMENT

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A PREVENTIVE MAINTENANCE AGREEMENT WITH SOUTH COAST EMERGENCY VEHICLE SERVICE FOR ROUTINE MAINTENANCE AND REPAIR ON CITY FIRE APPARATUS **(Resolution # 22,810)**
PUBLIC WORKS-ENGINEERING

6. RESOLUTION AMENDING THE PUBLIC WORKS DEPARTMENT'S 2008-2009 FISCAL YEAR BUDGET, AND AUTHORIZING THE CITY MANAGER TO ISSUE A SUPPLEMENTAL PURCHASE ORDER PURSUANT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SATISH CHANDER **(4 Vote Requirement)**

RECREATION DEPARTMENT

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AWARDING A CONTRACT TO ORTCO, INC. FOR THE INSTALLATION OF PLAY EQUIPMENT AT VARIOUS PARKS **(Resolution # 22,811)**

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXTEND THE DIAL-A-TAXI CONTRACT WITH FIESTA TAXI COOPERATIVE, INC. TO PROVIDE TRANSPORTATION SERVICES FOR THE SENIORS AND DISABLED RESIDENTS FOR A PERIOD OF TWELVE MONTHS **(Resolution # 22,812)**

Robert Ray, Compton resident, expressed his support for this resolution.

Lorraine Cervantes, Compton resident, expressed her support for the contract, however she voiced a concern for senior assistance with transportation, such as opening the door for disabled persons and supplemental documentation.

Marco Soto, Vice President of Marketing and Sales for Fiesta Taxi, stated that Fiesta taxi drivers are expected to assist senior citizens and disabled persons in and out of their taxis. Mr. Soto encouraged taxi riders to report taxi drivers who provide bad service.

REGULAR AGENDA

CITY MANAGER'S REPORTS

9. REQUEST TO SCHEDULE A PUBLIC HEARING - APPEAL OF PLANNING COMMISSION DECISION ON CONDITIONAL USE PERMIT CASE NO. 2622 - 516 W. Compton Boulevard

On motion by Dobson, seconded by Clay, the hearing was scheduled for May 19, 2009 at 7:15 p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

CITY ATTORNEY'S REPORTS - **Craig Cornwell**, City Attorney, requested that the following claims be denied:

10. CLAIMS AGAINST THE CITY OF COMPTON
Automotive Rentals v. City of Compton - I-8227
Michael Fackrell v. City of Compton - I-8228
Fred Johnson v. City of Compton - I-8230
Nathaniel Lewis v. City of Compton - I-8232
Nathaniel Lewis v. City of Compton - I-8233
Heidi Weathermon v. City of Compton - I-8234
Dalton Nichols v. City of Compton - I-8235

On motion by Dobson, seconded by Clay, the above claims were denied by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

Mayor Perrodin commented on the frivolous lawsuits that don't take place in the City of Compton.

CLOSED SESSION

11. CLOSED SESSION: Conference with Legal Counsel - Existing Litigation
Mohammed v. City of Compton, LASC Case No. BC386781
Pursuant to California Government Code Section 54956.9(a)

On motion by Dobson, seconded by Clay, closed session was approved by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

CITY TREASURER'S REPORTS

12. INVESTMENT REPORT - February 28, 2009 and March 31, 2009

On motion by Clay, seconded by Dobson, the investment report was received and filed by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

#1.

UNFINISHED BUSINESS

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 8 OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 8-5 IN ITS ENTIRETY RELATING TO ABANDONED VEHICLE ABATEMENT

On motion by Dobson, seconded by Clay, to waive the reading of the ordinance in full by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

On motion by Dobson, seconded by Clay, **Ordinance # 2,191** entitled **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 8 OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTION 8-5 IN ITS ENTIRETY RELATING TO ABANDONED VEHICLE ABATEMENT"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

NEW BUSINESS

17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING THE PROPERTY LOCATED AT 1050 W. ALONDRA BOULEVARD A PUBLIC NUISANCE AND AUTHORIZES ITS ABATEMENT

On motion by Dobson , seconded by Clay, **Resolution # 22,813** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING THE PROPERTY LOCATED AT 1050 W. ALONDRA BOULEVARD A PUBLIC NUISANCE AND AUTHORIZES ITS ABATEMENT"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

APPROVAL OF WARRANTS

Warrant # 173247 - MV Transportation Inc. - Compton Renaissance - $63,507.60
Warrant # 173402 - Dekra-Lite Industries Inc. - Installation Labor for Banners - $26,753.50

Total Amount - $90,261.10

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

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

3:15 P.M. - PUBLIC HEARING - CITIZENS COMMENTS ON PROPOSED SUBSTANTIAL AMENDMENTS TO "04-05, 05-06, 06-07, 07-08, 08-09" ANNUAL ACTION PLANS OF CONSOLIDATED PLAN

On motion by Dobson, seconded by Clay, the hearing was opened at 4:53 p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

Estelle Dubois, representative of the Planning and Economic Development Department, stated that the purpose of this hearing is to receive citizen comments on the proposed amendments to the "04-05, 05-06, 06-07, 07-08, 08-09" Annual Action Plans of the Consolidated Plan. They are as follows:
- Additional $50,000 to the MLES Department
- $175,000 for the Alondra Boulevard Median West Project
- $2,000 Angels for Sight
- $2,000 Pools of Hope
- $2,000 Campfire USA
- $2,000 Children's Clinic Non-profit agency
- $2,000 Community Legal Services (Non-profit Agency)
- $15,491 Compton Baseball Academy Teams
- $2,000 Compton Dance Theatre Foundation
- $20,000 Dickinson Community Lighted Schools
- $2,000 El Nino Family Services
- $15,491 Tomorrow's Aeronautical Museum

The City is also proposing three new projects:
- Compton Creek Regional Garden Park Master Plan
- Emergency Abatement Fund
- Replacement of the deteriorated roof at Wilson Park
Totaling $573,459.51

The Agency has Emergency Shelter Program funding and is proposing to allocate $4,982.84 to Compton Welfare Rights and Ms. Essie's House of Faith. In addition, the Agency has $1,502,854.08 in Home program funding available for reallocation. It is proposing to allocate the funds as follows -
- $1,051.997.80 First Time Homebuyers Program
- $450,856.28 Deferred Equity Loan Program

AUDIENCE COMMENTS ON THE HEARING

Robert Ray, Compton resident, requested the types of shelters available or planned for families that are homeless, involve battered women, or catastrophic emergency.

Ms. Dubois indicated that funding was allocated to three shelters last year, however this year, only two shelters will receive funding.

Mayor Perrodin asked that Ms. Dubois elaborate as to why only two shelters will be receiving funding this year. Ms. Dubois cited that it was determined by staff, that one of the shelters was not in the City of Compton, in addition to having building and safety code violations.

Gwen Patrick, Compton resident, asked if an "request for proposal" is involved in the allocation process. Ms. Dubois replied affirmatively.

Lynn Boone, Compton resident, spoke concerning the verification of non-profit licenses to those agencies receiving funds and the additional funding to the First Time Homebuyers Program.

Essie Spellman, Director of Ms. Essie's House of Faith, spoke concerning the inspections that emergency shelters are required to pass before funds are granted.

#1.

Louie Lendaros, representative of Our Lady of Victory Church, spoke concerning the First Time Homebuyers Program.

Lorraine Cervantes, Compton resident, commented on the First Time Homebuyers Program and Emergency Shelter Programs.

Shannon Randle, Compton resident, asked that council assist him in his endeavors to fund youth football and basketball in his neighborhood.

Devell James, Compton resident, requested the council's assistance in obtaining park bleachers for T-Ball games held at the city's parks.

Terry Williams, Compton resident, encouraged the community to stick together as a family.

On motion by Dobson, seconded by Clay, the hearing was closed at p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

COUNCIL COMMENTS ON THE HEARING

Councilperson Dobson requested the difference between the Home Program and the Deferred Equity Loan Program. Ms. Dubois explained that the Deferred Equity Loan Program provides loans to homeowners to fix their homes, however the Home Program provides down payment assistance to first time homebuyers.

Mayor Perrodin commented on the city's assistance programs for housing rehabilitation.

> **3:30 P.M. - PUBLIC HEARING** - RECEIVE CITIZEN COMMENTS ON THE CITY'S HUD-MANDATED FISCAL YEAR 09-10 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN

On motion by Dobson, seconded by Clay, the hearing was opened at p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

Estelle Dubois, representative of the Planning and Economic Development Department, stated that the purpose of this hearing is to receive citizen comments on the city's HUD-Mandated Fiscal Year 2009-10 Annual Action Plan of the Consolidated Plan. The city is proposing to allocate approximately $2 million dollars in Community Development Block Grant funding as follows:

- $6,000 Campfire USA
- $8,000 Community Legal Services
- $6,000 Compton Baseball Academy Teams
- $100,845.00 Careerlink
- $102,000 Dickinson Community Lighted Schools
- $25,000 El Niño Family Centers
- $10,000 Children's Clinic
- $43,500 Tomorrow's Aeronautical Museum
- $7,500 Salvation Army
- $152,000 Building and Safety Department (code enforcement)
- $152,000 Building and Safety Department (emergency abatement)

- $325,000 Municipal Law Enforcement Services Department
- $282,508 Replacement of the Gymnasium Floor at Gonzalez Park and Wilson Park and lighting at Lueders Park
- $476,820 Repayment of the Principal of Interest on the City's Section 108 Loan

The CRA is proposing to allocate approximately $800,000 Home Investment Partnership grant funds to the following programs:
- $410,078 First Time Homebuyers Program
- $175,747 Deferred Equity Loan Program
- $117,165 Community Housing Development Organization Program

The CRA is also proposing to allocate approximately $90,000 in Emergency Shelter Grant funds to the following agencies:
- $32,355 Compton Welfare Rights Organization
- $30,000 Peace and Joy Care Center
- $29,000 Ms. Essie's House of Faith

Ms. Dubois mentioned that twenty percent of the city's CDBG allocation and ten percent of CRA Home allocation will pay for administrative costs.

AUDIENCE COMMENTS ON THE HEARING

Robert Ray, Compton resident, questioned if the city would be hiring additional Municipal Law Enforcement Officers. Ms. Dubois explained that CDBG allocations can only be utilized for staffing costs.

Mayor Perrodin commented on the way code enforcement officers are treated in the community, in addition to the fact that they do not have dispatchers or communication with the Sheriff's Department.

Lynn Boone, Compton resident, commended the Mayor for addressing the city employees concerns and questioned why the fees are being increased to seniors receiving lunches from the Dickinson Lighted Schools program. Ms. Boone also commented on the condition of many of the homes in the City of Compton.

Gwen Patrick, Compton resident, questioned the availability of the HUD-Mandated Action Plan to citizens and the funds allocated to Careerlink.

On motion by Dobson, seconded by Clay, the hearing was closed at p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

COUNCIL COMMENTS ON THE HEARING

Councilperson Dobson acknowledged the hard work and dedication of Emmanuel Church's "Just Do Good Organization" and the under-representation of Compton citizen's contributions to cleaning their own neighborhoods.

3:45 P.M. - PUBLIC HEARING - RECEIVE CITIZEN COMMENTS ON HOMELESS PREVENTION AND RE-HOUSING PROGRAM SUBSTANTIAL AMENDMENTS TO THE CITY'S HUD MANDATED FISCAL YEAR 2008-2009 ANNUAL ACTION PLAN

#1.

On motion by Dobson, seconded by Clay, the hearing was opened at p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

Estelle Dubois, stated that the purpose of this hearing is to receive citizen comments on the incorporation of $848,514.00 in new funding to the city's mandated fiscal year 2008-09 Annual Action Plan. On March 19, 2009, the U.S. Housing of Urban Development posted notice of their homeless prevention and rapid re-housing availability. The city is proposing to utilize this allocation as follows:

- $460,440 financial assistance to individuals and families in danger of becoming homeless.
- $305,345 Outreach and Provide Case management services to participants
- $40,304 Data collection
- $42,425 Payment of the cost to administer the grant

AUDIENCE COMMENTS ON THE HEARING

Robert Ray, Compton resident, asked if there was anything being provided to people who are currently homeless. Ms. Dubois explained that Emergency Shelter Grant Funds would address the current situation of homeless individuals and families.

Lynn Boone, Compton resident, requested the types of shelters located in the City of Compton.

Mayor Perrodin stated that the shelters in the city address women and children who are currently homeless.

Gwen Patrick, Compton resident, requested clarification concerning the outreach and case management services for this type of assistance. Ms. Dubois explained that the funds will assist in providing a specialized service to each participant.

On motion by Dobson, seconded by Clay, the hearing was closed at p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

COUNCIL COMMENTS ON THE HEARING

Mayor Perrodin explained that the grants are provided by the federal government, in which the city acts as a conduit to distribute funds. Mayor Perrodin stated that the funds are merely a supplement to the organization’s bottom-line not their primary financial source.

Councilperson Clay mentioned the allegations made by a woman at last week's council meeting and requested the qualifications to obtain these funds. Ms. Dubois explained that the Housing Authority would be administering the program, formulating the criteria and deciding the amount to be distributed to each applicant.

Mayor Perrodin commented on the allegations made at last week's council meeting and a personnel matter.

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF SUBSTANTIAL AMENDMENTS TO THE CITY OF COMPTON'S FISCAL YEARS 2004-05, 2005-06, 2006-07, 2007-08, AND 2008-09 ANNUAL ACTION PLANS OF THE CONSOLIDATED PLAN

On motion by Dobson, seconded by Clay, **Resolution # 22,814** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF SUBSTANTIAL AMENDMENTS TO THE CITY OF COMPTON'S FISCAL YEARS 2004-05, 2005-06, 2006-07, 2007-08, AND 2008-09 ANNUAL ACTION PLANS OF THE CONSOLIDATED PLAN"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE HUD-MANDATED FY 2009-2010 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN AND AUTHORIZING THE SUBMISSION OF THE PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

On motion by Dobson , seconded by Clay, **Resolution # 22,815** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE HUD-MANDATED FY 2009-2010 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN AND AUTHORIZING THE SUBMISSION OF THE PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

16. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE CITY'S HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP) SUBSTANTIAL AMENDMENT TO THE FY 2008-09 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN

On motion by Dobson , seconded by Clay, **Resolution # 22,816** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE CITY'S HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP) SUBSTANTIAL AMENDMENT TO THE FY 2008-09 ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN"** was adopted by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT:Council Members - Calhoun, Arceneaux

AUDIENCE COMMENTS

Essie Spellman, Compton resident, congratulated the winners of the election and thanked the council for the grant funds issued to Ms. Essie's House of Faith.

Bernard Tolliver, representative of Senator Rod Wright, introduced Compton's new 25th Senate District representative Cazzie Burns.

#1.

Cazzie Burns, representative of the 25th Senate District, indicated that he was looking forward to working with the City of Compton and stated that he could be reached at (310) 412-0393.

Nihasi Lee, congratulated the winners of the election and requested that the city declare "The Year of the Youth in the City of Compton" to ensure that youths of all ages and neighborhoods are addressed.

Lynn Boone, Compton resident, spoke concerning the HUD allocated funds to residents for the rehabilitation of their homes.

B.J. Douglas, President of the United Rangers of America, commented on the progress he's making with the youth.

Lorraine Cervantes, representative of the Compton Chamber of Commerce, announced that the organization would be hosting a breakfast event on Thursday, May 7, 2009 at the Crystal Park Casino beginning at 7:30 a.m.

Paulette Conley, Compton resident, expressed a concern for the pedophiles approaching the youth at Sebree Park and the constant flood of negative comments at the podium during council meetings.

Ms. Keyes, Compton resident, stated that she was distressed to see that only ten percent of the registered voters in the City of Compton participated in the April 21, 2009 election.

Mary Patterson, Compton resident, expressed her appreciation for the City Council's hard work and dedication.

Robert Ray, Compton resident, stated that he was very disappointed that "Measure F" (the prohibition of fireworks in the City of Compton) did not pass.

COUNCIL COMMENTS

Councilperson Clay announced that the National Association of Equal Justice of America would be hosting a "Community Meeting" to be held on Monday, May 4, 2009 from 7 p.m. to 9 p.m. at the Blue Room. For additional information concerning this event, please call (310) 608-5878.

Councilperson Dobson stated that there are many wonderful things to do in the City of Compton and mentioned that she attended the 141st Anniversary Celebration for the First United Methodist Church. Ms. Dobson also mentioned that former Compton police officer William Brown has passed away.

Councilperson Dobson congratulated her colleagues for winning the election held on April 21, 2009.

Mayor Perrodin requested that the meeting be adjourned in memory of Georgia Lee, the wife of longtime city pollworker Albert Lee.

Mayor Perrodin announced that the city would be hosting its "121st Birthday Celebration" to be held on May 11, 2009 at 6 p.m. in the City Hall lobby.

Mayor Perrodin commented on the election held April 21, 2009, property taxes in the City of Compton and the rumors that there are no youth programs in the City of Compton.

Mayor Perrodin also addressed the campaign signs still up after 72 hours and the lack of support from the city's local newspaper.

The meeting was recessed at p.m. to closed session and reconvened at 8:19 p.m.

RESULTS OF THE CLOSED SESSION - Craig Cornwell, City Attorney, stated that counsel met in closed session, Conference with Legal Counsel - Existing Litigation, Mohammed vs. City of Compton, LASC Case No. BC386781, pursuant to California Government Code Section 54956.9(a). No action was taken.

Mayor Perrodin informed the community that Southern California Edison would be having a power outage on Friday, May 1, 2009 between the hours of 1 p.m. and 4 p.m. to upgrade the infrastructure and other repairs at 600 North Alameda.

ADJOURNMENT

On motion by Dobson, seconded by Clay, the meeting was adjourned in memory of **William Brown** and **Georgia Lee** at 8:22 p.m. by the following vote on roll call:

AYES: Council Members - Dobson , Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Arceneaux

_____ _____

Clerk of the City Council **Mayor of the City Council**

MAY 6, 2009

The City Council meeting was called to order in the Council Chambers of City Hall by Mayor Perrodin.

ROLL CALL

Council Members Present: Arceneaux, Clay, Perrodin
Council Members Absent: Calhoun, Dobson

Other Officials Present: C. Cornwell, A. Godwin, C. Evans

APPROVAL OF MINUTES - There were no minutes to be approved.

CONSENT AGENDA

On motion by Arceneaux, seconded by Clay, the CONSENT AGENDA was approved by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

CITY MANAGER

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 22,763 AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE/PURCHASE AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION AND FOR THE RENEWAL OF THE SERVICE AND MAINTENANCE AGREEMENTS WITH NEXUS INTEGRATED SERVICES **(Resolution # 22,817)**

REGULAR AGENDA

CITY MANAGER'S REPORTS

2. REQUEST OF OUR LADY OF VICTORY FOR A STREET BLOCKADE

Pastor Charles Patrick, Compton resident, requested the law for removing campaign signs.

Mayor Perrodin instructed Pastor Patrick to address this matter under Audience Comments.

Mayor Perrodin stated that William Kemp, Joyce Kelly and Gwen Patrick all signed up to speak concerning this item, however they stated that they wanted to address the City Attorney.

On motion by Arceneaux, seconded by Clay, the Street Blockade was scheduled for May 9, 2009 from 1 p.m. to 12:30 a.m. by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

CITY ATTORNEY'S REPORTS - There were no City Attorney's Reports.

UNFINISHED BUSINESS - There was no Unfinished Business.

#1.

NEW BUSINESS

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A HUMAN RELATIONS MUTUAL ASSISTANCE PROTOCOL AGREEMENT BETWEEN THE CITY AND THE COUNTY OF LOS ANGELES

Lorraine Cervantes, Compton resident, expressed her approval for this resolution.

On motion by Arceneaux, seconded by Clay, **Resolution # 22,818** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A HUMAN RELATIONS MUTUAL ASSISTANCE PROTOCOL AGREEMENT BETWEEN THE CITY AND THE COUNTY OF LOS ANGELES"** was adopted by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AN AMENDMENT TO THE LEASE AND DEVELOPMENT AGREEMENT AND THE AGREEMENT TO CONSTRUCT AND MAINTAIN ADVERTISING BUS SHELTERS BETWEEN THE CITY OF COMPTON AND BULLETIN DISPLAYS, LLC SO AS TO AUTHORIZE THE ASSIGNMENT AND ASSUMPTION OF CERTAIN OBLIGATIONS AND RIGHTS OF BULLETIN DISPLAYS, LLC THEREUNDER BY CLEAR CHANNEL OUTDOOR, INC.

On motion by Arceneaux, seconded by Clay, **Resolution # 22,819** entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING AN AMENDMENT TO THE LEASE AND DEVELOPMENT AGREEMENT AND THE AGREEMENT TO CONSTRUCT AND MAINTAIN ADVERTISING BUS SHELTERS BETWEEN THE CITY OF COMPTON AND BULLETIN DISPLAYS, LLC SO AS TO AUTHORIZE THE ASSIGNMENT AND ASSUMPTION OF CERTAIN OBLIGATIONS AND RIGHTS OF BULLETIN DISPLAYS, LLC THEREUNDER BY CLEAR CHANNEL OUTDOOR, INC."** was adopted by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

APPROVAL OF WARRANTS

5. Warrant #174192 - Gateway Cities Council of Government - Environmental Report - $95,000.00 - Requested by: Public Works

William Kemp, Compton resident, questioned what these funds were being allocated to.

Joyce Kelly, Compton resident, questioned why the city is paying $95,000 to the Gateway Cities Council of Government, if the city doesn't own the property under the Gateway Towne Center.

Gwen Patrick, Compton resident, asked if these funds were related to the initial environmental report conducted on the property.

Lynn Boone, Compton resident, asked if this was a conjoined effort between the city and another entity.

Alan Pyeatt, Acting Director of the Public Works Department, stated that this warrant does not concern the Gateway Towne Center property. Mr. Pyeatt explained that this warrant applies to the Gateway Cities Council of Government, which is an entity the city belongs to with several other cities. Mr. Pyeatt stated that this warrant pays for the environmental report concerning storm water treatments.

On motion by Arceneaux, seconded by Clay, the warrants were approved by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

AUDIENCE COMMENTS

Lynn Boone, Compton resident, spoke concerning a personnel matter.

Mark Cutler, representative of Bulletin Displays, thanked the city for doing business with them and notified the citizens of the type of work that they would be doing for the citizens of Compton:

- Confiscating 16 signs that clutter the city
- Landscaping two miles of freeway
- Building 25 new bus shelters
- Maintaining 47 existing bus shelters

Mr. Cutler stated that the company anticipates training the youth from Victory Outreach to maintain the bus shelters, in addition to utilizing a local vendor to landscape the areas around the freeway.

Paulette Gibson, President of the NAACP Compton Sector, announced that the Compton Sector would be representing the city at the National Convention in New York City on July 11-16, 2009. Ms. Gibson also announced that Youth Advisor Brandon Mims, would be hosting a "Youth Professionals Mixer" to be held on Thursday, May 21, 2009 from 8 p.m. to 11 p.m. at T.G.I.Fridays.

Gwen Patrick, Compton resident, thanked the Water Department for addressing the leaking fire hydrants and mentioned that she was honored to run for office in the City of Compton.

Joyce Kelly, Compton resident, stated that she ran for office because she felt it was needed. Ms. Kelly also stated that she wants her $500 deposit back.

Paulette Conley, Compton resident, commented on the property located at Dalehart and 127th Street and invited everyone to attend the City of Compton's 121st Anniversary Celebration to be held on Monday, May 11, 2009 in City Hall at 6 p.m. .

Pastor Charles Patrick, Compton resident, expressed a concern for the conduct displayed during City Council meetings.

William Kemp, Compton resident, commented on the election process.

Lorraine Cervantes, Compton resident, invited the Compton community to attend the "Breakfast Event" hosted by the Chamber of Commerce at the Crystal Park Hotel.

Val Dudley, Compton resident, congratulated the winners of the election and expressed her approval of the Mayor's leadership, in spite of all the negative comments voiced at the podium.

Dr. Scott, Compton resident, announced that the Block Club Commission would be hosting a "City-Wide Meet-N-Greet Your Neighbors Event" to be held on Saturday, June 20, 2009 from 9 a.m. to 1 p.m. at Gonzales Park.

Ron Dahl, Compton resident, requested copies of city contracts and expressed a concern for public safety in the City of Compton.

Robert Ray, Compton resident, stated that he agreed with the Mayor's comments regarding dispatching units for Municipal Law Enforcement officers.

COUNCIL COMMENTS

Councilperson Clay requested that the meeting be adjourned in memory of Compton Unified School District police officer, David Ruiz.

Councilperson Arceneaux informed the citizens that she attended an event in Sacramento last week, representing the Metropolitan Water District, to address issues such as water conservation and reclamation.

Mayor Perrodin read the City of Compton's "National Day of Prayer" resolution and invited the community to celebrate the event on Thursday, May 7, 2009 in City Hall from 12:20 p.m. to 12:40 p.m.

Mayor Perrodin also recognized "Public Service Recognition Week" for the week of May 4-10, 2009, in the City of Compton.

Mayor Perrodin requested that the meeting be adjourned in memory of Compton resident, Tamika Ballou.

Mayor Perrodin recognized Isaac Asbury and the T.I.P. (Teen Intervention Program), a mentoring program that encourages youth discipline and positive lifestyle goals.

Mayor Perrodin addressed the comments made by the candidates that ran for office and assured the citizens of Compton that the city is focused on moving forward.

Mayor Perrodin concluded by commenting on the Compton Police Department and the activities of former council members and prior elections.

ADJOURNMENT

On motion by Arceneaux, seconded by Clay, the meeting was adjourned in memory of **David Ruiz** and **Tamika Ballou** by the following vote on roll call:

AYES: Council Members - Arceneaux, Clay, Perrodin
NOES: Council Members - None
ABSENT: Council Members - Calhoun, Dobson

_____ _____

Clerk of the City Council **Mayor of the City Council**

CITY OF COMPTON

Federal Grants Advisory Board Meeting

June 4, 2009

MINUTES

CALL TO ORDER

The meeting was called to order by Commissioner Coleman at 6:07 pm.

ROLL CALL

The roll call was led by Commissioner Coleman. The members present were: Gamble, Godoy, Ganter, Bragg, Jennings, Coleman, Postelle, Ballard (absent), and Hargraves (absent).

The staff person present was Renea Ferrell, Community Development Specialist.

Commissioner Postelle led the Commissioners in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Commissioners reviewed the minutes from the May 7, 2009 meeting. Commissioner Postelle moved that the minutes be approved. Commissioner Ganter second the motion. The motion passed 7-0.

STAFF REPORT

Ms. Ferrell informed the Commissioners that Ms. Dubose sent an email before she left for the day stating that she should have their stipend increase on the July 21st City Council agenda.

Commissioner Coleman stated that they were getting their request in late. The goal was to avoid this type of situation. Ms. DuBose is late. Our proposal is not ready, again. It makes it harder to get anything through.

The Commissioners requested that Ms. Ferrell tell Mrs. Gay Morris, Interim Planning and Economic Development Director and Ms. DuBose, Grants Manager that the request that was previously made by the Commissioners is one month past the deadline of June 30, 2009. The initial deadline was set at the February meeting; however the Commissioners had been requesting an increase for over a year.

Commissioner Postelle discussed how things were usually never submitted on their behalf. Commissioner Postelle stated that Ms. DuBose was holding up their stipend, and why was it taking so long for her to get the report done. In addition, Commissioner Postelle agreed with Commissioners Coleman's previous remarks.

Commissioner Coleman stated that it was time for them to get their increase. Everybody else has received their increase. The Commissioners discussed the situation in further detail. Commissioner Coleman passed around the idea of pushing their own agenda to the City Council.

Commissioner Postelle preferred that the stipend increase be put on the evening agenda. Commissioner Coleman stated that the Commissioners might have to write up the request themselves, since they cannot get it past protocol of working with Ms. DuBose.

Ms. Ferrell told the Commissioners to allow Mrs. Gay Morris, Interim Planning and Economic Director a chance to fix the situation.

OLD BUSINESS

Ms. Ferrell stated that the business cards will be given out at the end of the meeting. Ms. Ferrell notified the Commissioners that Human Resources will make ID badges for them at the next meeting.

Commissioner Godoy provided an oral report on her trip to the NUSA Conference that she attended in Spokane, Washington.

Ms. Ferrell passed out the DVDs from the Addie Patterson Awards Luncheon.

NEW BUSINESS

None

AUDIENCE COMMENTS

None

COMMISSIONER COMMENTS

Commissioners Postelle stated that the election will not be held tonight. Commissioner Postelle recommended that new Commissioners should get their feet wet before being elected to a position.

Commissioner Ganter wanted to know when the agency visits would start. Ms. Ferrell responded to Ganter's request stating after the first of the year.

Commissioner Jennings apologized for not being able to attend the conference.

Commissioner Godoy encourages new Commissioners to take some of the brochures she brought back from the conference.

Ms. Ferrell reviewed the procedures for check processing with Commissioners, due to several previous requests.

ADJOURNMENT

Commissioner Godoy motioned that the meeting be adjourned. Commissioner Gamble second the motion. The motion passed 7-0. The meeting was adjourned at 6:48 pm

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

PLANNING COMMISSION MINUTES

WEDNESDAY, JUNE 10, 2009, 7:00 P.M.
(CITY HALL COUNCIL CHAMBERS)
205 SOUTH WILLOWBROOK AVENUE

1) **PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was led by Commissioner Hill

2) **ROLL CALL**

Commissioners Present:
Juanita Green-Wright
Michael Hill
Kim Saunders
Cleo Turner
Lillie P. Darden

Staff Representatives Present:
Gay K. Morris, AICP
Jessica Lopez
Anita Aviles

3) **APPROVAL OF MINUTES** - May 13, 2009. It was moved by Commissioner Turner that the minutes of May 13, 2009 be approved. The motion was seconded by Commissioner Hill and carried unanimously.

4) **TENTATIVE TRACT MAP NO. 70914** - A request of **Prism Realty** to subdivide 2 lots into 8 parcels at **1755 S. Alameda Street** in the Commercial Limited (C-L) zone.

Summary
This item has been postponed to the next scheduled Planning Commission hearing per the applicant's request.

5) **CONDITIONAL USE PERMIT CASE NO. 2628/VARIANCE CASE NO. 2632** – A request of **Manoochehr Amidnamin** for the sale of alcohol, off-sale beer & wine (type 20), an accessory use to a proposed convenience store (7-Eleven)and a sign variance to allow for an additional freestanding sign at **2251 W. Rosecrans Avenue #1-3,** in the Heavy Manufacturing and Buffer (M-H-B) zones.

Summary

The Commission decided to grant the applicant's request for the sale of alcohol, off-sale beer & wine (type 20).

Commissioner Turner moved that the public hearing regarding Conditional Use Permit Case No. 2628 be opened. The motion was seconded by Commissioner Darden and carried unanimously.

Staff Representative Lopez stated that this is a request of Manoochechr Amidnamin, to sale sell alcohol, off-sale beer & wine (type 20 license), an as accessory use to a proposed convenience store (7-Eleven) and a sign variance to allow for an additional freestanding sign at 2251 W. Rosecrans Ave., #1-3 in the Heavy Manufacturing & Buffer zones.

The property is developed with a 24,000 square foot commercial center. The commercial center consists of an L-shaped multi-tenant building and a free-standing building which is intended for two tenants, one currently occupied by Wing-Stop.

Staff Representative Lopez stated that the applicant is proposing a 2,708 square foot 7-Eleven store. The 7-Eleven store will occupy units 1-3 which are located on the southwest corner of the building 'A'. The proposed 7-Eleven store is a national franchise chain of convenience stores. According to the applicant's project description, the proposed 7-Eleven will be designed with their "new" image and provides a variety of consumer products including but not limited to: pre-packaged food items, dairy products, beauty products, medicines, etc. The sale of beer and wine is typically sold in 7-Eleven stores, hence the applicant's request for a conditional use permit. According to the applicant the 7-Eleven store will be open 24 hours a day, 7 days a week and the sale of alcohol will be limited to the hours of 10am-2am, seven days a week. The applicant is also requesting a sign variance to allow for a second freestanding, monument sign for the 7-Eleven store. The proposed monument sign is 6 high, 5'-8" wide and 25 square feet.

Staff Representative Lopez stated that on June 20, 1989, the City of Compton adopted by resolution an Alcoholic Beverage Sales Policy. At the time of its adoption, the Compton City Council wanted to discourage the abuse of alcohol, and alcohol-related criminal activities, traffic incidents and health problems. The City's goal was to reduce the number of alcohol sales outlets for both on-site and off-site consumption by setting guidelines. According to the guidelines, the City expects that businesses requesting permits for off-site alcohol sales will do so as a part of a marketing plan which fulfills a variety of consumer needs.

The City's policy stipulates that an over-concentration of businesses with alcohol sales should be avoided and that "bars, liquor stores and convenience stores should be located at least 1,000 feet from "sensitive" uses such as schools, churches and some

medical facilities". "According to the City's definition, 7-Eleven is considered a convenience store. A convenience store is defined as, a place of business, containing less than 10,000 square feet of retail sales floor area, used for retailing of variety of consumer goods.

Staff Representative Lopez stated that according to the statistics provided by the Alcohol Beverage Control Department, this census tract is within its limit for alcohol licenses. Four (4) alcohol licenses are allowed for Census Tract 5412 and two (2) currently exist.

However, there are 3 existing off-sale alcohol licenses within a 1000 foot radius; the two stated above and Food 4 Less (type 21) located at 1900 W. Rosecrans Ave. The Wing-Stop located in the same commercial center has an existing alcohol license for on-site sale, an accessory use to the restaurant. However, when statistics are generated by ABC, the statistics are based on the type of license requested (on-sale vs. off-sale). Therefore, Wing-Stop's license is not included in the list above or ABC's statistics. Lastly a church is located approximately 2 blocks west of the subject site across Rosecrans Avenue (on the south side).

According to statistics provided by the Department of Alcoholic Beverage Control (ABC), the subject site is not located in a high crime reporting area. The average number of offenses per district is 300.16 and the number of offenses for this district is 161, well below the average. The Sheriff's Department has also reviewed the proposal and provided staff with comments. The Sheriff's Department stated that there are no crime statistics for this center given that it's a new center. Additionally there have been no calls for service since the opening of the center. The Sheriff's Department recommends that the site "maintain current and adequate lighting."

Staff Representative Lopez stated that lastly, the City's policy stipulates that the alcohol related business should comply with all development standards (i.e. parking, accessibility, landscaping, etc.). The subject site does comply with all development standards (setbacks, height limit, landscaping, lighting, etc.) except for parking. However a parking variance was reviewed and approved by the Planning Commission approximately 3 years ago.

As mentioned, the applicant is requesting a sign variance to allow for a second freestanding, monument sign for the proposed 7-Eleven store. The sign code allows for a maximum of 2, 8' high monument signs per multi-tenant commercial center with a minimum street frontage of over 150 linear feet or 1, 20' high pylon sign per multi-tenant commercial center with a minimum street frontage of 200 feet. The subject commercial center has approximately 320 linear feet of street frontage along Rosecrans Avenue and currently has a pylon sign located within the front landscape area. The center is highly visible along Rosecrans Avenue. The pylon sign has unobstructed views.

7-Eleven is going to occupy the end cap unit, having most visibility along Rosecrans Avenue. Wall signs are proposed on all visible building elevations for the 7-Eleven store. The 7-Eleven sign proposed on the existing 20' high pylon sign can be increased. The pylon sign currently has sign space for each tenant space located in the center. The pylon sign proposed only occupies one space. However the 7-Eleven store will be occupying three tenant spaces, therefore being able to occupy 3 sign spaces on the pylon sign instead of one. Taking up three sign spaces instead of one would almost provide the same square footage being requested by the applicant. Staff has been unable to find circumstances that warrant the granting of this variance and make the necessary findings required by the code and therefore cannot support the requested variance.

Staff Representative Lopez stated that notices were sent out to property owners and occupants within a 1,000 foot radius. As of June 10, 2009, no calls or letters have been received either in favor or opposition of this project. The Development Review Committee (DRC) has reviewed the project and recommends against it due to over concentration of existing off-sale alcohol licenses within a 1,000 foot radius and proximity to an existing church and therefore non-compliance with the City's alcohol policy. Staff received a letter from the Redevelopment Agency, dated May 12, 2009, which states that CRA strongly recommends that the Planning Commission approve the applicant's request to sell beer & wine (CUP Case No.2628).

Staff Representative Lopez stated that this project was previously heard on the May 13th Planning Commission hearing. Testimony was received from the applicants and members of the public. Planning Commission continued the case for a month and directed staff to incorporate findings and conditions of approval.

Staff has incorporated findings in favor and conditions of approval, as directed by the Planning Commission. Should the Planning Commission want to consider approving either Conditional Use Permit Case No. 2628 or Variance Case No. 2632 or both, staff recommends that the Planning Commission approve Conditional Use Permit Case No. 2628 and/or Variance Case No. 2632, subject to the findings and conditions contained in the staff report.

The applicant, Mike Amidi, 2251 West Rosecrans Avenue, stated that he created a nice project here in the City of Compton and that he is very proud of it. As he promised, the project will be a very nice project where the community is going to be very proud of. The project is going to be free of crime, free of graffiti, and free of trash. Mr. Amidi stated that staff has given him 33 conditions and has read all of them. But he is very concern with condition #12, regarding the 24 hour security. He put his facts and figures together and came to a conclusion that hiring a security, 24 hours a day, will cost him approximately $149,000/year and that is out of his range. Mr. Amidi asked the

commission to reconsider and condition it to be from 9:00 p.m. to 2:00 a.m., that is when lights are off and traffic is low. Otherwise it is going to be extremely difficult.

Chairperson Green-Wright asked Mr. Amidi if he had other concerns on any of the other conditions.

Mr. Amidi stated that #9 regarding Architectural Review Board. He thinks since he will not be doing any alterations or additions, he asks the commission to reconsider this condition to save time; otherwise he will comply with it.

Commission Turner asked Mr. Amidi for clarification on the hours that he is requesting to have the security guard.

Mr. Amidi stated that he is requesting from 9:00 p.m. to 2:00 a.m.

Commissioner Saunders asked staff, if staff had requested 24 hour security for any of the previously approved cases for convenience stores.

Staff Representative Lopez stated that staff has not approved any cases for convenience stores.

Commissioner Hill asked staff for clarification on the nature of this condition and if there was a criteria for the required 24 hour security.

Staff Representative Lopez stated that it was a recommended condition from the Development Review Committee and that they did not specified the reasoning behind it however that was why it was incorporated into the conditions of approval.

Commissioner Hill asked staff if the commission have some flexibility into proposing a viable alternative.

Staff Representative stated that there is.

Commissioner Hill suggested to Mr. Amidi that if his calculations work if he can change his hours to 7:00 p.m. to 2:00 a.m., which will be seven hours, instead of 9:00 p.m. to 2:00 a.m.

Mr. Amidi calculated his figures and came with approximately to $43,000.

Commissioner Hill asked Mr. Amidi if that figure was more manageable for him.

Mr. Amidi stated that honestly he was not concerned about the security and he does not want the community to get use to having security.

Chairperson Green-Wright stated that security should be concern because the fact that alcohol is being sold at the location. Chairperson Green-Wright mentioned the incident about the individual that has killed down the street from this location. She believes that security should be a concern and considered if he wants to sell alcohol in his 24 hours business.

Mr. Amidi stated that he has 13 security cameras throughout the entire building, and there is traffic coming back and forth. He requests that it be revised to be from 9:00 p.m. to 2:00 a.m. and if things go bad than he can come back to the commission to change the hours. He believes that from 9:00 p.m. to 2:00 a.m. is still a lot of money but he can work with that.

Commissioner Hill stated that the commission does not want to encumber him with any unnecessary expenses but it is to prevent a possible deterrent to someone creating a problem.

Mr. Amidi stated that he is thinking about going to the Sheriff's Department to offer them an office for a sub-station, which he believes will eliminate the problem.

Chairperson Green-Wright asked Mr. Amidi if he had already approached the Sheriff's Department regarding the offer.

Mr. Amidi stated that he would be happy to give them a sub-station and allow them to have an office for free of charge.

Commissioner Darden stated that is what he is planning to propose, but they may not accept that. And she also believes that they will not be open until 2:00 a.m., because they are only open until 9:00 p.m. in other substations. Commissioner Darden suggested because she is concerned of daylight savings time, that in the fall when the time goes back and it is dark at 6:00 p.m. it be changed from 9:00 p.m. to 7:00 p.m.

Mr. Amidi stated that he certainly understands Commissioner Darden's concern but he is also looking at the economy situation and it is very difficult to survive. Otherwise he will not be standing there. He stated that he has an $89,000 property tax bill and insurance to pay so it makes it impossible.

Commissioner Turner asked if he had approached any of the other businesses in the shopping center or see if any of them are willing to share the cost for a security. Commissioner Turner asked if any of them already had security.

Mr. Amidi stated that he was embarrassed to ask them.

Commissioner Saunders asked Mr. Amidi if he owned any other 7-Eleven stores.

Mr. Amidi answered that he did not.

Commissioner Saunders asked Mr. Amidi if he had offer security service to any of his tenants.

Mr. Amidi stated that he has been talking to Wing Stop about the possibility of getting a security guard and that he had not approached any of the other tenants because they close at 6:00 and 7:00 p.m. and are not there after 7:00 p.m.

Commissioner Hill had a question for the representative from Southland Incorporation. Commissioner Hill mentioned that he has visited other 7-eleven stores and has not noticed any security there at all times.

Applicant's Representative, Sherrie Olson, 934 West Yale Street, Ontario, stated that she is a consultant to some 7-Eleven stores. She stated that they do have security if requested by the City Council or the Planning Commission. That it is not uncommon to get an earlier time for daylight savings, so moving it an hour or two earlier should was fine, but having it 24 hours a day would be unacceptable. She understands that it will cost more to move it back, but it is a reasonable request.

Commissioner Hill stated that he has seen at the Vermont and Rosecrans location that from time to time the Los Angeles Police Department (LAPD) comes in to that facility, so he believes that helps.

Ms. Olson stated that their presence, LAPD, are in all of their stores; they come in to get coffee or take breaks because they like how clean 7-Eleven maintain all their facilities. 7-Eleven get very good praises from the police departments on how well the stores are kept up and for their security cameras. She stated that their security cameras are top of the line and that they monitor the whole facility. She mentioned that 7-Eleven had invested about $80,000 in their security cameras, as Mr. Amidi stated "It is well secure". They can see a lot going on and in the surrounding neighborhoods. She also stated that they sometimes turn in their security cameras to the police departments when they are requested and the police even investigate other crimes from them. She mentioned about the crime deterrents program that they have in-house that all of their employees go through, as well as their come to age operational alert and the different things that they do. She understands the commissions request for daylight saving time and they will certainly abide by the request.

Commissioner Turner asked staff for clarification of Condition #9.

Staff Representative Lopez stated that it is a standard condition and it is only if they happen to make any exterior improvements, then they will be subject to go to Architectural Review Board.

Staff Representative Lopez asked that before the commission take a vote, how they want to revise condition #15.

Commissioner Hill stated that condition 15 can read "That license security guard should be required to be present onsite during the hours of 7:00 p.m. and 2:00 a.m. during standard daylight hours and from 9:00 p.m. and 2:00 a.m. during daylight saving time".

There being no further comments, Commissioner Darden moved to close the public hearing regarding Conditional Use Permit Case No. 2628. The motion was seconded by Commissioner Saunders and carried unanimously.

Commissioner Turner moved to approve Conditional Use Permit Case No. 2628. The motion was seconded by Commissioner Saunders. **Conditional Use Permit Case No. 2628 was approved** unanimously.

Commissioner Darden moved that the public hearing regarding Variance Case No. 2632 be opened. The motion was seconded by Commissioner Saunders and carried unanimously.

Commissioner Saunders noted that when the applicant decided to do the shopping development and since that is his site. The existing sign that he has is the decision that he made as the developer and owner of this project. She asked Mr. Amidi that didn't he feel that it is still within the scope of his power and have the ability to make changes to the existing sign that he created.

Mr. Amidi stated that he has the power, but it is 7-Eleven's request to have an independent sign, plus the shopping center is on a 320 feet wide lot. He stated that there was another sign there for many years where 7-Eleven is requesting, but Ms. Lopez had requested that it be removed. If he would have known that 7-Eleven would have been interested in it, he would have not removed it.

Commissioner Saunders told Mr. Amidi that she had the understanding that it was his franchise.

Mr. Amidi stated that he did not know that he wanted to establish a franchise at this location, because the negotiating process is long and at that time he was not sure if he would get it.

Ms. Olson responded that freestanding signs are very common for the majority of 7-Elevens.

There being no further comments, Commissioner Saunders moved to close the public hearing regarding Variance Case No. 2632. The motion was seconded by Commissioner Turner and carried unanimously.

Commissioner Saunders made motion to deny Variance Case No. 2632. The motion subsequently die due lack of second.

Commissioner Turner moved to approve Variance Case No. 2632. The motion was seconded by Commissioner Hill. **Variance Case No. 2632 was approved** unanimously.

6) **CONDITIONAL USE PERMIT CASE NO. 2636** – A request of **Bruno Sarrola** for a drive-thru lane for a proposed 3,652 square foot Mexican restaurant/delicatessen/bakery (El Zócalo) at **217 W. Rosecrans Avenue**, Compton, in the C-M (Commercial Manufacturing) zone.

Summary
This item has been postponed to the next scheduled Planning Commission hearing per staff's request.

7) **CONDITIONAL USE PERMIT CASE NO. 2634/VARIANCE CASE NO. 2635** – A request of **T-Mobile** to construct/install a wireless facility consisting of a 55' high mono-palm with 12 panel antennas, a parabolic antenna and an equipment enclosure at **441 W. Compton Blvd.,** Compton, in the C-L (Limited Commercial) zone.

Summary
The Commission decided to grant the applicant's request for a new personal wireless facility.

Commissioner Saunders moved that the public hearing regarding Conditional Use Permit Case No. 2634/Variance Case No. 2635 be opened. The motion was seconded by Commissioner Darden and carried unanimously.

Staff Representative Lopez stated that this is a request to construct/install a wireless facility consisting of a 55' high mono-palm with 12 panel antennas, a parabolic antenna and an equipment enclosure in a C-L (Limited Commercial) zone. This site is located on the

north side of Compton Boulevard between Aranbe and Oleander Avenue and is developed with a 1-story building and a large vehicle storage yard currently used as a towing yard (Ketcham's Towing).

The applicant is proposing a 55' high faux palm tree with an equipment enclosure at the base. The faux palm tree will have twelve (12) panel antennas and one parabolic antenna. The wireless facility shall consist of 3 sectors with 4 panel antennas each and a ground mounted equipment enclosure (19'-4" by 36').

Staff Representative Lopez stated that the City requires a conditional use permit for all new personal wireless service facility (PWSFs), to control and manage the location, siting, visibility, design and safety of all new wireless facilities.

According to the location standards for City's Personal Wireless Service Facilities (PWSF's) ordinance, this site is not considered an opportunity site or an avoidance area.

The siting standards of the City's PWSF's ordinance favor, wireless facilities on existing structures over a new ground-mounted PWSF. However the siting standards also strongly encourage concealment/camouflaging of all new PWSF's to the greatest extent possible. Siting refers to the placement (i.e. roof-mounted vs. ground-mounted, front yard vs. remote corner) of a wireless facility on a given property. The applicant is proposing a faux palm tree to complement the surrounding queen palm trees in the vicinity; there are approximately 4, 20-25' high queen palms trees located in front of the exterior perimeter fence along Compton Blvd. However the facility/faux tree cannot be relocated closer to those queen palm trees without violating other safety requirements. The wireless ordinance also encourages placement of PWSF's within trees. As proposed, there are no trees located within a 20' radius; however staff has conditioned the project to comply with this requirement.

Design Analysis

As previously mentioned, the applicant proposes a 55' high mono-palm tree with an equipment enclosure at the base of the tree. The faux tree will have twelve (12) panel antennas. The wireless facility shall consist of 3 sectors with 4 panel antennas each and a ground mounted equipment enclosure (19'-4" x 36'). The applicant is proposing a block equipment enclosure. The applicant has made an attempt to camouflage/conceal the wireless facility as a palm tree to complement other palm trees in the vicinity; approximately 4, 20-25' high queen palms trees located in front of the exterior perimeter fence along Compton Blvd. However staff is very concerned with the requested height. Most commercial buildings along Compton Blvd. consist of 16'-22' high, single-story buildings and multiple family dwelling units across the alley are 20-25' 2-story buildings. Although the applicant's have attempted to camouflage the facility, staff fears that the height is severely out of scale and proportion with the surrounding neighborhood. Staff

therefore cannot support the applicant's variance as requested. However, staff would be supportive of a much smaller height variance due to the lack of multi-story commercial buildings along Compton Blvd. and mostly residential areas. Staff would be supportive of a maximum height of 35' but with several other conditions which include planting a minimum of 6 mature trees within a 20' radius and that the height of the PWSF be limited to no more than 10' above the average tree height within a 20' radius, but not to exceed 35'.

Fall Zone and Setback Analysis

This wireless facility as proposed, mostly complies with the required fall zone and setback requirements. The wireless facility complies with all required setbacks. The wireless facility is located behind the main building's line in the front yard. The PWSF also complies with the underlying zone's setback requirements: 1) a minimum 10' front yard setback and 2) a 20' rear yard setback. There are two requirements for the fall zone: 1) non habitable structure or outdoor area where people congregate should be within a fall zone of a radius equal to the height of a ground-mounted PWSF or its mount and 2) no adjoining property line may be within the fall zone of a radius equal to the height of a ground-mounted PWSF or its mount. The wireless facility as proposed currently complies with the fall zone with one exception, the fall zone to the southern property line closest to Compton Blvd. The height of the proposed PWSF is 55' high and the distance to the property line is approximately 53', just shy of the requirement. However, as previously discussed, staff is recommending that the height limit be capped at 35' maximum, which would then conform to all fall zone requirements.

Alternatives Analysis

The applicant provided staff with a brief discussion of alternative sites. However staff disagrees with some statements made. Staff recommended two other sites: 1) a multi-story commercial medical building located along Compton Blvd. and 2) a high rise residential building located adjacent to Compton High School. These sites could potentially be developed with a roof-mounted PWSF, which staff is generally more supportive of instead of a ground-mounted PWSF. However, staff does not know if these sites would assist in obtaining the required coverage required. Another alternative that staff deems viable would require placing wireless facilities within the public right-of-way. This alternative may require multiple locations to eventually get the coverage the applicant is ultimately trying to obtain. However, the City of Compton has yet to develop standards for such projects and Compton Boulevard is already cluttered with existing ground-mounted utility poles.

Staff typically discourages new ground-mounted wireless facilities. However, this area/vicinity has some limiting factors for future wireless facilities: 1) with the exception of Compton Blvd. this area is mostly residential and 2) very few multi-story commercial/industrial buildings.

Staff Representative Lopez stated that notices were sent to both owners and occupants within a 500 foot radius. As of June 10, 2009 no correspondence or calls have been received either in favor of or opposition of this project. The Development Review Committee has reviewed the project and recommends in favor to this project with the implementation of the conditions of approval. The Compton Redevelopment Agency is not supportive of the height variance as requested by the applicant. Staff generally prefers roof-mounted PWSF's over ground-mounted. However staff understands that there are some limiting factors in this area. Therefore staff is supportive of this project as conditioned by staff. Consequently, staff recommends that Conditional Use Permit Case No. 2634 and Variance Case No. 2635, as modified by staff, be approved subject to the findings and conditions of approval contained in the staff report.

Commissioner Saunders requested clarification on the paragraph that states that "However, as previously discussed staff is recommending that the height limit be capped at 35 feet maximum which will conform to all fall zones." She asked if staff was recommending that the cap be 35 feet for the wireless mounting or for the fall zone.

Staff Representative Lopez stated that fall zone is equal to the height of the faux palm tree, so staff's recommendation is to limit the tree to 35 feet. The distant from the faux tree to the property line is currently 53 feet, so if it is limited to 35 feet it has more than enough space, and it will comply with the fall zone.

The applicant, Pete Farraro, 1594 North Batavia St., Orange, in behalf of T-Mobile Wireless thanked staff for working with him on an agreeable set of terms, but there were some conditions that his client was concerned with. He stated that there has been an extensive growth in the use of cell phones in the last few years. As coverage objectives increased, cell phones are now replacing land lines in many homes. In his office for example he has 32 employees, 1 land line; every employee is required to carry a cell phone. Each employee's cell phone number is listed in their business cards. Mr. Farraro stated that more and more businesses are relying less in their land lines and faxes and are requiring more of their cell phones and e-mails. He noted that this is not about his office, but the community.

Mr. Farraro stated that there are families that every member have a cell phone and also have a land line, but then they will choose to eliminate their land line and rely on their cell phone within their home, to communicate with family, friends, businesses, and emergency response. T-Mobile recognizes that they have an obligation to provide in-home service to these customers and the only way to do this is to locate facilities that will provide coverage that will reach into their homes and into the neighborhoods. They don't want to put a cell site in every street corner, which would essentially take to provide penetration to every corner. Mr. Farraro stated that if they were to do all the

right-of-way lights all the way down, every two blocks on Compton Blvd. from Oleander Ave. to Aranbe Ave. the entire neighborhood would have sites basically in every other street corner. He than stated that what they are requesting is a site that will provide seamless coverage between the existing sites and allow in-home penetration service to the residents and the businesses in the community.

Mr. Farraro stated that the application at hand, as he mentioned, he can comply with the majority of the conditions, but there are a couple that he will like to address and welcomes the commission to discuss: (1) they requested their antennas to be 50 feet above ground, a tip height of 50 feet, with the fronds will be a 55 foot tall tree that would allow them to reach into the residences. Right now there is a building to the northwest that is a residential two-story building approximately 25 feet tall. It is staff's recommendation that the antenna be limited to 35 feet which gives them a reduction of 5 feet to top of their antennas meaning that the top of their antennas is 30 feet and the center is at 27 feet, that is only 2 feet above the roof line, which means that 50 percent of their antennas is going to be blocked by that building. He requested that they be allowed some additional height above the 35 feet, they requested a 42 foot limit including the fronds, 42 feet for the tree, that will give them a 37 foot tip and 35 foot center line giving them the ability to propagate their signal beyond the residential building immediately north of them. He does realize that this is beyond scale or out of scale to some degree to the adjacent properties and the buildings surrounding it, but there is a billboard immediately next to the property that is 34 feet tall and believed that type of seemingly small structure can block their signal, if they don't get the additional height that they need. This causes the antennas to be propagated from shooting signal down Compton Blvd. Mr. Farraro requested that staff reconsider and allow them to increase the height from 35 feet to a tip height of 37 feet and tree height of 42 feet.

Commissioner Turner asked Mr. Farraro if that was condition 3 and if he need discussion on any other conditions.

Mr. Farraro stated that the others were less significant but he did need to address them per his client's request. One condition was Condition #21, the construction of a trash enclosure be required if not currently exist.

Mr. Farraro stated that the dumpster is currently situated within the wall that surrounds the entire vehicle storage area. He mentioned that the dumpster is pulled out and put into position so that the trash truck can pick it up. He mentioned that he is not sure where they can add walls and what the benefits would be to the owner and the community, given the fact that the dumpster is already behind the wall and not visible by passers in the street.

Mr. Farraro stated that the next conditions that caused him some concern are conditions 32 and 33 which are understandable conditions, he does not believe that they should be applied to his client, that is, "That the applicant for a freestanding ground mounted wireless facility be required to insured that they install a fire suppression system and fire alarms". He mentioned that T-Mobile has an obligation for their property and their installation. But he is concerned for his client being asked for something that will incur an additional cost.

Chairperson Green-Wright asked Mr. Farraro if he had spoken to his client regarding condition 32 and 33.

Mr. Farraro stated that his client does not have a suppression system and fire alarm in place at this time.

Staff Representative Lopez commented on conditions 32 and 33. She stated that Fire Department are part of the Development Review Committee and has made these standard conditions. Fire Department was not at these particular review meeting and staff is incline to revising these conditions to read that "Should Fire Department require", versus to Fire Department reviewing approval. That will leave it to the Fire Department to make that decision, whether they will require that.

Mr. Farraro accepted the revision.

Commissioner Darden wanted clarification on these conditions.

Staff Representative Lopez stated that Fire Department has made these standard conditions and they have been incorporating these as conditions of approval, but as previously mentioned staff is willing to revise it should Fire Department require it.

Mr. Farraro asked that if staff disagreed with the requested height modification that the meeting be continue so that they can reevaluate and perhaps redesign the facility to maximize their coverage at 35 feet.

Commissioner Turner asked staff for the definition of a trash enclosure.

Staff Representative Lopez stated that a trash enclosure is three walls and a solid gate to put the trash dumpster in to screen from public view.

Mr. Ferraro stated that the trash dumpster is currently inside the existing block wall and is not visible from the street.

Chairperson Green-Wright asked Mr. Farraro if he will be okay with the 42 feet modification.

Mr. Farraro stated that they could work with that.

Commissioner Hill asked if condition 3 will change because it reads "That the maximum height of the faux tree including any attached equipment including but not limited to: antenna, panel, and parabolic antenna shall be limited to no higher than 10' above the average tree height within a 20' horizontal radius of the faux tree but shall not exceed 34' high".

Staff Representative Lopez stated that they would be required to put an average tree height of 32' high. That will give them 10 additional feet to go above the tree height of the trees that are going to be planted within the 20 foot radius.

Chairperson Green-Wright asked Mr. Farraro if he had seen any churches behind Ketchum Towing that are taller.

Mr. Farraro stated that he encounter one small and did not see any significantly tall others.

Mr. Farraro stated that his client requests that he be compelled from merging these parcels mentioned in condition # 9.

Staff Representative Lopez stated that whenever staff gets a case that doesn't comply with development standards, staff make it a condition of approval. Like in this case, the lot size which are about 30 feet wide lots, that are currently owned by one owner and are physically use as one property, the lots as they currently exist are non-conforming. The minimum lot size for commercial is 10,000 sq. feet. So whenever staff gets the opportunity to bring a property into conformance typically it is made a condition of approval. Even though it is not related with the wireless facility it is conditioned to bring the property into conformance.

Commissioner Saunders asked if the lots were to be tie and sometime in the future they discontinue the use, if the lots could be subdivided.

Staff Representative Lopez stated that the lots will have to meet the minimum lot size.

The Property Owner, Mr. Raymond Fautano, 410 N. Bowen Ave., was concerned about his property taxes if that will affect his property taxes.

Staff Representative Lopez stated that when you merge the properties you end up with one parcel, which means that it will only be one tax bill.

Mr. Farraro stated that if the condition can't be waived, if it can be modified to read that it subject to Tax Assessor's Office not reassessing the property at higher rate.

Commissioner Turner moved to modify Condition #3 and remove Condition #9. The motion was seconded by Commissioner Hill. **Condition #3 was modified and Condition #9 was removed** unanimously.

Commissioner Hill clarified that Condition #3 be modified to read "That the maximum height of the faux tree including any attached equipment including but not limited to: antenna, panel, and parabolic antenna shall be limited to no higher than 10' above the average tree height within a 20' horizontal radius of the faux tree but shall not exceed 42' high.

Staff Representative Lopez stated that 32 and 33 should be revised to read should it be required by the Fire Department.

There being no further comments, Commissioner Darden moved to close the public hearing regarding Conditional Use Permit Case No. 2634/Variance Case No. 2635. The motion was seconded by Commissioner Saunders and carried unanimously.

Commissioner Saunders moved to approve Conditional Use Permit Case No. 2623. The motion was seconded by Commissioner Hill. **Conditional Use Permit Case No. 2634/Variance Case No. 2635 was approved** unanimously.

8) <u>CONSENT AGENDA</u> (A Review of Previously Approved Cases)

It was moved by Commissioner Darden that the consent agenda be approved. The motion was seconded by Commissioner Turner and the consent agenda was approved unanimously

(a) <u>Conditional Use Permit Case No. 2441/Variance Case No. 2442</u> – a review of Resolution Nos. 3704/3705, adopted March 17, 2004, which granted **Tower of Faith** permission for a church and parking modification at **2111 East Rosecrans Avenue**, Compton, in a C-L zone.

<u>Plans were approved by Building and Safety in June 2008. Send letter to applicant regarding status.</u>

<u>Continue to December 9, 2009.</u>

(b) Conditional Use Permit Case No. 2458 — a review of Resolution No. 3713, adopted June 9, 2004, which granted the **Olson Group** permission for a Planned Unit Development (PUD) at **509 N. Tamarind Avenue**, Compton, in a C-L zone.

Project is under construction.

Continue to December 9, 2009.

(c) Conditional Use Permit Case No. 2540/Variance Case No. 2541 – a review of Resolution No. **3784**, adopted June 14, 2006**,** which granted **AMB Properties,** permission for a truck trailer storage lot with landscaping modifications at **1601 S. Anderson Avenue,** Compton, in a M-H zone.

Project is under construction.

Continue to December 9, 2009.

(d) Conditional Use Permit Case No. 2575 – a review of Resolution No. **3820**, adopted December 13, 2006**,** which granted Froilan and Maria Sanchez**,** permission for a two-lot subdivision with width modification at **533 W. Caldwell Street**, Compton, in a R-A zone.

Final map is in Public Works.

Continue to December 9, 2009.

(e) Conditional Use Permit Case No. 2585 – a review of Resolution No. **3828**, adopted June 13, 2007, which granted **Pastor Steven Randle**, permission to construct a 4-unit residential structure at **2301-07 West Compton Blvd.**, in a C-L zone.

Plans were approved by Building and Safety in September 2008. Send letter to applicant regarding status.

Continue to December 9, 2009.

(f) Conditional Use Permit Case No. 2589/Variance Case No. 2590 – a review of Resolution No. **3828**, adopted June 13, 2007, which granted **Bishop Richard Sanders**, permission for a Planned Unit Development (PUD) at **930 W. Compton Boulevard**, in a C-L zone.

Indefinitely on hold. The Community Redevelopment Agency is aggressively pursuing acquisition of this property.

Continue to December 9, 2009.

(g) Conditional Use Permit Case No. 2605 – a review of Resolution No. **3851**, adopted June 11, 2008, which granted **Hovannes Davitian**, permission to establish a large recycling collection/processing facility with buy back center at **3100-3108 North Alameda Street**, in a M-H zone.

Project is currently in Building plan check.

Continue to December 9, 2009.

(h) Conditional Use Permit Case No. 2612/Variance Case No. 2613 – a review of Resolution No. **3852**, adopted June 11, 2008, which granted **Moses L. Collins**, permission to expand church facilities in an existing building with a parking modification at **1500 South Long Beach Blvd.**, in a C-L zone.

Submitted to ARB, no action in the last 6 months. Send Letter re: status.

Continue to December 9, 2009.

8) OLD BUSINESS

Resolutions for Previous Items

9) NEW BUSINESS

Staff Representative Morris made announcements:

1. Thursday, June 18, 2009 – Scoping Meeting—the purpose of the Scoping Meeting it's a prior to the approval of the North Downtown Specific Plan and it's an opportunity for residents, property owners, and business owners to affect the environmental impact report that will be prepared on the project.
2. Thursday, June 11, 2009 – 11:00 a.m. to 4:00 p.m. -- The Planning and Economic Development Department and Fire Department along with Wesco Distribution Company are hosting an Open House Summit themed Go Green.
3. Monday, June 29, 2009 – 2:30 p.m. -- The Planning and Economic Development will sponsor an Hour of EZ Power, Chris West the Deputy Director of the Division of Financial Assistance, State of California Department of Housing Community Development would be in town from Sacramento and will be a keynote speaker at this hour of power seminar
4. June 11, 2009 – 12:00 pm. -- Compton Father's Day Event at Wilson Park.

5. June 13, 2009 – Juneteenth Celebration at Gonzalez Park
6. June 19, 2009 – 10:00 a.m. -- Senior Citizens Bar B Que at the Dollarhide Center.

Staff Representative Morris stated that staff failed to put an item in the consent agenda, a project that has been reviewed for several years and that is 809 South Long Beach Blvd. and handed out the letter that had been submitted regarding his financial hardship. Ms. Morris mentioned that he was asked to appear at the meeting, but was unable. He will be sent letter to appear for the next Planning Commission meeting.

Staff Representative Morris announced that the Planning and Economic Development Department will have a new Director, Mr. Derek R. Hull, starting June 22, 2009.

10) COMMISSION COMMENTS

11) AUDIENCE COMMENTS

ADJOURNMENT

It was moved by Commissioner Turner that the meeting be adjourned. The motion was seconded by Commissioner Darden and carried unanimously.

DEREK R. HULL, DIRECTOR
PLANNING AND ECONOMIC DEVELOPMENT

JUANITA GREEN-WRIGHT, CHAIRPERSON

June 7, 2009

TO: MAYOR AND CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: ADDITIONAL AUDITING SERVICES COST

SUMMARY

Macias Gini & O'Connell has a contract to prepare the City's Annual Audit Reports for fiscal year ending June 30, 2008. Because of the change of Auditing firm and emphases placed on internal controls the City had a major cost increase.

BACKGROUND

Moreland and Associates has a three year agreement with the City of Compton to prepare its Annual Audit for fiscal years 2006-2007 through 2008-2009. Moreland and Associates has merged with Macias Gini & O'Connell.

A proposal was submitted for audit services and casino monitoring compliance for fiscal year ending June 30, 2008 at a cost of $196,250. This represented the first of a two year option to continue with auditing services.

There were challenges related to completing the financial statements, evaluating program income, loan receivable and reconciliation of the Risk Management Department.

The additional cost for the audit was $170,077.50. Of that total $106,556 will be charged to the General Fund, $40,886.50 will be charged to Community Redevelopment Agency and $22,635 will be charged to Workers Compensation Fund.

RECOMMENDATION

It is recommended that the City Council authorize the City Manager to pay the additional cost for the City Audits.

Willie Norfleet
City Controller

Charles Evans
City Manager

#3.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING MACIAS GINI & O'CONNELL TO PROVIDE AUDIT SERVICES FOR THE FISCAL YEAR ENDING JUNE 30, 2009

WHEREAS, Section 1419 of the City Charter of the City of Compton provides for employment of a qualified Accountant at the beginning of each fiscal year, who at such time or times as may be specified by the City Council shall examine the books, records, inventories and reports of all offices and employees who receive, handle or disburse public funds and of such other offices, employees and departments as the City Council may direct; and

WHEREAS, the City Council previously approved a three year agreement with Moreland & Associates with two one year options to prepare its annual audits for fiscal years ending 2006-2007 through 2008-2009; and

WHEREAS, Moreland & Associates has merged with Macias Gini and O'Connell

WHEREAS, Macias Gini & O'Connell has submitted a proposal for the City's Annual Audit Reports, Casino Monitoring Services, Comprehensive Annual Financial Report (CAFR), and City and PFA State Controller's Report for fiscal year ending June 30, 2009 at a cost of $245,500; and

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

Section 1. That fees of two hundred forty five thousand five hundred dollars ($245,500) to Macias Gini and O'Connell for auditing services for fiscal year ending June 30, 2009.

Section 2. That funds are available in the fiscal year 2009-2010 budget as follows:

ACCOUNT NUMBER	AMOUNT
10016500004262	$175,389
40006500004262	54,069
50006500004262	16,042

Section 3. That the City Manager is hereby authorized to execute the contract with Macias Gini and O'Connell to prepare the City's Annual Audits, Casino Monitoring Service, CAFR Presentation, and City and PFA State Controller's Report for fiscal year ending June 30, 2009 and during the current fiscal year.

Section 4. That a duly certified copy of the Resolution shall be filed with the City Controller's Office and the City Manager'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 _____, 2009.

_____
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 _____, 2009.

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

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

_____
CITY CLERK OF THE CITY OF COMPTON

July 21, 2009

TO: **MAYOR AND CITY COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MATADOR ENTERTAINMENT, INC. FOR THE COORDINATION OF THE MEXICAN INDEPENDENCE DAY CONCERT**

SUMMARY

The City Council will consider a resolution authorizing the City Manager to enter into an agreement with Matador Entertainment, Inc. for the coordination of the Mexican Independence Day Concert to be held September 13, 2009.

BACKGROUND

The Honorable Mayor and City Council have expressed an interest in sponsoring a concert that celebrates the cultural diversity within the City of Compton. In an effort to promote positive race relations, the City of Compton will sponsor the Mexican Independence Day Concert on Sunday, September 13, 2009 from 11 a.m. to 6 p.m. at the Compton Par 3 Golf Course. This large scale event is estimated to draw approximately 5,500 – 8,000 residents and will include live performances and entertainment. Inasmuch, the City deemed it necessary to utilize an event coordinator to successfully organize this event. Matador Entertainment, Inc. will serve as the event coordinator for the Mexican Independence Day Concert providing artists, marketing and promotional provisions, rentals and entertainment.

FINANCIAL IMPACT

The fiscal impact of the City Manager entering into an agreement with Matador Entertainment, Inc. for the coordination of the Mexican Independence Day Concert shall not exceed $160,000.00. Fiscal year 2009/2010 Non Departmental funds shall be allocated for said expenses.

#4.

RECOMMENDATIONS

Staff recommends that Council adopt the attached resolution for the establishment of an agreement between the City of Compton and Matador Entertainment, Inc. for the coordination of the Mexican Independence Day Concert.

CHARLES EVANS,
CITY MANAGER

ATTACHMENTS: **MATADOR ENTERTAINMENT, INC. PROPOSAL FOR THE MEXICAN INDEPENDENCE DAY CONCERT**

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MATADOR ENTERTAINMENT, INC. FOR THE COORDINATION OF THE MEXICAN INDEPENDENCE DAY CONCERT

WHEREAS, the City of Compton has one of the most diverse ethnic populations in the United States, including people of Latino, African American, Samoan, Caucasian and Asian decent; and

WHEREAS, celebrating the cultural diversity within Compton will foster harmonious and positive race relations in Compton; and

WHEREAS, on September 13, 2009, the City of Compton will sponsor the Mexican Independence Day Concert to be held at the Compton Par 3 Golf Course in the City of Compton; and

WHEREAS, the purpose of this event is to celebrate the cultural diversity of Compton residents and provide inter-group cultural exchanges among the citizens of Compton and surrounding areas; and

WHEREAS, the City Council of the City of Compton is planning to sponsor the Mexican Independence Day Concert with the aforementioned goals; and

WHEREAS, the Mexican Independence Day Concert will provide maximum marketing exposure and signage of the City, which in turn will promote "Birthing a New Compton"; and

WHEREAS, Matador Entertainment, Inc. will organize and provide in-kind services for the Mexican Independence Day Concert; and

WHEREAS, expenses related to the planning and organization of this event by Matador Entertainment, Inc. including advertisement, artist fees, rentals and entertainment will be incurred and expended during the 2009/2010 fiscal year.

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

SECTION 1. That the City Council of the City of Compton declares its intent to sponsor the Mexican Independence Day Concert to be held on Sunday, September 13, 2009 from 11 a.m.- 6p.m. at the Compton Par 3 Golf Course.

SECTION 2. That the City Manager is authorized to enter into an agreement with Matador Entertainment, Inc. for the provision of in-kind services and organization for the Mexican Independence Day Concert.

SECTION 3. That the City Manager is authorized to appropriate and expend fiscal year 2009/2010 funds for expenses incurred by Matador Entertainment, Inc. for the Mexican Independence Day Concert using Non Departmental accounts, which shall not exceed $160,000.00.

SECTION 4. That copies of this Resolution shall be sent to and copies filed with the Offices of the City Clerk, City Manager and the City Attorney.

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

ADOPTED this _____ day of _____, 2009.

_____
MAYOR OF THE CITY OF COMPTON

#4.

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 _____, 2009.

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

AYES: **COUNCIL MEMBER –**
NOES: **COUNCIL MEMBER –**
ABSENT: **COUNCIL MEMBER –**
ABSTAINS: **COUNCIL MEMBER –**

_____
CITY CLERK OF THE CITY OF COMPTON

PROPOSAL A-12009

PREPARE BY

KAREM FARELL

MATADOR
ENTERTAINMENT INC.

PRESENTED TO

THE CITY OF COMPTON

DESCRIPTION

PROVIDE A LIVE ENTERTAINMENT PRODUCTION

COMMEMORATING MEXICAN INDEPENDANCE DAY

EMBRAZING CULTURES

SUNDAY, SEPTEMBER 13, 2009

#4.

MATADOR
ENTERTAINMENT INC.

The Importance of Culture

The culture values of a community give it an identity of its own. A community gains a character and personality of its own, because of the culture of its people. The members of a city share cultures. It is learned and passed from the older generations to the newer ◦ ◦s. This is translated into symbols; Language, art, religion and music they serve as the s ◦bols between generations.

That is why this concert is important it bonds and ties people regardless of color or race together in a community. The customs and traditions that the people of a community follow, the festivals they celebrate, the kind of food they eat, and most important, the cultural values they adhere to, bind them together. The importance of culture lies in the fact that it is a link between people.

Sincerely,

Karem Farell

We are All Multiculturalists Now!

#4.

An Indian religious leader once said that "unity in variety is the plan of the universe." This statement definitely holds true today. Multiculturalism has transformed previously homogenous cities, regions and countries into complex meeting grounds for different ethnic, racial, religious and national groups, changing the political and cultural systems to accommodate this diversity. Multiculturalism has surely reshaped North American identity.

Initially a country of settlers, the United States is now a nation of immigrants. J. Hector St. John de Crèvecoeur, a French-born American farmer, was the first to evoke the "melting pot", a proverbial image of "American" identity. As "Americans" we possess flexible and fluid identities because we live in "multiple worlds." The fusion of these worlds creates a variegated quilt of peoples. Barack Obama, a product of Kansas and Kenya by way of Hawaii and Indonesia is living proof of this multiculturalism in the leader of a country Jimmy Carter describes as not just a melting pot, but a "beautiful mosaic."

But are we are who we are *only* because of race and ethnicity? The answer is an emphatic no. We must take the concept of multiculturalism further so that we understand it as an academic, social and political phenomenon with the goals of inclusion and unity. From public policy proposals to curriculum innovations, an array of perspectives are being considered, fought over and decided by public opinion leaders and educators. Whether we like it or not, we are all multiculturalists.

As such, we experience American amalgamation everyday: the sound of Machito's music on the local jazz station, the taste of Asian fusion food or speaking spanglish on the street. Multiculturalism necessitates involvement. It is experienced. There is an old Chinese proverb: "Tell me and I forget. Show me and I remember. Involve me and I understand." If our aim is true understanding and equality, then it behooves us to experience diversity *diário*.

The Meaning of Mexican Independence Day

#4.

On the morning of September 16, 1810 in Guanajuato, Mexico Father Miguel Hidalgo prepared for mass as usual. His church was comprised of Mexicans from all walks of life: peasants, politicians and even wealthy hacienda owners. But this mass was to be very different from his previous ones. The time had come, he affirmed in his mind, to not just say but proclaim with a mighty cry: "…Mexicans! ..A new dispensation arrives today! Will you receive it!? Will you free yourselves!? We must recover the lands stolen from us! ..We must act at once! ..Defend your true rights as True Patriots! Death to bad government! Viva Mexico and its' independence!..." And thus began the Mexican Independence War with this now famous, "Cry of Dolores".

For 300 years the Spanish oppressed the Mexican people, which, by now were comprised of mainly Mestizos, Indians, and Criollos. The people no longer just attended mass together but fought together for freedom. After many battles and many martyrs Mexico finally achieved its independence on August 24, 1821. Father Miguel hidalgo himself became a general and eventually paid the ultimate price.
The Mexicans celebrate and honor all of those immortal heroes of their historic Independence.

We are at the dawn of the 20th century and have many things to celebrate. President Obama represents more that just "The First African-American" president. He represents the opening of even the highest office to anyone, irrespective of ethnicity. The great thing is, that the majority of the country isn't just "tolerating" this event
But celebrating it! And, while we celebrate his victory and what it represents for everyone, we must remember to celebrate everyone's unique culture and enjoy it!

Celebrations are made up of different colors, great food with different flavors, great music with different notes, and Great nations with different people! We are in fact entering a different time in our history and we must not forget
to celebrate it and ourselves!

#4.

MATADOR
ENTERTAINMENT INC.

Event Host
Rafael Mercadante & Roser

FEATURE ARTIST

Main Act
Ramon Ayala
Western Regional Music

Gloria Gaynor (Waiting on Confirmation)
Dance Music

DW3
R&B

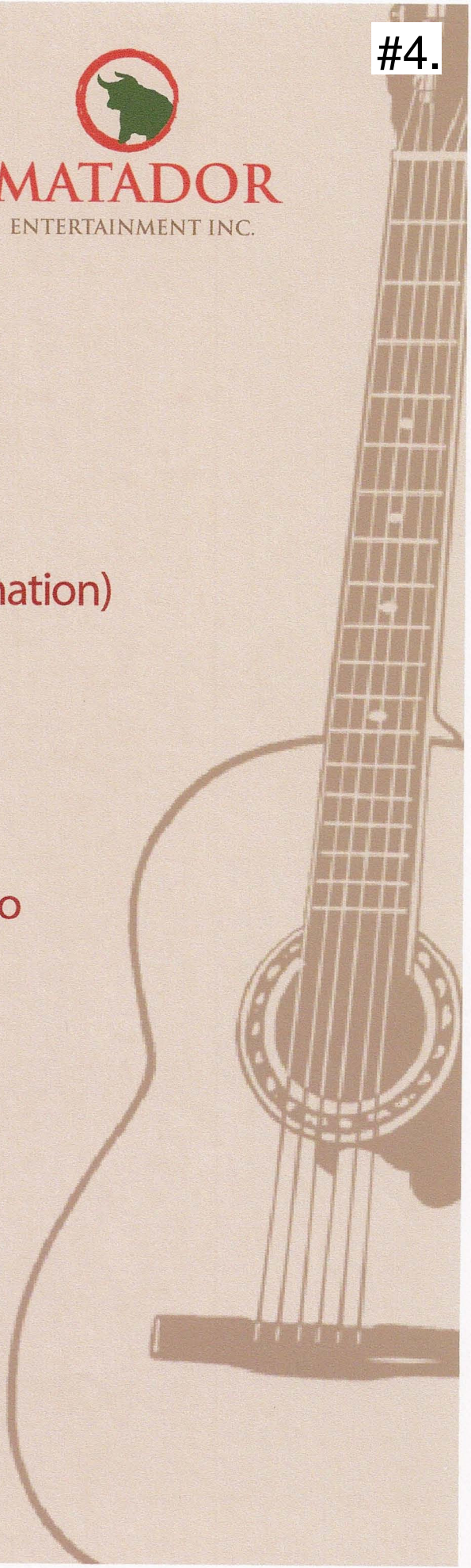
Mariachi Monumental de Mexico
Regional Mexican Music

Pilar Montenegro
International Latin

Tlanextli
Traditional Aztec Dancers

Siva Samoan (Sasa)
Traditional Samoan Dance

Lula Washington Dance
Traditional African Dance



#4.

Estimated Attendance 5,500 - 8,000

The City of Compton will receive 75% of ticket sales.

MATADOR ENTERTINMENT INC.

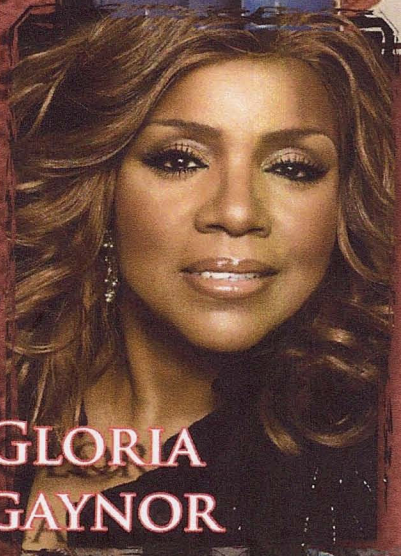
MATADOR
ENTERTAINMENT INC.

QUE BUENA 105.5 / 94.3 FM

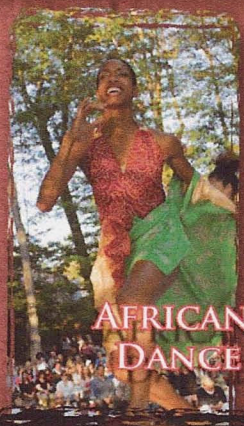
COMMEMORATING MEXICAN INDEPENDENCE DAY & EMBRAZING CULTURES

SUNDAY SEPT. 13, 2009 | 6400 E. COMPTON BLVD. COMPTON CA

RAMON AYALA
Y SUS BRAVOS DEL NORTE



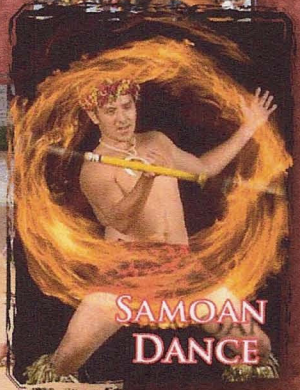
GLORIA GAYNOR



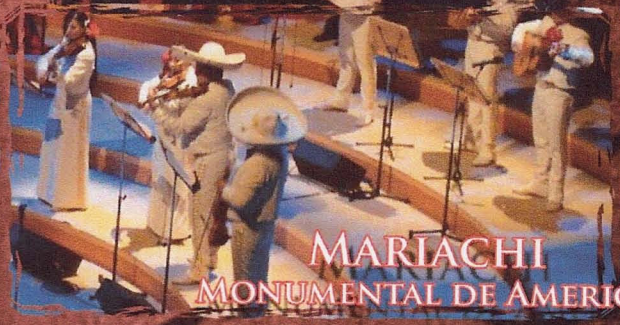
AFRICAN DANCE

TIERRA

AZTEC DANCERS

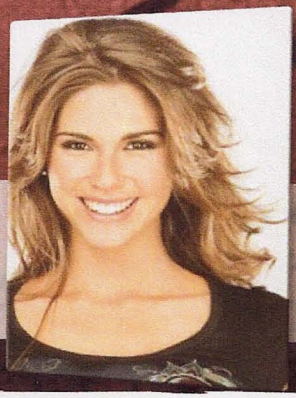


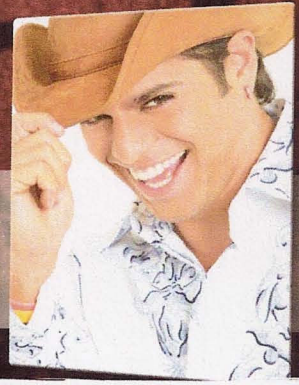
SAMOAN DANCE



MARIACHI
MONUMENTAL DE AMERICA

HOSTED BY ROSER AND RAFAEL MERCADANTE





#4.

RAMON AYALA

Ramon Ayala born (December 8th. 1945) in Monterrey, Mexico has mastered the artistry accordionist/vocalist/songwriter for over 40 years. Ramon Ayala has defined norteño music with signature songs and definitive instrumental styling that have made him a superstar on both sides of the El Rio Grande. Ramon, son of local musician Ramon Cobarrubias, began playing his favorite instrument, the accordion when he was six years old. Inspired and supported by his parents, he performed in different public places to help his modest family. His first band experience was a group called Los Jilgueros de Marin, later he joined Los Pavorreales. As a teenager in the early sixties, Ramon virtually invented modern conjunto music, teaming up with the late bajo sexto guitarist / vocalist Cornelio Reyna to form Los Relampagos del Norte, the duo forged a distinctive sound and compiled a roster of songs that have since been covered by countless artists in contemporary Latin music. Their first hit single "Ya no llores" was recorded in 1963. For the next eight years, Los Relampagos del Norte tore up the music charts by revolutionizing and re-inventing norteño music, a genre that was then considered exclusively cantina music. Ramon and Cornelio livened the music and lyrics in order to reach and appeal to more people. The talented duo recorded a total of 20 albums leaving behind many classics such as "El disgusto","Devolucion","Mi Tesoro","Tengo miedo",and many others. After Cornelio Reyna left to pursue his own ranchero career in 1971, Ramon Ayala set out to prove that he could make it on his own and formed the legendary band, Ramon Ayala y sus Bravos del Norte in late 1971. Early next year Ramon was growing and already making a name for himself with his new vocalist, Antonio Sauceda. Changes were yet to come, Antonio Sauceda showed a renewed interest in Christianity and decided to join a Christian seminary, this time Eliseo Robles joined the band, leaving behind the Satellite's de Fidencio Ayala (Ramon's brother). Together, Ramon and Eliseo, forged a partnership that artistically surpassed all others and that to this day still remains as the premier perfection of the genre. They created a style that became the standard for norteño music. During the Eliseo Robles years, Ramon Ayala y sus Bravos del Norte's album sales reached peak high in Mexico and the United States with hits such as:"Un rinconcito en el cielo","Chaparra de mi amor","Tragos amargos" and many others. In the mid-80's Ramon found himself again without a lead singer. Ego problems from Eliseo caused him to leave the band. Antonio Coronado became the fourth lead singer but although it looked like it was going to be a successful add, the same ego problems appeared and he only recorded 8 albums with the group. In 1993 was the arrival of the 5th and current lead singer, Mario Marichalar who brought a new style to the band, appealing to a younger generation. However, Ramon continues to be a classic singer who is remembered as one of the founders of the modern norteño music. Ramon has won and has been nominated for several Grammy awards. In 2001 Ramon was awarded with an American Grammy award for the album "En Vivo… El Hombre Y Su Musica". Ramon has also been awarded with two Latin Grammys' for the albums "Quemame Los Ojos" and " El Numero Cien". Ramon has been nominated for a total of ten times with both markets combined. Among the awards and recognitions he had received we can find: Mr. Amigo in Brownsville, TX. "La Diosa Musical" for his high sales, "Llaves de Cristal" in Monterrey, gold and platinum albums. His sales keep and average of 750,000 units per year. Ramon's performances range from 120 to 150 in both markets. He has more than 105 albums in his trajectory and he also took part in 13 movies, sharing credits with talents such as: Antonio Aguilar, Los Hermanos Almada and Cornelio Reyna among others. Ramon Ayala's influence on modern music cannot be overstated, as most norteño groups today use their style as their musical foundation to perform their songs. In sum, Ramon is one of the most memorable iconic super stars today. Ramon Ayala y sus Bravos del Norte are: Ramon Ayala, Fidencio Ayala, Jose Luis Ayala, Mario Marichalar, David Laure y Raul Rosales.

TIERRA

Tierra, the band named "Best R&B Vocal Group" by four leading magazines including Billboard. They started their career in East Los Angeles with a blend of rock, pop, jazz, R&B and salsa. The result was a Latin R&B rhythm which produced classics like "Together", "Gonna Find Her", "Memories" and "Zoot Suit Boogie". The band's quarter century commitment shows a dedication that can only be understood by listening to their smooth and soulful sounds.

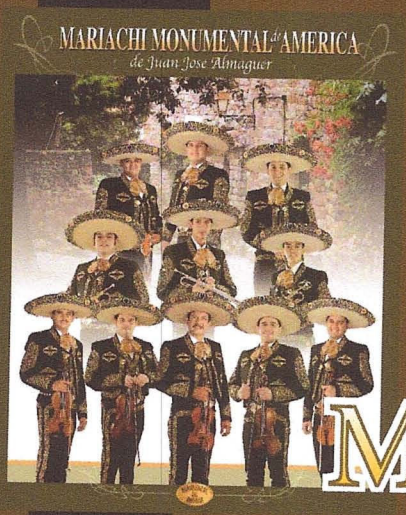
Tierra was the first Latino band to have four songs on the national chart and two simultaneously in the Top 100. They have performed in such prestigious shows such as Carnegie Hall, The American Music Awards, American Bandstand, and The Dorothy Chandler Pavilion.

Tierra is widely known to have played a role in opening doors for other Latino and non-Latino superstars of today, including comedian Paul Rodriguez, Arsenio Hall, Sheila E., Gloria Estefan, Los Lobos, Latino Comic of the Year, Rudy Moreno, and more.

#4.

DW3

Southern californias' own R&B, old school funk, dance and latin band! DW3 is widely known for their vocal abilities and their outstanding music. Members are the Mondragon Brothers Billy and eric and their cousin David on vocals. They are very prolific and have performed in various national and international venues.



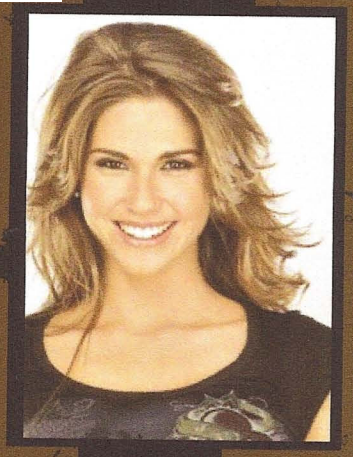
Mariachi Monumental De America

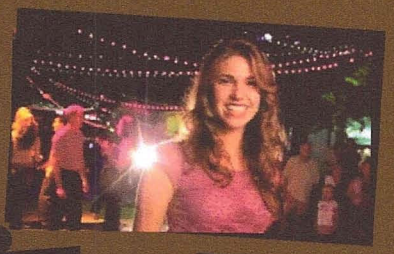
Mariachi Monumental de America, under the musical direction of Juan Jose Almaguer, was founded in 1995. Formerly known as Mariachi Sol de America de Juan Jose Almaguer, they are nationally recognized as a fine mariachi that captivates audiences with elegant, youthful, and energetic performances. Customers and audiences all over the nation applaud Mariachi Monumental de Americas impressive musicianship, performance, and professionalism. Mariachi Monumental de America provides an intense musical entertainment experience for the traditional, contemporary, classical tastes.

A combination of versatile individual talent, performance style, and passion for mariachi music, brings Mariachi Monumental de America to the national professional level. Among many elite performances, Mariachi Monumental de America has had the honor of sharing the stage with: Luis Miguel, Vicente Fernandez, Alejandro Fernandez, Juan Gabriel, Joan Sebastian, Pedro Fernandez, Ana Gabriel, Los Temerarios, Conjunto Primavera, Jaguares and many more.

In addition to this musical participation, Mariachi Monumental de América has performed at the following venues: Albuquerque NM Mariachi Conference, El Paso Texas Mariachi Conference, the Latin American Film Festival, Plaza de la Raza Mariachi Showcase, Universal Amphitheatre, Mariachi USA, Fiesta Navidad Tour with Mariachi Los Camperos de Nati Cano, Whittier Narrows Concerts hosted by "El Cucuy", Fiesta Broadway, Las Vegas, and many more.

#4.



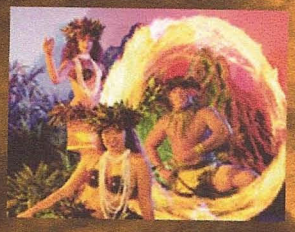


OUR HOST

ROSER

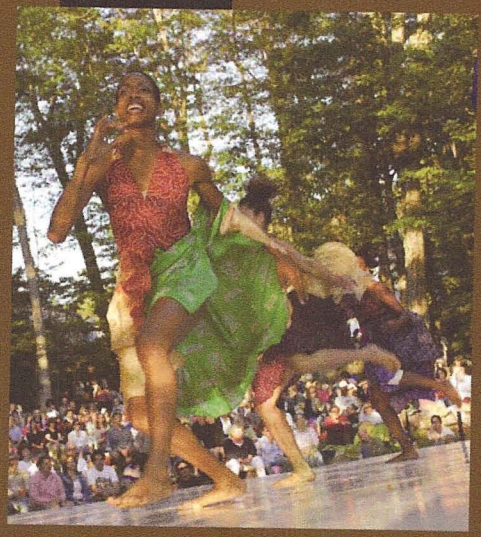
As the official VJ and host of the all-new relaunched version of Pepsi Musica, Roser showcases the music video countdown and dishes out exclusive scoop on todays music, lifestyle and youth culture every week on Mun2. During this live 2-hour bicoastal and multi -platform production, Roser guides you though videos and candid one on one interviews with artist of such caliber as Enrique Iglesias, Fat Joe, Kat de Luna, Daddy Yankee, Colby O'donis, Don Omar, among many others. Due to her exuberant personality, Roser has hosted special shows such as Live Earth, covered events like the New York International Film Festival, the Calle Ocho Music Festival or the Latin Grammys and has even been invited by Mun2's sister station Telemundo to present an award at the 2008 Latin Billboards.

SIVA SAMOAN SASA



Siva Samoa is the Samoan term for a Samoan dance. Traditional Samoan dancing is one area of the culture that has been the least affected by western civilisation. It requires the dancer to retain grace; movement of the arms and hands are done so in a subtle but delicate manner. In earlier times, high chiefs or matais performed this special dance but modern day it is performed by a taupou. A version of Siva Samoa, called Mak Sa'moa, is a popular traditional dance style in Western Samoa. Other forms of traditional Samoan dancing include the taualuga, siva afi, and sasa.

#4.



Lula Washington DANCE

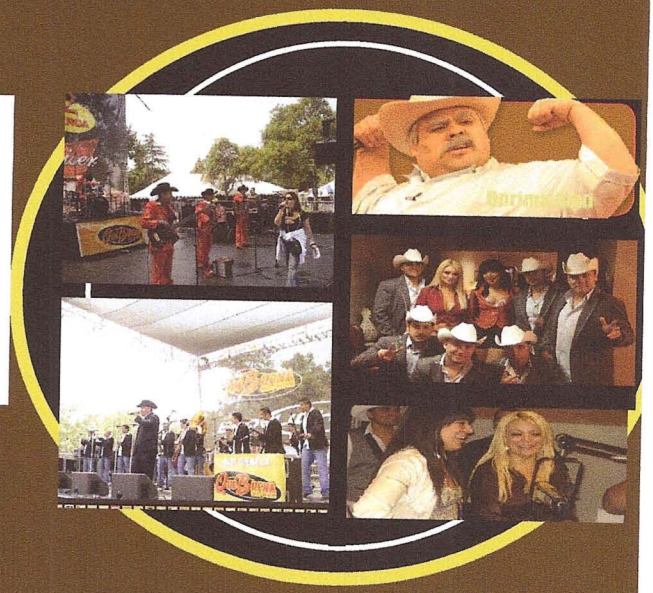
Traditional African Dance

The mission of the LWDT Dance Company is to operate a professional, internationally respected modern dance company committed to the highest artistic integrity and creative innovations interpreted through dance, and to reflect the African-American experience.

Through public performances and community outreach, we seek to build bridges between people of different cultures and ethnic backgrounds. Through our school and educational programs, we aim to inspire and educate children throughout Los Angeles and across the United States. Our goal is to keep young people off the streets by giving them creative alternatives to drugs, gangs, violence and failure.

The primary goal of the LWDT School is to provide the excellent training needed to develop well rounded dancers with expertise in modern, jazz, ballet, African dance, tap and other dance styles.

MATADOR ENTERTINMENT INC.



Que Buena 105.5/ 84.3

A Classic radio station in los angeles. It features northern mexican regional music. It is know for participating in mant community events and for promotoing new up-and-coming acts. It has branched out in to television like the "Dont Cheto Show". Always a hit with the latino community, it is staple in the Mexican radio markets.

#4.

EVENT CONTRACT 8495

Client / Organization	Event Date	Location
City of Compton 205 S. Willowbrook Ave Compton, CA 90220	September 13, 2009	6400 E. Compton Blvd Compton, Ca
	Description Outdoor Concert	Start 11:45am End 6:00pm

Service Items (Please see attachmet for details)

Artist Fees		Total Cost for Artist
Ramon Ayala Main Act Legendary Regional Mexican Western Music	$40,000	
Eric Benet R&B Singer	$25,000	
Tierra Chicano group	$6,500	
Mariachi Monumental De America Traditional Mariachi Music	$5,500	
Rafael Mercadante (TV HOST) MC	$5,000	
DW3 R&B Group	$3,500	
Margarita Luna International Singer	$3,000	
Samoan Dancers	$1,500	
Aztec Dancers	$1,500	
Traditional African Dancers	$1,500	
		$93,000
	Total Artist Cost	

1160 E. South St. Suite 2
Long Beach, CA 90805

Phone 424.224.1567
Fax 562.529.3617

www.MatadorEntertainment.net
events@matadorentertainment.net

#4.

ENTERTAINMENT INC.

EVENT CONTRACT 8495

Client / Organization	Event Date	Location
City of Compton 205 S. Willowbrook Ave Compton, CA 90220	September 13, 2009	6400 E. Compton Blvd Compton, Ca
	Description Outdoor Concert	Start 11:45am End 6:00pm

Advertisment Expense

Radio Stations	
Que Buena 105.5 Average Listeners 2.1 million daily	
La Ranchera 930 am KHJ	
La Rockola 96.7fm	
KJLH	
Total Cost	$22,347

1160 E. South St. Suite 2
Long Beach, CA 90805

Phone 424.22 7
Fax 562.529.3617

www.MatadorEntertainment.net
events@matadorentertainment.net

#4.

	Amount	Qty	Total
Extra Table, Linen, Canopy and Four Side Walls for Center stage	$ 75.00	1	$ 75.00
Generator Included in Showtime	$ 125.00	1	$ 125.00
Rentals	$ 1,675.00	1	$ 1,675.00
(25) 60" round tables with velum and umbrella for shade.			
(250) standard samsonite chairs			
Delivery, set-up & teardown of all rentals			
Moonbounce	$ 550.00	1	$ 550.00
Attendant			
Generator			
Bounce and Slide Dinosaur	$ 795.00	1	$ 795.00
Attendant			
Generator			
Delivery			
Trampoline Thing	$ 1,500.00		$ 1,500.00
Balloons	$ 1,185.00		$ 1,185.00
Balloon Arch			
(1) Balloon Arch in Red, Green and White.			
Balloon Strands			
(2) Strands towering the event and standing 20ft tall to mark the event area from blocks away. (depending trees or cable lines in the area, etc,)			
Balloon Puffs			
(2) Groups of 12 balloons to make a ball to accent the ticket booths and entrance area.			
Balloon Bunches			
(20) bunches of 6 balloons			
Delivery and Set-up			

Total	$ 5,905.00

1160 E. South St. Suite 2
Long Beach, CA 90805

Phone 424.2
Fax 562.529.3617

www.MatadorEntertainment.net
events@matadorentertainment.net

ENTERTAINMENT INC

EVENT CONTRACT 8495

Client / Organization	Event Date	Location
City of Compton 205 S. Willowbrook Ave Compton, CA 90220	September 13, 2009	6400 E. Compton Blvd Compton, Ca
	Description Outdoor Concert	Start 11:45am End 6:00pm

Matador Entertainment Fees

Cordinating and promoting event, media ads, marketing press releases TV ads, website hiring all acts, media exposure to the city of compton Work directly with broadcasting companies and scheduling meetings with all parties envolve in production Provide full time staff to launch a succesful event		
Please refer to attchments for detail description	Total Cost	$25,000

1160 E. South St. Suite 2
Long Beach, CA 90805

Phone 424 57
Fax 562.529.3617

www.MatadorEntertainment.net
events@matadorentertainment.net

#4.

Marketing and promotional	
Flyers	$ 1,000.00
Posters	$ 1,500.00
Ticket printing	$ 2,473.00
Advertising	$ 5,500.00
Event Staff	$ 2,500.00
Coordinated shirts	$ 250.00
Badges	$ 275.00
Miscellaneous	$ 250.00
Totals	$ 13,748.00

1160 E. South St. Suite 2
Long Beach, CA 90805

Phone 424.[illegible]7
Fax 562.529.3617

www.MatadorEntertainment.net
events@matadorentertainment.net

July 21, 2009

TO: MAYOR & CITY COUNCIL

FROM: CITY CLERK

SUBJECT: APPOINTMENTS OF BOARDS AND COMMISSION APPLICATIONS

Below you will find a list of applicants wishing to serve on various boards and commissions.

Name	**Board/Commission/Committee**
Acevedo, Elias	Oversight Committee, Parks & Recreation Commission, Loan Review Board, Housing Advisory & Appeals Board, Block Club Commission, Beautification Committee, or Employment & Training Advisory Council
Adams, Susan	Block Club Commission, Planning Commission Oversight Committee
Godoy, Mary	Oversight Committee
McKinley, Shanice C	Youth Leadership Council
Penniman, Sarah C	Beautification Committee
Rodriguez, Edith	Disability Commission
Townsell, Ruthie	Oversight Committee

If you require additional information, feel free to call my office at 310-605-5530.

_____
Alita Godwin, CMC
City Clerk

#

July 21, 2009

TO: MAYOR AND CITY COUNCIL

FROM: ALITA GODWIN, CMC, CITY CLERK

SUBJECT: REAPPOINTMENTS OF BOARDS AND COMMISSIONS

Below you will find a list of Commissioners whose terms have expired:

Beautification Committee

Name	Expired
Earl, Janet	6-30-09
Holbrook, Dolores	6-30-09
Hollis, La Florence	6-30-09
Keyes, Barbra	6-30-09
Smith, Joel	6-30-09
Youngblood, John	6-30-09

Disability Commission

Name	Expired
Hood, David	6-30-09

Loan Review Board

Name	Expired
Marquez, Rolando	6-30-09

Oversight Committee

Name	Expired
Soloman, Catherine	6-30-09

Personnel Board

Name	Expired
Baker, Ernest Jr.	6-30-09
Mitchell, Margaret	6-30-09
Quinn, Martha	6-30-09

#

Planning Commission

Name	**Expired**
Hill, Michael	6-30-09
Saunders, Kim	6-30-09

It is staff's recommendation that these commissioners/board members be reappointed.

_____

Alita Godwin, CMC
City Clerk

#

Monday - June 1, 2009

Mrs. Alita Godwin
CITY CLERK
205 S. Willowbrook Ave.
Compton, CA. 90220

Re: Letter of Resignation

Dear Mrs. Godwin,

It is with great reqret that I resign from the Youth Council Leadership Commission effective today. I have enrolled at Kitsap High School in another state up north and will not be able to attend any meetings.

As an experienced volunteer with the City of Compton, this opportunity has prepared me to achieve unlimited success gaining access to countless resources.

I enjoyed serving as a youth commissioner on behalf of my peers. I look forward to sharing all of my knowledge of youth in government throughout my educational endeavors.

If you require further information from me you may contact my sister, Gayle Pasi at (310) 605-5640 who will be happy to direct you accordingly. Many thanks.

Yours truly,

Kini Suelan Pasi
Youth Council Leadership Commissioner

cc: Lillie Dobson, 2nd District Councilwoman
Anthony Cartwright, Staff Member

Compton Police Services Feasibility Study Group

Report of the Compton Police Services Feasibility Study Group, Phase I

Joseph T. Rouzan, Jr.

Project Director

July 2009

#10.

JOSEPH T. ROUZAN, JR.
Project Director
Compton Police Services Feasibility Study Group

TO: MAYOR AND CITY COUNCIL

THROUGH: CITY MANAGER

SUBJECT: REPORT OF THE COMPTON POLICE SERVICES FEASIBILITY STUDY GROUP, PHASE I

DATE: JUNE 29, 2009

I have prepared this cover letter as a summary of the attached report, entitled: *Report of the Compton Police Services Feasibility Study Group, Phase I,* to provide you with an overview of our findings and recommendations.

Background

In June 2008, the City of Compton (Compton) entered into an agreement with Joseph T. Rouzan, Jr. to investigate the issues surrounding the current and future police services needs of Compton. Based on the demands of the agreement and the scope of services to be provided, I formed a group of experts in the field of law enforcement, research, and legal issues. That group has functioned under my direction as the Compton Police Services Feasibility Study Group (Study Group). The Study Group's goals were to i) provide an objective analysis of Compton's police services needs and ii) perform a non-biased evaluation of Compton's options for meeting those needs.

One of the central questions that the Study Group was charged with was: *If it is determined that it would be in Compton's best interest to reestablish a municipal police department, would it be feasible to do so?*

Over the course of the last 13 months the Study Group compiled and analyzed data from several sources, including Compton City records, Los Angeles Sheriff's Department (LASD) records, US Department of Justice records, and various criminal justice-related research reports. The Study Group also conducted interviews with former Compton Police Department officials, elected officers, administration managers, community business leaders, and residents to obtain information concerning their experiences, observations, and general input.

The Report

The attached *Report of the Compton Police Services Feasibility Study Group, Phase I* provides an assessment of the current state of police services in Compton. This report also provides recommendations intended to guide Compton in ensuring that its police services strategy is aligned with its overall civic strategy of "Birthing a New Compton."

Each of the Study Group's recommendations has a foundation in either experience or research. In other words, all of the recommendations are "evidence-based." The evidence for our recommendations comes from a broad range of sources. On the experience side, Study Group members have several decades of experience in leading public and private organizations, including law enforcement agencies. On the research side, Study Group members have several decades of experience in criminal justice and organizational development research activities, as well as addressing legal issues. Therefore, the Study Group's recommendations represent what are considered as the best and most promising practices of police services administration.

The target audiences of this report are Compton government officials, as well as interested members of the Compton community. It is hoped that this report will provide all concerned with a transparent and comprehensive overview of the issues relating to police services in Compton.

Community Policing

Between 1968 and 1973, three Presidential Commissions made numerous recommendations for changing the ways that police services were delivered in American communities. The recommendations from these commissions gave birth to the modern community policing movement. At its heart, community policing has two core principles: community partnership and problem solving.

Community partnership means that the police do not just provide law enforcement services to the community, but that they are actually a part of the community they serve. The central goal of community partnership is the establishment and maintenance of trust between the police and the members of the community.

Problem solving flows out of this partnership. As community members and police officers interact more, they begin to exchange information and insights regarding both criminal prosecution, as well as crime prevention. The end result is a proactive, empowered approach to police service delivery in which neighborhoods become safer places as crime rates decrease. This is the Community Policing Model.

Finding 1: When reviewing the current state of police service delivery in Compton, the Study Group determined that the reestablishment of a municipal police department, functioning under the direction, leadership, and management of Compton's elected officials and City Administrators, and responsible and accountable to the citizens of the Compton community, would be in Compton's best interest.

It's important to point out that the Study Group is not stating that the LASD's delivery of police services to Compton has been inadequate. In fact, the LASD's delivery of police services to Compton has been in accordance with what Compton needed at the time of the original outsource contract with the LASD. However, the Study Group found that Compton's police services needs have changed since the time of the original outsource contract with the LASD. Compton's current and future police services needs would be better served by a police agency that was designed to be directly responsible and accountable to Compton's officials and the members of the Compton community.

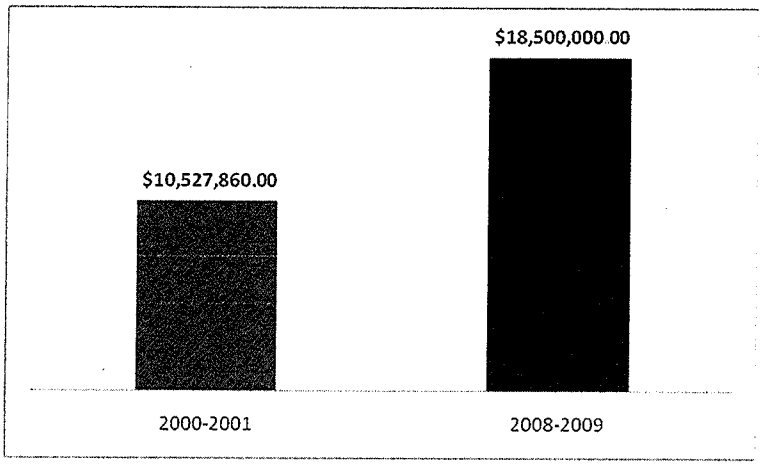
Fiscal Responsibility

During these challenging economic times, the wise and responsible approach for any organizational leader, especially those entrusted with the spending of public funds, is to be continually reviewing its expenditures and asking if the same or enhanced levels of service for less cost are now available to the Compton Community.

When Compton first outsourced its police services to the LASD in 2000-2001, the base contract cost was slightly over $10,500,000 for 10 months. Eight years later, the 2008-2009 contract cost was approximately $18,500,000 per year. This represents an almost 85% increase in the cost of providing police services to Compton. Figure 1 illustrates this dramatic growth in contract costs over the 8-year period for which the LASD has been providing Compton with police services.

The $18,500,000 cost shown in Figure 1 does not include an estimated additional amount of $500,000 that Compton anticipates paying the LASD for "specialized services" such as providing deputies for holiday parades (i.e., Martin Luther King, Jr., or Cesar Chavez day celebrations), DUI checkpoints, or other special events outside of patrol services. In sum, Compton officials estimate that they will be paying the LASD approximately $19,000,000 for providing police services in 2008-2009. This $19,000,000 pays for the equivalent of 77 deputies.

Figure 1. 8-Year Growth in LASD Police Services Contract Costs



Finding 2: The Study Group estimates that Compton would be able to operate a police force that is equivalently larger than the current police force being provided by the LASD at a lower cost.

The Study Group estimates that Compton would be able to field a police service that includes 85 police officers, for an annual cost of $18,000,000 or less. That amounts to 8 more peace officers in the Compton community, for $1,000,000 less in annual cost. Additionally, the Study Group found that Compton could anticipate receiving approximately $1,000,000 in supplementary revenues from fines, forfeitures, and grants if it reestablished its municipal police department. In sum, Compton could field a larger police force for almost $2,000,000 less per year in cost.

Recommendation

Based on these two findings, **the Study Group recommends that Compton strongly consider reestablishing its municipal police department to better serve its community policing needs and to reduce its annual expenditures.** We believe that such action would be in Compton's best interests.

Action Plan

If Compton's elected officials decide to reestablish its municipal police department, the following items need to be carefully considered:

- **Headquarters, command, and detention facilities.** The Study Group believes that the current LASD Compton Station would be an ideal facility from which the reestablished Compton Police Department (CPD) could operate. At the conclusion of the contract with the LASD, the property will revert to Compton ownership, therefore the only associated costs would be in refurbishing the facility to meet the needs of the new CPD.

- **Communications.** The Study Group found that there are several options for processing communications for the new CPD, including sharing the existing system of the South Bay Regional Communications Authority, which provides police communications for the neighboring cities of Gardena, Hawthorne, and Hermosa Beach.
- **Policing plan and deployment approach.** The Study Group believes that with a return of the new CPD to community control, the policing plan and deployment approach for the CPD will be determined by a collaborative effort between city officials, community and business leaders, and police administrators.
- **Equipment.** With the reestablishment of the CPD, Compton will be able to equip its officers with the state of the art tools and resources designed to enhance both public and officer safety.
- **Staffing.** With the recent layoffs of several agencies and organizations due to budget cuts, Compton will be able to hire both lateral and new police officers for the CPD from a large pool of qualified applicants. These applicants will be trained and led by experienced law enforcement supervisors and administrators.

Startup Funding

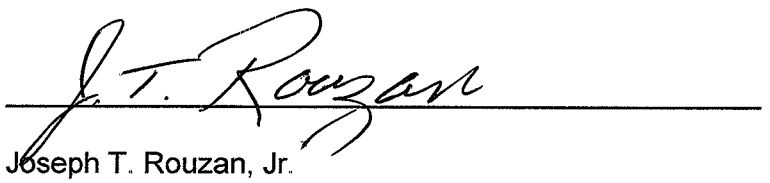
The Study Group estimates that it will take between 12 to 18 months to fully staff the CPD, depending on the initial levels of services desired by Compton. It is therefore imperative that should Compton decide to accept the Study Group's recommendations and reestablish the CPD, as soon as practically possible it must designate and make available the funds needed for startup and transition costs. Startup and transition costs include expenses incurred from activities such as a securing transitionary headquarters and housing facilities; obtaining necessary equipment and supplies; recruiting and hiring of department administrative staff; recruiting and hiring of lateral police officers; recruiting, hiring, and training of new police officers; and conducting community participation meetings and events. The funds for these considerations have not been identified to the Study Group.

Conclusion

The Study Group believes that this *Report of the Compton Police Services Feasibility Study Group, Phase I* provides a comprehensive assessment of Compton's police services needs, as well as a balanced evaluation of Compton's options. In recommending the reestablishment of a municipal police department, the Study Group believes that the citizens of Compton would be the biggest beneficiaries of such a decision. Not only would they regain local control and experience greater participation of the police in their community, but they would also receive enhanced police services for less cost.

There is of course the option that the City may want to continue outsourcing its police services. Several adjacent law enforcement agencies have expressed interest in providing these services to Compton, but as this was not in the scope of the contract, the Study Group did not pursue any of these interests. However, if the City wants to consider continuing to outsource its police services, the LASD, which is in place presently, may be the lead agency for continued outsourcing. They are presently in place and cost for services have already been identified.

Respectfully submitted,



Joseph T. Rouzan, Jr.

Project Director, Compton Police Services Feasibility Study Group

#10.

REPORT OF THE COMPTON POLICE SERVICES STUDY GROUP

Community Law Enforcement Needs and the Feasibility of Establishing the new Compton Police Department

Phase I Report
July 2009

I

The Mission of the Study Group

In June 2008, the City of Compton, California (Compton or City) entered into an agreement with Joseph T. Rouzan, Jr.[1] (JTR), a former law enforcement executive with more than thirty-five years experience as a police officer, commander and police chief, to investigate the issues surrounding the current and future police services needs of Compton. Based on the demands of the agreement and the scope of services to be provided, JTR formed a group of experts in the field of law enforcement, research and legal issues. That group functioned under the direction of JTR as the Compton Police Services Feasibility Study Group (Study Group) to study the feasibility and practicability of reestablishing a municipal police department (Compton Police Department or CPD). The study was to be conducted over a period not to exceed two years. The results of the study were to be provided to the City in two written reports (Report(s)).

The first Report (Phase I Report) is hereby submitted and provides the Mayor and City Council Members of Compton with information to allow them to determine the proper course of action for the City with regard to the following:

- *Are the citizens of Compton receiving law enforcement services consistent with community needs and interests, including the community's interest in having law enforcement activities in the City conducted under the direction, management and control of Compton's elected leadership?*
- *Will Compton's future law enforcement needs best be accomplished by continuing the present practice of outsourcing law enforcement or by reestablishing its own municipal police department?*
- *Is it financially and practically feasible for the City to reestablish the Compton Police Department?*

The Study Group will also deliver a second Report (the Phase II Report) upon being directed to do so by Compton's elected leadership. The Phase II Report will provide the Mayor and City Council with information regarding the steps necessary to implement formation of a police department, including information regarding proposed staffing, equipment, facilities and budgets.

In essence, the Phase I Report is intended to address the question of *whether* it is feasible for Compton to establish its own police department; the Phase II Report is intended to address the question of *how* such a department would be implemented at such time as Compton's elected leadership decides to go forward.

Unlike other communities considering whether to establish police departments for the first time, Compton has had a long and successful history with its own community police department.

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[1] Mr. Rouzan has served in a number of executive law enforcement positions, including Chief of Police of the City of Compton, Chief of Police of the City of Inglewood, a Commanding Officer in the Los Angeles Police Department and Executive Director of the Los Angeles Police Commission.

Compton is one of the oldest incorporated cities in Los Angeles County (1888), and was served by its own police department until 1999-2000, at which time Compton's former city officials disbanded the department and contracted for law enforcement services with the Los Angeles County Sheriff's Department (LASD).[2]

Compton has outsourced its law enforcement to the LASD for nearly a decade now; as a result, there is a substantial base of financial and operational data concerning the services provided, efficacy of those services and the cost to the community of using an outside contractor. This data, together with community input and information from public sources, including the United States Department of Justice and the Federal Bureau of Investigation (FBI), has provided the foundation on which the Study Group bases the conclusions expressed in the following Report.

II

Summary of the Phase I Report

The fundamental question addressed in this Report is whether it is operationally and financially feasible for the City to reestablish its own police department. The word "feasible" is used here in its dictionary sense, i.e., meaning "can be done with reasonable assurance of success." As to this question, the answer is "Yes, it can." Indeed, it is the conclusion of the Study Group that such a project is not only "doable" but could provide the citizens of Compton with enhanced law enforcement services under direction of the community's elected leadership at a cost comparable to or less than what the City is currently paying its outsourcing contractor.

Specific conclusions of the Study Group are as follows:

- **Community Participation and Safer Streets:** A reestablished Compton PD would allow the Mayor and City Council to identify community priorities and to significantly advance Compton's overarching goal of community development (a goal embodied in the City's current motto "Birthing a New Compton") by creating a model of community and police partnership (often called community policing). Under this model, the chief executive of a new Compton PD would be responsible and accountable to the City's elected leadership. Based on data reviewed, including studies by the United States Department of Justice, such a basic form of community policing is particularly effective in communities that have experienced increased levels of drug problems, gang activities and violence; the Study Group therefore concludes that this model assists Compton in abating these community concerns.

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[2] This Report does not address the issues that may have been involved in the decision to disband the former Compton police department other than to note that it was a political decision made by the City's elected leaders at that time. There has never been any finding by any state or federal agency, nor any prosecution alleging, that the department or members thereof were involved in criminal or corrupt activity, or that they were unable to serve the community. What is relevant about the history of the former Compton police department for this Report is the fact that Compton has had more than 100 years of history with its own police department and therefore, unlike other communities that are uncertain as to the shape or impact of a community-based police department, has institutional experience with community direction of policing, and how that direction translates into serving the citizenry.

- **Enhanced Service at Less Cost:** A reestablished CPD would provide accountability and more effective law enforcement services at less cost than continuing to outsource. When Compton initially outsourced its law enforcement services in 2000-2001, the base contract cost was approximately $10,500,000. For fiscal year (FY) 2008-09, the basic contract cost will be in excess of $18,500,000. This is a growth of over 85% in just eight years, a period in which the population of Compton has remained essentially the same.

Community Participation and Safer Streets

Compton is a racially and ethnically diverse community;[3] as such, issues of community control and law enforcement responsiveness to Compton's residents are of particular importance. In municipal police departments, direction and control is typically exercised through a chief of police who, in most cities (and particularly in California cities) is a department manager, accountable to the municipal director of public safety, city manager or mayor. Under these circumstances, city goals and priorities become the goals and priorities of the police agency, and management of the police agency can and should be held accountable for the implementation thereof. However, where law enforcement services are obtained by outsourcing to a larger agency, as is the current situation in Compton, either specific contract language or a high degree of cooperation between city officials and contracting agency leaders is required to ensure that the policing agency efficiently administers law enforcement operations in a manner that responds to the true needs of the City.

For more than a century, the citizens and government of Compton had a high degree of cooperation and involvement with their police department, a community based organization, under the direction of the City's elected officials and managed by its administration. This is no longer the case. Today, under the contract between the LASD and Compton, pursuant to which the LASD provides law enforcement services to the City (LASD Contract), the Sheriff of Los Angeles County has *sole and exclusive control* over how such law enforcement services are provided to and managed for Compton.[4] Efforts by Compton's elected officials to change this situation and arrange for even modest levels of community control—and LASD accountability to the community—have not been successful.[5] The manner in which the size and structure of the LASD affects direction and accountability compared to local control is shown in Figure 1.

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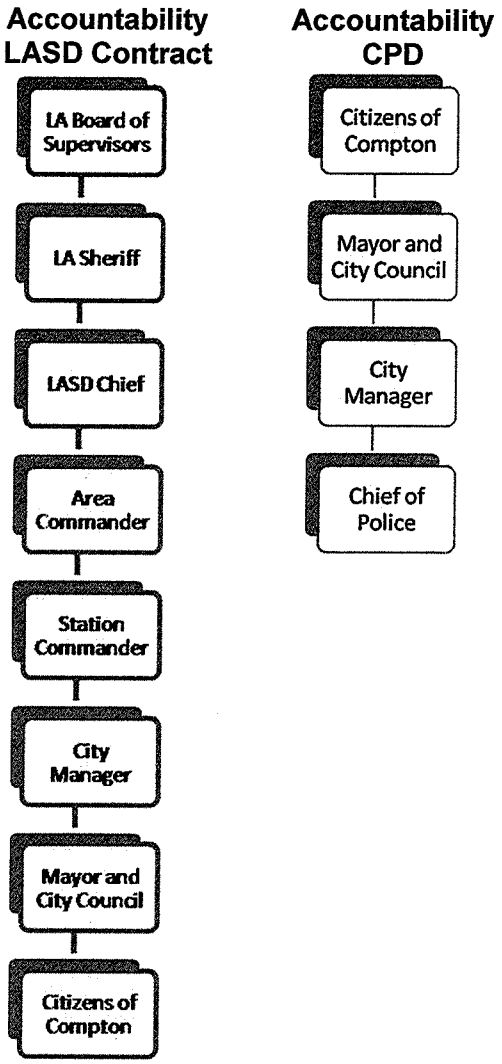
[3] The 2000 census reports Compton's demographic makeup: 40.0% African-American, 56.8% Hispanic, 1.0% White, 1.0% Pacific Islander, 1.3% other (http://www.comptoncity.org/compton/demographics.html).

[4] The LASD Contract, entitled "City-County Municipal Law Enforcement Services Agreement between Compton and the County of Los Angeles on behalf of the Los Angeles County Sheriff's Department," provides, in pertinent part, that the services be performed by the LASD and standards of performance, "shall remain" with the LASD, and that in the event of any dispute as to the level or manner of performance of law enforcement services, the Sheriff of Los Angeles County "shall have final and conclusive determination as between the parties."

[5] The 93,000+ citizens of Compton are only a small portion of the population served by the LASD in Los Angeles County. Population numbers, however, do not answer the question of whether serving a large county automatically renders a sheriff's department non-accountable to its constituents solely because of its size (http://quickfacts.census.gov/gfd/states/06/06037.html.

Figure 1: Law Enforcement Accountability to the Community



The effect of the kind of diffused accountability that results when a local community outsources to an exceptionally large public agency like the LASD is not an academic issue, but rather has very real consequences for everyday life in Compton. From 2000 to date, Compton has experienced substantially higher crime rates than comparable cities. These rates are reflected in the crime statistics for Compton and neighboring communities (see Figure 3). These higher crime rates may be due, at least in part, to fact that the LASD Contract provides exclusively for "patrol" services,[6] whereas other services, including criminal investigation and crime-prevention such as gang teams are either provided as part of the LASD's obligation to all cities in Los Angeles County, or are treated as "special services" for which Compton is charged additional sums over and above the base rate of the LASD Contract. In both instances, these services are provided at the discretion of the LASD at times and in the manner determined by the LASD

[6] Patrol services—an officer or officers in a patrol car—are the most basic of community law enforcement services. Patrol is the principal service for which Compton contracts with the LASD.

management rather than the Mayor or City administration of Compton.[7] The efficacy of law enforcement services provided in this manner, and without community input, is open to question.

What is not in question, however, is that, under the current outsourcing arrangement, Compton has been, and will continue to be, unable to implement community policing under the direction and leadership of City officials. For communities like Compton, the inability to direct their own law enforcement priorities is an impediment to improving both the actual levels of public safety and the public perception of safety in the community.[8]

For these and other reasons discussed herein, the Study Group concludes that it is indeed feasible for Compton to reestablish its own police department, and that such a department should be based on the "community policing" model.[9]

Enhanced Service at Less Cost

The value and importance of community control are only one part of the feasibility inquiry; however, of equal importance is the question of whether Compton can fund its own police department at reasonable cost to the community. The answer here, as in the first portion of this Report, is "Yes, it can."

The Study Group's conclusion that Compton can reestablish its police department is based on data examined with regard to the economy, unemployment, pool resources, community needs, financial resources, and what Compton is presently (2008-2009) paying to outsource its law

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[7] The LASD provides Compton with certain "County-wide" services, including homicide investigation, narcotics investigation, gang enforcement and internal investigations. Pursuant to the policy of the Los Angeles County Board of Supervisors, these so-called "direct to the public" services may be provided by LASD to every city in Los Angeles County, even those that have their own police departments, upon request. If it were not already contracting with the LASD, Compton would be entitled to this assistance just like every other city. The LASD assigns an arbitrary value to these services and, in the case of Compton (and presumably other cities to which the LASD provides law enforcement services under contract), determines that value by taking the percentage of the total LASD budget for these services and dividing it by Compton's percentage of certain crimes. Using this valuation theory, some have argued that the value of these special services is in the millions of dollars (Thompson, Cobb, Bazilio et. al. *City of Compton -- Study of Law Enforcement Services Alternatives*, November, 2004). Crime statistics, however, suggest that whatever arbitrary value might be assigned to these services, they are not being applied in a manner that best suits Compton's needs. See Figures 3, 4 and 5.

[8] This conclusion finds additional support in the current experience of the California city of Citrus Heights, a community comparable in size to Compton, which transitioned in 2006 from outsourcing its law enforcement with the Sacramento County Sheriff's Department to its own police department. The Citrus Heights Police Department is based on a community policing model. In the two years since the Citrus Heights department began operations, property crimes in the city declined 6.5% and violent crime decreased 17.4%. The Citrus Heights department is a full service police department, with patrol, investigation, SWAT, motorcycle and K-9 units. It is interesting to note that Citrus Heights has been able to accomplish this at a cost of approximately $17.3 million (2008-2009) of which more than $907,000 consists of grants, fines and forfeitures; as a result, the actual impact on the city's budget is approximately $16,400,000. Because Citrus Heights is comparable in size to Compton, these figures are particularly probative.

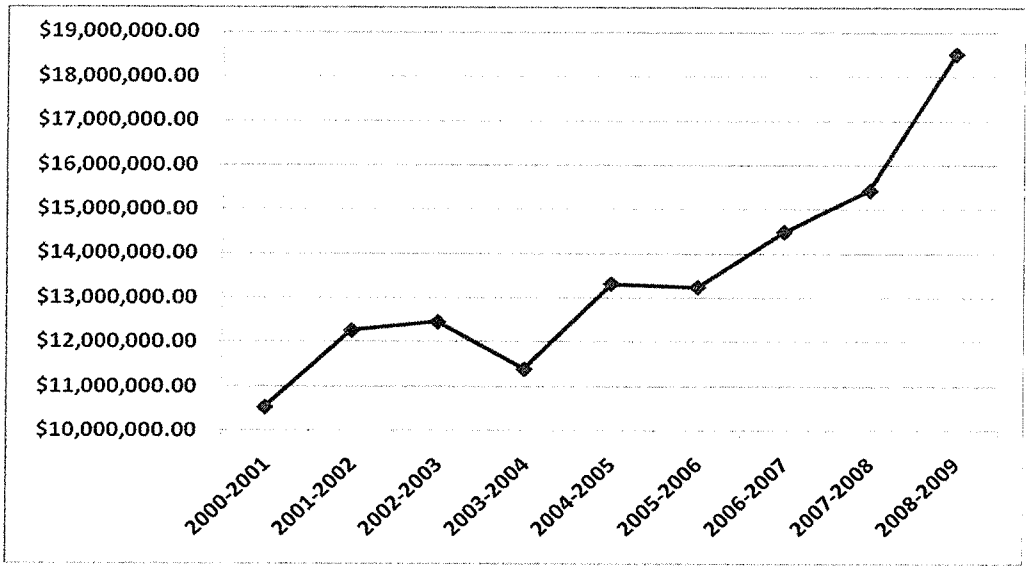
[9] 9 See *Understanding Community Policing*, U.S. Dept. Of Justice, Bureau of Justice Statistics, 1994 ("Effective community policing depends on optimizing positive contact between patrol officers and community members.") Applied to Compton these principles mean that a reestablished Compton Police Department will be able to optimize positive contact between officers and citizens, and to control the composition of forces (i.e., numbers of officers assigned to any particular function at any particular time) as well as the deployment of those forces (i.e., number of officers per shift or officer/investigator concentrations in high crime areas).

enforcement services and what it will have to pay in 2009-2010. These data indicate that a reestablished CPD will be more cost-effective than obtaining law enforcement services by outsourcing, and that Compton can fund the reestablished Compton PD. These data also indicate that Compton will be able to provide more police officers and an enhanced level of police services, which the Mayor and City Council have deemed are critical to the Compton community, at a cost comparable to or less than the cost of continuing to contract with the LASD.

When Compton first contracted with the LASD in 2000-2001, the base contract cost was slightly over $10,500,000.[10] For FY 2008-09, the basic contract cost was in excess of $18,500,000 (see Figure 2). This represents a cost growth of over 85% in just eight years, a period in which the population of Compton has remained essentially the same. Moreover, the figures cited here are for the standard law enforcement services that the LASD provides; these costs are subject to increases for special services such as DUI checkpoints, parade security and special enforcement teams. Charges for contract "extras" add significantly to the total actual cost to the taxpayers of Compton of LASD services.[11]

Compton officials estimate that, under the current LASD Contract, it costs the City, on average, approximately $240,000 per year for each LASD patrol deputy.[12] Compton is also subject to certain county-wide pay raises granted by the LA County Board of Supervisors to its employees.

Figure 2: LASD Contract Expenses FY 2000-2001 through FY 2008-2009



One of the most basic functions of any municipal government is to utilize its inherent "police power" to "protect the public health, safety, morality and general welfare" of its citizens.[13] In the

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[10] We note, however, that the contract period was slightly less than 12 months.

[11] In FY 2007-2008, Compton paid specialized law enforcement actual annual invoices totaling $1,489,324.

[12] Contract City Law Enforcement Rates as published by the Los Angeles county Auditor-Controller for FY 2008-2009 show a range of costs from $235,235 to $244,709 per year for one deputy service unit 40 hours per week. Supervisors, including sergeants, lieutenants and captains, are on a separate compensation scale.

United States, cities typically exercise this power either through the operation of an independent municipal police department or by obtaining such services through a larger police agency—either a county sheriff (as in the case of the LASD) or through multi-jurisdiction police departments.[14] In either case, law enforcement organizations embody the state's "monopoly on the legitimate use of force" and are the primary guardians of life, liberty and property.[15] The key issues for city managers are local direction, management and control, and the willingness and ability to promptly respond to the needs of the community being serviced.

In the case of Compton, a primary goal of City management is to utilize the City's central location in Los Angeles county[16] to attract businesses, increase jobs and provide affordable housing. Compton's Mayor and City Council have launched a new initiative called "Birthing a New Compton." This initiative is built around the concept of the "City and community working together" to make Compton an American success story. Key to achieving this vision is an understanding that, first and foremost, Compton must not only be perceived as a safe place to work and to live, but it must be so in fact.

What this means in a practical sense is that Compton's first and overarching priority is to implement effective and highly visible law enforcement for its citizens. Accomplishing this priority means putting the right number of police officers in the right locations at the right times to prevent or solve crimes, remove career criminals from the community, and ultimately create a safe city.

From the public's perspective, preventing and reducing the real risks of criminal victimization "is the most important and most distinctive contribution that the police make to a community's well-being.[17] In practice, what this means is reducing the overall crime rates in the city. In the case of Compton, any reduction will impact the community's perception of public safety, and any significant reduction will change public perception and convince the community that Compton is indeed a safer city.

Unfortunately, the present figures concerning crime rates in Compton compared to neighboring cities do not reflect the substantial reduction necessary to improve public perception. This is shown in Figure 3, which compares the *per capita* crime rate of Compton to crime rates in surrounding cities for 2005.

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[13] McCarthy, David and Reynolds, Laurie, *Local Government Law in a Nutshell*, 2003.

[14] For example, the Miami-Dade Police Department is the largest police agency in the southeastern United States and provides both municipal police and sheriff services to Miami-Dade county and four contracting municipalities.

[15] Moore and Braga, *The Bottom Line of Policing (What Citizens Should Value (and Measure) in Police Performance*, Police Executive Research Forum, 2003.

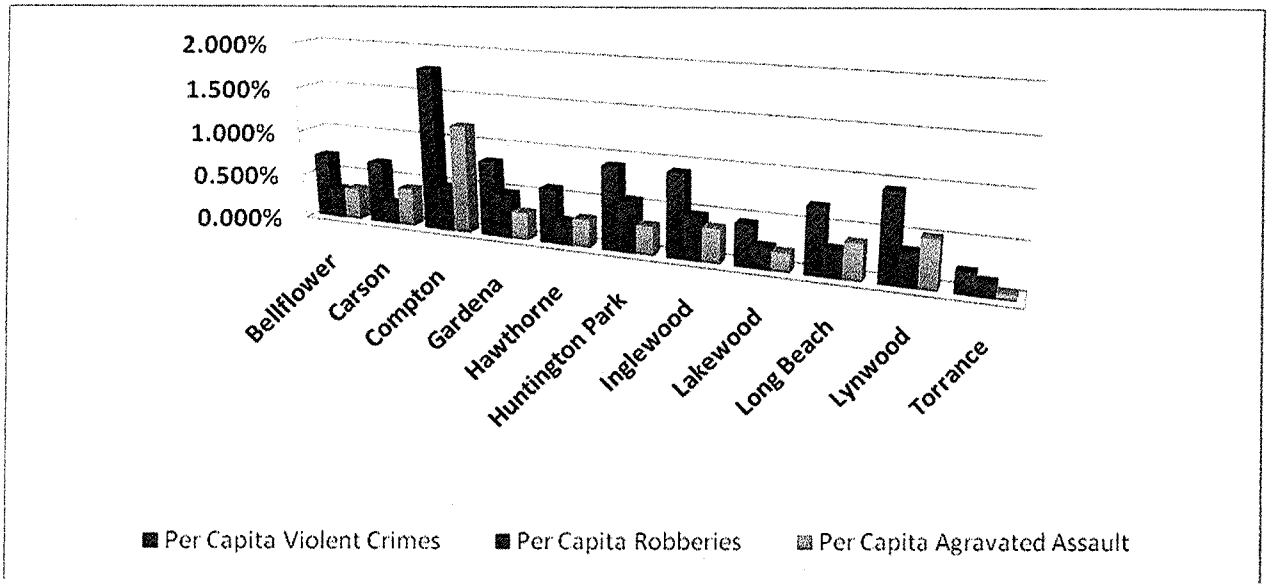
[16] Compton is often referred to as the "Hub City" because of its unique position in almost the exact geographical center of Los Angeles county. Compton is strategically located along the Alameda Corridor, passageway for up to 25% of all U.S. waterborne trade. As a result of these factors, Compton is rapidly emerging as a large industrial center for transit and distribution.

[17] Moore and Braga, *The Bottom Line of Policing*, supra at 15, citing Blumstein, Cohen & Nagin, *Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates*, National Academy of Sciences, Washington, 1978.

The Study Group believes Figure 3 is particularly illustrative of the challenges facing Compton, because surrounding communities such as Gardena, Hawthorne, Inglewood and Torrance, for example, have many of the same socio-economic indicators as Compton.

Notwithstanding these similarities, however, where the neighboring community (i.e., Gardena or Inglewood) directs and controls its own law enforcement, the statistics indicate a significantly lower *per capita* crime rate than Compton. These figures impel the conclusion that when the community directs and controls its own law enforcement, such management is reflected in improved and improving crime rates. This, in turn, leads to public perception that the community is in fact a safer place.

Figure 3: Comparison of Per Capita Crime in Compton versus Surrounding Cities



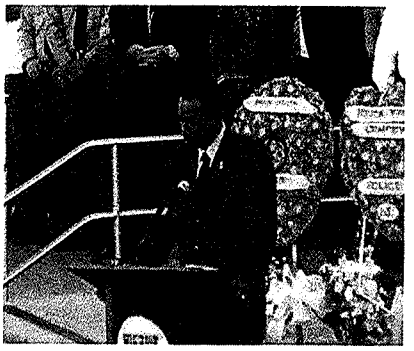
Source: US Department of Justice 2005 Crime Statistics

[Note: Per capita figure is derived from dividing the number of crimes by the city's population. The larger the percentage, the more crimes committed per person.]

The lesson of Figure 3 is that there is a very apparent link between community control and reduced *per capita* crime. This is a lesson of particular importance to Compton.

Data examined for this Report suggests that a significant factor in Compton's continuing high crime rates relates to the current practice of using a reactive, patrol-based model to provide police services to the City. In a limited patrol-based model, law enforcement's principal focus is responding to calls for service from the public and patrolling active areas of the community. While this model is effective in responding to crimes as they occur, it has not been effective in Compton (as is apparent from Figure 3) in preventing criminal acts or reducing the overall crime rates. The reason for this, as explained by a United States Department of Justice report on community policing, is that "a large portion of serious crimes are not deterred by response

alone, even if that response is rapid."[18] Deterring crimes requires a plan that embraces a community policing model.



Thus, the Study Group conclude—and recommends to the Mayor and City Council—that if they decide to reestablish the City's own police department, Compton base this department on a model that focuses on proactive means of enforcement that seeks *crime reduction and outright crime prevention*. The crime statistics for the years in which Compton has been contracting-out its law enforcement show that the current enforcement model—which focuses primarily on patrol services—has not produced the results consistent with the goal of "Birthing a New Compton."

Community Direction and Accountability

In its monograph on community policing, the United States Justice Department describes the movement to community policing in terms that could have been written specifically for Compton, including the following: "Policing strategies that worked in the past are not always effective today...The desired goal, an enhanced sense of safety, security, and well-being, has not been achieved...Many urban communities are experiencing serious problems with illegal drugs, gang violence, murders, muggings and burglaries...The family unit is not as stable as it once was. Single working parents find it extremely difficult to spend enough time with their children, and churches and schools have been unable to fill this void...In this rapidly changing environment, where police cope with an epidemic drug problem, gang activity, and increased levels of violence, the concept of community policing is taking hold...*Community policing is democracy in action*. It requires active participation of local government, civic and business leaders, residents, churches, schools...and all who share a concern for the welfare of the neighborhood. *The implementation of community policing necessitates fundamental changes in the structure and management of police organizations*. Community policing differs from traditional policing in how the community is perceived and in its expanded policing goals...The police and the community become partners in addressing problems of disorder and neglect...[In community policing] the police work closely with all facets of the community to identify concerns and find the most effective solutions. *This is the essence of community policing*." [19]

Law enforcement in Compton during the period since the Compton police department was disbanded in 1999-2000 has followed a path very different from that of community policing. Law enforcement provided under the LASD Contract has consisted primarily of the traditional model of policing, namely, vehicle patrol by uniformed officers. Data gathered for this Report indicates that, since 1999-2000, the Compton community has generally not been involved in law enforcement nor has Compton City government been able to direct or implement any changes

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[18] *Understanding Community Policing,* U.S. Dept. Of Justice, Bureau of Justice Statistics, 1994.

[19] United States Department of Justice, Office of Justice Programs, *Understanding Community Policing*, Washington D.C. 1994. (Emphasis added.)

in the structure and management of the law enforcement services provided to the City. Structure and management of police services in Compton are solely and exclusively under the control of the Sheriff of Los Angeles County, and Compton's elected leadership plays only a very small role in this process.

The inability of Compton's elected—and community—leadership to exercise any control over the management of policing in its community makes it extremely difficult to apply an objective standard of performance and to thereby determine whether Compton is receiving effective law enforcement services for the $18,000,000+ it is paying per year.

The situation in Compton would be significantly different if the City's law enforcement agency was subject to administration and direction by the City's elected leadership. In cities with community control and community policing, accountability of law enforcement is a key element of the social contract between the citizens and their police. In an outsourcing model, the outside agency is not part of the community, and is not generally accountable to the community.

This is the situation in Compton today: under the governing LASD contract, the LASD is not accountable to the leadership of the Compton community and is not subject to performance standards. In fact, the LASD Contract specifically exempts the LASD from the obligation to meet any objective performance standards (or in fact any standards other than its own), and further provides that, in the event of any dispute between Compton and the LASD regarding the nature, extent or effectiveness of the LASD law enforcement services, it is the Sheriff of Los Angeles County, not the elected officials of Compton government, who shall make the "final and conclusive determination between the parties".[20] This is the opposite of what happens in a community-controlled police department where the Chief of Police is accountable to the elected leadership of the municipality (and to the community at large) for how his or her department performs.

The National Advisory Commission on Criminal Justice Standards and Goals[21] has identified standards for measuring whether a law enforcement agency is performing at (or above or below) the norm, and the effectiveness of such an agency in its operations.

The National Advisory Commission's criteria most relevant to Compton are:

1. **Crime prevention, reduction of fear of victimization and creation of feeling of personal security in the community.**
2. **Detection and Resolution of Crimes (crime clearance rates)**

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[20] See City-County Municipal Law Enforcement Services Agreement between Compton and the County of Los Angeles on behalf of LASD.

[21] Moore and Braga, supra at 18.

Application of these key criteria above to policing Compton during the time law enforcement was in the hands of its own police department and under the current outsourcing model illustrates significant differences in results and in the impact on the community.

1. Crime Prevention and Community Perception of Security

The subjective experience of personal security from criminal attack is often cited as one of the paramount objectives of any municipal police agency; as defined by the National Advisory Commission on Criminal Justice Standards and Goals, it is one of the key criteria that must be met in order to have effective local law enforcement.[22] It is this sense of safety that allows citizens to go about their lives with the reasonable degree of certainty that translates into positive feelings about the quality of life in their community. The most effective police agencies are those that are best able to instill this sense in the communities they serve.

Key factors in creating the requisite sense of personal and community safety—and hence that constitute standards for measuring police performance—are consistency, community engagement and removing fear of criminal victimization.[23] Consistency and community engagement requires police officers who are willing and able to immerse themselves in their assigned communities and who are committed (either personally or as a matter of police agency policy) to the long-term growth of these communities. *This duration of service is a key component of community policing.* Research has shown that the effective time necessary to achieve this community integration—and hence to implement effective community policing—is two to four years, depending on the initial state of the community and the degree of training of the officers involved.[24] Under the current LASD Contract, there is no requirement that any deputy spend any finite amount of time in Compton; Compton City administrators have informed the Study Group that anecdotal evidence indicates many LASD deputies are rotated out of the community after relatively short periods, in some cases as little as six months.[25] Irrespective of precise numbers, however, the fact remains that extended time in the community is a *fundamental requirement* for effective community policing. Where this time requirement is not implemented, as in Compton, the net result is that community participation is made more difficult, with concomitant reduction in the degree of community involvement with their law enforcement agency.[26]

The other factor in measuring community feeling of security is control (and removal) of things that trigger citizen fear, including open signs of disorder and increased risk, including public

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[22] Moore and Braga, *The Bottom Line of Policing*, supra at 20.

[23] These are the elements, along with community control, encompassed in the phrase "community policing." *See Understanding Community Policing,* U.S. Dept. Of Justice, Office of Justice Programs, Washington D.C. 1994. Irrespective of the terminology, the core elements of community policing invariably include community control and involvement. "Effective community policing depends on optimizing positive contact between patrol officers and community members." Report, *Understanding Community Policing,* U.S. Dept. Of Justice, Bureau of Justice Statistics, 1994.

[24] Ibid.

[25] Memorandum, Asst. City Manager re LASD Deputy Deployment, November, 2007.

[26] *Understanding Community Policing*, supra.

drunkenness, open prostitute solicitation, and gang presence.[27] While a patrol-based model can and should be effective against such open disorder, community policing allows such efforts to be focused on the elements of open disorder that are most disturbing to the community. Without the focus provided by community involvement, controls are the result of observations of officers on patrol and are, essentially, random in nature; such controls do not create the community/police cohesion that results from community input—i.e., focus patrol efforts on a particular location where prostitution is openly solicited—nor do they provide the community a sense that law enforcement problems are being solved.

2. Crime Clearance

Crime detection and resolution (crime clearance) is one of the standard measures of police effectiveness. To many citizens, resolving crimes and calling offenders to account is the most important standard because the apprehension of criminals empowers victims and helps them achieve closure resulting from their criminal victimization. Further, apprehending and removing repeat offenders from the community prevents them from committing additional crimes.[28]

Crime clearance rates are shown as a percentage comparing the number of crimes reported versus the number of crimes "cleared"(i.e., crimes where an offender is identified, arrested and prosecuted). A high clearance rate indicates that a police agency is solving most of the crimes in its jurisdiction; a low clearance rate signifies just the opposite. Of all the National Advisory Commission on Criminal Justice Standards and Goals, crime clearance is the most objective standard and provides the most probative evidence as to the efficacy of a law enforcement agency. In the case of Compton, crime clearance rates, as reported by the FBI, show that the crime clearance rates decreased dramatically after Compton disbanded its police department.

Figure 4 compares the homicide clearance rates in Compton during a period when it had its own community-directed police force to the homicide clearance rates under the current LASD Contract.[29]

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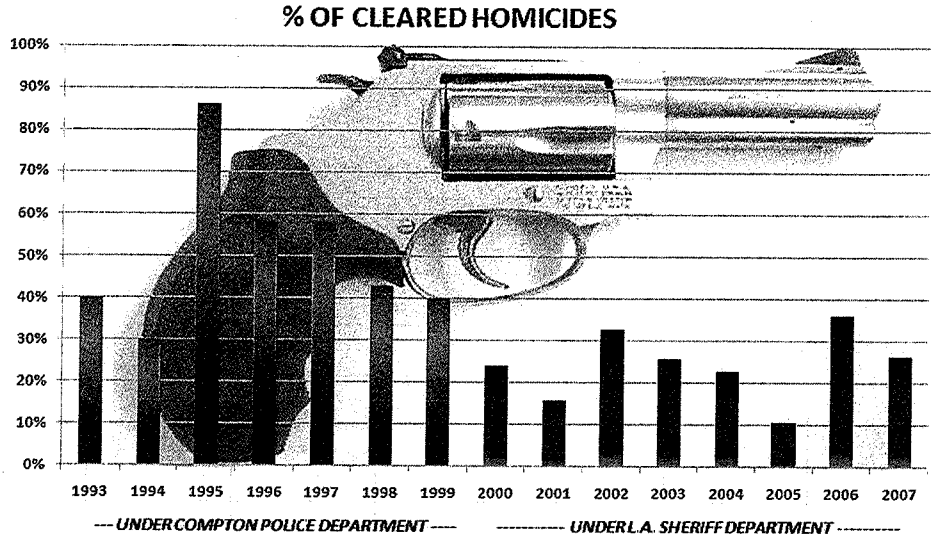
[27] Moore and Braga, *The Bottom Line of Policing*, supra at 19; see also Moore and Trajanowicz, *Perspectives on Policing: Policing and the Fear of Crime*, National Institute of Justice, Washington, 1988.

[28] Sampson, R. J., Raudenbush, S., & Earls, F. (1997). Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy. Science 277:918-24.

[29] Figures shown are taken from *Crime in the United States* (CIUS) an annual publication in which the FBI compiles volume and rate of crime offenses for the nation, the states, and individual agencies. This report also includes arrest, clearance, and law enforcement employee data. http://www.fbi.gov/ucr/ucr.htm#cius. Data for LASD clearance rates are found under LASD Annual Crime and Arrest Statistics at http://app1.lasd.org/mis/rdweb/index.htm .

Figure 4: Homicide Clearance Rates — Compton PD vs. LASD

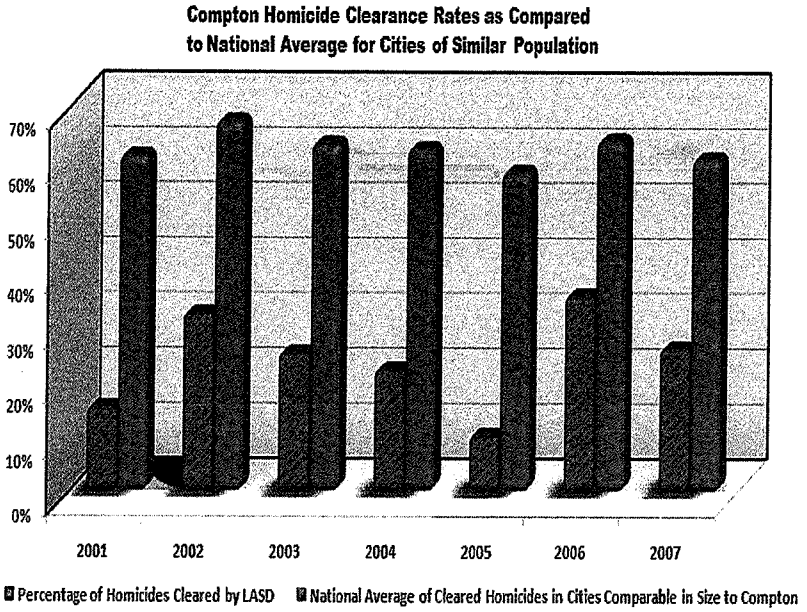


Source: FBI

As is apparent from Figure 4, when Compton supervised its own municipal police department, the average homicide clearance rate was over 50%, compared to an average homicide clearance rate of 24% after outsourcing to the LASD. In a City suffering a substantial number of homicides, such a precipitous decline in clearance rates may cause citizens to believe that their community is becoming more violent and more dangerous. This directly undermines a key goal of effective law enforcement, namely, creating the feeling of security in the community.

It might be argued that the below-average homicide clearance rates in Compton reflect a national or regional trend, and therefore should not be used to evaluate the performance of Compton's present law enforcement agency. The evidence, however, does not support such an argument. Rather, as shown by Figure 5 (a comparison of homicide clearance rates in Compton for the period 2001 to 2007 with homicide clearance rates for the same period in similar sized cities as compiled by the FBI), the statistical evidence makes clear that low clearance rates in Compton are not part of a national or regional trend, but are unique to Compton, and that Compton continues to lag well behind the national average.

Figure 5: Compton Homicide Clearance Rates as Compared to National Average for Cities of Similar Population



Source: FBI

Although the clearance rate showed some improvement in 2006, this appears to have been an anomaly, since clearances in 2007 fell dramatically.

The numbers tell the tale: out of 38 reported homicides in Compton in 2007, only 10 were cleared; the homicide clearance rate for 2007 was thus 27%. The national average homicide clearance rate for similar sized cities in 2007 was 60.5%.[30] The average homicide clearance rate during the last ten years that Compton managed its own police department was over 50.2%.

Figures 3, 4 and 5 make clear that Compton presently suffers from an unfortunate combination of high levels of violent crime (see Figure 3)—including the major crimes involving injury to the person such as rape, robbery and aggravated assault—coupled with low clearance rates (see Figures 4 and 5).

Violent crimes, along with major property crimes, are defined by the FBI as "Part I Crimes". Part I crimes are the most serious of crimes and involve the kinds of random violence that is particularly feared by ordinary citizens. These are the crimes that destroy the quality of life in the affected community.[31] Creating the perception—and reality—of a safer community

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[30] Average is based on Compton PD homicide clearance rates for the period 1990-1999.

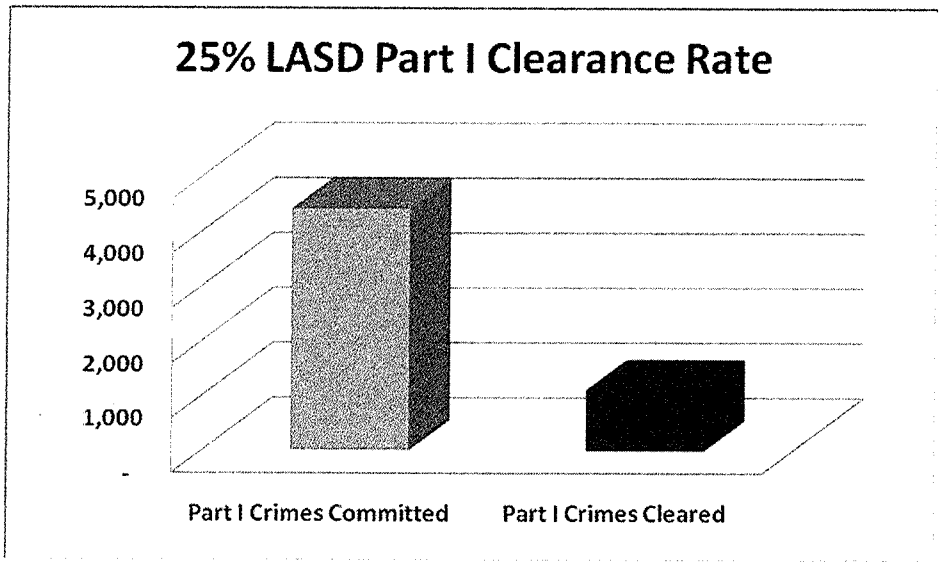
[31] The FBI defines the most serious crimes as Part I Crimes. Each jurisdiction/police agency is required to provide the number of these crimes report to the California Department of Justice and FBI annually. Part I Crimes include both major crimes of violence (i.e., threat or injury to the person) and major property crimes. Part I Violent Crimes include

means promptly addressing—and reducing—Part I crimes. Unfortunately, available statistics indicate that in Compton this is not happening.

In fact, according to statistics from the LASD, in 2007 more than *three out of every four major crimes in Compton went unsolved* (see Figure 6).

Because Compton continues to experience low clearance rates of Part I crimes, this significantly—and adversely—affects the quality of life in the community, and undermines the confidence of Compton citizens that their property and their homes are secure.

Figure 6: Compton — Part I Crimes Reported and Cleared, 2007



Source: Los Angeles County Sheriff's Department

Improving crime clearance rates is accomplished by quickly deploying criminal investigators to crime scenes to interview potential witnesses, identify criminal patterns and pursue investigative leads. The efficacy of such deployment is enhanced in a city with community policing, because it allows investigators to promptly draw on community input and participation, (often a principal source leading to clearance of the crime). Because Compton City administration is not provided information concerning deployment of non-patrol officers (the LASD Contract specifies only the 77 patrol officers and supervision to be provided, and specifically reserves to LASD management decisions regarding deployment of all deputies, whatever their function), Compton City officials cannot determine with any certainty just how criminal investigators are assigned or work in Compton. The only determinant available to the City is, of course, the evidence of whether crimes are cleared or not. Based on this information received from City management, as discussed previously, it appears that the deployment model being used by the LASD may not be as effective as a community policing model would be.

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homicide, forcible rape, robbery and aggravated assault. Part I Property Crimes include burglary, arson, theft, motor vehicle theft.

By contrast, a reestablished Compton Police Department, based in the City, would be able to field its own, community-oriented criminal investigators.[32] This will not only improve the time it takes to get investigators on the scene, but because these officers will be familiar with the Compton community, and, most importantly, because they will be working with the community as part of the community policing model, they will be able to develop local sources of information, a key to solving crimes.

The extent to which a police agency clears crimes in its jurisdiction is not an academic inquiry; the statistics concerning crimes—and resolution of those crimes—involve real people in their every-day lives, and determine the extent to which those people feel safe in their homes and secure in their property. Based on the data reviewed by the Study Group, including anecdotal input from elected officials, community leaders and clergymen throughout Compton, no single issue in this community is more important than the safety and security of the citizenry.

As is apparent from the foregoing discussion, meeting the law enforcement goals and expectations of Compton requires significant changes in the manner in which this community is policed and in police-community cohesion. While no one can successfully predict the future, the historical data concerning the nature and efficacy of operations of the Compton Police Department before 2000 provides a factual and statistical basis for the Study Group to conclude that if Compton were to have its own community police "on the street" in 2010 and going forward, Compton would be more likely to achieve its paramount goals of law enforcement accountability, improved crime clearance rates and enhanced community feeling of security.

This Report now turns to examination of the feasibility of funding such a police department.

III

Funding the Reestablished Compton Police Department

The answer to the question of whether Compton can afford to operate its own reestablished Compton Police Department is "yes"—for an amount comparable to (or even less than) it is currently paying the LASD, Compton can fund a police department that will provide more police officers than are presently serving Compton under the LASD Contract.

In reaching this conclusion, the Study Group examined available data concerning the present LASD Contract pursuant to which Compton is outsourcing its law enforcement. That data indicates the following: Under the LASD Contract for FY 2008-2009, the LASD agreed to provide Compton approximately 77 assigned deputies, principally for patrol services and supervision of patrol services. The cost of these services is comprised of two elements: the base contract price and extra costs for what the LASD terms "specialized law enforcement

[32] Prior to the time it was disbanded, the Compton Police Department followed a practice of training its patrol officers in basic criminal investigation techniques. The notion here was to provide a means of immediate attention to major crimes and immediate collection of relevant information and/or evidence, thereby giving investigators a "head start".

services." Under the LASD Contract, the LASD is able to treat these "specialized" services—i.e., DUI checkpoints, parade control, helicopter services, etc.—as "extras", above and beyond the scope of the Contract, and is able to bill for them accordingly.

In light of the foregoing, Compton officials estimate that City will pay the LASD approximately $19,000,000 for FY 2008-2009, comprised of the base contract price for FY 2008-2009 of approximately $18,500,000, plus approximately $500,000 for additional specialized law enforcement services.[33]

Although detailed discussion of the structure and composition of a reestablished Compton PD is beyond the scope of this Report,[34] in general terms, the Study Group believes Compton would be able field its own police department comprised of 85 sworn officers (from police chief to patrol officer) at a cost comparable to—or less than—the City is now paying to the LASD for only 77 deputies.[35]

More important than numbers, however, is the fact that the officers in a reestablished Compton PD would be based in the Compton community and would remain part of that community throughout the terms of their service; such officers would therefore be expected to develop high levels of familiarity and cooperation with the citizens they serve. This is *significantly different* than the manner in which deputies are currently deployed in Compton, and should result in the enhanced efficacy of law enforcement in Compton, particularly as time results in greater and greater officer-community familiarity and interaction.

The conclusion that Compton can fund a reestablished Compton PD providing the community with more officers and enhanced police services at the same or less cost than it is currently paying to outsource its law enforcement is founded on the following assumptions:

- The reestablished Compton PD would be a full-service law enforcement agency providing the traditional array of services including patrol and criminal investigation.

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[33] Although the charges to Compton for specialized law enforcement services will depend on the scope of such services provided in any given contract year, over the last several years, charges for such services have amounted to between 2.5% and 3% of the total contract price. Thus, for example, in FY 2007-2008, Compton City records indicate that the City paid more than $400,000 of 2.6% over the base contract price for specialized law enforcement services. Applying this standard to FY 2009-2009 indicates that, if these "specialized services" are provided and charged on a basis consistent with the prior year, Compton will pay nearly $500,000 over the base contract, bringing the total payment to LASD for FY 2008-2009 to $19,000,000.

[34] Should the City Council direct the Study Group to proceed with the Phase II Report, these issues will be discussed in detail therein.

[35] The discussion of LASD service levels is based on the assumption that 100% of the LASD deputies assigned to, and paid for by the City of Compton, work solely and exclusively within the Compton City limits. LASD deputies assigned to Compton stage out of a building known as the LASD Compton Station; this building formerly housed the Compton Police Department and, under the LASD Contract, is provided by the City of Compton to the Sheriff's Department at no charge. The 2004 Thompson Cobb Report (pp. 13-14) states that approximately 82% of the law enforcement matters handled by deputies assigned to the Compton Station were within the city limits of Compton; assuming this figure is accurate, the question then arises whether some portion of the time spent by LASD deputies who are identified as assigned to Compton may be spent in performing duties in other communities. Were this the case, then the actual level of effective LASD personnel working exclusively in Compton should be reduced commensurately. The Thompson Cobb Report did not address this issue.

- The reestablished Compton PD would be staffed, at the commencement of operations, by 85 full-time sworn police officers and civilian support staff. The Compton PD will utilize a substantial reserve officer component.
- The reestablished Compton PD would consist of field services (patrol and other uniformed services, as well as street crime suppression teams, administrative/professional standards (administrative support to all commands, administration of department matters, internal affairs) and investigators.[36]

It is anticipated that a reestablished Compton PD would recruit new officer candidates, and sponsor them in one or more of the police academies recognized by California's Commission on Peace Officer Standards and Training (POST); upon completion of the academy, Compton would hire and field train such officers, especially as time progresses. For purposes of commencing operations, however, Compton PD would recruit and hire experienced officers serving in other departments. These officers would have the expertise and credentials necessary to begin work immediately.

Hiring experienced officers would, however, impact costs, since these officers would have attained seniority in their present departments and would have to be paid accordingly. In addition, inducing such officers to leave an existing employer for what is a new "start-up" police department may require financial incentives.[37]

Cost and Funding of a Reestablished Compton PD

As discussed previously, the reestablished Compton PD envisaged by the Study Group would consist of 85 sworn officers. After review of budgets for comparable police agencies as well as Compton's expenditures for police services in 1999 (the last full year of operation of the prior Compton Police Department), the Study Group estimates that Compton would be able to operate a reestablished police department at a cost (for its first full year of operation) of approximately $18,000,000.[38] The manner in which these costs break down by position and category of expense will be addressed in the Study Group Phase II Report.

It is important to note that when discussing a community-controlled police department, the cost of that department is not necessarily the same as the community's funding obligation. This is because once the budget (cost) of a department is established, there are a number of funding

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[36] In order to immediately implement an Investigative Services Command with experienced investigators (detectives) familiar with Compton, particularly gang and homicide investigators, Compton may employ a cadre of investigators retired from Compton and other neighboring police agencies on a limited-time basis.

[37] Los Angeles Police Department base pay for officers starts at $7,056 per month. Riverside PD ranges from $53,000 to $74,000. LASD base pay starts at $6,874 per month, and ranges up to $78,000 Torrance, a nearby community, is hiring lateral officers at a base rate of $65,000 per annum. Most competitive agencies are starting recruit officers at monthly compensation of approximately $6,000. After a probationary period, a 5% increase is typical. Lateral hires will typically be at the top of the compensation range. See, *Police Officer Compensation Survey,* The Blueline, www.theblueline.com/salary.

[38] 38 This discussion addresses costs of the first full year of operation of a re-established Compton PD. It is acknowledged that this agency will require time to "ramp up", that adjustments will be made as time progresses, and that full staffing, particularly in specialty areas such as gang enforcement or homicide investigation, will require substantial lead time for recruitment. During the period prior to full staffing, Compton anticipates it will receive support and assistance from LASD consistent with the current policy of the Los Angeles County Board of Supervisors.

sources available above and beyond the City's own tax revenues. These additional funding sources include state and federal law enforcement assistance grants, fines and forfeitures, education and training grants. During the period before the dissolution of the former Compton Police Department in 1999-2000, Compton received substantial funds from all of these sources. After 1999-2000, however, Compton has received little or nothing from such sources. The reason for this is that grants for local law enforcement agencies are either not available to Compton since it no longer has its own police department or, if available in some form or fashion, go directly to the LASD. The same is true of fines and forfeitures; previously, these went to Compton. Under the LASD Contract, fines and forfeitures generally go to Los Angeles County. This would change in the event Compton reestablished its own police department; in fact, based on the historical record of grants, fines, forfeitures and other revenues received by Compton in the last years of operation of its own police department, *a reestablished Compton PD could anticipate revenues from fines, forfeitures and state/federal grant funding, in excess of $1,000,000 annually.*

In light of the foregoing, the actual cost to the taxpayers of Compton for the first full year of their own police department would likely be approximately $17,000,000[39], a significant reduction over what Compton would have to pay the LASD for a substantially lower level of service. As a result, there does not appear to be a budgetary constraint on reestablishing a Compton PD of the approximate size and nature discussed herein.

IV

Considerations Regarding the Transition from the LASD to a Reestablished Compton Police Department

Transitioning from a very large, county-wide law enforcement agency like the LASD to a smaller, independent department such as a reestablished Compton PD will necessarily involve time, effort and cost. Although the reestablished Compton PD can and will draw on its extensive history in the community, the fact remains that, once the Compton's elected leadership makes a decision to reestablish its police department, this department would have to be built from the ground up. This would necessitate significant one-time start-up costs (i.e., non-operational costs) for such items as physical plant, facilities, equipment, communications, legal and support services; in addition, costs would be incurred for personnel recruiting and training, and for personnel costs during the time the LASD transitions out and Compton's own officers take over.[40] These start-up costs, including personnel training costs during the transition, equipment

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[39] These figures find additional support in the experience of Citrus Heights, noted earlier in this Report, which anticipates operating a community police department for a city of 85,000 population at a cost of slightly over $17,000,000, of which more than $900,000 would come from grants, fine and forfeitures.

[40] Consistent with the structure and staffing of the re-established Compton PD discussed in this Report, the Study Group concludes that a reasonable transition period from the LASD to a fully operating Compton agency would be ten to twelve months. During this period, the re-established Compton PD would acquire the physical facilities, equipment, and personnel necessary to commence operations in place of LASD.

and physical facilities would generally be treated as capital costs rather than operational costs funded as part of the regular, ongoing City budget.[41]

Considerations that will have the most significant impact on the cost of reestablishing the Compton PD include (i) department headquarters/facilities, (ii) communications, (iii) detention facilities, (iv) policing plan and deployment, (v) equipment and (vi) recruiting and training. These considerations are briefly described below to address their relevance to and impact on the question of the feasibility of reestablishing the Compton PD.

Specifics of how each of the considerations outlined previously will or should be treated on a going-forward basis is beyond the scope of this Report and will be, if the City Council so directs, discussed in detail in the Phase II Report. For present purposes, each of these considerations, in summary form, is as follows:

Department Headquarters/Facilities

The building currently used by the LASD as its Compton Station is the structure that was the headquarters of the former Compton PD. Under the LASD Contract, Compton has provided that building to the LASD at no charge and has paid for or reimbursed the LASD for a number of tenant improvements to the building, including furniture and fixtures. Upon termination of the LASD contract, this building will revert to the City and, it is anticipated, will return to its former role as the headquarters of the reestablished Compton PD. It is anticipated that a reestablished Compton PD will also make use of a law enforcement substation recently opened by the LASD in the southern part of the City.

Communications

Calls for law enforcement services in Compton are presently processed through the LASD communications system. There are a number of communications options available to a reestablished Compton PD, including development of a proprietary system, or contracting with the South Bay Regional Communications Authority (SBRPCA), as do the neighboring cities of Gardena, Hawthorne and Hermosa Beach. These cities obtained comprehensive 24/7 dispatch services for their police officers, and hence levels of service and costs to Compton should be comparable. The SBRPCA utilizes the Tiburon dispatch system with Automated Vehicle Monitoring and a complete CAD/RMS system, and is well known in the law enforcement field.

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[41] The actual costs for many of the categories (e.g. physical facilities, vehicles, equipment, etc. etc.) will be affected by decisions ultimately made by the command staff of the re-established department and hence are subject to change. The Study Group anticipates that many of the issues will be addressed in the Phase II Report. The Study Group does not expect that any such changes will significantly affect the overall cost, so that the conclusions presented herein would not be affected.

Detention Facilities

It is anticipated that Compton will detain arrestees consistent with other cities in Los Angeles County by using the Los Angeles County consolidated booking system. The facility currently used by the County in Compton for holding detainees, and its use by a reestablished Compton PD will be evaluated in terms of cost effectiveness and the impact on the efficiency of the Compton PD.

Policing Plan and Deployment

Pursuant to the community policing model suggested herein, the Mayor, Compton City Council and the command staff of the reestablished Compton PD would develop a community policing plan for the City. It is expected that such a Plan would draw on significant input from elected officials and community, business and religious leaders and, consistent with this input, will set forth specific policies and procedures, the parameters of community-police interaction, and policing priorities (patrol, crime prevention, selective enforcement teams, gang enforcement teams, etc.).[42]

Equipment

The specifics of police equipment will be addressed in the Phase II Report. For purposes of this Report, however, the Study Group believes it important to emphasize that because a reestablished Compton PD would begin operations with brand-new facilities and equipment, and because Compton would have the freedom to structure its own police agency and to tailor the scope of law enforcement services especially to the Compton community, Compton would have an unequalled opportunity to establish a "state of the art" law enforcement agency. This should improve the quality and efficiency of law enforcement in Compton from the outset, and should also demonstrate to the larger state—and national—community that things have indeed changed in Compton, and that the City's elected officials have in fact "Birthed a New Compton."

Recruiting and Training

Clearly enunciated policies and procedures are essential to any effective police department, but are particularly important in a community policing model. This is because the officers in a community-oriented department must clearly understand how to effectively interface with the community. The challenge for a reestablished Compton PD will be to ensure that not only do its new officers emerging from an academy understand the unique requirements of Compton, but that its lateral hires—officers who have been enforcing the law in communities using different standards and practices than will be used in Compton—are comfortable with policies and practices tailored to community policing. All of these should be reflected in police department manuals. The Study Group believes that such policing, procedures—and manuals —must all be

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[42] It is important to note that peace office candidates are subject to extensive pre-employment scrutiny, including an extensive background investigation. The level of inquiry for such a "background" is detailed, and requires substantial lead time, and cost to complete. In addition, California law requires medical and psychological examination. These requirements apply all sworn peace officers, whether new recruits, lateral hires or reserves. See Cal. Government Code §1031 and Cal. Penal Code §13510. Thus, as a prelude to any schedules for Academy and field training, a policing plan must factor in appropriate lead-time for conducting background investigations and qualifying officers.

in place before the time officers are hired, and must be used as an integral part of training Compton police officers. Manuals, policies and procedures must all be in clearly written format, and will establish the highest level of integrity within the entire police services system. The Study Group expects that management of a reestablished Compton Police Department would work closely with City officials and elected leadership to ensure the highest levels of integrity in the City's police services. Policies and procedures will be adopted and manuals prepared in conjunction with the Compton City Attorney and outside counsel.

V

Conclusion

For all of the reasons set forth in this Report, the Study Group concludes that it is indeed feasible for Compton to reestablish and to direct and manage its own police department. For most of its more than 100-year existence, Compton has had a rich history of close relationships between citizens and their local police officers. This relationship was founded on the fact that Compton police were subject to community control and that Compton police officers were themselves part of or thoroughly familiar with the Compton community. Restoration of this kind of relationship—and the improved public safety (and financial benefits) that will result—is well within the grasp of Compton today.

Compton has the economic wherewithal to establish an independent police department and, with such an independent police force in place, will be able to achieve significantly higher levels of law enforcement services that will materially assist changing the phrase "Birthing a New Compton" from a slogan to a reality.

There is of course the option that the City may want to continue outsourcing its police services. Several adjacent law enforcement agencies have expressed interest in providing these services to Compton, but as this was not in the scope of the contract, the Study Group did not pursue any of these interests. However, if the City wants to consider continuing to outsource its police services, the LASD, which is in place presently, may be the lead agency for continued outsourcing. They are presently in place and cost for services have already been identified.

Respectfully submitted,

COMPTON POLICE SERVICES STUDY GROUP

J. T. Rouzan

Joseph T. Rouzan, Jr.

Project Director

FUNDING DISTRIBUTION

DEPT:	Non-Departmental								
Obj. Exp. Code	Description	General Fund 1001	JAG 1057	Surplus Tax 1200	Retirement 2100	Debt Svc. Tax Alloc. 3001	Debt Svc. City COPS 3010	Rubbish Fund 5100	Debt Svc. Sewer Fund 5116
4171	OVERTIME	50,000							
4183	SEVERANCE PAY	400,000		150,000					
4191	HEALTH INSURANCE				3,960,000				
4216	PRINTING & DUPLICATION	10,000							
4217	PRINTING & DUPLICATION - OUTSIDE	30,000							
4219	MEM PUBLISHING	30,000		45,000					
4230	MAINT/REPAIR MATERIALS BLDG	45,000							
4236	MAINTENANCE & REPAIR	6,000		37,200					
4249	SPECIAL DEPARTMENT EXPENSE	2,186,263		72,882					
4250	COMMUNICATION	400,000							
4253	ELECTRICITY	900,000							
4256	GAS	115,000							
4259	WATER	84,690							
4262	OTHER PROFESSIONAL SERVICES	589,100		189,264		426,800			
4266	CONTRACT SERVICES	300,000			5,032,350				
4269	OTHER CONTRACT SERVICES	921,500		477,750			39,750		
4271	SHERIFF CONTRACT SERVICES	18,212,500	350,000						
4294	CONTINGENCY			245,000					
4297	DEBT SERVICE PAYMENT	312,812		430,782		9,895,467	2,600,000	700,000	700,000
4298	MISCELLANEOUS	50,000							
4332	OTHER STRUCTURES & IMP	100,000							
4334	MACHINERY & EQUIPMENT	30,000							

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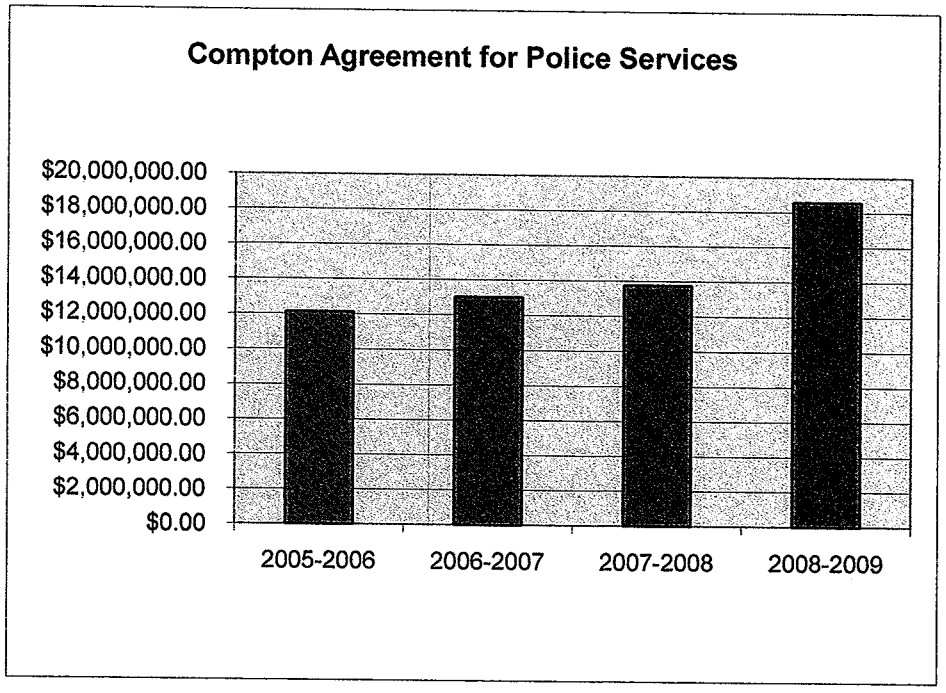
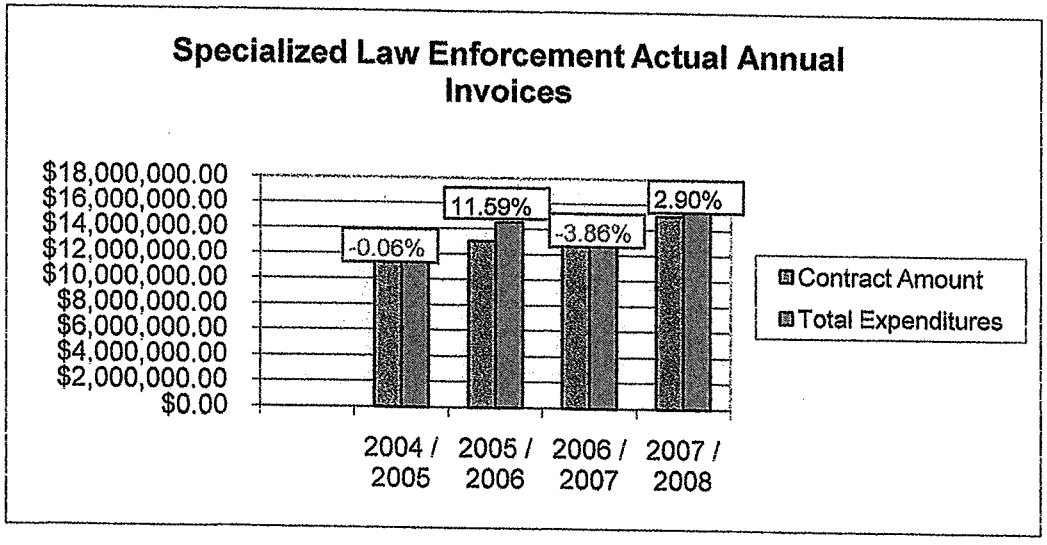
Compton Agreement for Police Services

Fiscal Year	Resolution	Amount of Contract
2005-2006	21,402	$12,113,405.00
2006-2007	21,754	$13,020,341.00
2007-2008	22,027	$13,770,314.00
2008-2009	22,407	$18,562,500.00
	Sub-total	**$57,466,560.00**



Fiscal Year	Contract Amount	Annual Actual Invoices	Specialized Law Enforcement Actual Annual Invoices	Total Expenditures	% Increase or Decrease of Contract
2004 / 2005	$12,113,405.00	$11,033,915.95	$1,072,667.25	$12,106,583.20	-0.06%
2005 / 2006	$13,020,341.40	$13,370,570.18	$1,158,915.83	$14,529,486.01	11.59%
2006 / 2007	$13,770,314.00	$12,768,511.32	$470,877.69	$13,239,389.01	-3.86%
2007 / 2008	$15,100,000.00	$14,048,034.70	$1,489,324.14	$15,537,358.84	2.90%
	$54,004,060.40	$51,221,032.15	$4,191,784.91	$55,412,817.06	2.61%



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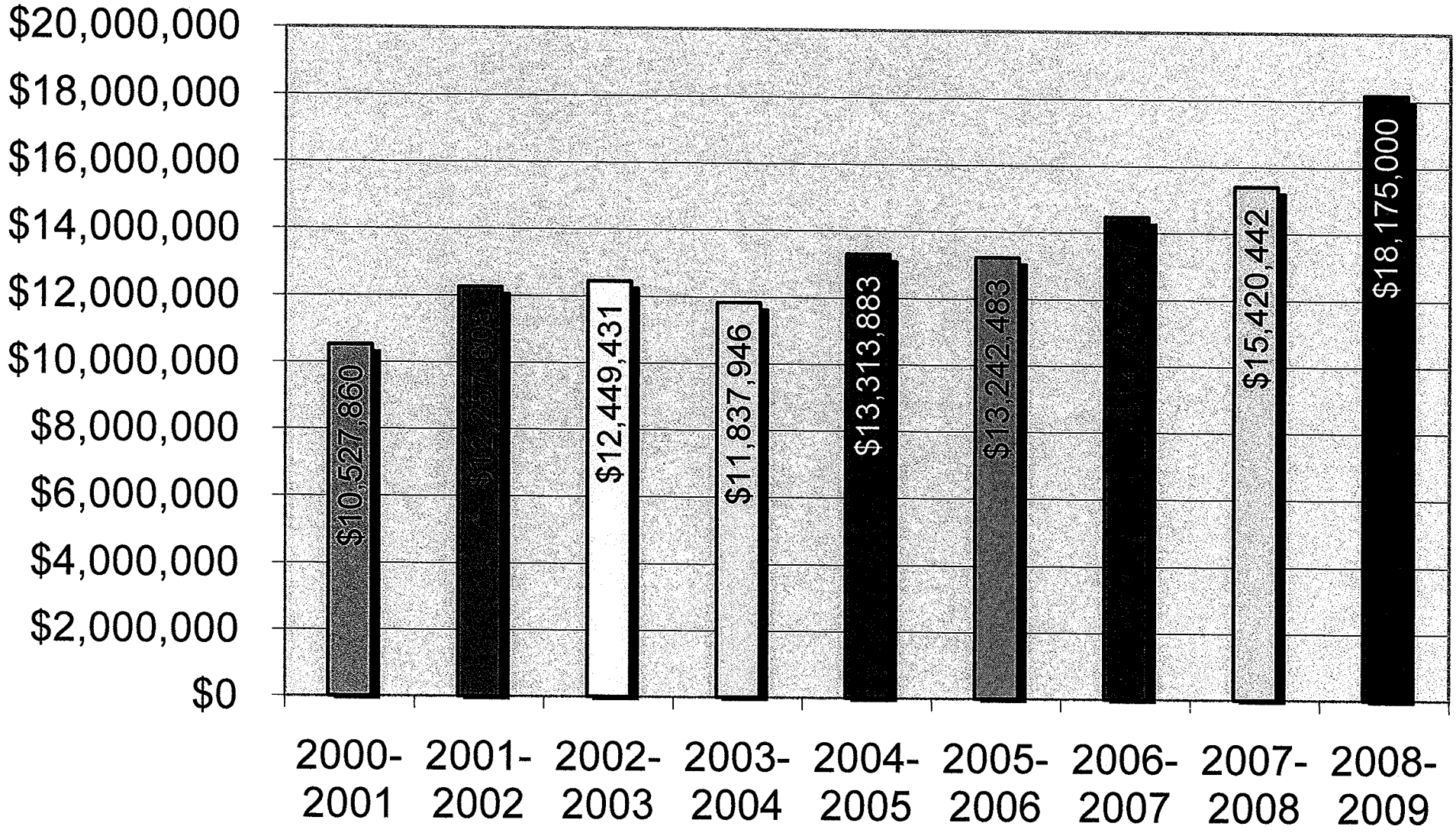
L.A. COUNTY SHERIFF'S PATROL SERVICES CONTRACT



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COPS

Office of Community Oriented Policing Services
U.S. Department of Justice

Community Policing Defined

Community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Community Partnerships:

Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to develop solutions to problems and increase trust in police.

- Other Government Agencies
- Community Members/Groups
- Nonprofits/Service Providers
- Private Businesses
- Media

Organizational Transformation:

The alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem-solving.

Agency Management

- Climate and culture
- Leadership
- Labor relations
- Decision-making
- Strategic planning
- Policies
- Organizational evaluations
- Transparency

Organizational Structure

- Geographic assignment of officers
- Despecialization
- Resources and finances

Personnel

- Recruitment, hiring, and selection
- Personnel supervision/evaluations
- Training

Information Systems (Technology)

- Communication/access to data

Problem Solving:

The process of engaging in the proactive and systematic examination of identified problems to develop effective responses that are evaluated rigorously.

- Scanning: Identifying and prioritizing problems
- Analysis: Analyzing
- Response: Responding to problems
- Assessment: Assessing problem-solving initiatives
- Using the crime triangle to focus on immediate conditions (victim/offender/location)

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- Quality and accuracy of data

Community Partnerships

Collaborative partnerships between the law enforcement agency and the individuals and organizations they serve to develop solutions to problems and increase trust in police.

Community policing, recognizing that police rarely can solve public safety problems alone, encourages interactive partnerships with relevant stakeholders. The range of potential partners is large and these partnerships can be used to accomplish the two interrelated goals of developing solutions to problems through collaborative problem solving and improving public trust. The public should play a role in prioritizing public safety problems.

- **Other Government Agencies**

Law enforcement organizations can partner with a number of other government agencies to identify community concerns and offer alternative solutions. Examples of agencies include legislative bodies, prosecutors, probation and parole, public works departments, neighboring law enforcement agencies, health and human services, child support, ordnance enforcement, and schools.

- **Community Members/Groups**

Individuals who live, work, or otherwise have an interest in the community-volunteers, activists, formal and informal community leaders, residents, visitors and tourists, and commuters-are a valuable resource for identifying community concerns. Partnerships with these factions of the community can *engage* the community in achieving specific goals at town hall meetings, neighborhood association meetings, decentralized offices/storefronts in the community, and team beat assignments.

- **Nonprofits/Service Providers**

Advocacy and community-based organizations that provide services to the community and advocate on its behalf can be powerful partners. These groups often work with or are composed of individuals who share certain interests and can include such entities as victims groups, service clubs, support groups, issue groups, advocacy groups, and the faith community.

- **Private Businesses**

For-profit businesses also have a great stake in the health of the community and can be key partners because they often bring considerable resources to bear on problems of mutual concern. Businesses can help identify problems and provide resources for responses, often including their own security apparatus and community outreach. The local chamber of commerce can also assist in disseminating information about police and business partnerships and initiatives.

- **Media**

The media represent a powerful mechanism by which to communicate with the community. It can assist with publicizing community concerns and available solutions, such as services from government or community agencies or new laws or codes that will be enforced. In addition, the media can have a significant impact on public perceptions of the police, crime problems, and fear of

crime.

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Organizational Transformation

The alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem-solving efforts.

The community policing philosophy focuses on the way that departments are organized and managed and how the infrastructure can be changed to support the philosophical shift behind community policing. It encourages the application of modern management practices to increase efficiency and effectiveness. Community policing emphasizes changes in organizational structures to institutionalize its adoption and infuse it throughout the entire department, including the way it is managed and organized, its personnel, and its technology.

- **Agency Management**

Under the community policing model, police management needs to infuse community policing ideals throughout the agency by making a number of critical changes in climate and culture, leadership, formal labor relations, decentralized decision-making and accountability, strategic planning, policing and procedures, organizational evaluations, and increased transparency.

Climate and culture

Changing the climate and culture means supporting a proactive orientation that values systematic problem solving and partnerships. Formal organizational changes should support the informal networks and communication that take place within agencies to support this orientation.

Leadership

Leaders serve as role models for taking risks and building collaborative relationships to implement community policing and they use their position to influence and educate others about it. Leaders, therefore, must constantly emphasize and reinforce community policing's vision, values, and mission within their organization and support and articulate a commitment to community policing as the dominant way of doing business.

Labor relations

If community policing is going to be effective, police unions and similar forms of organized labor need to be a part of the process and function as partners in the adoption of the community policing philosophy. Including labor groups in agency changes can ensure support for the changes that are imperative to community policing implementation.

Decision-making

Community policing calls for decentralization both in command structure and decision-making. Decentralized decision-making allows front-line officers to take responsibility for their role in community policing. When an officer is able to create solutions to problems and take risks, he or she ultimately feels accountable for those solutions and assumes a greater responsibility for the well-being of the community. Decentralized decision-making involves flattening the hierarchy of the

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agency, increasing tolerance for risk-taking in problem-solving efforts, and allowing officers discretion in handling calls. In addition, providing sufficient authority to coordinate various resources to attack a problem and allowing the officers the autonomy to establish relationships with the community will held define problems and develop possible solutions.

Strategic planning

The department should have a written statement reflecting a department-wide commitment to community policing and a plan that matches operational needs to available resources and expertise. If a strategic plan is to have value, the members of the organization should be well-versed in it and be able to give examples of their efforts that support the plan. Components such as the organization's mission and value statement should be simple and communicated widely. Everything should connect back to it.

Policies

Community policing affects the nature and development of department policies and procedures to ensure that community policing principles and practices have an effect on activities on the street. Problem solving and partnerships, therefore, should become institutionalized in policies, along with corresponding sets of procedures, where appropriate.

Organizational evaluations

In addition to the typical measures of police performance (arrest, response times, tickets issued, and crime rates) community policing calls for a broadening of police outcome measures to include such things as community satisfaction, less fear of crime, the alleviation of problems, and improvement in quality of life. Community policing calls for a more sophisticated approach to evaluation-one that looks at how feedback information is used, not only how it measures outcomes.

Transparency

Community policing involves decision-making processes that are more open than traditional policing. If the community is to be a full partner, the department needs mechanisms for readily sharing relevant information on crime and social disorder problems and police operations with the community.

- **Organizational Structure**

It is important that the organizational structure of the agency ensures that local patrol officers have decision-making authority and are accountable for their actions. This can be achieved through long-term assignments, the development of officers who are "generalists," and using special units appropriately.

Geographic assignment of officers

With community policing, there is a shift to the long-term assignment of officers to specific neighborhoods or areas. Geographic deployment plans can help enhance customer service and facilitate more contact between police and citizens, thus establishing a strong relationship and mutual accountability. Beat boundaries should correspond to neighborhood boundaries and other government services should recognize these boundaries when coordinating government public-service activities.

Despecialization

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To achieve community policing goals, officers have to be able to handle multiple responsibilities and take a team approach to collaborative problem solving and partnering with the community. Community policing encourages its adoption agency-wide, not just to special units, although there may be a need for some specialist units that are tasked with identifying and solving particularly complex problems or managing complex partnerships.

Resources and finances

Agencies have to devote the necessary human and financial resources to support community policing to ensure that problem-solving efforts are robust and that partnerships are sustained and effective.

- **Personnel**

The principles of community policing need be infused throughout the entire personnel system of an agency including recruitment, hiring, selection, and retention of all law enforcement agency staff, including sworn officers, nonsworn officers, civilians, and volunteers, as well as personnel evaluations, supervision, and training.

Recruitment, hiring, and selection

Agencies need a systematic means of incorporating community policing elements into their recruitment, selection, and hiring processes. Job descriptions should recognize community policing and problem-solving responsibilities and encourage the recruitment of officers who have a "spirit of service," instead of only a "spirit of adventure." A community policing agency also has to thoughtfully examine where it is looking for recruits, whom its is recruiting and hiring, and what is being tested. Some community policing agencies also look for involvement of the community in this process through the identification of competencies and participation in review boards.

Personnel supervision/evaluations

Tie performance evaluations to community policing principles and activities that are incorporated into job descriptions. Performance, reward, and promotional structures should support sound problem-solving activities, proactive policing and community collaboration, and citizen satisfaction with police services.

Training

Training at all levels-academy, field, and in-service-must support community policing principles and tactics. It also needs to encourage creative thinking, a proactive orientation, communication and analytical skills, and techniques for dealing with quality-of-life concerns and maintaining order. Officers can be trained to identify and correct conditions that could lead to crime, raise public awareness, and engage the community in finding solutions to problems. Field training officers and supervisors need to learn how to encourage problem solving and help officers learn from other problem-solving initiatives. Until community policing is institutionalized in the organization, training in its fundamental principles will need to take place regularly.

- **Information Systems (Technology)**

Community policing is information-intensive and technology plays a central role in helping to provide ready access to quality information. Accurate and timely information makes problem-solving efforts more effective and ensures that officers are informed about the crime and community conditions of their beat. In addition, technological enhancements can greatly assist with enhancing two-way communication with citizens and in developing agency accountability systems

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and performance outcome measures.

Communication/access to data

Technology provides agencies with an important forum by which to communicate externally with the public and internally with their own staff. To communicate with the public, community policing encourages agencies to develop two-way communication systems through the Internet to provide online reports, reverse 911 and e-mail alerts, discussion forums, and feedback on interactive applications (surveys, maps), thereby creating ongoing dialogs and increasing transparency.

Technology also encourages effective internal communication through memos, reports, newsletters, e-mail and enhanced incident reporting, dispatch functions, and communications interoperability with other entities for more efficient operations.Community policing also encourages the use of technology to develop accountability and performance measurement systems that are timely and contain accurate metrics and a broad array of measures and information.

Community policing also encourages the use of technology to provide officers with ready access to timely information on crime and community characteristics within their beats, either through laptop computers in their patrol cars or through personal data devices. In addition, technology can support crime/problem analysis functions by enabling agencies to gather information on the greater aspects of events including more detailed information on offenders, victims, crime locations, and quality-of-life concerns, and to further enhance analysis.

Quality and accuracy of data

Information is only as good as its source and, therefore, it is not useful if it is not of high quality and accurate. Community policing encourages agencies to put safeguards in place to ensure that information from various sources is collected in a systematic fashion and entered into central systems that are linked to one another and checked for accuracy so that it can be used effectively for strategic planning, problem solving, and performance measurement.

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Problem Solving

The process of engaging in the proactive and systematic examination of identified problems to develop effective responses that are evaluated rigorously.

Community policing emphasizes proactive problem solving in a systematic and routine fashion. Rather than responding to crime only after it occurs, community policing encourages agencies to proactively develop solutions to the immediate underlying conditions contributing to public safety problems. Problem solving must be infused into all police operations and guide decision-making efforts. Agencies are encouraged to think innovatively about their responses and view making arrests as only one of a wide array of potential responses. A major conceptual vehicle for helping officers to think about problem solving in a structured and disciplined way is the SARA (Scanning, Analysis, Response and Assessment) problem-solving model.

- Scanning: Identifying and prioritizing problems

The objectives of scanning are to identify a basic problem, determine the nature of that problem, determine the scope of seriousness of the problem, and establish baseline measures. An inclusive list of stakeholders for the selected problem is typically identified in this phase. A problem can be

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thought of as two or more incidents similar in one or more ways and that is of concern to the police and the community. Problems can be a type of behavior, a place, a person or persons, a special event or time, or a combination of any of these. The police, with input from the community, should identify and prioritize concerns.

- Analysis: Analyzing

Analysis is the heart of the problem-solving process. The objectives of analysis are to develop an understanding of the dynamics of the problem, develop an understanding of the limits of current responses, establish correlation, and develop an understanding of cause and effect. As part of the analysis phase, it is important to find out as much as possible about each aspect of the crime triangle by asking Who? What? When? Where? How? Why? and Why Not? about the victim, offender, and crime location.

- Response: Responding to problems

The response phase of the SARA model involves developing and implementing strategies to address an identified problem by searching for strategic responses that are both broad and uninhibited. The response should follow logically from the knowledge learned during the analysis and should be tailored to the specific problem. The goals of the response can range from either totally eliminating the problem, substantially reducing the problem, reducing the amount of harm caused by the problem, or improving the quality of community cohesion.

- Assessment: Assessing problem-solving initiatives

Assessment attempts to determine if the response strategies were successful by determining if the problem declined and if the response contributed to the decline. This information not only assists the current effort but also gathers data that build knowledge for the future. Strategies and programs can be assessed for process, outcomes, or both. If the responses implemented are not effective, the information gathered during analysis should be reviewed. New information may have to be collected before new solutions can be developed and tested. The entire process should be viewed as circular rather than linear.

- Using the crime triangle to focus on immediate conditions (victim/offender/location)

To understand a problem, many problem solvers have found it useful to visualize links among the victim, offender, and location (the crime triangle) and those aspects that could have an impact on them, for example, capable guardians for victims, handlers for offenders, and managers for locations. Rather than addressing root causes of a problem, the police focus on the factors that are within their reach, such as limiting criminal opportunities and access to victims, increasing guardianship, and associating risk with unwanted behavior.

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July 21, 2009

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON REPEALING CHAPTER 22 OF THE COMPTON MUNICIPAL CODE AND REVISING SAME BY ADOPTING BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (TITLE 24, CALIFORNIA CODE OF REGULATIONS), PART 9 (2007 CALIFORNIA FIRE CODE), AND THE 2006 INTERNATIONAL FIRE CODE AND PROVIDING FOR ADDITIONS, DELETIONS AND AMENDMENTS THEREOF.**

SUMMARY

The City Council will consider adopting an ordinance amending Chapter XXII of the Compton Municipal Code by repealing Chapter XXII and revising same by adding the 2007 California Building Standards Code, 2007 California Fire Code and the 2006 International Fire Code.

BACKGROUND

With the adoption of the California Fire Code by the Office of the State Fire Marshal (effective statewide on January 1, 2008), the City of Compton is required to update its local fire code to be consistent with the State Code. Further, the State Fire Marshal changed publishers in 2008 and switched from the Uniform Fire Code to the International Fire Code. Consequently, several local changes to the existing Compton Fire Prevention Code have needed to be revised in order to make them consistent with the new Statewide Fire Code.

STATEMENT OF THE ISSUE

In order to provide a higher level of safety and protection to the citizens of Compton and to address fire safety measures on a local level, the City of Compton Fire Department has amended certain sections of the, 2006 International Fire Code and the 2007 California Fire Code. Using both as base documents, Chapter XXII has been updated to accommodate subject-areas of particular local concern. Therefore, the Fire Prevention Code of the City of Compton, contains several more restrictive components than the statewide minimum fire code to further protect the citizens residing and conducting business within the city of Compton.

One example of a provision which is more restrictive than the state requirements is the fire sprinkler requirements for newly constructed residential occupancies, and for existing residential occupancies having new additions of 50 percent of the total existing square footage.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Staff recommends that the City Council adopt the attached ordinance.

JON THOMPSON
FIRE CHIEF

CHARLES EVANS
CITY MANAGER

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 22 OF THE COMPTON MUNICIPAL CODE IN ITS ENTIRETY AND ADOPTING BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (TITLE 24, CALIFORNIA CODE OF REGULATIONS), PART 9 (2007 CALIFORNIA FIRE CODE), AND THE 2006 INTERNATIONAL FIRE CODE AND PROVIDING FOR ADDITIONS, DELETIONS AND AMENDMENTS THEREOF.

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

Section 1. That Section 22-1.1 of Chapter 22 of the Compton Municipal Code shall read as follows:

22-1.1 Title

This section shall be known as the “Fire Prevention Code of the City of Compton” and may be cited as such.

Section 2. That Section 22-1.2 of Chapter 22 of the Compton Municipal Code shall read as follows:

22-1.2 Adoption of the California Fire Code

Section A. That a certain document, three (3) copies of which are on file in the office of the Clerk of the City of Compton, being marked and designated as the 2007 *California Fire Code*, including all State of California-adopted Appendices, and including all provisions of the 2006 International Fire Code, including its Appendix Chapters 1-4 and Appendices A-H, unless otherwise amended by the City of Compton in Sections B, C, and D below, be and is hereby adopted as the Fire Prevention Code of the City of Compton, in the State of California regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Prevention Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section B through Section D of this ordinance.

Section B. That the following sections of **Appendix** Chapter 1 are hereby amended or added and adopted as follows:

Section 3. That Section 22-1.3 of Chapter 22 of the Compton Municipal Code shall read as follows:

22-1.3 Amendments

1. Amendments. Section 102.1 of the International Fire Code is hereby amended to read as follows:

CONSTRUCTION AND DESIGN PROVISIONS

Section 102.1 Construction and design provisions. The provisions of this code apply to conditions arising after the adoption thereof, conditions not legally in existence at the time of this adoption, tenant improvement renovations that exceed twenty-five (25%) percent of the value of the building, or fifty thousand ($50,000.00) dollars, and to conditions which, in the opinion of the Fire Chief, constitute a distinct hazard to life or property.

2. Amendments. Section 104.7.2 of the International Fire Code is hereby amended to read as follows:

Section 104.7.2 Technical assistance.

To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the fire code official, the fire code official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the fire code official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The fire code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

When there is a fire, explosion, hazardous materials incident or other potential life or serious property threatening situation, the fire code official can request the owner or operator to hire a private fire protection or hazardous materials investigator, acceptable to the fire code official and at the expense of the owner or operator, to provide a full report of the incident, including, without limitation, such matters as origin, cause, circumstances or proposed solution to the problem.

3. Amendments. Section 104.10 of the International Fire Code is hereby amended to read as follows:

FIRE INVESTIGATIONS

104.10 Fire investigations. The Fire Department is authorized to promptly investigate the cause, origin and circumstances of each and every fire, explosion, unauthorized release of hazardous materials, or any other hazardous condition within the City. If it appears to the bureau of investigation that such fire is suspicious in origin, it is authorized to take immediate charge of all physical evidence relating to the cause of fire and to pursue investigation to its conclusion.

4. Amendments. Section 104.12 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

MUTUAL AID

Section 104.12 Mutual aid. The Chief of the Compton Fire Department, or his duly authorized representative, is authorized and instructed to cooperate with the Fire Departments of the cities of Bell, Downey, Gardena, Huntington Park, Long Beach, Lynwood, Maywood, Montebello, Santa Fe Springs, South Gate, Vernon, and Whittier and the unincorporated area of Los Angeles County adjacent to the City of Compton and, in his discretion, having due regard for the interests and requirements of the City of Compton, to dispatch at any time to such other municipality or County district for service therein such of the equipment and personnel of the Compton Fire Department as may be necessary or advisable, in his opinion, under the circumstances and conditions

which may at any such time exist, to assist the Compton Fire Department of such other municipality or County district in combating any fire or menace of fire, or meeting any condition or emergency which may reasonably fall within the purview of duties or activities ordinarily performed by Compton Fire Departments, provided such other municipality or County fire district shall have made a similar reciprocal agreement to furnish similar service to the City of Compton under like conditions, such arrangement to be evidenced either by a certified copy of a resolution or ordinance of its legislative body substantially the same as the provisions of this section or by other appropriate written evidence of such arrangement filed with the Chief.

5. Amendments. Section 104.13 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

PROTECTION AND IMMUNITIES

Section 104.13 Protection and immunities. The protection and immunities afforded by law shall be extended to all the firefighters and personnel in the Compton Fire Department while acting extraterritorially the same as though such firefighters and personnel were operating in the City of Compton.

6. Amendments. Section 104.14 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

VEHICLE CREATING HAZARD

Section 104.14. Vehicle creating hazard. Whenever it is determined by a Fire Officer that an unattended or attended vehicle parked or stopped upon any public street, road, alley or right-of-way, or upon private property, creates an immediate danger or fire hazard to itself, other vehicles, persons or surrounding property, such Fire Officer shall request the local Law Enforcement Agency to cause the removal of the vehicle to a safe location; and the local Law Enforcement Agency shall cause the removal at the expense of the Registered Owner of the vehicle; and Notice of the removal shall be given to the registered owner as soon as feasible.

7. Amendments. Section 104.15 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

OUTSIDE OBSTRUCTIONS

Section 104.15. Outside obstructions. No person shall park or place any material or vehicle in any established exit way, driveway, gateway, or alleyway between buildings that would hamper the ingress of fire equipment in case of fire. When in the opinion of the Fire Chief or his representative, any driveway, gateway, or alleyway between buildings is so obstructed by objects, materials, or vehicles as to impede the ingress or egress of said way, it shall be removed immediately upon an order of the Fire Chief or his representative. When such obstruction is a vehicle, it may be removed or mpounded at the owner's expense and as prescribed by law.

8. Amendments. Section 104.16 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

FIRE SAFETY OFFICER

Section 104.16. Fire safety officer. When, in the opinion of the Fire Chief, it is necessary for the preservation of life and property, due to the hazardous nature of an event, production, operation or function, the Fire Chief shall require the owner, agent, or lessee to employ or cause the employment of one or more fire department safety officers, to be on duty at such place during the hazardous activity.

9. Amendments. Section 105.1.3.1 is hereby added to section 105 of the International Fire Code to read as follows:

PERMIT FEES

Section 105.1.3.1 Permit fees. All applications for permits, plan checks, field inspections, and special activities shall be accompanied by the sums set forth and established in Appendix A (Fee Schedule). Use permits require annual renewal by the permitted. Applications for permits will be made to the fire prevention office in such form and detail as prescribed by the Fire Chief. Applications for permits must be accompanied by such plans as required by the Fire Chief. Any applicable permit fees must be paid at the time of application for the permit.

10. Amendments. Section 105.1.3.2 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

PENALTIES

Section 105.1.3.2 Penalties. The permit fees as specified in Appendix A of this code shall be doubled, but in no case shall be less than two hundred and no/100ths ($200.00) dollars, when work requiring a permit has been started or carried on prior to obtaining such permit as was necessary. A person shall acknowledge that a permit was necessary. A person shall be deemed to have a knowledge if he is a State licensed contractor or previously had applied for a permit in the City of Compton, but the payment of such double fee shall not relieve a person from fully complying with the requirements of this code in the execution of work, nor from any other penalties in this code.

11. Amendments. Section 105.4.6 of the International Fire Code is hereby amended to read as follows:

RETENTION OF CONSTRUCTION DOCUMENTS

Section 105.4.6. Retention of construction documents. For all work performed for which a permit is required under Section 105 of this code, three (3) sets of plans and specifications shall accompany the permit application. The Compton Fire Department will review such plans and specifications for code compliance and retain one (I) set for their records, returning two (2) approved or denied sets to the applicant. Upon final plan approval, a copy of said plans must be submitted in an approved digital format. Failure to do so could result in of permit. One set shall be kept on the site of the building or other work at all times during which the work authorized thereby is in progress. Once plans are completed by the Fire Prevention Bureau the responsible party will be contacted to pick up the plans. The Fire Prevention Bureau will only be responsible for plans for a maximum of 90 days. Failure to pick-up completed plans in this 90 day period could result in the need to resubmit plans and the payment of additional fees.

> Exception: The Fire Marshal may waive submission of plans and specifications if he finds that the nature of the work applied for is such that reviewing plans is not necessary to obtain code compliance.

12. Amendments. Section 105.5 of the International Fire Code is hereby amended to read as follows:

REVOCATION

Section 105.5 Revocation. The fire code official is authorized to revoke a permit issued under the provisions of this code when it is found by inspection or otherwise that there

has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that listed in the permit.
2. The permit is used for a condition or activity other than that listed in the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the name for which it was issued.
6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, regulation or this code.
8. When deemed necessary for the protection of life, limb, or property; or
9. For changing the occupancy, equipment, materials, processes, or other conditions in such a manner as to create a greater danger of fire or explosion or less protection than was present at the time of issuance of such a permit.

13. Amendments. Section 105.6.22 of the International Fire Code is hereby amended to read as follows:

HIGH-PILED STORAGE

Section 105.6.22 High-piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m2). When using any building or portion thereof exceeding twenty-five hundred (2,500) square feet for high piled combustible storage in racks, a floor plan showing the dimensions and location of the rack system shall be submitted with the application for such permits.

14. Amendments. Section 105.6.25 of the International Fire Code is hereby amended to read as follows:

LUMBER YARDS, WOODWORKING PLANTS, AND PALLET YARDS

Section 105.6.25. Lumber yards, woodworking plants, and pallet yards. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet, or pallets in excess of 200.

15. Amendments. Section 108 is hereby added to section 108 of the International Fire Code and is amended to read as follows:

APPEALS

Section 108 Appeals. Whenever the Chief of the Compton Fire Department shall disapprove an application or refuse to grant a permit for, or when it is claimed that the provisions of this code do not apply or that the true intent and meaning of this code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the Compton Fire Department to the Compton City Council within thirty (30) days from the decision appealed.

16. Amendments. Section 109.3 of the International Fire Code is hereby amended to read as follows:

VIOLATION PENALTIES

Section 109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Prevention Code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars ($1,000.00) or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment. Nevertheless, any such violation or offense may be deemed an infraction as defined by Penal Code Section 19 and charged as such at the discretion of the prosecuting attorney, in which event, the punishment therefore shall not be imprisonment, but a fine not to exceed the amounts specified by Government Code Section 36900 as then in effect. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

17. Amendments. Section 111.4 of the International Fire Code is hereby amended to read as follows:

FAILURE TO COMPLY

Section 111.4. Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $100.00 dollars or more than $500.00 dollars.

Section C. That the geographic limits referred to in certain sections of the 2007 California Fire Code are hereby established as follows:

18. Amendments. Section 3204.3.1.1 of the California Fire Code/ International Fire Code is hereby amended to read as follows:

LOCATION

Section 3204.3.1.1 Location. Stationary containers shall be located in accordance with Section 3203.6. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

The storage and use of flammable cryogenic fluids in stationary containers in any amount is prohibited within the limits of the City of Compton without prior approval. Prior approval requires the submittal of a proposed storage use and will require technical assistance as specified in section 104.7.2.

19. Amendments. Section 3404.2.9.5.1 of the California Fire Code/ International Fire Code is hereby amended to read as follows:

LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED

Section 3404.2.9.5.1 Locations where aboveground tanks are prohibited. The storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited unless otherwise approved by the Fire Chief.

20. Amendments. Section 3406.2.4.4 of the California Fire Code/ International Fire Code is hereby amended to read as follows:

LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED INSIDE BUIDINGS

Section 3406.2.4.4 Locations where above-ground tanks are prohibited inside buildings. The storage of Class I and II liquids in aboveground tanks inside of buildings is prohibited.

21. Amendments. Section 3804.2 of the California Fire Code/ International Fire Code is hereby amended to read as follows:

MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS

Section 3804.2 Maximum capacity within established limits. The aggregate capacity of any one installation for the storage of liquefied petroleum gas (LPG) shall not exceed a water capacity of 2,000 gallons (7580 L) of liquefied petroleum gas within the City of Compton.

Section D. That the following sections of the 2006 International Fire Code (IFC) and the California Building Standards Code, Part 9 (CFC) are hereby amended and adopted as follows:

22. Amendments. Section 202 of the California Fire Code/ International Fire Code is hereby amended to read as follows:

GENERAL DEFINITIONS

Section 202 General Definitions. “Fire Chief” shall mean the fire chief serving the City of Compton Fire Department, or duly authorized representative.

23. Amendments. Section 303.10 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

ASPHALT

Section 303.10 Permit required. No person shall use or operate an asphalt kettle in the City of Compton without obtaining a permit from the Compton Fire Department prior to its use.

24. Amendments. Section 303.11 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

Section 303.11 No person shall apply by any means a flammable or combustible liquid material as a roof coating, upon any structure, if such material has a flash point of 100° F. or less, unless such material has been approved for such use by a recognized testing agency.

25. Amendments. Section 303.12 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

Section 303.12 No person shall apply by any means a flammable or combustible liquid with a flash point of 100° F. or less as a driveway coating, unless such material has been approved for such use.

26. Amendments. Section 305.5 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

LOW MELTING POINT MATERIALS

Section 305.5 Low melting point materials. Low melting point materials, including but not limited to, aluminum, copper, brass and bronze, may be installed inside buildings in sizes no more than one-half inch (nominal) diameter.

27. Amendments. Section 315.3.2 of the California Fire Code/ International Fire Code is hereby amended to read as follows:

HEIGHT AND TOTAL ACCUMULATION FOR STORAGE

Section 315.3.2 Height and total accumulation. Storage in the open shall not exceed 15 feet in height and 100 cubic yards in total aggregate content.

28. Amendments. Section 315.3.3 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

ALLEYS

Section 315.3.3 Alleys. No person owning or occupying or having the possession or control of any property bordering on any public alley in the City of Compton shall fail, refuse, or neglect to keep the portion of such alley between the center line thereof and the property line of such property free from garbage, rubbish, and combustible materials or compounds and flammable liquids and other obstructions.

29. Amendments. Section 315.3.4 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

WOOD PALLETS

Section 315.3.4 Wood pallets. All pallets must be stacked so that there is visibility through the stacks to the adjacent aisles, or so organized to assure that no temporary living facilities or places of refuge are hidden from view. Pallets shall be stacked or piled with due regard to stability of piles, and in no case higher than 15 feet. Where pallets are piled or stacked, they shall not be closer than half the height of the stack, or in no case less than five (5) feet from the property line.

30. Amendments. Section 315.3.4.1 is hereby added to section 315 of the California Fire Code/ International Fire Code to read as follows:

Section 315.3.4.1. Driveways or aisles between and around pallet stacks shall be at least 10 feet in width and maintained free from accumulated rubbish, equipment or other articles or materials. Rows of pallets shall be no greater than three (3) pallets or fifteen (15) feet in width.

31. Amendments. Section 315.3.4.2 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

Section 315.3.4.2. When pallets are stored close to a building, the height of storage shall be restricted to prevent burning pallets from falling on the building.

32. Amendments. Section 315.3.4.3 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

Section 315.3.4.3 When pallets are stacked close to a building there shall not be less than ten (10) feet of clearance between the pile and the building.

33. Amendments. Section 503.2.4 of the International Fire Code is hereby amended to read as follows:

Section 503.2.4. Turning Radius. The inside turning radius of a fire apparatus access road must be a minimum of 60 feet, outside and 40 feet, inside.

34. Amendments. Section 503.4.1 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

ACCESS ROADS WITH VEHICLE PARKING

Section 503.4.1 Access roads with vehicle parking. No access roads can be less than 32 feet (9754 mm) in width if the vehicle parking is permitted on one side of the access road and not less than 40 feet (12,192 mm) if vehicle parking is permitted on both sides of the access road. To permit the free passage of vehicles, access roads designated for vehicle parking on only one side must have signs or markings prohibiting the parking of vehicles on the traffic flow side of the roadway.

35. Amendments. Section 505.1 of the International Fire Code is hereby amended to read as follows:

ADDRESS NUMBERS

Section 505.1 Address numbers. Approved address numbers and letters must be placed on all new and existing buildings and units in such a location as to be plainly visible and legible from the street or road fronting such buildings and units. Numbers and letters must be at least four (4) inches in height for residential, six (6) inches in height for commercial, and twelve (12) inches in height for industrial buildings and units and may not be located on doors or other areas that can be obstructed from view. The numbers and letters will be in a color that contrasts with their background and must be in the City's approved numbering sequence. Commercial and industrial buildings and units that are served by an alley must also have approved address numbers and letters posted in a visible location near the primary door to the alley.

36**.** Amendments. Section 506.1 of the International Fire Code is hereby amended to read as follows:

MASTER KEY, KNOX BOXES

Section 506.1 Where required. All new and existing commercial and/or manufacturing buildings shall be provided with a master key Knox Box at a location approved by the Compton Fire Department. Such box shall be provided with a master key or such keys necessary for access to all portions of the premises. Such box and key shall be provided prior to occupancy and/or final inspection.

37. Amendments. Section 506.1.2 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

BUILDINGS WITH ELEVATORS

Section 506.1.2 Buildings with elevators. All buildings equipped with elevators shall be provided with a master key as described in Section 506.1.

The building owner/manager shall provide:

Two (2) sets of keys for entry to the building and all portions of the premises

Two (2) elevator control keys if elevator is equipped with Compton Fire Department bypass switches.

38. Amendments. Section 506.1.3 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

SECURITY BUILDINGS OR COMMUNITIES WITH SECURITY GATES

Section 506.1.3 Security buildings or communities with security gates. All existing properties which are secured by security doors or gates, that are designed and installed to prohibit entry except by card, key or special means are hereby required to immediately provide an approved Knox access system. Such systems shall be approved by the Compton Fire Department.

39. Amendments. Section 508.1.1 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

EXISTING FACILIITIES

Section 508.1.1 Existing facilities. When required by the fire code official, water supply and fire hydrants must be provided at existing facilities when the fire load potential exceeds the water supply availability.

40. Amendments. Section 508.5.1 of the International Fire Code is hereby amended to read as follows:

ON-SITE FIRE HYDRANTS

Section 508.5.1 On-site fire hydrants. When any portion of the facility or building protected is in excess of 150 feet (45 720 mm) from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow must be provided when required by the Fire code official. See Appendix C.

41. Amendments. Section 603.1.8 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

OIL BURNING EQUIPMENT, PUMPS, PIPING AND VALVES

Section 603.1.8 Oil burning equipment, pumps, piping and valves. Oil burning equipment, pumps, piping and valves installed inside of buildings shall be protected against fire exposure in one of the following manners: (1) One story buildings: automatic fire sprinklers (Extra Hazard Rating) in all areas where equipment and piping are located. (2) All multi-story buildings: piping to be installed in noncombustible one (1) hour rating oil tight enclosure or shaft (with service openings) to the point where the piping enters the one hour rated equipment room. (3) Remote controlled shut-off valves are required on all systems.

42. Amendments. Section 604.2.15.1 of the California Fire Code/International Fire Code is hereby amended to read as follows:

STANDBY POWER

Section 604.2.15.1 Standby power. A standby power generator set conforming to the Electrical Code shall be provided on the premises. The set shall supply all functions required by this section at full power. Set supervisions with manual start and transfer override features shall be provided at the central control station.

The installation of any combustion engine and gas turbines associated with such power-generating systems shall be installed in accordance with the 2007 California Electrical Code.

43. Amendments. Section 604.2.15.1.1 of the California Fire Code/International Fire Code is hereby amended to read as follows:

FUEL SUPPLY

Section 604.2.15.1.1 Fuel supply. An on-premise fuel supply sufficient for not less than two hours [for SFM] six hours at full demand operation of the system shall be provided. [For SFM] Where fire pumps are required, an eight-hour fuel supply is required.

44. Amendments. Section 604.2.15.1.2 of the California Fire Code/International Fire Code is hereby amended to read as follows:

CAPACITY

Section 604.2.15.1.2 Capacity. The stand-by system shall have a capacity and rating that would supply all equipment required to be operational at the same time. The generating capacity need not be sized to operate all the connected electrical equipment simultaneously.

45. Amendments. Section 604.2.15.1.3 of the California Fire Code/International Fire Code is hereby amended to read as follows:

CONNECTED FACILITIES

Section 604.2.15.1.3 Connected facilities. All power, lighting, signal and communication facilities specified in Sections 403.8 and 403.9 of the 2007 California Building Code, as applicable; fire pumps required to maintain pressure, standby lighting and normal circuits supplying exit signs and means of egress illumination shall be transferable to the standby source.

46. Amendments. Section 604.2.15.2 of the California Fire Code/International Fire Code is hereby amended to read as follows:

SEPARATE CIRCUITS AND LUMINARIES

Section 604.2.15.2 Separate circuits and luminaries. Separate lighting circuits and fixtures sufficient to provide light with an intensity of not less than 1 foot-candle (11 lux) measured at floor level in all corridors, stairways, pressurized enclosures, elevator cars and lobbies and other areas that are clearly a part of the escape route.

47. Amendments. Section 604.2.15.2.1 of the California Fire Code/International Fire Code is hereby amended to read as follows:

OTHER CIRCUITS

Section 604.2.15.2.1 Other circuits. All circuits supply lighting for the central control station and mechanical equipment rooms.

48. Amendments. Section 604.2.15.3 of the California Fire Code/International Fire Code is hereby amended to read as follows:

EMERGENCY SYSTEMS

Section 604.2.15.3 Emergency systems. The following are classified as emergency systems and shall operate within 10 seconds of failure of the normal power supply:

(1) Exit signs and means of egress illumination as required by the 2007 California Building Code
(2) Elevator car lighting
(3) Fire alarm system
(4) Fire-detection system
(5) Sprinkler alarm system

Installation of emergency electrical systems shall be in accordance with the provisions of the 2007 California Electrical Code. When the standby power-operation system reaches full operating capacity; the emergency electrical systems and equipment shall be transferred thereto.

49. Amendments. Section 607.1.1 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

ELEVATOR RECALL FOR HIGH-RISE BUILDINGS

Section 607.1.1 Elevator recall for high-rise buildings. At least one elevator in each bank shall be available for Compton Fire Department access to any floor. The elevator shall open into a lobby, which may serve additional elevators, and shall be separated from the remainder of the building by construction as required for corridors. The elevator may be within a smoke proof enclosure.

50. Amendments. Sections 903.2.1 through 903.2.9 of the CFC/IFC are hereby deleted in their entirety.

51. Amendments. Section 903.2 of the California Fire Code/International Fire Code is hereby amended to read as follows:

Section 903.2 Where required. For automatic fire sprinkler requirements, see City of Compton Ordinance No. 1908.

52. Amendments. Section 903.2.7 of the California Fire Code/International Fire Code is hereby amended to read as follows:

Section 903.2.7 Group R. An automatic fire extinguishing system shall be installed in any new building constructed or to be used as a Group R1 or R3 occupancy as defined in the 2006 California Fire Code. This provision shall also apply to existing R1 and R3 building(s) exceeding 50 percent of the total exiting square footage of structure, prior to the addition**.**

53. Amendments. Section 903.2.7.1 is hereby added to the International Fire Code to read as follows:

Section 903.2.7.1 Protection of attached garages. Residential occupancies protected by an automatic sprinkler system in accordance with NFPA 13R of NFPA 13D shall have automatic sprinklers installed in attached garages and in other areas as required by the fire code official.

54. Amendments. Section 903.2.10.3 of the California Fire Code/International Fire Code is hereby amended to read as follows:

BUILDINGS 55 FEET OR MORE IN HEIGHT

Section 903.2.10.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings with a floor level that is located 55 feet (16 764 mm) or more above the lowest level of fire department access.

Sprinkler protection conforming to the following shall be provided:

The sprinkler system shall be hydraulically designed using the parameters set forth in NFPA 13 and the following:

(1) Shut-off valves and water-flow devices shall be provided on each floor. In addition to actuating a local alarm on the floor upon which the water flow is detected, such valves shall be supervised by a continuously manned control station or by a central station.

(2) The sprinkler system shall be looped between standpipe risers at the bottom, top, and mid-height of all buildings, with a maximum of twenty (20) stories served by any loop.

(3) Piping may be copper or steel with no minimum size of pipe required. Solder connections may be used if not less than ninety-five (95%) percent tin and five (5%) percent antimony.

(4) Pitching of lines shall not be required.

(5) A minimum of one (1) fire pump independently driven shall be provided and sized for the sprinkler demand, plus providing a minimum of 500 gallons per minute Compton Fire Department standpipe operation.

(6) An on-site supply of 15,000 gallons of water shall be provided. This supply shall be available automatically if the principal supply fails.

(7) The operation of the sprinkler system shall activate the voice communication system.

Except as provided in this code, NFPA 13 shall apply for the purpose of providing basic regulations for high-rise buildings.

55. Amendments. Section 907.2 of the California Fire Code/International Fire Code is hereby amended to read as follows:

Section 907.2. Where required – new buildings and structures. Unless otherwise made more restrictive by other provisions of this code, all new buildings constructed as a nonresidential occupancy exceeding 4,000 square feet of floor area shall be provided with an approved automatic fire detection and alarm system. This includes constructions which consist of smaller units connected by a common attic.

Agreements shall be made for the automatic transmission of fire alarms from the building in which the fire alarm system is installed to an approved Central or Remote Station System in a manner and form acceptable to the Fire Chief.

An approved manual, automatic or manual and automatic fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.
The automatic fire detectors shall be smoke detectors. Where ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be allowed *where approved*.

A minimum of one fire alarm box shall be installed for each fire alarm system at a location approved by the enforcing agency.

Exception: *Fire alarm systems dedicated to elevator recall control, supervisory service and fire sprinkler monitoring only.*

Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exception: *Where not required to be installed by the local enforcing agency.*

56. Amendments. Section 907.2.12 of the California Fire Code/International Fire Code is hereby amended to read as follows:

SPECIAL PROVISIONS FOR HIGH-RISE BUILDINGS

Section 907.2.12 High-rise buildings. All buildings having floors used for human occupancy located more than fifty-five (55') feet above the lowest level of Compton Fire Department vehicle access shall conform to the requirements of this division, in addition to other applicable requirements of this code.
High-rise buildings shall be provided with an automatic fire alarm system and an emergency voice/alarm communication system in accordance with Section 907.2.12.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the California Building Code.
2. Open parking garages in accordance with Section 406.3 of the California Building Code.
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the California Building Code.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the California Building Code.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the California Building Code.

57. Amendments. Section 907.2.12.3 of the California Fire Code/International Fire Code is hereby amended to read as follows:

FIRE DEPARTMENT VOICE COMMUNICATION SYSTEM

Section 907.2.12.3 Fire department voice communication system. There shall be two (2) separate continuously supervised voice communication (address) systems between the Central Control Station and the following areas:

(a) Elevators, elevator lobbies, corridors and stairways;
(b) In every office area exceeding 1,000 square feet in area; and
(c) In each dwelling unit and hotel guest room. When approved, the Compton Fire Department system may be combined with the public voice communication system.

58. Amendments. Section 907.2.12.4 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

MANUAL FIRE ALARM BOXES

Section 907.2.12.4 Manual fire alarm boxes. When a manual fire alarm system is installed it shall be located as required by the Compton Fire Department. The boxes shall be connected to the central control station to the voice communication system as required by this section. The system shall be designed in accordance with applicable standards and provisions of NFPA 71, 71A, or 72B.

59. Amendments. Section 907.2.12.5 is hereby added to the Fire Prevention Code of the City of Compton to read as follows:

CENTRAL CONTROL STATION

Section 907.2.12.5 Central Control Station. Natural or mechanical ventilation for the removal of the products of combustion shall be provided in every story and shall consist of one or more of the following:

(a) Panels or windows in the exterior wall which can be opened from an approved location other than the fire floor. Such venting facilities shall be provided at the rate of at least (20) square feet per fifty (50) lineal feet of exterior wall in each story and distributed around the perimeter at not more than fifty (50) foot intervals. Such panels shall be clearly identified as required and approved by the Fire Chief.
(b) When fire sprinklers are installed in compliance with provisions of Section 10.511 of this Division, the mechanical air handling equipment may be designed to assist smoke removal. Under fire conditions, the return and exhaust air shall be moved directly to the outside without re-circulation to other sections of the building; and
(c) Any other design which will produce equivalent results.

60. Amendments. Section 907.3 of the California Fire Code/International Fire Code is hereby amended to read as follows:

Section 907.3. *Where required – retroactive in existing buildings and structures* Unless otherwise made more restrictive by other provisions of this code, existing nonresidential buildings which presently do not exceed 4,000 square feet of floor area but after tenant improvements will, or existing buildings exceeding 4,000 square feet of floor area which undergo tenant improvements, alterations, or remodel exceeding twenty-five (25%) percent of the value of said building, shall be provided with an approved automatic fire detection and alarm system.

Agreements shall be made for the automatic transmission of fire alarms from the building in which the fire alarm system is installed to an approved Central or Remote Station System in a manner and form acceptable to the Fire Chief.

An approved manual, automatic or manual and automatic fire alarm system shall be installed in existing buildings and structures in accordance with sections 907.3.1 through 907.3.1.8. Where automatic sprinkler protection is provided in accordance with Section 903.3.1.1 or 903.3.1.2 and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall be approved. The automatic fire detectors shall be smoke detectors, except an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

61. Amendments. Section 907.16 of the California Fire Code/International Fire Code is hereby amended to read as follows:

AUTOMATIC TELEPHONE-DIALING SERVICES

Section 907.16. Automatic telephone-dialing services. No fire alarm system that automatically telephones the Compton Fire Department shall telephone the department on any public emergency telephone line. Any such system shall telephone numbers that shall be designated for such purposes by the Fire Chief.

62. Amendments. Sections 3308.2 through 3308.22 of the California Fire Code/International Fire Code are hereby added to read as follows:

Section 4. That Section 22-2 of Chapter 22 of the Compton Municipal Code shall read as follows:

22-2 FIREWORKS

22-2.1 Definitions.

As used in this section:

Dangerous fireworks shall mean and include any of the following:

a. Pyrotechnics or fireworks containing phosphorous, sulphocyanide, mercury, chlorate of potash and sulphur, or chlorate of potash and sugar;

b. Firecrackers or salutes;

c. Blank cartridges;

d. Sky rockets, including all devices which rise in the air during discharge;

e. Roman candles, including all devices discharging balls of fire into the air;

f. Chasers, including all devices which dart or travel about the surface of the ground during discharge;

g. Snakes, boa constrictors, and snake nests containing bichloride of mercury;

h. All articles for pyrotechnic display which contain gunpowder;

i. Articles commonly known as son-of-a-gun or devil-on-the-rock and crack-it sticks and automatic torpedoes and which contain arsenic;

j. Explosives known as devil-on-the-rock, or any other articles of similar character which explodes through means of friction, and all other similar fireworks, unless otherwise designated; and

k. Toy torpedoes of all kinds, except those specifically designed for use only with pistol paper caps containing not more than twenty-five (.25) hundredths grain of explosive compound to each paper cap.

Inflammable liquid shall mean and include any liquid whose flash point is one hundred (100°F) degrees Fahrenheit, or less.

Safe and sane fireworks shall mean and include any fireworks not designated as "dangerous fireworks."

22-2.2 Sales of Fireworks.

No person shall do any of the following:

a. Manufacture, possess, or sell any dangerous fireworks;

b. Sell any safe and sane fireworks, except as provided in this section; or

c. Discharge any dangerous fireworks any place.

22-2.3 Permits Required.

Charitable organizations, associations, or corporations (called "applicants" in sections 22-2.4 through 22-2.10) may sell safe and sane fireworks upon first obtaining a permit from the City of Compton as provided in section 22-2.8 of this section.

22-2.4 Random Drawing.

a. Organizations will be selected through a random drawing to be conducted by the City Clerk.

b. The successful applicant shall hold the drawing for two (2) years, providing all additional requirements are met.

c. Any applicants failing to file **ALL** required documentation by April 1 will be disqualified for consideration. **NO EXCEPTIONS.**

d. Applicants desiring to obtain a permit for the sale of fireworks in the City of Compton shall make an application for a permit through the City of Compton Clerk's Office not earlier than March 1st, nor later than April 1st, of the year for which a license is sought. A random drawing will be held on the second Tuesday in May at 11:00 a.m. There shall be only one (1) licensed fireworks stand per every eight thousand (8,000) residents, not to exceed fifteen (15). Those applications not meeting those requirements by the last day set forth in this subsection shall not be eligible for the lottery.

e. Successful applicants in the random drawing shall file for a permit with the Compton Fire Department between the second Wednesday of May and the first Monday of June of the year for which a license is awarded. Upon filing for a permit with the Compton Fire Department, the fee set forth in Appendix A of this code, shall be paid at that time.

22-2.5 Application Fees.

An application fee as set forth in section 22-2.6 shall accompany the application. A permit fee as set forth in section 22-2.6 shall be paid at the time the permit is obtained. The City Manager shall set uniform fees in amounts which reimburse the City of Compton for its costs of investigation and administration.

22-2.6 Eligibility for Sale of Fireworks.

a. No permit shall be issued to any person except nonprofit organizations, associations, or corporations organized primarily for veteran, patriotic, welfare, civic betterment, or charitable purposes. One (1) permit will be issued to an organization per calendar year.

b. Applicants shall have their principal and permanent meeting place in the City of Compton, shall have been organized and established in the City of Compton for a minimum of one (1) year continuously proceeding the filing of the application for the permit, and shall have a bona fide membership of at least thirty-five (35) members.

c. The applicant organization shall supply the following:

1. A membership list, including name, address and telephone number of each member. The President or Chief Executive Officer, or at least one (1) of the officers of the applicant shall reside within the City of Compton.

2. The applicant shall provide documentation to substantiate that organization's nonprofit status.

3. A license obtained from the State Fire Marshal under California Health and Safety Code Section 12500 et seq.

4. The name, address and telephone number of the owner of the designated location of the fireworks stand. The applicant shall supply a copy of a recorded deed evidencing its ownership of the designated location, or an executed lease, rental, or license agreement evidencing that the applicant has the legal authority to locate and operate a fireworks stand at the designated location. An applicant may request that the proposed location of its stand be changed if such request is made prior to June 1st and the applicant pays the transfer fee of fifty ($50.00) dollars, provides the ownership or lease documents required in this section, and timely complies with all other inspections and permitting requirements required by law for the new location.

5. Pay a nonrefundable application and permit fee of two hundred fifty ($250.00) dollars.

6. Upon the approval of such application, the applicant shall complete the following prior to the issuance of a permit:

1. Post a two hundred ($200.00) dollar deposit with the City of Compton to guarantee that all trash and debris shall be cleared from the premises of the temporary fireworks stand by the date so stipulated in paragraph n. of section 22-2.10;

2. File with the City Clerk a certificate of insurance and endorsements in the minimum amount of one hundred thousand/three hundred thousand/twenty-five thousand ($100,000.00/ $300,000.00/$25,000.00) dollars which shall cover the

operation and premises of a temporary fireworks stand, and, in addition, the City of Compton shall be named as an additional insured on such insurance; and

3. Successful applicants agree to submit copies of receipts for expenditures by September 1st of the operating year. The licensee shall use the net proceeds derived from its operations under license only for the benefit of the City of Compton and no other purpose. Failure to comply will result in a disqualification from operating a fireworks stand the subsequent calendar year.

22-2.7 Processing of Applications.

The Fire Chief shall cause to be investigated compliance of applications with the provisions of this code and such rules and regulations as have been promulgated thereof and shall submit to the City Clerk a report of his or her findings and his or her recommendations for or against the issuance of the permit. The City Clerk may make such further investigations, as he/she deems necessary to establish the existence or nonexistence of facts material to the application. The City Clerk shall notify the applicant of the date of the hearing on the application before the City Council.

22-2.8 Granting or Denial of Permits.

The City Council, after a hearing thereon and in its sole discretion, may grant or deny a permit to sell fireworks. The City Council shall use the following criteria for granting permits:

a. Whether the applicant in fact complies with the eligibility requirements set forth in section;

b. The amount of community activity of the applicant;

c. The length of community service of the applicant;

d. The manner in which funds have been used by the applicant for prior community services;

e. The size of the annual budget of the applicant used in community service;

f. Such other community activities of the applicant as the Council deems relevant; and,

g. Applicants shall be notified by the City Clerk of the acceptance or rejection of such application for a license.

22-2.9 Inspections.

a. The applicant, by acceptance of the permit shall agree that fire officials and police officials may make inspections of the fireworks stand at any time.

b. Prior to the final issuance of a license to sell, the applicant shall have had the proposed fireworks stand inspected by the appropriate representatives of the Compton Fire Department, and shall have received certification by the Compton Fire Department that the proposed fireworks stand complies with the applicable provisions of this code, the State Fireworks Law and all regulations promulgated pursuant thereto.

22-2.10 Sales of Fireworks; Stands.

a. No person other than the permit holder shall operate the fireworks stand for which the permit is issued or share or otherwise participate in the profits of the operation of such stand.

b. No person other than the individuals, who are members of the permitted, or the wives or husbands or adult children of such members, shall sell or otherwise participate in the sale of the fireworks at such stand. No person other than those actually engaged in selling the fireworks shall occupy the interior of the stand.

c. No person shall be paid any consideration for selling or otherwise participating in the sale of fireworks at such stand.

d. Nothing contained in sections 22-2.1 through 22-2.9, and in this subsection shall limit the powers granted to the Compton Fire Department and its employees under this code.

e. No one less than eighteen (18) years of age shall sell or participate in the sale of "safe and sane fireworks."

f. During hours of operation, the sales booth shall be staffed by no less than two (2) qualified personnel. The licensee shall be responsible for appropriate security and safe keeping of fireworks stored overnight in temporary fireworks stands.

g. No fireworks shall be erected within one-half (1/2) mile of any other stand, nor within one hundred (100') feet of any gasoline station or commercial garage, nor within twenty-five (25') feet of any structure. The minimum setback from the street curbing shall be ten (10') feet.

h. Fireworks stands shall be constructed entirely out of metal and shall have metal flooring attached. No fireworks stand shall have a floor area in excess of four hundred (400) square feet.

i. All electrical wiring must be enclosed in conduits. The breaker boxes shall be GFI breakers. The manufacturer must have installed all wiring. Absolutely NO electrical wiring will be done at the stand site. All standards shall meet the approval of the Compton Building and Safety Department, prior to the beginning of sales.

j. No generators will be allowed within twenty-five (25') feet of the fireworks stand.

k. "No Smoking" signs must be displayed on and in the fireworks stand.

l. Firework stand in excess of twenty-four (24') feet in length must have at least two (2) exits; and each stand in excess of forty (40') feet in length must have at least three (3) exits spaced equal distance apart; provided, however, that in no case shall the distance between exists exceed twenty-four (24') feet.

m. Each stand shall be provided with two (2), two-and-one-half (2-1/2) gallon soda-and-acid or water pressure type fire extinguishers, underwriter approved, IN GOOD WORKING ORDER, and easily accessible for use in case of fire.

n. No fireworks shall be distributed within the City of Compton to any retail permittee or other person prior to June 30th nor later than 10:00 p.m. on July 4th. Stands shall only be open between the hours of 9:00 a.m. to 10:00 p.m. No stand may be erected before June 25 and shall be removed from the temporary location by 2:00 p.m., on the 9th day of July and all unsold stock and accompanying litter shall be cleared from the location by 5:00 p.m. on July 5.

22-2.11 Exceptions.

The provisions of this section shall not prohibit any person who is a manufacturer, wholesaler, dealer, or jobber, having a permit secured pursuant to the provisions of this section, from storing or selling any kind of fireworks for direct shipment out of the City of Compton or from storing or selling at wholesale any safe and sane fireworks to permittees hereunder; or the use of torpedoes, flares, or fuses by railroad or other transportation agencies for signal purposes or illumination; or the sale or use of blank cartridges for ceremonial purposes, athletic or sport events, or military ceremonials or demonstrations; or the sale of dangerous fireworks to permittees having a permit as provided for in this section for public displays; or the use and display of fireworks of whatever nature by any person engaged in the production of motion pictures, theatricals, or operas when such use and display is a necessary part of such production.

22-2.12 Public Displays.

Any person planning to make a public display of fireworks shall first make a written application for a permit to the Chief of the Compton Fire Department at least ten (10) days in advance of the date of display.

It shall be the duty of the Chief of the Compton Fire Department to make an investigation and submit a report of his findings and recommendations for or against the issuance of the permit, together with his reasons therefor, to the City Council. The City Council shall have the power, in its discretion, to grant or deny the application.

22-2.13 Applications for Public Displays.

The applicant for such public display permit shall, at the time of the application, furnish proof that he carries compensation insurance for his employees, as provided by the laws of the State, and that he has filed with the City Clerk a bond with at least two (2) good and sufficient sureties, to be approved by the City Council, in the sum of not less than one thousand ($1,000.00) dollars, conditioned upon the applicant's payment of all damages to persons or property which shall or may result from, or be caused by, such public display or fireworks or any negligence on the part of the applicant, or his agents, servants, employees, or subcontractors in the presentation thereof. If the permit is granted, the sale, possession, and use of fireworks for the public display shall be lawful for that purpose only.

22-2.14 Rules and regulations.

The Chief of the Compton Fire Department shall adopt reasonable rules and regulations for the granting of permits for and the presentation of public displays of fireworks. Every such display shall be handled or supervised by a competent and experienced pyrotechnic operator approved by the Chief of the Compton Fire Department. All public displays of fireworks shall be of such character and so located, discharged, or fired as not to be hazardous or dangerous to persons or property.

No permit issued or authorized to be issued by the provisions of this section shall be transferable.

22-2.15 Deliveries.

No person shall transport, convey, or deliver any dangerous fireworks, except for permittees making deliveries to other permittees, or to locations for public displays of fireworks authorized by the provisions of this code, or to distributors outside the City of Compton.

22-2.16 Gasoline Storage.

No person shall sell or discharge any fireworks in any public garage or public oil station or on any premises where gasoline or other inflammable liquids are stored or dispensed, or where more than four (4) motor vehicles are stored.

22-2.17 Rubbish.

No person shall allow any rubbish to accumulate on any premises where fireworks are stored or sold.

22-2.18 Violations: Penalties.

Any person violating any provision of this section or knowingly or intentionally misrepresenting to any officer or employee of the City of Compton any material fact in procuring the license or permit provided for in this code shall be guilty of a misdemeanor.

In addition thereto, any such misrepresentation or violation shall constitute grounds for the revocation of the permit by the City Council on twenty-four (24) hours' notice to the permittee, or if any such violation is committed in the presence of the Chief of Police or any police officer, the City Manager shall be empowered, upon receiving a

written and signed report thereof from any such officer, to close any such sales booth or stand forthwith.

22-2.19 Wholesale Permit.

a. The City Council may, in its discretion, grant a wholesale permit for the possession and wholesale distribution of safe and sane fireworks within the City of Compton to any person licensed by the State Fire Marshal as a manufacturer, importer, exporter, or wholesaler of safe and sane fireworks. Any such permit shall be upon the terms and conditions provided in this code, and shall contain the provisions set forth in this code.

b. Such wholesale permit shall, unless revoked by the City Council, be automatically reissued from year to year; provided, however, that the permittee shall annually, on or before March 31st of each year, file an application therefore in the same form as an application for the original permit, and shall pay the application fee required by section 22-2.21(a).

22-2.19 Application for Wholesale Permit.

Any application for a wholesale permit to engage in the possession and wholesale distribution of safe and sane fireworks in the City of Compton shall conform to the following requirements:

a. It shall be in writing, verified and accompanied by a nonrefundable application fee and a refundable fireworks stand removal deposit in amounts set forth in section 22-2.21(a);

b. It shall be filed with the City Clerk on or before March 31st of the year in which such permit is to be effective;

c. It shall be accompanied by a statement that, upon issuance of a permit, the applicant will deliver to the City of Compton a products liability, public liability and property damage insurance policy or bond in the amount of not less than one million ($1,000,000.00) dollars. Such policy shall be with a corporate insurance company and in such form as shall be approved by the City Attorney, and shall name the City of Compton, its officers and employees as additional insured;

d. It shall contain such other information as may be required by any City of Compton representative(s);

e. It shall set forth the name, principal place of business and telephone number of the applicant, its state fireworks license number or numbers, the names and addresses of its principal partners, owners or officers, and the name, residence address and capacity of the person signing the application;

f. It shall contain a statement that fireworks will not be furnished, sold, distributed or placed in the possession of any person or organization in the City of Compton, or for sale, use or distribution in the City of Compton, unless such person or organization holds a valid and unrevoked permit from the City of Compton to so possess, sell, use or distribute such fireworks.

22-2.21. Fee Imposed Upon Distributors.

a. Each fireworks wholesaler or distributor providing safe and sane fireworks to organizations or persons licensed under this code shall pay an annual regulatory fee to the City of Compton in an amount established by resolution of the City Council.

b. The fee required by this section shall be payable within five (5) days from the date that the City Clerk notifies applicants that their permit has been approved.

c. No fireworks wholesaler or distributor may supply, offer for sale or sell fireworks, unless and until the fee imposed by this subsection has been paid to the City of Compton and the City of Compton has issued a permit.

63. Deletions. International Fire Code Appendix A is deleted in its entirety and revised to read as follows:

Section 4 That section 22-3 of Chapter 22 of the Compton Municipal Code shall read as follows:

22-3 Appendix A Fee Schedule

APPENDIX A FEE SCHEDULE

FIRE PERMITS/PLAN CHECKS/FIELD INSPECTIONS/AND SPECIAL ACTIVITIES FEES

	ANNUAL FIRE PERMITS	FEE
	GENERAL USE PERMITS AND CERTIFICATES Shall be required for any activity or operation not specifically described below which, in the judgment of the Fire Chief or Fire Marshal, is likely to produce conditions hazardous to life and property (IFC Section 105.1). Permits are required from the Bureau of Fire Prevention and Environmental Control, Compton Fire Department.	145
A.1	**AEROSOL PRODUCTS** To store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (226.8 kg) net weight (see Chapter 28).	230
A.2	**AIRCRAFT REFUELING VEHICLES** To operate aircraft refueling vehicles (see Chapter 11).	230
A.3	**AIRCRAFT REPAIR HANGER** To use any structure for an aircraft repair hanger for the purpose of servicing or repairing aircraft (see Chapter 11).	230
A.4	**AMMUNITIONS**	230
A.5	**ASBESTOS REMOVAL** To conduct asbestos-removal operations regulated by Chapter 14.	230
A.6	**AUTOMOBILE WRECKING YARDS** To operate an automobile wrecking yard.	200
B.1	**BATTERY SYSTEMS** To install or operate stationary lead-acid battery systems having a liquid capacity of more than 100 gallons (378.5 L) (see Chapter 6).	230
C.1	**CANDLES AND OPEN FLAMES IN ASSEMBLY AREAS** To use open flame or candles in connection with assembly areas, dining areas of restaurants, or drinking establishments (see Chapter 3).	230
C.2	**CARNIVALS AND FAIRS** To conduct a carnival or fair (see Chapter 3).	230
C.3	**CELLULOSE NITRATE FILM** To store, handle, use or display cellulose nitrate film (see Chapter 3).	175
C.4	**CELLULOSE NITRATE STORAGE**	230

	To store or handle more than 25 lbs. of cellulose nitrate plastic for the manufacturing or assembly of articles or parts containing cellulose nitrate plastics (see Chapter 42).	
C.5	**COMBUSTIBLE FIBER STORAGE** To store or handle combustible fibers in quantities in excess of 100 cubic ft. (see Chapter 29).	175
C.6	**COMBUSTIBLE MATERIAL STORAGE** To store more than 2,500 cubic ft. gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber, cork, or other similarly combustible materials (see Chapter 3).	175
C.7	**COMMERCIAL RUBBISH HANDLING OPERATION** To operate a commercial rubbish handling operation (see Chapter 3).	230
D.1	**DRY CLEANING PLANTS** To engage in the business of dry cleaning or to change to a more hazardous cleaning solvent. Such permits shall prescribe the type of system to be used (see Chapter 12).	175
D.2	**DUST PRODUCING OPERATIONS** To operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices, sugar or other material producing dusts (see Chapter 13).	230
E.1	**EXPLOSIVES** (See Appendix Chapter 1)	230
E.2	**EDUCATIONAL COMMERCIAL FACILITIES –** DAY CARE	175
E.3	**LARGE FAMILY RESIDENTIAL DAYCARE** (Per facility)	175
F.1	**FILM OPERATIONS** This permit fee is per location and shoot. It includes site survey review and site inspection. (Stand-by Compton Fire Dept. Safety Officer is not included in this fee)	390
F.2	**FIRE HYDRANTS AND WATER CONTROL VALVES** For a permit to use fire hydrants or operate a water control valve intended for fire suppression purposes (see Chapter 5).	175
F.3	**FIREWORKS** For permits for fireworks (see Chapter 33).	175
F.4	**FRUIT RIPENING** To operate a fruit ripening process regulated by Chapter 16.	175
H.1	**HIGH PILED COMBUSTIBLE STORAGE** To use any building or portion thereof as a high-piled storage area exceeding 500 sq. ft. Plans shall be submitted with the application for such permits (see Chapter 23).	175
H.2	**HIGH PILED COMBUSTIBLE STORAGE IN RACKS** (See Chapter 23)	230
H.3	**HIGH RISE BUILDINGS** (per hr.) State mandated inspections of buildings over 55 ft. in height	85

plus $12.00 per floor above 55 ft.

H.4	**HOT-WORK OPERATIONS** Permits are required for hot work including, but not limited to: 1. Public exhibition and demonstrations where hot work is conducted. 2. Use of portable hot work equipment inside a structure. 3. Fixed-site hot work equipment such as welding booths. 4. Hot work conducted within a Hazardous Fire Area.	175
H.5	**HPM FACILITIES** (See Appendix Chapter 1)	230
I.	**INSTITUTIONAL OCCUPANCIES** (per facility) Assisted Living, Adult Daycare, Group homes, convalescent homes, etc.	175
L.	**LUMBER AND PALLET YARDS** To store lumber in excess of 100,000 board ft. or to store in excess of 200 pallets (see Chapter 19).	175
M.1	**MAGNESIUM WORKING** To melt, cast, heat treat or grind more than 10 lbs. of magnesium per working day (see Chapter 36).	230
M.2	**MALLS, COVERED AND INDOOR SWAPMEETS** To use a covered mall or building in excess of 10,000 sq. ft. in the following manner: 1. Placing or constructing temporary kiosks, display booths, concession equipment or the like in a mall or building. 2. To use a mall or building as a place of assembly. 3. To use open flame or flame producing devices. 4. To display any liquid-or gas-fueled powered equipment (See Chapter 34).	175
O.1	**OPEN BURNING** To conduct open burning, an application shall be accompanied with a permit from AQMD (see Section 307.2.1).	115
O.2	**OVENS, INDUSTRIAL DRYING AND BAKING** To operate an industrial baking or drying oven regulated by Chapter 21.	145
P.1	**PLACES OF ASSEMBLY** To operate a place of assembly (see Chapter 2). a. 50-l00 persons b. 100-500 persons c. 500-l,000 persons d. over 1,000 persons	 230 230 345 575
P.2	**PYROTECHNICAL SPECIAL EFFECTS MATERIAL** For permits for pyrotechnical special effects material (see Chapter 33). Stand-by Compton Fire Dept. Safety Officer is required.	230

R.1	**REPAIR GARAGES** To use a structure as a place of business for servicing or repairing motor vehicles (see Chapter 22).	175
R.2	**RESIDENTIAL CARE FACILITIES** (Per facility)	150
S.1	**SPRAY AND DIPPING BOOTHS** (See Appendix Chapter 1)	230
T.1	**TIRE STORAGE** To use an open area or portion thereof to store tires in excess of 1,000 cubic ft. (see Chapter 25).	230

FIRE CLEARANCES

Fire clearances required by the State or other governmental agencies are assessed fees at the per hour. This hour includes but is not limited to convalescent homes, nursing homes, homes fo sanitariums, boarding homes, children's homes, and medical hospitals.

PLAN CHECKS/FIELD INSPECTIONS/CERTIFICATES

Deposit – A deposit in the amount of 50 % of estimated fees will be required prior to the start of plan check or review.

PC- 1	**Tennant Improvement** (Additions, alterations and repairs to existing structure such as walls, ceilings, egress, draft curtains, vents, protection systems, etc.)	145
PC-2	**New Construction Plan Review**	
	Up to 20,000 sq ft. per floor per building	185
	20,001 to 50,000 sq ft. per floor per building	425
	50,001 to 100,000 sq ft. per floor per building	850
	More than 100,000 sq ft. per floor per building	1065
	Residential single family dwelling	85
PC-3	**Special Equipment**- Spray booths, fumigant chambers, pressure vessels and tanks, drying ovens, industrial baking ovens, industrial heating equipment, dip tanks, flow coating equipment, and other industrial equipment requiring Compton Fire Department approval.	175
PC-4	**Special Systems**- Vapor recovery systems, dust collecting system, commercial industrial compressed or liquid gas manifold, and other special systems requiring Compton Fire Department approval.	175
PC-5	**Fire Alarm Systems** (see Chapter 9)	175
PC-6	**Fire Extinguishing Systems** (see Chapter 9) plus $5.00 per nozzle.	175
	Halon Type Systems with one nozzle (see Chapter 9)	175
	each additional nozzle	85
PC-7	**Flammable Liquids**-(see Chapter 34)	
	a. Underground storage tanks- installations, removals, modifications/upgrades or abandonments first tank	230
	each additional tank	145
	b. Aboveground storage tanks- installations, removals, modifications/upgrades or abandonments first tank	230
	each additional tank	145

	c. Flammable Liquid Room (H2)	200
	d. Processing/refining to each cracking tower	230
PC-8	**LPG Tanks Installation**, Plan Clearance – per tank	230
	Removal, Demolition, Plan Clearance – per tank	230
	Modification, Piping and Structural	230
	Mechanical Refrigeration System	175
PC-9	**Sprinkler Systems** (see Chapter 9) New system or relocation of 50 or more sprinkler heads. ($350.00) plus ($4.00) per 1,000 sq. ft or any fraction thereof	350.00+
PC - 10	Tenant Improvement involving less than 50 sprinkler heads or relocation of less than 50 existing sprinkler heads	230
PC - 11	Junior Sprinkler Systems – less than 20 sprinkler heads	170
PC - 12	Standpipe Systems – including all wet, dry or combination systems	230
PC – 13	Residential Fire Sprinkler 13D (single family dwelling)	170
PC - 14	**Re-inspections** - a result of requested inspection not canceled or ready upon arrival of Compton Fire Department representative.	
	1st re-inspection/Violation 2nd notice	100
	2nd re-inspection/Violation 3rd notice	200
	3rd re-inspection/Violation/City Attorney (total of above fees plus City Attorney's cost	
PC-15	Requested Pre-Occupancy clearance inspection or residential inspection (per hour - $85.00 minimum)	85

SPECIAL ACTIVITIES-ONE TIME EVENTS

Combination of plan check/fire permit/field inspection/or special activity. These events may require a Compton Fire Department Safety Officer on duty at the owner or Operator's expense.

SA-1	Fireworks-Public Display (see Chapter 33)	230
SA-2	Conducting any blasting operation, for each four hour period or fraction thereof.	230
SA-3	Special Events-Public assemblies, stage productions, exhibits, reviewing stands, grandstands and bleachers, trade shows, concerts, banquets, etc.; other than carnival tents and air supported structures.	230
SA-4	TENTS, CANOPIES, AND TEMPORARY MEMBRANES STRUCTURES (see Chapter 24) To erect or operate a tent or air-supported temporary membrane structure having an area in excess of 200 sq. ft., or a canopy in excess of 400 sq. ft., except for structures used exclusively for camping (see Chapter 24). Approved standby fire-watch may be required at operator's expense.	

	200 – 400sq. ft.	150
	400 – 30,000 + sq. ft.	230
	When two or more items of the same or different classification that require a permit, and are located or installed at the premises, a multiple purpose permit may be obtained. The fee for this permit shall be 100% of the largest permit item plus 2/3 of the second largest permit fee plus 1/3 of each additional permit item.	
SA-5	Christmas Tree lots	100

MISCELLANEOUS

1.	False alarm cost recovery – A fee will be charged for the third false alarm at the same location within any 90 day period; or any time a false alarm is generated by an individual working on a fire alarm or fire sprinkler system. In the latter case, the person responsible for initiating the alarm will be billed. (one hour minimum)		Actual Response Cost
	30 days past due		50
	60 days past due		100
	90 days past due		200
2.	Hazardous materials contamination or remediation oversight – one hour minimum		Actual Response
3.	Hazardous materials business plan/RMP review – one hour minimum		85
4.	Fire Code appeals – not refundable		500
5.	Working without a permit	100% of fee	500
	plus		200
	Investigation fee	100% of fee	
	plus		
	Penalty fee (in addition to permit fee)	100% of fee	
	Written fee	full cost	
6.	Late payment penalty fees for Annual Permits (In addition to permit fees.)		
	30 days past due		50
	60 days past due		100
	90 days past due		200
7.	Inspections after normal business hours		350
8.	Standby Fire Department Equipment with crew - per hour (Ambulance Cost - $100, Fire Engine Cost - $200)		Actual Staff Cost
9.	Copies of reports are $25.00. Research fees are $30.00 an hour with a minimum of $30.00 and a maximum of $115.00.		
10.	The expediting of plan checks will result in the fees being doubled.		
11.	This fee schedule may be amended from time to time by a resolution of the City Council.		
12.	New Materials, Processes, or Occupancies may require a permit. The City Manager, the Fire Chief and the Fire Marshal shall act as a committee to determine and specify,		

after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies which shall require permits in addition to those now enumerated in this code.

13. The Fire Marshal or designee shall post such a list in a conspicuous place in his office and distribute copies thereof to interested persons.

Section 5. **Severability**

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional

Section 6. **Retention of Rights**

That nothing in this ordinance or in the Fire Prevention Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. **Attestation**.

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.

Section 8. **Effective Date**

That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days after the date of its final passage and adoption.

ADOPTED this _____ day of _____, 2009

_____
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 Ordinance was duly 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 _____, 2009.

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: **Fire Department**

RESOLUTION TITLE: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON REPEALING CHAPTER 22 OF THE COMPTON MUNICIPAL CODE AND REVISING SAME BY ADOPTING BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (TITLE 24, CALIFORNIA CODE OF REGULATIONS), PART 9 (2007 CALIFORNIA FIRE CODE), AND THE 2006 INTERNATIONAL FIRE CODE AND PROVIDING FOR ADDITIONS, DELETIONS AND AMENDMENTS THEREOF.**

Jon Thompson	**7/6/2009 4:47:29 PM**
DEPARTMENT MANAGER'S SIGNATURE	DATE

REVIEW / APPROVAL

Ruth Rugley	**7/8/2009 9:02:19 AM**
CITY ATTORNEY	DATE
Willie Norfleet	**7/7/2009 5:45:44 PM**
CITY CONTROLLER	DATE
Charles Evans	**7/7/2009 5:07:36 PM**
CITY MANAGER	DATE

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

July 21, 2009

TO: **MAYOR AND CITY COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF AN AMENDMENT TO THE CITY OF COMPTON'S SECTION 108 LOAN PROGRAM PROJECT – MARTIN LUTHER KING JR. TRANSIT CENTER PROJECT**

SUMMARY
Staff would like Council to consider adopting and authorizing the submission of the proposed amendment to the City's Section 108 Loan Guarantee Program Project.

BACKGROUND
In 1995, the City applied for and was awarded a $5 million loan from the U.S. Department of Housing and Urban Development (HUD)'s Section 108 Loan Guarantee Program to establish an Economic Development Loan Program. In 2000, the City amended its application to request that these funds be used to finance the development of the Oasis Entertainment Complex at the old Auto Plaza site on Alameda Street and Artesia Boulevard. The project was never developed and the site is now the home of the Gateway Towne Center. In 2006, the City submitted an application to HUD requesting that these funds be used to finance the Richland Farms Public Right of Ways Streets and Curbs Project, but the project was not approved. The City would like to submit a new application to HUD requesting that the project be amended from the Oasis Entertainment Complex to the Martin Luther King Jr. Transit Center (MLKTC) Project.

The MLKTC Project will involve the construction of a 10,000 square foot building which will house the Regional Traffic Management and Operations Center, Renaissance Bus Transit System, Dial-A-Ride Service, Dial-A-Taxi Service, Park and Ride, and Bus Layover Facility. It will also involve the construction of a number of ancillary facilities, including: a diesel fuel and compressed natural gas fueling station; an electric vehicle recharging station; a bus wash facility; a parts storage facility; and bicycle storage areas. The project location is 310 North Willowbrook Avenue, Compton, CA 90220 (LMA Census Tract/Block Group #5426021).

In compliance with HUD's citizen participation requirement, the City made a draft copy of the amended application available for public viewing in the offices of the City Clerk, City Manager, and Planning and Economic Development Department for a 30-day review period beginning June 17, 2009. The City also made a copy of the draft application available on the City's Website. Citizens were informed that they had until July 21, 2009 to submit written comments and would have an opportunity to make comments at a public hearing scheduled for today.

FISCAL IMPACT
The proposed amendment would have no fiscal impact. The funds for the MLKTC Project would be paid for out of the Section 108 Loan Account #679008110.

RECOMMENDATION
Staff recommends that the City Council adopt the attached resolution.

DEREK HULL, DIRECTOR
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

CHARLES EVANS
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF AN AMENDMENT TO THE CITY OF COMPTON'S SECTION 108 LOAN PROGRAM PROJECT – MARTIN LUTHER KING JR. TRANSIT CENTER PROJECT

WHEREAS, in 1995 the City of Compton applied for and was awarded $5 million in Section 108 Loan Guarantee Program funding from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, in 2000, the City requested that these funds be used to finance the development of the Oasis Entertainment Complex at the old Auto Plaza site on Alameda Street and Artesia Boulevard; and

WHEREAS, the Oasis Project fell through and the old Auto Plaza site is now the home of the Gateway Towne Center; and

WHEREAS, the City would now like to amend its Section 108 Loan Project from the Oasis Entertainment Complex to the Martin Luther King Jr. Transit Center Project (MLKTC); and

WHEREAS, the MLKTC Project involves the construction of a 10,000 square foot building which will house the Regional Traffic Management and Operations Center; Renaissance Bus Transit System; Dial-A-Ride Service; Dial-A-Taxi Service; Park and Ride; and Bus Layover Facilities; and it will also include a diesel fuel and compressed natural gas fueling station; an electric vehicle recharging station; a bus wash facility; a parts storage facility; and bicycle storage areas; and

WHEREAS, the location of the MLKTC Project is 310 North Willowbrook Avenue, Compton, CA 90220 (LMA Census Tract/Block Group #5426021); and

WHEREAS, in compliance with HUD's requirement that citizens be given an opportunity to comment on all proposed amendments, the City published a Public Notice in The Bulletin on June 17, 2009 informing the public that they had until July 21, 2009 to submit written comments on the proposed amendment; and

WHEREAS, the City Council held a public hearing on Tuesday, July 21, 2009 to receive citizen comments on the proposed amendment.

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

Section 1. That the City Council shall adopt the proposed amendment to the City's Section 108 Loan Guarantee Program Project and the HUD-mandated Consolidated Plan.

Section 2. That the City Manager is authorized to submit the new Section 108 Loan Application to HUD and to execute the amendment in accordance with HUD and City regulations.

Section 3. That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, Public Works Department, and the Planning and Economic Development Department.

#12.

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

ADOPTED this _____ day of _____ 2009

_____
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 Clerk at the regular meeting thereof held on the _____ day of _____, 2009.

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

AYES: **COUNCIL MEMBER** –
NOES: **COUNCIL MENBER** –
ABSENT: **COUNCIL MENBER** –
ABSTAIN: **COUNCIL MENBER** –

_____
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 AN AMENDMENT TO THE CITY OF COMPTON'S SECTION 108 LOAN PROGRAM PROJECT – MARTIN LUTHER KING JR. TRANSIT CENTER PROJECT**

Derek Hull	**7/14/2009 5:09:27 PM**
DEPARTMENT MANAGER'S SIGNATURE	DATE

REVIEW / APPROVAL

Ruth Rugley	**7/16/2009 9:10:30 AM**
CITY ATTORNEY	DATE
Willie Norfleet	**7/16/2009 11:48:57 AM**
CITY CONTROLLER	DATE
Charles Evans	**7/16/2009 8:03:47 AM**
CITY MANAGER	DATE

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

July 21, 2009

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **PLANNING COMMISSION DECISION APPEAL OF CONDITIONAL USE PERMIT CASE NO. 2622 (510 W. COMPTON BOULEVARD)**

SUMMARY

Council will consider an appeal of a Planning Commission decision denying a request to allow the sale of beer and wine for off-site consumption as an accessory to an existing mini-mart in the Limited Commercial (C-L) zone. Uses involving the sale of alcoholic beverages require approval of a conditional use permit in accordance with Section 30-26 of the Compton Municipal Code.

BACKGROUND

On February 11, 2009, the Planning Commission conducted a public hearing to consider the applicant's request. After concluding the hearing, the Planning Commission denied Conditional Use Permit Case No. 2622. The applicant has appealed denial of the request to the City Council. All appeals must be conducted during an advertised public hearing. This date and time was duly noticed.

PROJECT DESCRIPTION

The site is a square-shaped parcel of land approximately 10,000 square feet in size. The site has 100 lineal feet of street frontage along the south side of Compton Boulevard. The property is developed with a 3,864 square foot multi-tenant building. The building contains two tenants, a 1,264 square foot fish market/restaurant and a 2,600 square foot mini-market (Young's Food Market). Presently, nine (9) parking stalls are provided on-site, some sub-standard in size and back-up space; no parking lot lighting and approximately 3.2% of the site is landscaped.

Young's Food Market was recently purchased by the applicant. The applicant wishes to upgrade the market to provide fresh meat and produce. The applicant desires to sale off-site beer and wine (type 20 alcohol license), as an accessory to the mini-market. The market's hours of operation are from 7:30 a.m. to 8:30 p.m. daily (see Applicant's Project Description).

STATEMENT OF THE ISSUES

The City of Compton, on June 20, 1989, adopted by resolution an Alcoholic Beverage Sales Policy. At the time of its adoption, the Compton City Council wanted to discourage the abuse of alcohol, and alcohol-related criminal activities, traffic incidents and health problems. According to the guidelines, the City expected that businesses requesting permits for off-site alcohol sales would do so as a part of a marketing plan which fulfills a variety of consumer needs. Further, the City's goal was to reduce the number of alcohol sales outlets

for both on-site and off-site consumption by setting guidelines related to the over-concentration of similar uses, proximity to sensitive uses, neighborhood crime statistics and conformance with required physical development standards of the proposed site.

1) The City's policy requires a minimum 1,000 foot separation from similar businesses. An existing liquor store is approximately 800 feet west, on the north side of Compton Boulevard. ABC reported that the census tract would be allowed three similar businesses; one currently exists.

2) The City's policy also states that "bars, liquor stores and convenience stores should be located at least 1,000 feet from "sensitive" uses such as schools, churches and some medical facilities". There is a multi-story medical clinic/office building located one block west on the north side of Compton Boulevard and two churches located just outside the 1,000 radius.

3) The subject site is located in a high crime reporting area. The average number of offenses per district is ABC reporting district is 300.13; the number of offenses for this district is 756, double the district average. The Sheriff's Department has also reviewed the proposal and provided staff with crime statistics for the immediate area. Although the subject site has relative low incident calls, incidents within the immediate area are higher and narcotics intense.

4) The City's policy stipulates that the alcohol related business should comply with all development standards (i.e. parking, accessibility, landscaping, etc.). The subject site complies with the minimum lot size and has direct access/frontage along a major commercial thoroughfare. However the site does not comply with current development standards related to on-site vehicle circulation, required landscaping (10% of lot), and parking stall size, back-up and number of stalls. Plans indicated no provision of required parking lot lighting.

The Planning Commission conducted its public hearing and received testimony from the applicant, applicant's representative, and persons speaking for and against the project. Upon conclusion of the public hearing, the Planning Commission voted to deny Conditional Use Permit Case No. 2622 based on the following findings:

A. That the accessory sale of beer and wine in a an existing mini-market is not a compatible use and has the potential to be detrimental to the public welfare or surrounding area, in that the subject site is located in a high crime reporting district and its proximity to other alcohol related businesses.

B. That the site where the sale of beer and wine is proposed is not in substantial conformance with development standards of the zoning ordinance in that the site is under parked and landscaped, has awkward on-site circulation and minimal parking lighting.

C. That the accessory sale of beer and wine in an existing mini-market has the potential to be disadvantageous in the long term in that it would undermine the intent of the City's Alcoholic Beverage Sales Policy.

The Planning Commission then closed the public hearing and voted to deny the request for a conditional use permit for the sale of beer and wine.

RECOMMENDATION

Staff recommends that the City Council uphold the Planning Commission decision to deny Conditional Use Permit Case No. 2622 by adopting the attached resolution.

GAY K. MORRIS, AICP
INTERIM DIRECTOR, PLANNING & ECONOMIC
DEVELOPMENT DEPARTMENT

CHARLES EVANS
CITY MANAGER

Attachments

Aerial Map
Site Plan and Floor Plan
Photographs
Planning Commission Minutes, February 11, 2009
ABC Worksheet
Sheriff's Activity Report
Appeal Application Packet
Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE DECISION BY THE PLANNING COMMISSION DENYING CONDITIONAL USE PERMIT CASE NO. 2622

WHEREAS, in its Resolution No. 3866, adopted March 11, 2009 the Planning Commission, after due notice and hearing as provided by law, denied an application to the sale of off-site beer and wine as an accessory to an existing mini-market at 510 West Compton Boulevard, Compton; and

WHEREAS, an appeal therefore has been taken to the City Council, and after due notice, said City Council held and concluded a public hearing thereon on June 16, 2009; and

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

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

Section 1. That the findings of the Planning Commission in its Resolution No. 3866 shall be adopted, that the action of the Planning Commission in said Resolution No. 3866 is hereby upheld, and that the appeal relative to the application to allow the sale of beer and wine for off-site consumption at 510 West Compton Boulevard, Compton, shall be denied subject to findings found in Planning Commission Resolution No. 3866.

Section 2. That a copy of this Resolution shall be mailed to the applicant/ appellant.

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

ADOPTED this _____ day of _____, 2009.

_____

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 by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2009.

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

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

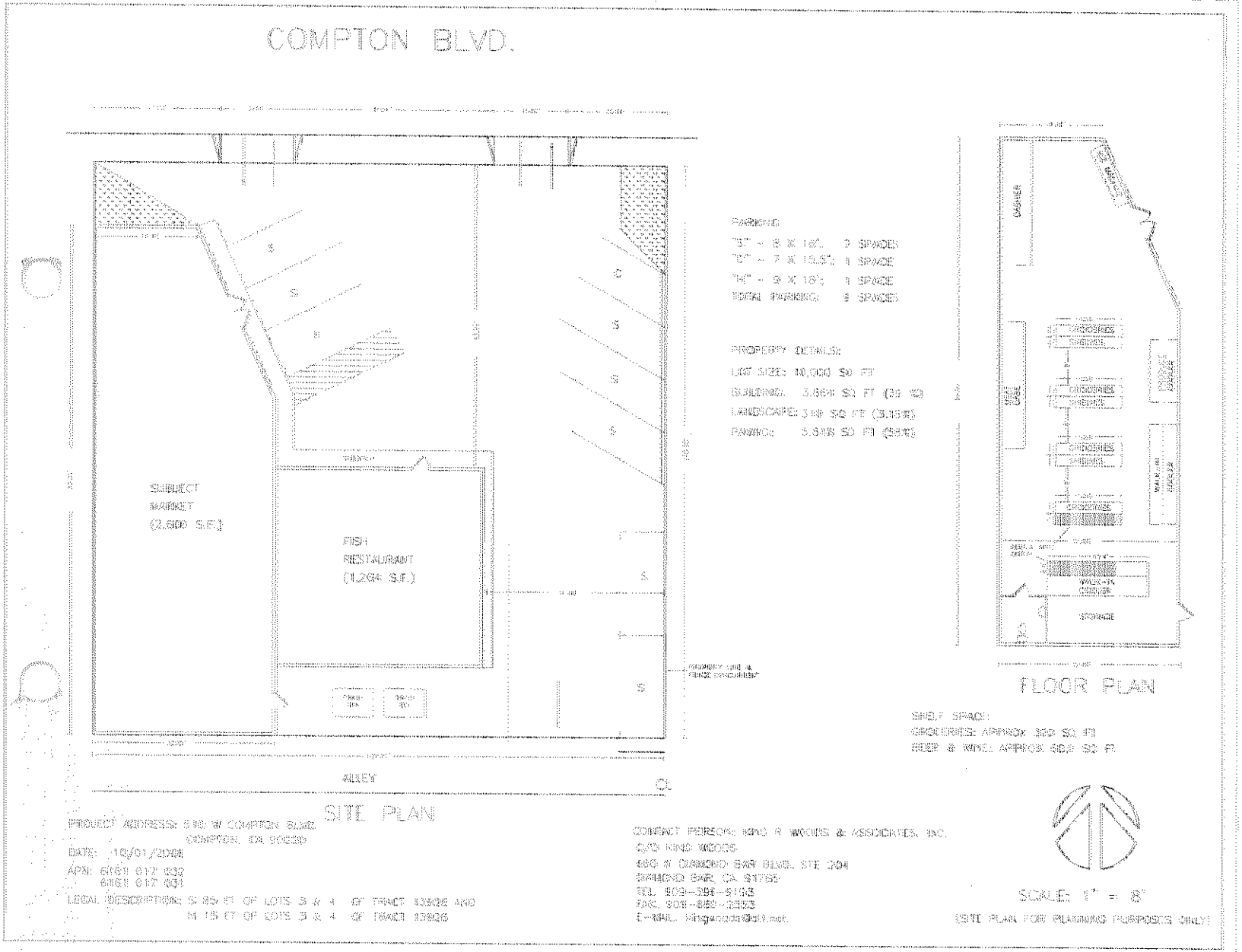
_____
CITY CLERK OF THE CITY OF COMPTON

AERIAL MAP

Conditional Use Permit Case No. 2622

510 W. Compton Blvd.

#13.



SITE PLAN

PROJECT ADDRESS: 530 W COMPTON BLVD.
COMPTON, CA 90220

DATE: 10/01/2008

APN: 6161 017 032
6161 017 031

LEGAL DESCRIPTION: S 85 FT OF LOTS 3 & 4 OF TRACT 13926 AND
N 15 FT OF LOTS 3 & 4 OF TRACT 13926

CONTACT PERSON: KING R. WOODS & ASSOCIATES, INC.
C/O KING WOODS
400 N. DIAMOND BAR BLVD. STE 304
DIAMOND BAR, CA 91765
TEL. 909-594-5168
FAX. 909-860-2253
E-MAIL: kingwoods@sbcl.net

SITE PLAN FOR PLANNING PURPOSES ONLY

PROJECT PHOTOGRAPHS:

PROJECT ADDRESS: 510 W COMPTON BLVD.

(6) **CONDITIONAL USE PERMIT CASE NO. 2622** – A request of **P&K Spark, Inc.** for the sale of off-site beer & wine as an accessory use to an existing mini-market at **510 W. Compton Boulevard** in the Limited Commercial (C-L) zone.

Summary
The Commission will decide whether to grant/deny the applicant's request for the sale of off-site beer & wine. The Commission will determine what conditions and restrictions should be applied if granted.

Commissioner Darden moved to open the public hearing regarding **Conditional Use Permit Case No. 2622.** The motion was seconded by Commissioner Hill and carried unanimously. The public hearing was opened at 8:00 p.m.

Staff Representative Jessica Lopez addressed the Commission stating that the applicant is requesting that the sale off-site alcohol/beer and wine within an existing mini-market located at 510 W. Compton Blvd be granted. The subject site is the third property to the west from the southwest corner of W. Compton Boulevard and Barron Avenue. The property is a developed building containing two tenants; a 1,264 square foot fish market/restaurant and a 2,600 square foot mini-market (Young's Food Market).

Young's Food Market was recently purchased by the applicant. The applicant wishes to upgrade the market to provide fresh meat and produce. The applicant would like to sale off-site beer and wine/type 20 alcohol license, accessory to the mini-market. The market's hours of operation are from 7:30 a.m. to 8:30 p.m. daily.

Ms. Lopez noted that the City of Compton, on June 20, 1989, adopted an Alcoholic Beverage Policy. At the time of its adoption, the Compton City Council wanted to discourage the abuse of alcohol, and alcohol-related criminal activities, traffic incidents and health problems. Staff's analysis of this project concluded that this site does not comply with the City's alcohol guidelines. Staff' First of all, the city's policy does not encouraged liquor/convenience store, as it caters to a "narrow segment of the public." Secondly, the subject site does not comply with the policy's guidelines in that this site does not comply with all development standards. This site is under landscaped, under parked, has poor on site vehicle circulation.

The City's policy stipulates that an over concentration of businesses with alcohol sales should be avoided. According to statistics obtained from the Alcohol Beverage Control (ABC) Department, census tract 5425 (census tract in which the site is located in) is not over concentrated with existing alcohol licenses. Three alcohol licenses are allowed for this census tract and one currently exists. However the City's policy also stipulates that a minimum of 1,000 foot separation from similar uses. There is an existing convenience/liquor store located right down the street approximately 800 feet away.

The City's policy also stipulates that "bars, liquor stores and convenience stores should be located at least 1,000 feet from "sensitive" uses such as schools, churches and some medical facilities". There is a multi-story medical clinic/office building located one block west on the north side of Compton Boulevard and two churches located just outside the 1,000 foot radius.

Lastly, statistics provided by the Department of Alcoholic Beverage Control (ABC), indicates that the subject site is located in a high crime reporting area. The average number of offenses per district is 300.13 and the number of offenses for this district is 756, well above average. The Sheriff's Department has also reviewed the proposal and provided staff with crime statistics for the immediate area (see exhibits). Although the subject site has relative low incident calls, incidents within the immediate area are higher and narcotics intense.

Representative Lopez further added that notices were sent out to property owners and occupants within a 1,000 foot radius. As of February 11, 2009, one call was received in opposition and staff has received various inquiries from city officials. Additionally the applicant has provided staff copies of signed petitions in favor of the proposal. The Development Review Committee (DRC) has reviewed the project and recommends against it due to non-compliance with the City's Alcoholic Beverage Sales Policy. Staff cannot support the applicant's request, given the statistics from the Department of Alcoholic Beverage Control, the recommendation against the project by the Development Review Committee, and the non-compliance with the City's alcohol policy. Therefore, staff recommends to the Planning Commission that Conditional Use Permit Case No. 2622 be denied subject to the findings contained in the staff report.

Mr. Tron Kim, the applicant, addressed the Commission and requested that Conditional Use Permit Case No. 2622 be approved.

Commissioner Hill asked how long the previously owner had been at the location.

Mr. Kim replied that the previous owner was well-known in the community and had previously been there for many years.

Commissioner asked Mr. Kim to elaborate on the type of products that are sold at the location.

Mr. Kim stated that he took over the store to provide fresh and "one-stop" shopping for the neighborhood. Mr. Kim noted that the store is experiencing slow business, but with the sale of beer and wine, he would be able to continue to provide services to the community. He also noted that he had made substantial improvements to the store. Mr. Kim added that he employs minorities at the store and that the store is well-kept and highly secured and well lit.

Commissioner Darden asked if he was aware of the alcoholic beverage policy prior to purchasing the property, noting that there is another liquor store within 800 feet of his property. Commissioner Darden noted that the policy stipulates that the separation of stores selling alcoholic beverages must be 1,000 feet.

Mr. Kim replied that he was not aware of such policy.

Commissioner Darden noted that there exists two churches in the vicinity, and the City wishes to discourage the sale of such alcoholic beverages near churches and schools.

Mr. Kim stated that he also is a Christian and he has experienced no problems in the area.

Commissioner Saunders asked Mr. Kim if had experienced an increase or decrease in sales since he purchased the store.

Mr. Kim replied that his sales have decreased. However, sales are improving because he is displaying more products.

Commissioner Saunders questioned whether the applicant had assessed the impact of two major grocery stores in the area as it relates to sales at his business when he decided to take ownership of the property.

Mr. Kim replied that the super markets are for residents shopping for major groceries. However, his market is for quick and easy purchases.

Commissioner Green-Wright inquired as to the number of workers at the store.

Mr. Kim replied that originally he employed five workers; however, with the present economic situation, he employs one African-American and one Latino.

Commissioner Turner questioned whether Mr. Kim opened any other stores in Compton.

Mr. Kim replied that he has one store in Compton, however, he has other stores in Los Angeles County.

The Commission noted that new businesses are welcomed into the City, however, there are rules and regulations that must be adhered to for the benefit of the citizens in the community.

King Woods, 660 N. Diamond Bar Blvd, Suite 204, Diamond Bar, represented Mr. Kim and urged the Commission to approve the request. Mr. Woods noted that Mr. Kim has a lot of experience with markets of this type. Mr. Woods noted that in checking with the

Department of Alcoholic Beverage Control, he found that there is only one license issued for alcohol sales when, in fact, three are allowed. He also noted that Mr. Kim would be selling produce and meats as well.

Mr. Wood then offered several conditions to assist in the approval of the conditional use permit which included; that only 5 % of floor space be addressed to the sale of alcoholic beverages. He also noted that the applicant could lease space to provide for the 11 parking stalls. Mr. Wood also noted that Mr. Kim would be amenable to providing additional lighting and security cameras and the store would provide 5% of landscaping of the exterior. Also, the applicant would be required to return to the Commission after one year of operation. In addition, the store would be prohibited from single can alcohol purchases.

Mr. Herbert Arceneaux, 420 W. Tichenor Street, addressed the Commission stating that he has been living in Compton since August of 1962. Mr. Arceneaux felt that there is an over saturation of the store selling alcoholic beverages in the area, adding that Ralphs and Food for Less and others sell alcohol.

Denise Clark, 505 W. Almond, addressed the Commission stating she lives in the affected area. Ms. Clark noted that there are problems in the area, noting there are individuals loitering in the area. She also noted that there is a day care nearby, which will be adversely affected by the store. Ms. Clark wished Mr. Kim well, however, there is an over saturation of the sale of alcoholic beverages in the area.

Vernest Smith, 1001 Cressey, stated that he has been in Compton since 1963 adding that he has not seen any problems in the area. Mr. Smith remarked on the improvements that have been made at the store and spoke in favor of the applicant.

Carlos Reyes, 525 Magnolia, spoke In favor of the market selling alcoholic beverages. Mr. Reyes noted that he works at the location.

Marco Roman, 1401 S. Tamarind, spoke in favor of the new owner, adding that Mr. Kim has re-built the store which provides quality products and courteous service.

Victor Vasquez, 524 W. Magnolia, addressed the Commission and stated that Mr. Kim has greatly improved the store with more lights and a video camera. He urged the Commission to approve the request.

Gary Florence, 135 Magnolia Court, stated that he resides in the area and there is a church and school nearby and prior to the time Mr. Kim took over and there were problems. However, since Mr. Kim has been there, the situation has greatly improved. Mr. Florence spoke in favor of the request.

Ramiro Palomares, 511 W. Palm, stated that he has been living there for 21 years and there are schools and AA in the area. He felt it would be counterproductive to sell alcohol. He noted that the store is nice and clean, but the sale of alcohol would create problems.

Ms. Margaret Leon, 507 W. Palm Street, addressed the Commission and spoke in opposition to the sale of alcoholic beverages at the location. Ms. Leon informed the Commission that there are many residents in the area opposed to the sale of alcohol at the location but they were not able to attend the meeting to voice their concerns. She further stated that she is willing to present petitions in opposition to the request.

Domingo Palomares, 509 W. Palm Street, addressed the Commission and spoke in opposition to the sale of alcohol at the location.

There being no further comments, Commissioner Darden moved to close the public hearing. The motion was seconded by Commissioner Turner and the hearing was closed at 8: 47 p.m.

Commissioner Turner moved to deny **Conditional Use Permit Case No. 2622.** The motion was seconded by Commissioner Hill and carried unanimously.

#13.

RESOLUTION NO. 3866
(CONDITIONAL USE PERMIT CASE NO. 2622)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COMPTON DENYING A REQUEST FOR A CONDITIONAL USE PERMIT

WHEREAS, P&K Spark, Inc. DBA Kenny Market has made application for a conditional use permit in accordance with Sections 30-26 of the Compton Municipal Code for the use of certain real property situated in the City of Compton, legally described as follows:

Lots 3 and 4 of Tract No. 13926, in the City of Compton, County of Los Angeles, California as per map recorded in Book 280 Page 40 of Maps in the Office of the County Recorder of said County.

located at **510 West Compton Blvd.**, Compton, California; and

WHEREAS, under CMC Section 30-12, a conditional use permit is required for the sale of beer and wine for off-site consumption; and

WHEREAS, in November of 2008, Applicant filed an application for a conditional use permit for the sale of beer and wine as an accessory use as required by Section 30-12.2(b)(11) of the Compton Municipal Code ("CMC"); and

WHEREAS, the site is developed with a 3,864 square foot, multi-tenant commercial building including a 2,600 square foot convenience store (mini-market) ; and

WHEREAS, the Applicant proposes to use approximately 60 square feet total of the stores floor area for the sale of alcohol, consisting of (2' x 12') coolers for beer and, (2.5' x 12') shelves across from the coolers for wine; and

WHEREAS, under CMC Section 30-12.2(b)(11) beer and wine sales for consumption off the premises, as an accessory to a convenience store where such sales utilize less than ten (10%) percent of the sales floor area is permitted in the C-L zone provided a conditional use permit is obtained which complies with Section 30-26 and Section 30-12.4(h); and

WHEREAS, CMC Section 30-12.4(h) requires all applications for conditional use permits for the sale of alcoholic beverages to be subject to the criteria established in the City's policy for the evaluation and approval of conditional use permits for the sale of alcoholic beverages; and

WHEREAS, "major retail facility" is defined in CMC Section 30.3 as "a place of business, containing more than ten thousand (10,000) square feet of retail sales floor area, used for the retailing of a variety of consumer goods;" and

WHEREAS, "convenience store" is defined in CMC Section 30.3 as "a place of business, containing less than ten thousand (10,000) square feet of retail sales floor area, used for the retailing of a variety of consumer goods;" and

WHEREAS, under CMC Section 30-12.2(a) convenience stores and major retail facilities are permitted uses in the C-L zone; and

WHEREAS, on June 20, 1989, the City Council adopted by resolution an Alcoholic Beverage Policy ("Policy"); and

WHEREAS, at the time of the adoption of the Policy, the City Council wanted to discourage the abuse of alcohol, and alcohol-related criminal activities, traffic incidents and health problems; and

WHEREAS, the City's goal in adopting the Policy was to reduce the number of alcohol sales outlets for both on-site and off-site consumption by setting guidelines; and

WHEREAS, according to the guidelines, liquor/convenience stores are "not encouraged" as they "cater to a fairly narrow segment of the buying public and offer little else of value to the community;" and

WHEREAS, smaller markets/convenience stores and locations where alcohol, beer and wine were to be consumed off-site were required to obtain a conditional use permit; and

WHEREAS, the City's Policy addresses the location of businesses with alcoholic beverage licenses by establishing certain physical requirements, including that bars, liquor stores and convenience stores should be located at least 1,000 feet from "sensitive uses" such as schools, churches and some medical facilities; and

WHEREAS, there are three (3) sensitive uses located within 1,000 feet of the subject site, a medical office building, a convenience store with alcohol license and alcoholic anonymous office, all located west of the subject site and

WHEREAS, the guidelines also stipulate that the alcohol related business should comply with all development standards (parking, landscaping, etc.) and that the site should be sufficient in size to adequately serve the community; and

WHEREAS, the subject site requires 11 parking spaces and 9 spaces are presently available; and

WHEREAS, the subject site existing parking stalls are substandard is size; and

WHEREAS, the subject site requires 5% on-site landscaping and 3.2% on-site landscaping is provided; and

WHEREAS, the ABC's Crime Report for the area shows that this location is a high crime reporting district with 756 reported offenses for this district as opposed to the average of 300.13 offenses per district; and

WHEREAS, Sheriff's Department provided the Planning Commission with an analysis of the crimes in the area in which Kenny's Market is located which showed that the area has high incidences of narcotics, theft/burglary; and

WHEREAS, on February 11, 2009 the matter of Conditional Use Permit No. 2622 was called and a public hearing held; and

WHEREAS, the City's staff presented a written Staff Report to the Planning Commission, along with various attachments, including a statistical report from the ABC and a report from the Sheriff's Department Crime Analysis Unit; and

WHEREAS, the City's staff made an oral presentation to the Planning Commission regarding Conditional Use Permit No. 2622; and

WHEREAS, evidence was heard from all persons interested in effecting said conditional use permit, and all persons protesting same, and the Planning Commission being fully informed; and

WHEREAS, the public hearing was closed; and

WHEREAS, according to CMC Section 30-26.2, the Commission, before granting a conditional use permit, must find: (1) that the proposed use shall be in compliance with the Zoning chapter, (2) the proposed use will not be detrimental to the public welfare or the surrounding area, and (3) the proposed use is substantially in conformance with the General Plan and compatible with the existing patterns of land use and development in the surrounding area; and

WHEREAS, according to CMC Section 30-26.4(a), the Commission, may impose such conditions and limitations that it deems necessary to protect the public welfare and assure

compliance with the intent and purpose of the Zoning chapter and the plans and policies of the City; and

WHEREAS, not more than sixty days following the conclusion of the hearing, the Commission shall announce its findings by formal resolution, and such resolution shall state, among other things, the facts and reasons which, in the opinion of the Commission, determine whether the conditional use permit shall be granted or denied and such conditions and limitations as may be imposed.

FINDS

A. That the accessory sale of alcohol (beer and wine) at Kenny Market is not a compatible use given the City's Alcoholic Beverage Policy.

B. That the accessory sale of alcohol (beer and wine) at Kenny Market has the potential to be detrimental to the public welfare or the surrounding area given the ABC's Crime Report and the Sherriff's Department Crime Analysis.

C. That the accessory sale of alcohol (beer and wine) at Kenny Market is not substantially in conformance with the standards for development in the mixed use land use designation of the General Plan.

D. That the accessory sale of alcohol (beer and wine) at Kenny Market does not conform to the property development and parking standards of the Zoning Ordinance.

E. That the accessory sale of alcohol (beer and wine) at Kenny Market does not have the potential to achieve short-term goals to the disadvantage of long-term environment goals.

F. That the accessory sale of alcohol (beer and wine) at Kenny Market will have environmental effects that will adversely affect humans, either directly or indirectly based on the location.

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

1. That the request for a conditional use permit, **for the sale of off-site beer and wine as an accessory use to an existing mini-market is denied.**

2. That a copy of this Resolution shall be mailed to the applicant and filed with the City Clerk.

ADOPTED this 11th day of March, 2009.

JUANITA GREEN-WRIGHT, CHAIRMAN

GAY K. MORRIS, AICP, INTERIM PLANNING AND ECONOMIC DEVELOPMENT DIRECTOR

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

ABC Worksheet

I. BASIC INFORMATION

Address:	510 W. Compton Blvd., Compton, CA 90220
Cross Streets:	Compton Blvd. and Aranbe Ave.
APN's:	6161-017-031 and 6161-017-032
License Type:	Off-Site Beer & Wine

II. CENUS TRACT & CONCENTRATION NUMBERS

Census Tract: 5475.02

Population: 4249 /County Ratio 1:1601

Number of licenses allowed: 3

Number of existing licenses: 1

Undue concentration exists (circle one): YES (NO)

Letter of *Public Convenience or Necessity* required from governing body: YES (NO)

III. CRIME REPORTING DISTRICT

Reporting District 3835

Total # of reporting districts: 30

Total # of offenses: 9005

Average # of offenses per district: 300.13

120% of average # of offenses: 360.16

Total offenses in district: 356

Location is within a high crime reporting district: (YES) NO

ABC Worksheet Completed By (print legibly):

Annie Chu — Name and Title/Position

01/12/09

(562) 982-1337 — Phone

#13.

Los Angeles County Sheriff's Department
Compton Sheriff's Station
Crime Analysis Unit

January 14, 2009

Re: Activity at 510 W. Compton Blvd. - January 1, 2005 through December 31, 2008.

The list below shows all reported activities for the area of 500 – 568 W. Compton Blvd.,

510 W. Compton Blvd.

Crime Type	Total
DRUNK DRIVING	1
NARCOTICS	4
ROBBERY	2
Grand Total	7

500 - 568 W. Compton Blvd.

Crime Type	Total
NON-CRIMINAL: SUSPICIOUS CIRCUMSTANCES	1
ACCIDENTS, TRAFFIC-VEHICLE OR BOAT: Accident, Traf W/Inj(Non-Fatal)	1
ARSON	1
ASSAULT, AGGRAVATED	4
ASSAULT, NON-AGG	5
BURGLARY, OTHER STRUCTURE	9
BURGLARY, RESIDENCE	1
DRUNK	1
DRUNK DRIVING	2
FELONIES, MISCELLANEOUS	4
GRAND THEFT	4
GTA	5
IDENTITY THEFT	1
LIQUOR LAWS	4
MENTALLY ILL: Persons Mentally Ill	1
MISCELLANEOUS: Injury To County Employee	1
MISCELLANEOUS: Vehicle Repossessed	2
NARCOTICS	27
REASONABLE CAUSE ARRESTS: All Other Felonies	1
REASONABLE CAUSE ARRESTS: Grand Theft Auto Or Motorcycle	1
ROBBERY	5
SUSPECTED CHILD ABUSE REPORT - SCAR	1
THEFT, PETTY	6
VANDALISM	5
VEHICLE AND BOATING LAWS	4
VEHICLE BURGLARY	2
VEHICLE/BOAT- Recovered (Other Juris)	3
VEHICLE/BOAT-Stored/Impounded	16
WEAPON LAWS: Felony	2
Grand Total	**120**

Data Source – LARCIS
Created by CMM

CITY COUNCIL REQUEST FORM

NAME Kina R. Woods

ADDRESS 660 N. Diamond Bar Blvd. #204

CITY Diamond Bar HOME TELEPHONE _____ BUS. TELEPHONE 396-9193 909

SUBJECT OF REQUEST

Conditional Use Appeal to City Council

(If appealing Planning Commission Decision, please check reason for the appeal in accordance with Section 30-26.5(i) of the Compton Municipal Code)

___ 1. Failure of City to properly advertise public hearing.

___ 2. Failure of City to meet required deadlines as to legal notice (10 days), scheduling of hearing (45 days) or decision (35 days).

___ 3. Approval of use not in compliance with Zoning Ordinance.

___ 4. Approval of use not in conformance with General Plan and/or existing patterns of land use and development.

✓ 5. Decision based on erroneous, false or fraudulent information.

___ 6. Decision in violations of State or Federal law.

___ 7. Other (state)

CHECK ONE: ____3:00pm ____7:00pm

CHECK ONE: ___ORAL _____WRITTEN

Kina R. Woods 4-16-09

SIGNATURE **DATE**

****

FOR OFFICE USE ONLY

SCHEDULED COUNCIL AGENDA Tuesday, May 19, 2009

Re agendized to June 16, 2009

#13.

April 15, 2009

APPEAL OF CONDITIONAL USE PERMIT NO.: CUP 2622 / RESOLUTION NO.: 3846

PROPERTY ADDRESS: 510-516 WEST COMPTON BOULEVARD

APPLICANT: P & K SPARK, INC. DBA: KENNY MARKET
REPRESENTATIVE: KING R. WOODS & ASSOCIATES, INC.
660 N. Diamond Bra Boulevard, Suite 204
Diamond Bar, CA 91765
(909) 396-9193 tel (909) 860-2553 fax
kingwoods@att.net

The City of Compton Planning Commission conducted a public hearing on February 11, 2009 regarding an application for Conditional Use Permit to allow the sell of beer and wine in conjunction with the operation of an existing convenience store. The subject store is located at 510 West Compton Boulevard in the City of Compton, California. The subject store sells a variety of consumer goods including can goods, dairy goods and many other necessities products that generally serve community residents. The applicants' employees are from the community and numerous residents have supported his request for the subject conditional use permit. In fact, a petition of support was submitted at the public hearing with more than two-hundred signatures of nearby residents that support the conditional use request.

The Staff Report recommended denial of the subject request based on the following;

- The City's policy stipulates that an over-concentration of businesses with alcohol sales should be avoided.

- Applicant's Response: The census tract where the store exists is **NOT** over concentrated with liquor licenses. The State of California allows three off-site licenses and only one exists.

- Staff States: There is a liquor store 800 feet west of the subject convenience store.

- The subject liquor store is in fact a "liquor store" selling mostly alcoholic beverages including hard liquor with very little convenience goods. The applicant's store is a true convenience store with real convenience goods including a large variety of can goods, dairy products, paper products and many other items generally not found in a liquor store. Additionally, the applicant is requesting a conditional use permit to only use five percent of his floor area, approximately 90 square feet, for the sale of beer and wine. It is very unfair for

- The staff to compare the subject convenience store to the mentioned liquor store. The applicants store is not similar to the liquor store under any circumstance.

- The staff also states in the Staff Report that several other sensitive uses are within 1000 feet of the subject store. In fact, there is only one such use according to the staff report, which is the liquor store.

- In planning, sensitive uses are generally considered sites such as places of worship; schools and so on **not** liquor stores. There are two churches in the area but are not within 1000 feet of the subject site.

In conclusion, the applicant will agree to conditions of approval that code required parking and landscaping be provided. The applicant has also agreed to several volunteer conditions which are attached to this appeal. In fairness to the applicant, we are requesting that the City Council reconsider the Commissions decision and grant the appeal.

#13.

KING R. WOODS & ASSOCIATES, INC.
LAND USE CONSULTANT

February 11, 2009

City of Compton
Planning Department
Planning Commission Hearing

Re: Conditional Use Permit Case 2622

Volunteer Conditions:

1. The shelf space dedicated to displaying alcohol beverages shall not exceed 5% of the total floor area (130 sq. ft.) within the market.
2. With the exception of one business sign, the applicant shall not advertise the sale of alcohol beverages on the exterior walls or windows of the subject market.
3. The applicant will provide 11 on-site parking or leased spaces within 500 ft. of site.
4. No ice in quantities of less than 2 pounds shall be sold, furnished or given away.
5. There shall be no loitering or consumption of alcohol beverages on the premises under the control of the applicant.
6. All employees selling alcohol shall be at least 21 years of age.
7. The applicant shall provide adequate lighting above the entrance of the premises as well as in the parking lot.
8. That the applicant be prohibited from the sell of fortified wines.
9. That the applicant provides a minimum of 5% landscaping on the property site.
10. A plan review in one year.

660 N. Diamond Bar Blvd., Suite 204 Diamond Bar, CA 91765
909.396.9193 909.860.2553

RESOLUTION SIGN-OFF FORM

DEPARTMENT: **Planning**

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE DECISION BY THE PLANNING COMMISSION DENYING CONDITIONAL USE PERMIT CASE NO. 2622

<ManagersName> **<ManagersDate>**
DEPARTMENT MANAGER'S SIGNATURE DATE

REVIEW / APPROVAL

<LegalName> **<LegalDate>**
CITY ATTORNEY DATE

<ControllerName> **<ControllerDate>**
CITY CONTROLLER DATE

<CityManager> **<CityManagerDate>**
CITY MANAGER DATE

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

July 21, 2009

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **CITY MANAGER**

SUBJECT: **APPEAL OF PLANNING COMMISSION DECISION ON VARIANCE CASE NO. 2616 (1016 E. Oaks Street)**

SUMMARY

Council will consider an appeal of a Planning Commission decision to deny a request for multiple variances of development standards (lot size, setbacks, parking, height limit and unit size) and unit density in order to legalize three residential units at 1016 E. Oaks Street in a R-M (Medium Density Residential) zone. In accordance with Section 30-27 of the Compton Municipal Code (CMC), modifications to development standards require approval of a variance through a discretionary action taken by Planning Commission.

BACKGROUND

On March 11 and April 8, 2009, the Planning Commission conducted public hearings to consider Variance No. 2616. After concluding the hearing, based on staff's presentation and a presentation from the applicant, the Planning Commission deliberated and subsequently denied the variance request. The applicant has appealed the decision of the Planning Commission to the City Council.

PROJECT DESCRIPTION

The subject site is a rectangular shaped parcel of land, 45' by 110', approximately 4,950 square feet in size. The site is located on the south side of Oaks Street approximately 200 feet west of the southwest corner of Oaks Street and Short Avenue. The subject site is located in the Second Council District.

The house contained on the property was originally constructed in 1928 as a single family home and garage. The property is currently developed with two, two-story buildings containing a total of four residential units and a one-car garage. The main building contains two units; one unit on the first floor (unit #1) and a second unit on the second floor (unit #2). The second building located to the rear of the property also contains two units; one unit on the first floor (unit #3) and a unit on the second floor (unit #4). This building was originally permitted as a garage.

In January 2006, the owner was cited by the Building & Safety Department with a multitude of code violations requiring repairs, installation of smoke detectors and other electrical upgrades, replacement of window screens, sub-flooring etc. The applicant was also instructed to convert the property back to its original use (single family home) and this has not occurred. According to the applicant's project description, since the issuance of citations, he has been unable to rent out the units. Upon staff's review of plans and permit data, it was determined that three of the four units are illegal; no certificates of occupancy have been issued for use of these units. Requested variances are related to the second story setbacks for the front and rear buildings; side and rear yard setbacks

for the rear building, and height limit for the rear building. Variances related to the unpermitted units include lot size, density, parking and unit size.

ANALYSIS

The Medium Density Residential (R-M) zone allows for the construction of one dwelling unit for every 2,500 square feet of lot area, up to 4 units, so long as it is developed in conformance with all development standards and it is reviewed and approved by the Architectural Review Board. Based on the lot size of this property, 4,950 square feet, only one unit is permitted. The CMC, Chapter XXX Zoning, Section 30-27.3 states that, *"A variance shall not be granted for a parcel of land which authorizes a use or activity not otherwise permitted in the zone in which the parcel exists,"* therefore, legalizing three units, as requested by the applicant is not a viable option. The General Plan's Low Density Residential (LDR) land use designation also limits the property to a one unit maximum.

The applicant has requested approval of any and all variances required to maintain the property as currently developed. Analysis of current and prior development standards throughout the years has revealed that most of the development standards have remained consistent.

In addition, the need to have a variance for multiple development standards is a misuse of the provisions in the ordinance, so much so that the ordinance limits the variance to apply to size, shape, and topography, location or surroundings. The Planning Commission conducted its public hearing and received testimony from the applicant, applicant's representative, and the general public speaking in favor of or against the project. Upon conclusion of the public hearing, the Planning Commission voted to deny Variance No. 2616 based on the following findings:

1. There are no special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, such that the strict application of the provisions of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and in an identical zone.

2. That the granting of this requested variance case will constitute a special privilege inconsistent with the limitations upon of other properties within the same vicinity and zone.

3. That the granting of the requested multiple variances has the potential to be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located in, in that the subject site would exceed the maximum density and non-compliance with development standards (i.e., parking, unit size, setbacks, etcetera).

4. That the requested variance case is in conflict with the General Plan and incompatible with the existing patterns of land and development in the surrounding area in that it would exceed the maximum density set by the General Plan.

In short, the number of variances being sought are the result of a disregard for compliance with the Compton Municipal Code.

RECOMMENDATION

Staff recommends that the City Council uphold the Planning Commission's decision to deny the appeal of Variance No. 2616, by adopting the attached resolution.

DEREK R. HULL
PLANNING & ECONOMIC
DEVELOPMENT DIRECTOR

CHARLES EVANS
CITY MANAGER

Attachments
Aerial Map
Photographs of the Existing Site (4 pgs.)
Plot Site Plan, Floor Plan and Building Cross Sections, Elevations (4 pgs.)
Planning Commission Minutes (9 pgs.)
Planning Commission Resolution (5 pgs.)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE PLANNING COMMISSION DECISION AND DENY THE APPEAL OF VARIANCE CASE NO. 2616 (1016 E. OAKS STREET)

WHEREAS, in Resolution No. 3872, adopted June 3, 2009 by the Planning Commission, after due notice and hearing as provided by law, effectively denied an application for a request for **multiple variances** from development standards **(lot size, density, setbacks, parking, height limit, unit size)** in order to legalize three residential units at 1016 E. Oaks Street, Compton; and

WHEREAS, an appeal therefore has been taken to the City Council, and after due notice, said City Council held and concluded a public hearing thereon on July 21st, 2009; and

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

WHEREAS, the City Council being fully informed,

F I N D S

1. There are no special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, such that the strict application of the provisions of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and in an identical zone.

2. That the granting of this the requested variance case will constitute a special privilege inconsistent with the limitations upon of other properties within the same vicinity and zone.

3. That the granting the requested multiple variances has the potential to be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located in, in that the subject site would exceed the maximum density and non-compliance with development standards (i.e., parking, unit size, setbacks, etcetera).

4. That the requested variance case is in conflict with the General Plan and incompatible with the existing patterns of land and development in the surrounding area in that it would exceed the maximum density set by the General Plan.

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

Section 1. That the findings of the Planning Commission in Resolution No. 3872 and the findings as stated above shall be adopted, and that the appeal relative to the application to for **multiple variances** from development standards **(lot size, density, setbacks, parking, height limit, unit size)**, shall be denied.

Section 2. That a copy of this Resolution shall be mailed to the applicant/appellant.

Section 3. That copies of this Resolution shall be filed with the Offices of the City Clerk and Planning and Economic Development Department.

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

ADOPTED this _____ day of _____, 2009.

_____
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 _____, 2009.

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

Legend

AERIAL MAP

Variance Case No. 2616
1016 E. Oaks St.

N
W
S

#14.

#14.

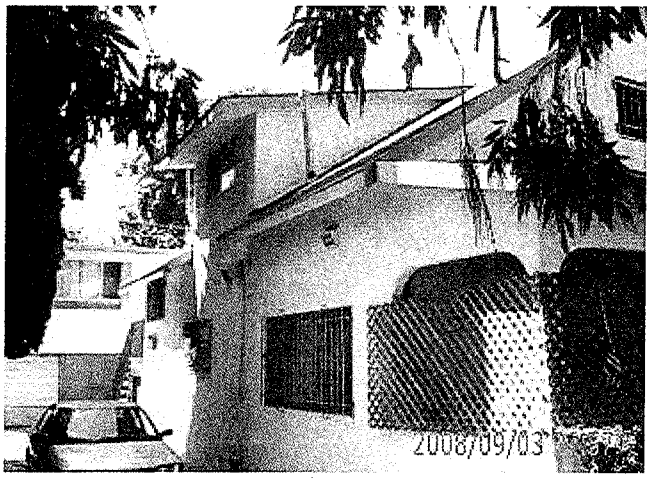
EAST ELEVATION

VARIANCE CASE # **2616**

PROPERTY OWNER **DILLION**

PROPERTY ADDRESS **1062 EAST OAKS STREET, COMPTON**

RE: Additionally Requested Photographs of Main Building – East Elevation

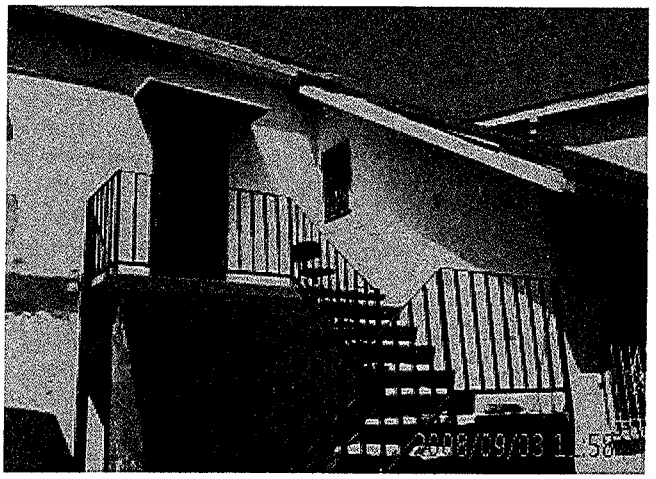


East-Facing Main Building looking south

East-Facing Main Building looking south

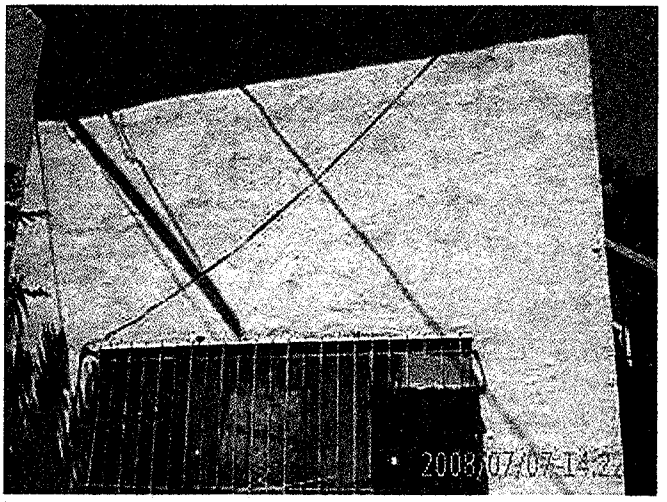
East-Facing Main Building looking north

East-Facing Main Building looking southwesterly

East-facing Main Building - Stairs to Second Level	East-Facing Main Building - Stairs to Second level
	
East-Facing Main Building - Stairs to Second Level	

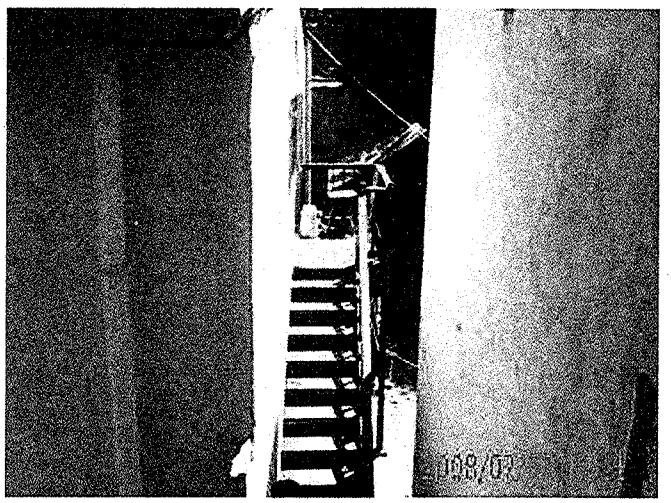
#14.

Subject: Front, Main building

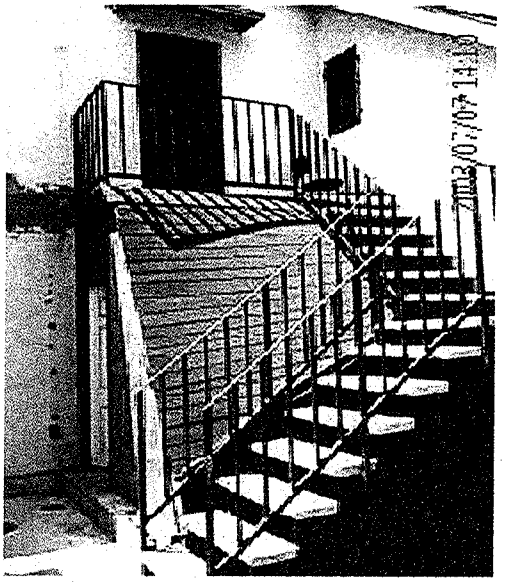


Subject: Rear, Main building

Subject: Garage, Second Floor

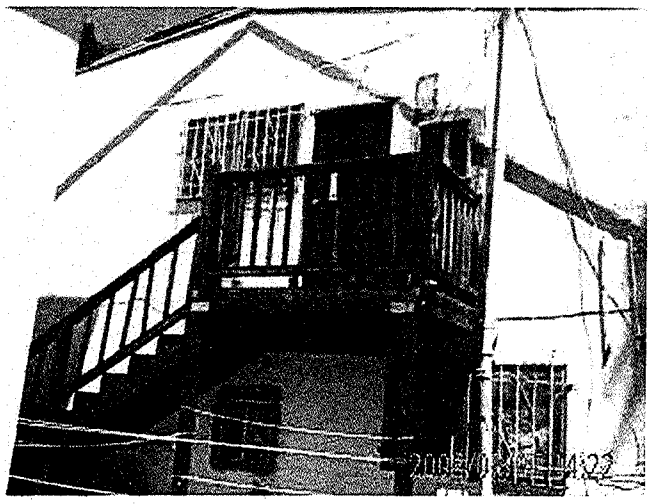


Subject: Entrance, Second Floor, Garage



Subject: Entrance, Second Floor, Main

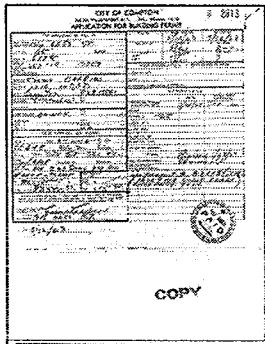
Subject: Second Floor, Garage

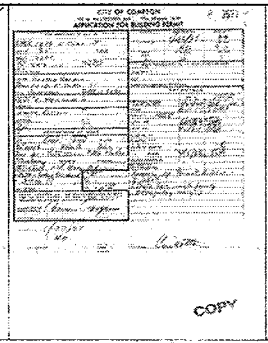


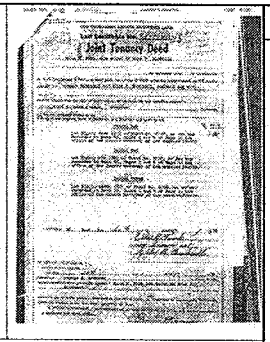
Subject: Entrance, Second Floor, Garage

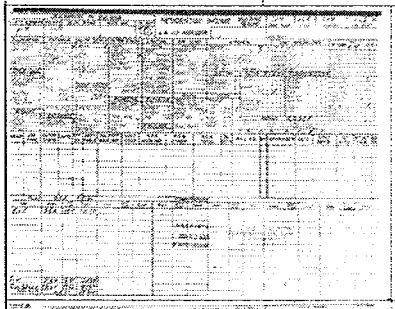
Subject: Driveway

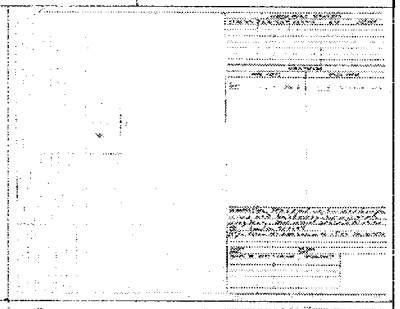
#14.

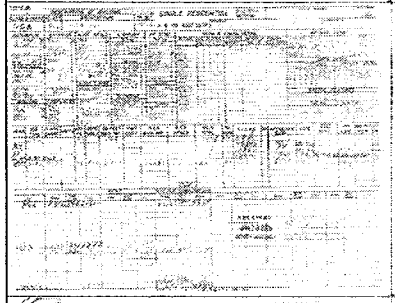


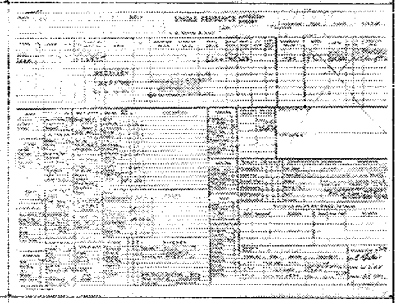


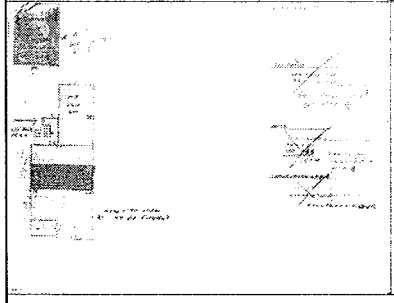


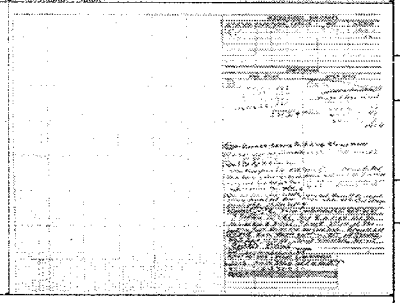






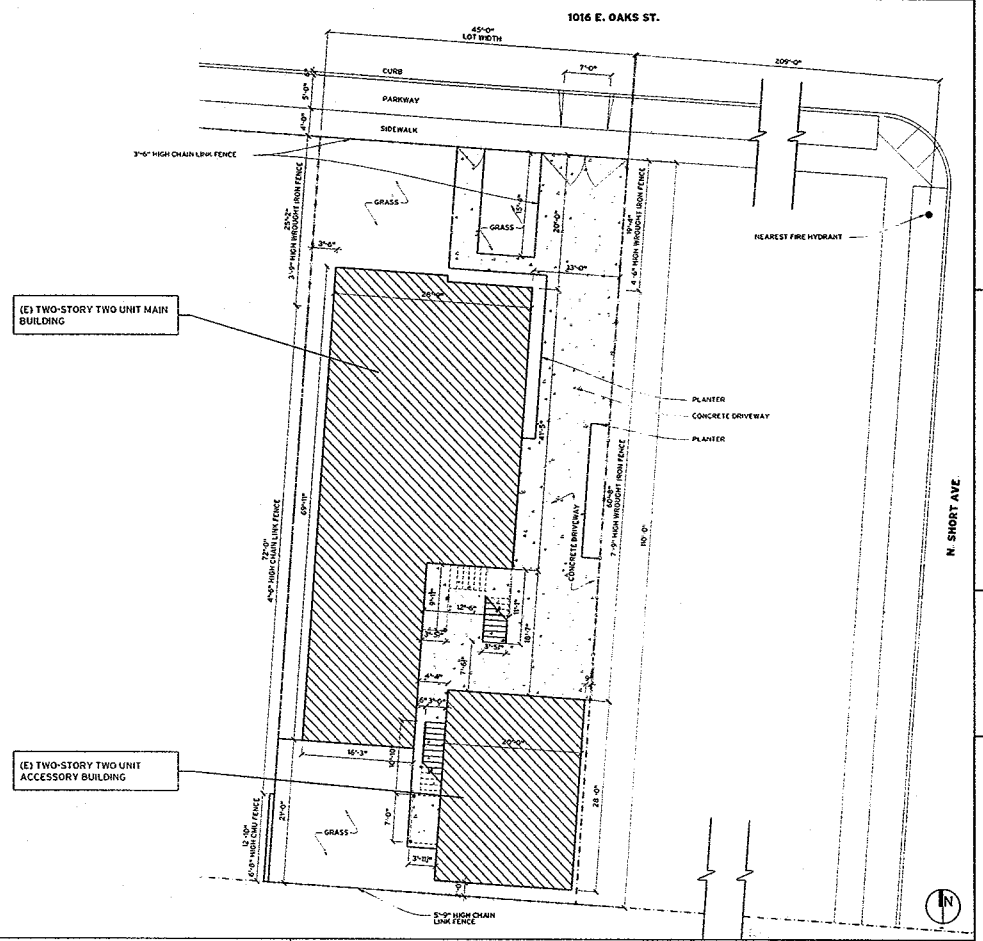






PLOT PLAN

SCALE 1/8"= 1'-0"



AREA CALCULATIONS

(E) 1st STORY	1,864 SF
(E) 2nd STORY	1,320 SF
(E) 1st FLOOR 1-CAR GARAGE	137 SF
(E) 1st FLOOR UNIT	423 SF
(E) 2nd STORY GARAGE	560 SF

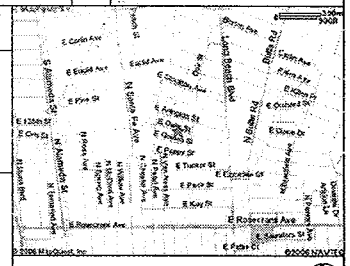
PROPERTY DATA

ZONING	RM- Medium Density Residential
PARCEL No.	6176-006-014
TRACT/ BLOCK/ LOTS	6108
LOT AREA	4,948 SF
TYPE OF CONSTRUCTION	V

DRAWING INDEX

ARCHITECTURAL:

AB-1 DRAWING INDEX, PLOT PLAN & VICINITY MAP
AB-2 1st & 2nd FLOOR PLANS
AB-3 EXTERIOR ELEVATIONS
AB-4 BUILDING SECTIONS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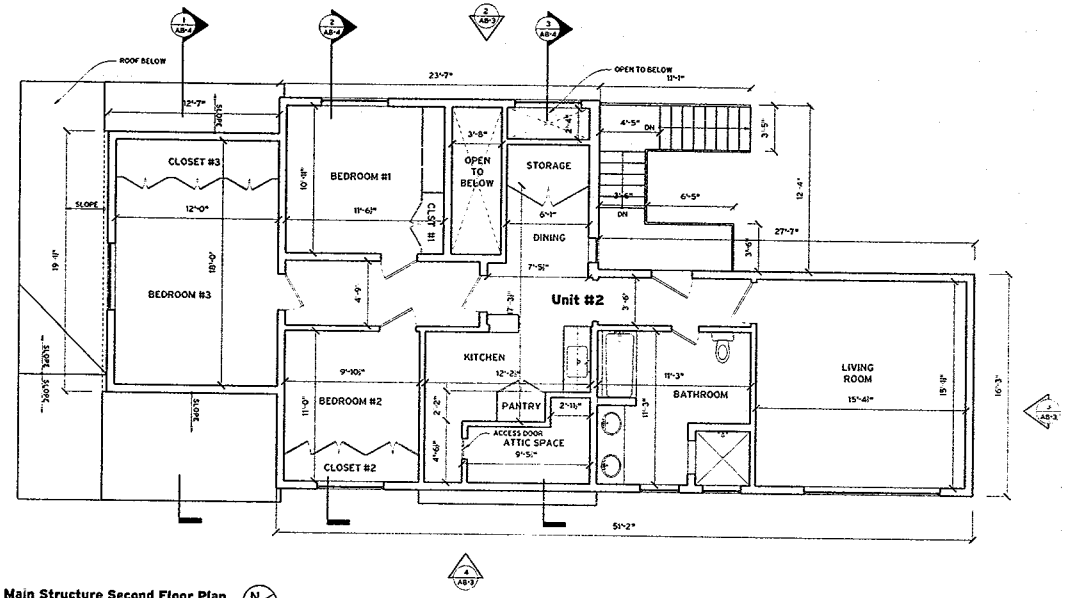
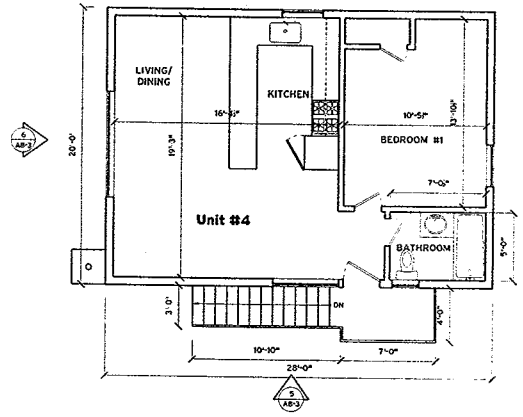
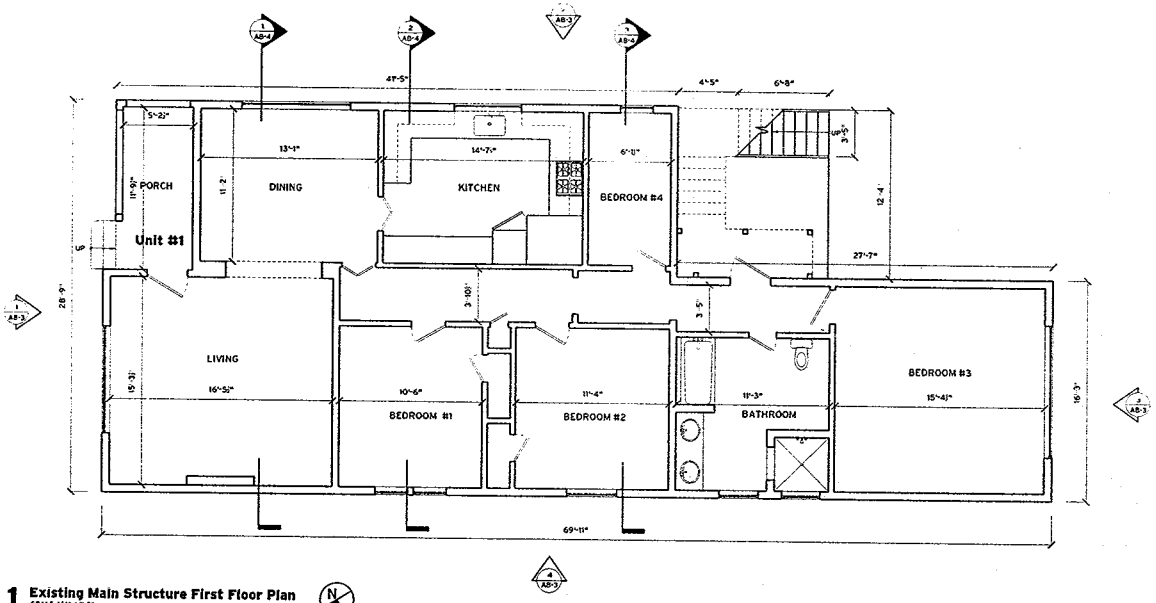


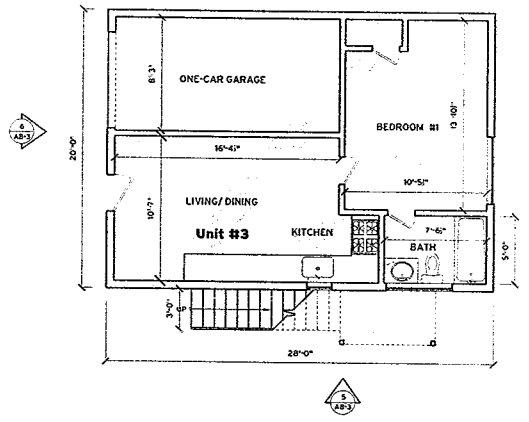
2 Existing Main Structure Second Floor Plan
SCALE: 1/4" = 1'-0"



4 Existing Accessory Structure Second Floor Plan
SCALE: 1/4" = 1'-0"



1 Existing Main Structure First Floor Plan
SCALE: 1/4" = 1'-0"



3 Existing Accessory Structure First Floor Plan
SCALE: 1/4" = 1'-0"

LEGEND
- PROPERTY LINE
- (E) WALLS
- (E) LOW WALLS
- ABOVE

d3architecture.com
1510 anaheim ave #7 venice ca 90291
Armando Diaz Architect
310/ 995-1941 ph
310/ 943-1742 fx

1016 E Oaks St
Compton, CA

SCALE: 1/4"=1'-0"
PROJECT #: 06060
DATE: 12/16/08

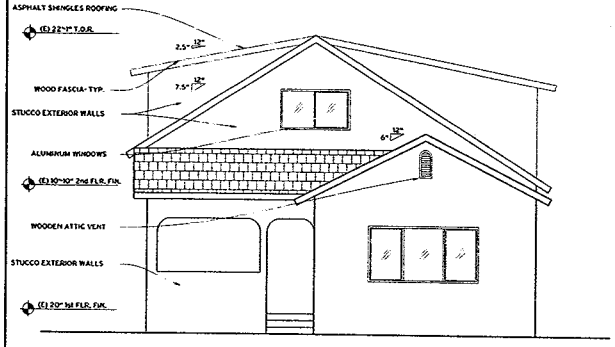
As-Built Floor Plans

AB-2

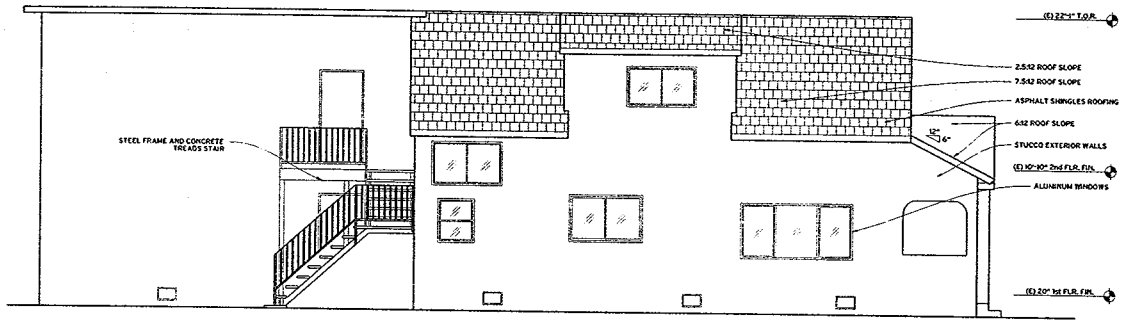
#14.

#14.

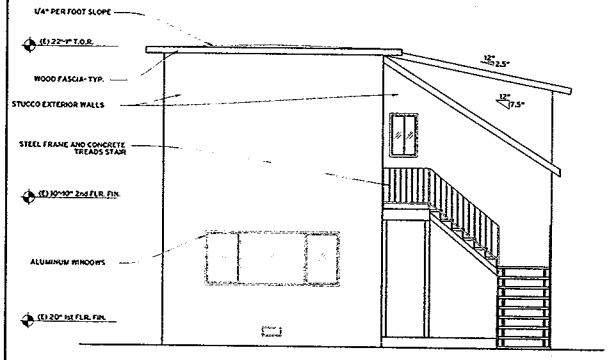
AB-4
As-Built Building Sections
SCALE: 1/4"= 1'-0"
PROJECT #: 06020
DATE: 12/16/08
darchitecture.com
1520 andalusia ave. #7 venice ca 90291
310/ 995-1941 ph
310/ 943-1745 fx
Amanda Diaz Architect
1016 E Oaks St
Compton, CA
1 Existing Main Structure Building Section
SCALE: 1/4" = 1'-0"
2 Existing Main Structure Building Section
SCALE: 1/4" = 1'-0"
3 Existing Main Structure Building Section
SCALE: 1/4" = 1'-0"
ASPHALT SHINGLES ROOFING
WOOD FASCIA - TYP.
STUCCO EXTERIOR WALLS
ALUMINUM WINDOWS
STUCCO EXTERIOR WALLS
ATTIC ACCESS
CLST
BEDROOM #3
DINING ROOM
LIVING ROOM
BEDROOM #1
KITCHEN
HALL
BEDROOM #2
BEDROOM #4
ATTIC
STUCCO EXTERIOR WALLS
ASPHALT SHINGLES ROOFING
7.5/12 ROOF SLOPE
1/4" PER FOOT ROOF SLOPE



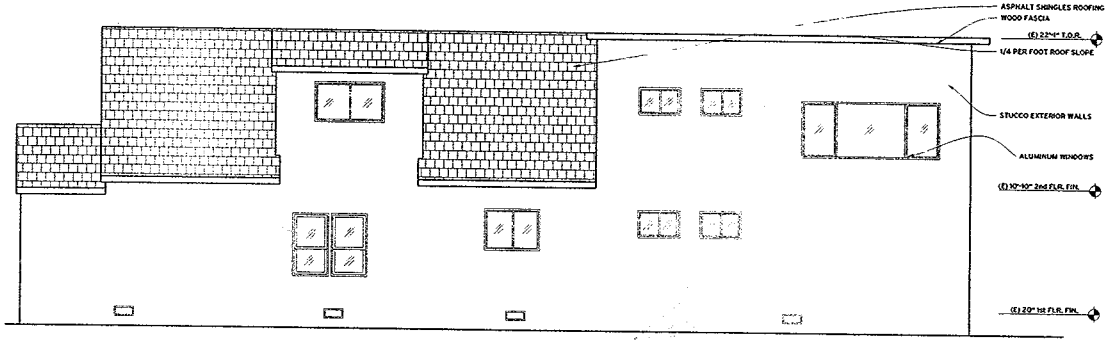
1 Existing Main Structure Front Elevation
SCALE: 1/4" = 1'-0"



2 Existing Main Structure Side Elevation
SCALE: 1/4" = 1'-0"



3 Existing Main Structure Rear Elevation
SCALE: 1/4" = 1'-0"



4 Existing Main Structure Side Elevation
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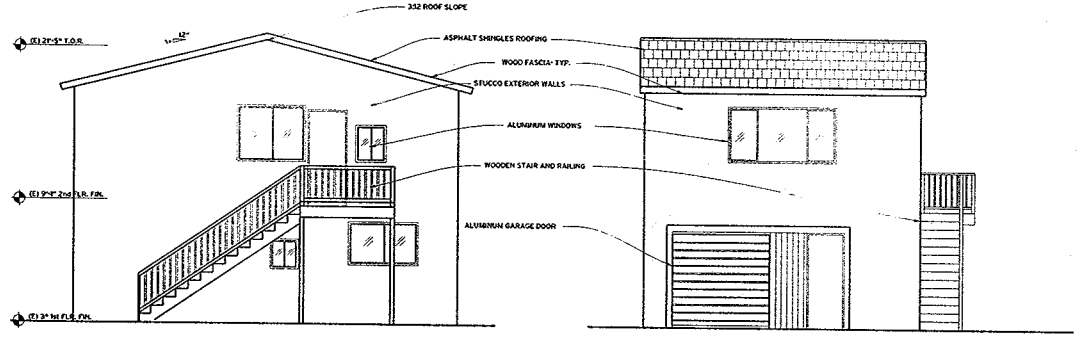

5 Existing Accessory Structure Rear Elevation
SCALE: 1/4" = 1'-0"

6 Existing Accessory Structure Side Elevation
SCALE: 1/4" = 1'-0"

1016 E Oaks St
Compton, CA

dsarchitecture.com
1520 andalusia ave #1 venice ca 90291
310/995-1840 ph
310/943-1145 fx
Arminda Diaz Architect

SCALE: 1/4"=1'-0"
PROJECT #: 06020
DATE: 1/06/08

As-Built Exterior Elevations

AB-3

#14.

unanimously carried to approve Conditional Use Permit Case No. 2609/Variance Case No. 2610.

(3) **VARIANCE CASE NO. 2616** – A request of **Hollis & Berdie Dillon** for multiple variances from development standards (lot size, density, setbacks, parking, height limit, unit size) in order to legalize three residential units at **1016 E. Oaks Street**, Compton, in the Medium Density Residential (R-M) zone.

Summary
The Commission decided to deny the applicant's request for multiple variances.

It was moved by Commissioner Darden that Variance Case No. 2616 be opened. The motion was seconded by Commissioner Turner and unanimously carried to open Variance Case No. 2616.

Staff Representative Lopez stated that Berdie and Hollis Dillon applied for Variance Case No. 2616, a request for multiple variances from development standards (lot size, density, setbacks, parking, height limit, unit size) in order to legalize three residential units in an R-M (Medium Density Residential) zone. The subject site is located on the south side of Oaks and is the fifth property to the west of the southwest corner of Short Avenue and Oaks Street and is developed with four residential units.

The property is currently developed with 2, two-story buildings which contain a total of 4 residential units and a one car garage. The main building contains 2 units; one unit on the first floor (unit #1) and a second unit on the second floor (unit #2). According to the plans, unit 1 is approximately 1,864 square feet and contains 4 bedrooms and 1 bath; unit #2 is approximately 1,320 square feet and contains 3 bedrooms and 1 bath. The second building located to the rear of the property also contains 2 units; one unit on the first floor (unit #3) and a unit on the second floor (unit #4). Unit #3 is approximately 423 square feet and contains 1 bedroom and one bath; unit #4 is approximately 560 square feet and contains 1 bedroom and one bath.

Staff Representative Lopez stated that in January of 2006, the owners were cited by the Building & Safety Department with a multitude of code violations including illegal dwelling units and were instructed to convert back to its original use. According to the project description provided by the applicant, since issuance of citations, the owners have been unable to rent out the units. The units have not been converted back to their original use as shown on the plans provided by the applicant. Staff upon reviewing plans and building permit records, have determined that 3 of the 4 units are illegal and that there are various unpermitted additions. According to the applicant's project

description, "when the Dillons purchased the property on December 14, 1993 they had every reason to believe it was a legal three or four-unit property", and therefore dispute this finding.

Staff Representative Lopez continued stating that the owners and/or their representatives at various points in time have been advised that the illegal units could not be legalized since the property does not comply with the zoning classification and various development standards (lot size, density, unit size, setbacks, height limit and parking). Hence, the applicant has requested variances from all development standards that the property does not conform to, in an attempt to legalize 3 units and the unpermitted construction as it currently exists.

The property is currently zoned Medium Density Residential (R-M). The R-M zone currently permits for the construction of 1 dwelling unit for every 2,500 square feet of lot area, up to 4 units, so long as the property is developed in conformance with development standards and it is reviewed and approved by the Architectural Review Board. Based on the subject site's lot size of 4,950 square feet, the property could only be developed with 1 dwelling. The subject site is 50 square feet short of qualifying for a 2nd dwelling unit. A lot size variance could possibly be entertained however the second unit would have to comply with all other development standards. However the property currently does not comply with the required setbacks, unit size and parking and it would be difficult for staff to support those variances. The number of enclosed parking stalls required for two units would be dependent on the unit chosen to be legalized. Detached units would require 4 enclosed parking stalls plus a guest parking and attached units could require 3-4 enclosed parking stalls plus 1 guest parking depending on the number of bedrooms each unit has.

Staff Representative Lopez stated that according to 30-27.3 of the Compton Municipal Code variances, *"may be granted for the following purposes:*

a. *To permit the modification of the automobile parking space requirements where, in the particular instance, such modification will no be inconsistent with the purpose and intent of such requirement;*
b. *To permit such modification of the height, yard, and area regulations as may be necessary to secure an appropriate improvement of a lot or parcel of land which is of such shape or so located in relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification;*
c. *To permit the modification of the conditions under which specific uses are allowed in certain zones;*
d. *To permit temporary buildings and uses for periods of not to exceed six (6) months;*

and

e. *To permit the following uses in zones from which they are prohibited by this Chapter: governmental enterprises, public libraries, public utilities, and public service uses and structures.*

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

Therefore a request for a higher density would not qualify for a variance.

Staff Representative Lopez continued stating that according to permit #1397 or #1347 (not legible) a residence and garage was built in 1928. The original permit is missing however it is referenced in the assessor's evaluation sheets provided by the applicant; all other permits referenced in the tax assessor's sheet coincide with the permits on file with the City of Compton. The home was built with a high pitched roof (large attic space); this is an important. Then in 1961, according to building permit #1074, a 448 square foot second story addition (bedroom and bathroom) was added along with a double garage. Staff believes the addition mentioned is actually a conversion of some of the attic space. This addition took several years to complete; building permit #2408, #2813, #3571 were renewals (at different times) of permit 1074. Permit CO7685 inaccurately referenced by the applicant's project description is actually permit #9685, a permit issued on 1/29/71 for new kitchen cabinets. Permit #2813 and #3571 have a note at the bottom "for single family occupancy only". There are no other building permits for the subject site, in the City's building records nor are there any other permit references made on the tax assessor's evaluation sheet.

As mentioned before, in addition to having 3 unpermitted units, staff determined that there were various additions without permits; staff has provided the planning with an enlarged site plan. The cross-hatched areas shown on the enlarged site plan reflect areas of construction without permits and coincide with those areas requiring a variance. Area 1 consists of the 448 square foot legal addition along with the illegal conversion of attic space, known as unit #2. Area 2 consists of a first and second story addition (approximately 880 sq. ft) made to the rear of the residence which is currently part of unit #1 and unit #2. Area 1 and 2 requires a variance from the required 5 foot side yard setback for the second floor addition/conversion. Area 3 consists of a 560 square foot addition that was made over the garage and an unpermitted garage extension. Approximately half of the garage (approximately 423 sq. ft) was converted to a unit, unit #3, and the unpermitted addition above the "garage" is unit #4. Area 3 requires many variances: accessory building height limit, rear yard setback, side yard setback and unit size in addition to parking. Detached accessory buildings are limited to one story and are

not permitted to occupy more than 60% of the rear yard. Additionally dwellings must comply with the required 20 foot rear yard setback and the required 3 foot side yard setback on the first floor and the required 5 foot side yard setback for the second floor. Table 1 in the staff report provides a summary of the aforementioned information.

Table 2, in the staff report provides a summary of the development standards for the R-2/R-M zone as shown on throughout the different decades. The development standards for the R-2/R-M since the 1940's have remained mostly consistent. The density for the R-2/R-M at 1 dwelling unit for every 2,500 square feet has remained consistent. The accessory height limit of one-story has remained consistent since the 1940's. The rear yard setback has varied the most from 25 ft in the 1940's to 12 ft. in the 1950-60's and 20 ft. currently. The 5 foot side yard setback wasn't required until some time after the 1960's.

The applicants are requesting approval of all variances required to maintain the property as it is currently developed. After reviewing all the information, staff is unable to support the applicant's requested variances. Staff has been unable to find any information that shows/indicates that these additions/illegal conversions were lawfully permitted. Analysis of current and old zoning development standards (density, the rear and side yard setbacks and height limit for the accessory) indicate that the development as it currently exists would not been allowed to be legalized, even if we were to use the 1940's development standards.

Staff Representative Lopez stated that this project was first heard on the March 11, 2009, Planning Commission meeting. Both staff and the applicant spoke before the Commission. The applicant in addressing the Commission referred to information that staff had never been privy to in the analysis of the case. Therefore, the Planning Commission continued the case for an additional month to give the applicant time to provide staff with all the information related to the subject site and to make a Building & Safety official available at the hearing for questioning by the Commission. The applicant has provided staff with more information related to the subject site. Review of all the information provided has not provided any new or relevant information as it relates to the issues before the Commission regarding the requested variances.

Staff understands that this is a very difficult situation for the property owners and that the situation is more complex than can be addressed in this forum. Unfortunately, the information that staff can consider in analyzing the requested variances is limited. There have been no additional building permits or references to building permits found. Staff found an old Sanborn map from 1938 that shows 1016 E. Oaks Street, as having only one unit and one address. Staff has analyzed development standards from the 1920's

through current standards and has concluded that the existing development could not have been legalized using 1940's development standards. Therefore staff stands by the original recommendation to deny all requested variances.

Staff Representative Lopez concluded with that notices were sent to property owners and occupants within a 500-foot radius of the subject site. As of today, April 8, 2009, no calls or correspondence in support or opposition of this project have been received. The Development Review Committee (DRC) has reviewed the variance requests and recommended against it. Consequently, staff recommends that Variance Case No. 2616 be denied subject to the findings contained in the staff report.

The Applicant's Representative, Colin Gibson, 1353 Elysian Park Drive, Los Angeles, stated that the hearing was continued so that they can provide additional information and documentation relevant to this application. Mr. Gibson asked if the additional information was provided to the Commissioners.

Staff Representative Lopez stated that the entire package was included in the Planning Commission packets.

Mr. Gibson stated that the overall argument, that he hoped was caught in the transmittal letter, was that from the documents assembled including the permits, although he thinks are interpretation of what's written in the permits in some cases varies from what staff has found, was that the inspectors from Building and Safety that came out throughout the 1960's, as late as the 1970 or the 1971 must have seen that the improvements that Cosmo Carpetti was constructing on the property was entirely consistent with a single family use no matter what the permits have said. In particular, their architect Armando Diaz documented that, as the buildings would have been in the 1960's and the 1970's as they are still today, you would have to exit the first unit and go up an exterior staircase in enter another entry door which is keyed as an entry door in order to enter the upstairs and no way could that be construed as a single family dwelling. The bottom line of this is that the Department of Building and Safety, not speaking to what the Planning Department may or not have known in the 1960's, but the Department of Building and Safety must surely have known what improvements have existed at that address and the fact that those improvements were built in such a way that did not conform to the setback requirements, the height requirements, and density requirements. The City Attorney's Office may or may not have advised you that the argument that we're speaking of is called a "Estoppel" when a private individual or a civic body acts in such a way that induces reliance from another person, very often that person acquires some vested rights, in what they've done with construction. Let's not speak to Mr. Carpetti, that is another issue. But the people that purchased the property since the Carpettis,

bought with the improvements as they were in the assumption that they were buying legally developed property, that is certainly true of the Dillon's, there is an issue of a pre-inspection report which cannot be located from their purchase in 1993. But again you purchase property you don't necessarily assume that it's been illegally constructed. Now as the City Attorney may also have told you the estoppel against a municipal organization. Municipalities are very rare because you don't want to interfere with the public policy of the municipality, we are very aware of that. But we think that in this exceptional case whether you want to call it some form of estoppel or quasi-estoppel or just want to call it basic fairness to the Dillon's, that they bought a property which appeared to be a legal developed 3 to 4-unit property now they are being told not only can they not resale it as such, but they are also being told to show that the cost of converting something that has not been since World War II and whatever conclusions staff has come to about whether it could of been legally developed with the standards of the 1940's the fact appears that it has not been a single-family dwelling at any point since that time.

The Applicant, Hollis Dillon, Jr., 6511 Shenondoah Avenue, Los Angeles, stated that he really appreciated the opportunity to address the Planning Commission as he stated before. He said I have written quite a dissertation that I am going to put aside. I left here with a degree of optimism last month after reading the report that was presented to you and listened to it again and I must say that optimism has waned. But I would like to tell you my story, this is the only opportunity. I am like most home owners, a country fellow that works kind of hard and kind of lucky, not a developer or any of those kind of things; spent a lot of years teaching school here in Compton, coaching and the rest of stuff. My wife and I decided to buy about 16 years ago a piece of property and like most folks we went to a broker because we don't know a lot about real estate and we saw the property we thought is was priced halfway right and we engaged in a good faith contract. Now some of you might have done the same thing and one of the things that my brother-in-law had told me who buy a lot of property said always look at how many mailboxes and how many meters it have, so I did that. The very first thing that I did, I looked and saw that it had three meters by the Gas Company, I felt very confident that there were 3-units and looked at the mailboxes and noticed that there were four separate addresses. What I knew, a little bit of history and not being a real smart fellow, but able to read a little bit. I knew that the United States government or the postal services will not, can not create addresses, that is one thing I know. The absolute entity that has all control in any municipality is the City. Barack Obama who is the President of the United States cannot come and assign an address here in Compton and he is the most powerful man in the world. The only entity that can assign an address in Compton is the City of Compton and that particular entity within that City, so designated. So when I saw the addresses I went to the post office on Santa Fe and I asked about the addresses

wanting to verify and they in fact had addresses, so I asked "How do you attain these addresses?" they said you get the addresses from the City, he used the word city hall. All cities whether you are in Northern California, Southern California, Wyoming, wherever you might be even in Mississippi from were I come from the City has the power to assign addresses. Therefore, in entering this contract with the seller, we knew we were in fact purchasing 4-units because each address represented a unit, you can put a lot of mailboxes but you can't put addresses on them, unless the City has provided those addresses. Not only did I enter that contract I brought in some partners, brought in American Savings, who loaned the money to purchase this property and had to get somebody to insure it "Allstate" pretty reputable dealer and all of they stipulated 1016, 1016A, 1016B, and 1016C, this is a matter record. This is what people have now, I as a buyer, my lender, and my insurance, this is what they now see as ownership and I refinanced the property and I saw the same thing. Ms. Lopez in her reading mentioned a Sanborn map, I have never seen one, but I have heard about them and it states that 1016 is the only address. One thing we know is that something had to happen at that property, in October 1944 because we have a letter from the Gas Company, if we believe that the Gas Company is a reputable entity, they installed three meters there, so there had to be service in 1944 for 3-units. Let's say I'm not real smart but that much I can figure out. If they had that, that kind of goes to the whole thing, one thing they do know is that whatever my attorney writes, nobody can change the square footage of that lot. Whatever is, it is, but that property has been there since 19, actually based on the records that he has was not 1928, the permit was issue in 1928, but in 1929 it was built and base upon the assessor's office, this is what they told me, "that whenever they write a two-story dwelling, it is because the permit that was given them, where they get the information from indicated a two-story building" that is the true and when they looked at the assessor's drawings they referred to two-story. Bottom line is this I have put my confidence in the most powerful entity within the governmental system, in this case is the City of Compton. When the City of Compton declares how many units there are and they have that power beyond the federal government, nobody exceeds what Compton can do in Compton. And now that same City is telling me that their word is not good. I am a confused fellow, they let me learn a lot of stuff even at SC but I don't get this one, if in fact this was real and this information was given to the post office to establish four addresses, what is unreal now is that those addresses don't exist. Another confusing thing that I have, I pay business taxes and if you look at how many units I have, who do I pay that to, I pay it to the City of Compton. How many units do they indicate that I have? They take my money, they cash my checks. I am not real smart but that is kind of hard to figure out, or maybe you can figure that one out. I have the Gas Company following the orders of the City because I know that you would agree that the Gas Company would not just say "That Guy Hollis Dillon, we like him and we'll put three meters" well coming to think about it in 1944 I was not even born, so certainly would not have been talking

about him. The City would not have just think about this piece of property, they would have to have a reason, an interesting point about this is that he looked at the permits, inspectors people who are hired by this City and was incorporated in 1888, these people were out there all the time, there is never a notation, if you look at any of the permits about anything not being built correctly, they never talk about the size of the lot, but they find all in the construction, isn't the interesting. I guess I can't figure that one out, it's because I am not very smart, but that is just the way it is. There is no doubt that this property will never qualify under today's standards, if this property burned down tomorrow "God forbid"we will be back with a permit and I will have to try to build this property base in today's standards. This is not a matter of me altering anything, I have never made one alteration in this property, the property is as is as I bought it, that is what I have and I have simply asked as a poor country boy, small businessman, to be able to pass on to my children what I thought was an investment. I still pay the taxes, I still pay the business license, I have a tenant the I can't go in and do electrical, I am paying $490 average for electricity because when people don't have to pay they leave everything on all day. I need somebody to help me understand, how the City of Compton can declare at sometime in the past, that there are four addresses there, and in order for them to do, they had to know the property, as procedure for them to do that, because the post office is not going to do that, legally they can never assign an address, as builder, if he was a builder, he could not assign an address, Barack Obama could not assign an address, it is done by the local municipality.

Chairperson Green-Wright thanked Mr. Dillon.

Commissioner Hill stated that based on his experience. When he worked for the postal service for about six years as letter carrier for a local city (South Gate and Compton prior to that). One observation which was a matter of curiosity, in the City of South Gate, when the postal service mails out their information it is brought back from route checks that are done every few years, at that time new addresses can be established. He did however remember delivery of checks from DPSS and Social Security, there were locations that as a letter carrier was to deliver mail everywhere he found a box that was appropriately numbered and some of the numbers just got into smaller fractions, he has seen 1/2, 1/4, they have gone as far as 1/8 as long as there was a box there marked with an appropriate address, those persons were to receive mail from social services. There is just a matter of clarification, the City might assign the primary address as a matter of a buildings existence, but beyond that he has seen people place boxes with sub-addresses. You could probably see that in other cities but that was not his call. He just wanted to clarify that.

Mr. Dillon responded that I do agree that any individual can place ten boxes at a particular address and place the person's name on it. However, in this case they saw verification from the post office that there are four separate addresses, not just that you can place boxes, that was in important point that Commissioner Hill made because that is one of the things that he wanted to know, that is why he went to the Santa Fe, as opposed to just excepting fact.

Commissioner Hill asked what exactly did they tell him and who he spoke to.

Mr. Dillon stated that he spoke to the Postmaster and indicated that there were four separate addresses, which will suggest there were four separate units.

Commissioner Hill asked if he understood that the Postmaster could only refer to the information provided to him from the carrier that delivers at that route.

Mr. Dillon stated that the Postmaster told him that they will not assign a separate address unless they get approval from the City.

Commissioner Hill stated that meaning a separate main address.

It was moved by Commissioner Saunders that Variance Case No. 2616 be closed. The motion was seconded by Commissioner Turner and unanimously carried to close Variance Case No. 2616.

It was moved by Commissioner Saunders that Variance Case No. 2616 be denied. The motion was seconded by Commissioner Turner and unanimously carried to deny Variance Case No. 2616.

CONSENT AGENDA (A Review of Previously Approved Cases)
It was moved by Commissioner Darden that the consent agenda be approved. The motion was seconded by Commissioner Turner and the consent agenda was approved unanimously

(a) **Variance Case No. 2477**—a review of Resolution No. 3733, adopted September 15, 2004, which granted **Jack Moaddel** permission for rear and side setback modifications at **803 W. Alondra Boulevard**, Compton, in a C-L zone.

Currently in litigation.

Continue to October 14, 2009.

RESOLUTION NO. 3872
VARIANCE CASE NO. 2616

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COMPTON DENYING REQUEST FOR A VARIANCE

WHEREAS, Hollis and Berdie Dillon ("Applicants") own the real property located at the address commonly known as 1016 East Oaks Street, in the City of Compton ("the Property"); and

WHEREAS, the legal description of the Property is:

LOT 85, TRACT 6108, IN THE CITY OF COMPTON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 68 PAGES 3 AND 4 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

WHEREAS, the General Plan Land Use Designation for the area in which the Property is situated is Low Density Residential (LDR) with a maximum density of eight (8) dwelling units per acre; and

WHEREAS, the zoning for the Property is Medium Density Residential (R-M); and

WHEREAS, in January of 2006, the Applicants were cited by the Building & Safety Department with a multitude of code violations, including illegal dwelling units and were instructed to convert the structures back to their original uses; and

WHEREAS, the Applicants applied for multiple variances for the Property relating to lot size, density, setbacks, parking, height limit, and unit size; and

WHEREAS, the City's staff presented a written Staff Report to the Planning Commission, along with various attachments; and

WHEREAS, the R-M zone currently permits the construction of one (1) dwelling unit for every 2,500 square feet of lot area, up to four (4) units, so long as the property is developed in conformance with development standards and it is reviewed and approved by the Architectural Review Board; and

WHEREAS, the Property is currently developed with two (2), two-story buildings, the first of which was the original dwelling and the second building is a garage conversion; and

WHEREAS, there are a total of four (4) residential units and a one car garage on the Property; and

WHEREAS, the first floor of the main building ("Unit 1") is approximately 1,864 square feet and contains four bedrooms and one bath; and

WHEREAS, the second floor of the main building ("Unit 2") is approximately 1,320 square feet and contains three bedrooms and one bath; and

WHEREAS, the first floor of the garage conversion ("Unit 3") is approximately 423 square feet and has one bedroom and one bath; and

WHEREAS, the second floor of the garage conversion ("Unit 4") is approximately 560 square feet and has one bedroom and one bath; and

WHEREAS, the Property is a rectangular shaped parcel of land, approximately 4,950 square feet in size and has 45 linear feet of street frontage on Oaks Street with a lot depth of 110 feet; and

WHEREAS, based on a lot size of 4,950 square feet, the Property could only be developed with one (1) dwelling; and

WHEREAS, the Property is 50 square feet short of qualifying for a second dwelling unit; and

WHEREAS, the dwelling must comply with the required 20 foot rear yard setback and the required three (3) foot side yard setback on the first floor and the required five (5) foot side yard setback for the second floor; and

WHEREAS, the attempt to legalize a second dwelling unit would trigger compliance with additional parking requirements, with the number of enclosed parking stalls required for two units dependent on the unit chosen to be "legalized"; and

WHEREAS, detached units would require two (2) enclosed parking stalls per unit plus a guest parking and attached units could require three to four enclosed parking stalls plus one guest parking depending on the number of bedrooms each unit has; and

WHEREAS, pursuant to CMC Section 30-27.3, Applicants' request for a higher density would not qualify for a variance; and

WHEREAS, legalization of three units, as requested by the Applicants is not an option under the current zoning classification (Medium Density Residential) and the General Plan land use (low density residential) for the subject site; and

WHEREAS, Unit 2 consists of a 448 square foot legal addition along with the illegal conversion of attic space; and

WHEREAS, to the rear of Units 1 and 2, an 880 square foot addition was constructed, which requires a five (5) foot side yard setback on the second floor; and

WHEREAS, Unit 3 consists of a 423 square foot garage conversion; and

WHEREAS, Unit 4 is a 560 square foot un-permitted addition above the "garage"; and

WHEREAS, detached accessory buildings are limited to one story and are not permitted to occupy more than 60% of the rear yard; and

WHEREAS, in order to "legalize" Units 3 and 4, variances for accessory building height limit, rear yard setback, side yard setback and unit size in addition to parking would be required; and

WHEREAS, public hearing notices were sent to owners and occupants within a 500 foot radius of the Property in accordance with the Compton Municipal Code ("CMC") Section 30-27; and

WHEREAS, a public hearing upon said request for a variance was held before the Planning Commission on March 11, 2009; and

WHEREAS, the City's Staff made an oral presentation to the Planning Commission regarding Variance No. 2616; and

WHEREAS, the Development Review Committee reviewed the Applicants' project and recommended that the variance case, as requested by the Applicants, be denied; and

WHEREAS, the Applicant, Hollis Dillon was present at the public hearing and was represented by legal counsel, Colin J. Gibson of the Law Offices of B. Kwaku Duren; and

WHEREAS, Applicant's legal counsel and Applicant Hollis Dillon presented Applicants' position to the Planning Commission during the public hearing, including the submission of additional information; and

WHEREAS, members of the public were given the opportunity to address the Commission and no one took advantage of this opportunity; and

WHEREAS, Applicant Hollis Dillon asked the Planning Commission to consider information that had not been included along with the Staff Report; and

WHEREAS, the Planning Commission decided to continue the hearing to the following Planning Commission meeting to allow Applicants to provide Staff with additional information and documentation be submitted for consideration; and

WHEREAS, a continued public hearing was held before the Planning Commission on April 8, 2009; and

WHEREAS, the City's staff made an oral presentation to the Planning Commission regarding Variance No. 2616; and

WHEREAS, the Development Review Committee reviewed the Applicants' project and recommended that the variance case, as requested by the Applicants, be denied; and

WHEREAS, the Applicant, Hollis Dillon and his legal counsel were present at the public hearing; and

WHEREAS, Applicant's legal counsel and Applicant Hollis Dillon presented Applicants' position to the Planning Commission during the public hearing; and

WHEREAS, members of the public were given the opportunity to address the Commission and no one took advantage of this opportunity; and

WHEREAS, evidence was heard from all persons interested in effecting said variance, and all persons protesting same, and the Planning Commission being fully informed; and

WHEREAS, the public hearing was closed; and

WHEREAS, the City of Compton's variance process is set forth in the CMC Section 30-27; and

WHEREAS, the purpose of the City's variance provisions in Section 30-27 "is to create a flexible mechanism to avoid unnecessary hardships or results inconsistent with the general purposes of [Chapter 30] which would occur from its strict, literal interpretation and enforcement;" and

WHEREAS, according to Section 30-27.3:

> The Commission shall have the authority to grant, as a quasi-judicial act and upon such terms and conditions and for such duration of time as it deems necessary, such variances as may be in harmony with the general purpose and intent of this Chapter so that the spirit of this Chapter shall be observed, public safety and welfare secured, and substantial justice done. Variances may be granted for the following purposes:
>
> a. To permit the modification of the automobile parking space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements;
>
> b. To permit such modification of the height, yard, and area regulations as may be necessary to secure an appropriate improvement of a lot or parcel of land

which is of such shape or so located in relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification;

c. To permit the modification of the conditions under which specific uses are allowed in certain zones;

d. To permit temporary buildings and uses for periods of not to exceed six (6) months; and

e. To permit the following uses in zones from which they are prohibited by this Chapter: governmental enterprises, public libraries, public utilities, and public service uses and structures.

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

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

a. That because of special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, the strict application of the provisions of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and in an identical zone. For the purposes of this subsection, 'special circumstances' shall not include hardships which are self-imposed by the owner of the property;

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

c. That the granting of such variance will not be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located; and

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

FINDS

1. There are no special circumstances applicable to the property, including its size, shape, topography, location, or surrounding, such that the strict application of the provisions of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and in an identical zone.

2. That the granting of this the requested variance case will constitute a special privilege inconsistent with the limitations upon of other properties within the same vicinity and zone.

3. That the granting the requested multiple variances has the potential to be detrimental to the public welfare or injurious to property or improvements in the area in which the property is located in, in that the subject site would exceed the maximum density and non-compliance with development standards (i.e., parking, unit size, setbacks, etcetera).

4. That the requested variance case is in conflict with the General Plan and incompatible with the existing patterns of land and development in the surrounding area in that it would exceed the maximum density set by the General Plan.

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

1. That the request for multiple variances from development standards (including lot size, density, setbacks, parking, height limit, unit size) in order to legalize three residential units in an R-M (Medium Density Residential) zone is **denied.**

2. That a copy of this Resolution shall be mailed to the applicant and filed with the City Clerk.

ADOPTED this 3th day of June, 2009.

JUANITA GREEN-WRIGHT, CHAIRPERSON

GAY K. MORRIS, AICP
INTERIM PLANNING & ECONOMIC
DEVELOPMENT DIRECTOR

RESOLUTION SIGN-OFF FORM

DEPARTMENT: **Planning**

RESOLUTION TITLE: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON UPHOLDING THE PLANNING COMMISSION DECISION AND DENY THE APPEAL OF VARIANCE CASE NO. 2616 (1016 E. OAKS STREET)**

Derek Hull	**7/14/2009**
DEPARTMENT MANAGER'S SIGNATURE	DATE

REVIEW / APPROVAL

Ruth Rugley	**7/15/2009**
CITY ATTORNEY	DATE
<ControllerName>	**<ControllerDate>**
CITY CONTROLLER	DATE
Dave Hewitt	**7/15/2009**
CITY MANAGER	DATE

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

July 21, 2009

TO: CITY MANAGER

FOR: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.6 (Special Meetings), 2-1.7 (Order of Business), 2-1.7.1 (Objection by Council Member to Item on Consent Agenda), 2-1.8 (Audience Comments at Council Meetings), 2-1.13 (Rules of Decorum for Meetings) and 2-1.15 (Council Time Limit on Agenda Items).

SUMMARY

The City Council will consider adopting an Ordinance amending Chapter II of the Compton Municipal Code by amending Sections 2-1.6 (Special Meetings), 2-1.7 (Order of Business), 2-1.7.1 (Objection by Council Member to Item on Agenda), 2-1.8 (Audience Comments at Council Meetings), 2-1.13 (Rules of Decorum for Meetings) and 2-1.15 (Council Time Limit on Agenda Items).

DISCUSSION

A brief synopsis of the proposed revisions to the particular provisions of Section 2-1 is as follows:

Section 2-1.6 Special Meetings of City Council

On April 21, 2009, the electorate of the City of Compton amended Section 604 of the Charter of the City of Compton so as to provide that the calling and conducting of special meetings of the City Council shall be in accordance with state law (i.e. The Brown Act). The purposed amendment to Section 2-1.6 of the Compton Municipal Code is essentially "housing cleaning" legislation in that it mirrors the amended language of the City Charter as pertains to the calling and conducting of special meetings.

Section 2-1.7 Order of Business of Council Meetings

In an effort to better serve the citizens of the City of Compton when conducting the business of the City Council meetings, and in particular to better provide for the orderly and efficient conduct of said meetings, amendment is proposed to Section 2-1.7 so as to

provide for public comments on items appearing on the Council agenda and matters that are within the subject matter jurisdiction of the Council towards the beginning of the Council meeting. Thus, rather than requiring a person who wishes to address the City Council on agenda items and/or non-agenda matters to complete and submit multiple request forms, wait for what may be a lengthy period of time before the item or matter of their interest is reached on the agenda and return to the podium numerous times, members of the public may address the Council on one or more agenda items and/or matters within the jurisdiction of the Council in the early part of the meeting. The proposed revised "Order of Business" will be as follows:

a. Workshops;
b. Call to Order;
c. Moment of Silence (when first meeting);
d. Pledge of Allegiance (when first meeting);
e. Roll Call;
f. Introduction of Special Guests;
g. Commendatory Resolutions/Presentations;
h. ***Public Comments on Agenda Items and Non-Agenda Matters***;
i. Hearings;
j. Consent Agenda
    1. Approval of Minutes of Previous Meetings;
    2. Reports of Officers and Commissions
    3. City Manager/City Attorney Reports
    4. Resolutions
    5. Approval of Warrants;
k. Items Withdrawn From Consent Agenda;
l. Reports of Officers, Boards, Commissions, Committees and City Council;
m. City Manager Reports;
n. City Attorney Reports;
o. City Treasurer Reports;
p. Unfinished Business;
q. New Business;
r. Council Comments;
s. Adjournment.

Section 2-1.7.1 Objection by Council Member to Item on Consent Agenda

Proposed amendments to Section 2-1.7.1 are essentially "house cleaning" legislation. This amendment clarifies that items on the Consent Agenda will be considered and voted upon by one vote of the Council unless a member request that an item(s) be removed for separate consideration. It further clarifies, in light of the proposed amendment to Section 2-1.7; that public comments on Consent Agenda items shall be made after "Roll Call" and prior to the "Consent Agenda" during the "Public Comments on Agenda Items and Non-Agenda Matters" section of the agenda.

Section 2-1.8 Audience Comments at Council Meetings

The proposed amendment to Section 2-1.8 simplifies the process for the public to address the Council by eliminating the varying time limits for speakers and establishing a uniform time limit of five (5) minutes for comments by any person addressing the Council on agenda items and non-agenda matters and a time limit of two (2) minutes for persons commenting during public hearings.

Section 2-1.13 Rules of Decorum

Proposed amendments to Section 2-1.13 are minimal and essentially re-arrange the language so as to eliminate confusion and provide for readable continuity.

Section 2-1.15 Council Time Limit on Agenda Items

Again, in an effort to provide better service to the citizens of the City of Compton when conducting the business of the City Council meetings, and in particular to better provide for the orderly and efficient conduct of said meetings, the current time limit of three (3) minutes per Council member for comments on agenda items is retained and amendment is proposed so as to establish a time limit of five (5) minutes per Council member for matters that are not on the agenda (except for public hearings).

RECOMMENDATION

It is the recommendation of staff that the City Council adopt the attached Ordinance amending Chapter II of the Compton Municipal Code by amending Sections 2-1.6 (Special Meetings), 2-1.7 (Order of Business), 2-1.7.1 (Objection by Council Member to Item on Agenda), 2-1.8 (Audience Comments at Council Meetings), 2-1.13 (Rules of Decorum for Meetings) and 2-1.15 (Council Time Limit on Agenda Items).

_____
CRAIG J. CORNWELL
CITY ATTORNEY

_____
CHARLES EVANS
CITY MANAGER

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.6 (Special Meetings), 2-1.7 (Order of Business), 2-1.7.1 (Objection by Council Member to Item on Consent Agenda), 2-1.8 (Audience Comments at Council Meetings), 2-1.13 (Rules of Decorum for Meetings) and 2-1.15 (Council Time Limit on Agenda Items).

WHEREAS, the City Council desires that City Council meetings proceed orderly and efficiently; and

WHEREAS, there is a need to revise certain provisions pertaining to Council meetings so as to conform to current provisions of state law and the City Charter and re-arrange the order of business of Council meetings so as to effectuate a more orderly procession of the Council meetings; and

WHEREAS, the changes stated below will provide better service to the citizens of Compton.

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

Section 1. That Section 2-1.6 (Special Meetings) of the Compton Municipal Code is hereby amended in its entirety to read as follows:

2-1.6 Special Meetings. Special meetings may be called at any time by the Mayor, or by three (3) members of the City Council in accordance with and pursuant to the procedures set forth in state law for the calling and conducting of special meetings.

Section 2. That Section 2-1.7 (Order of Business) of the Compton Municipal Code is hereby amended in its entirety to read as follows:

2-1.7 Order of Business. The order of business of City Council meetings shall be as follows:

a. Workshops;
b. Call to Order;
c. Moment of Silence (when first meeting);
d. Pledge of Allegiance (when first meeting);
e. Roll Call;
f. Introduction of Special Guests;
g. Commendatory Resolutions/Presentations;
h. Public Comments on Agenda Items and Non-Agenda Matters;
i. Hearings;
j. Consent Agenda
    1. Approval of Minutes of Previous Meetings;
    2. Reports of Officers and Commissions
    3. City Manager/City Attorney Reports
    4. Resolutions
    5. Approval of Warrants;
k. Items Withdrawn From Consent Agenda;
l. Reports of Officers, Boards, Commissions, Committees and City Council;
m. City Manager Reports;
n. City Attorney Reports;
o. City Treasurer Reports;

p. Unfinished Business;
q. New Business;
r. Council Comments;
s. Adjournment.

Section 3. That Section 2-1.7.1 (Objections by Council Members to Item on Consent Agenda) of the Compton Municipal Code is amended in its entirety to read as follows:

2-1.7.1 Consent Agenda.

a. All matters listed under the Consent Agenda are considered to be routine and all will be enacted by one vote of the City Council.

b. Members of the public will have an opportunity to comment on Consent Agenda items prior to their consideration by the Council. These comments shall be made during the "Public Comments on Agenda Items and Non-Agenda Matters" period on the Agenda [Section 2-1.7(h)].

c. Any member of the City Council may request that an item on the Consent Agenda be separately considered by the City Council. The request will result in the withdrawal of the item from the Consent Agenda for consideration by the Council under Section 2-1.7(k). No further public comment on any withdrawn Consent Agenda item will be permitted beyond that provided for under Section 2-1.7(h), "Public Comments on Agenda Items and Non-Agenda Matters".

Section 4. That Section 2-1.8 (Audience Comments at Council Meetings) of the Compton Municipal Code is amended in its entirety to read as follows:

2-1.8 Audience Comments at Council Meetings. All citizens are encouraged to appear before the Council to present grievances, to offer suggestions for the betterment of municipal affairs or comment on agenda items. In order that Council meetings may proceed in an efficient manner for the conduct of the peoples' business, the following time limits are established. The presiding officer may limit the length of time allotted for comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

a. *Agenda Items and Non-Agenda Matters.* Each person shall be allotted five (5) minutes in which to address the City Council on any item(s) appearing on the agenda and matters that are within the jurisdiction of the Council but do not appear on the agenda. This shall be the only opportunity for public comment except for scheduled public hearing items.

b. *Public Hearings.* Each person (other than an applicant, owner or appellant) shall be allotted two (2) minutes in which to address the City Council during a public hearing.

Section 5. That Section 2-1.13 (Rules of Decorum for Meetings) of the Compton Municipal Code is amended in its entirety to read as follows:

2-1.13 Rules of Decorum for Meetings.

a. *Decorum.* Meetings of the City Council shall be conducted in an orderly manner to ensure that the deliberative process of the Council is retained at all times and the peoples' business is conducted in an efficient manner. The presiding officer of the Council, who shall be the Mayor, Mayor Pro Tempore or, in their absence, another member so designated by the Council, shall be responsible for maintaining the order and decorum of meetings.

b. *Rules of Decorum.* While any meeting of the City Council is in session, the following rules and decorum shall be observed:

1. Council members. The members of the City Council shall preserve order and decorum, and a member shall not by conversation or other means delay or interrupt the Council proceedings or disturb any other member while speaking.

2. City Staff Member. Employees of the City shall observe the same rules of order and decorum as those which apply to the members of the Council.

3. Persons Addressing the Council. Public oral communications at the City Council meetings should not be a substitute for any item that can be handled during normal working hours of municipal government. The primary purpose of oral communications is to allow citizens the opportunity to formally communicate with the City Council as a whole on matters that cannot be handled during regular working hours of City government. Each person who addresses the Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public.

4. Members of the Audience. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

c. *Addressing the Council*. A person wishing to address the Council regarding any item on the agenda (except for public hearings) and matters not appearing on the agenda, but within the subject matter jurisdiction of the Council, shall submit a request on the form provided, or at the discretion of the presiding officer, seek recognition by the presiding officer during the place on the agenda set aside for such items. No person shall address the Council without first being recognized by the presiding officer. The following procedure shall be observed by persons addressing the Council:

1. Each person shall step up to the podium provided for the use of the public and, if the speaker desires to have his or her comments recorded for public record, state his or her name and organization, if any, the speaker represents, and the agenda item(s) and/or subject matter within the jurisdiction of the City Council he or she wishes to discuss.

2. Each person shall limit his or her comments to five (5) minutes [two (2) minutes for public hearings], unless the presiding officer grants further time.

3. Each person shall confine his or her comments to the Council agenda item(s) or to matters within the subject matter jurisdiction of the City Council. The presiding officer may rule persons who do not comply with this rule as out of order.

4. All comments shall be addressed to the Council as a whole and not to any single member, unless in response to a question from said member.

5. No question may be asked of a member of the Council or of the City staff without permission of the presiding officer.

d. *Enforcement of Decorum.* The rules of decorum set forth above shall be enforced in the following manner:

1. Warning. Any person who disturbs, disrupts or otherwise impedes the conduct of the City Council meeting is out of order and the presiding officer shall request that such person be orderly and comply with the applicable rules. If, after receiving a warning from the presiding officer, a person persists in disturbing, disrupting or otherwise impeding the meeting, the presiding officer shall order that person to leave the Council meeting and not return for the duration of the meeting. If such person does not remove himself or herself, the presiding officer may order any law enforcement officer who is on duty at said meeting as sergeant-at-arms of the Council to remove that person from the Council chambers.

2. Removal. Any law enforcement officer who is serving as sergeant-at-arms of the Council shall carry out all lawful orders and instructions given by the presiding office for the purpose of maintaining order and decorum at the Council meeting. Upon instruction of the presiding officer, it shall be the duty of the sergeant-at-arms to remove from the Council meeting any person who is disturbing, disrupting or otherwise impeding the proceedings of the Council.

3. Resisting Removal. Any person who resists removal by the sergeant-at-arms may be charged with a violation of this section or other applicable law.

4. Penalty. Any person, who violates any provision of this section, shall be guilty of a misdemeanor or subject to the administrative enforcement proceedings of Section 1-7 of this Code.

5. Motion to Enforce. If the presiding officer fails to enforce the rules set forth above, any member of the Council may move to require him or her to do so, and an affirmative vote of a majority of the Council shall require him or her to do so. If the presiding officer fails to carry out the will of a majority of the Council, the majority may designate another member of the Council to act as presiding officer for the limited purpose of enforcing any rule of this section which it wishes to enforce.

6. Adjournment. If a meeting of the Council is disturbed or disrupted in such a manner as to make infeasible or improbable the restoration of order, the meeting may be adjourned or continued by the presiding officer or a majority of the Council, and the remaining Council business may be considered at the next meeting.

Section 6. That Section 2-1.15 (Council Time Limit on Agenda Items) is amended in its entirety to read as follows:

2-1.15 Council Time Limit. The City Council members shall limit their comments to three (3) minutes per council member per agenda item and five (5) minutes per council member for any matters not appearing on the agenda (except for public hearings).

Section 7. 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 8. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, City Attorney, Municipal Law Enforcement Services and the Los Angeles County Sheriff's Department, Compton Station.

Section 9. That this Ordinance shall take effect thirty (30) days after its adoption.

Section 10. 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 _____, 2009.

_____
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 _____, 2009.

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 II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.6 (Special Meetings), 2-1.7 (Order of Business), 2-1.7.1 (Objection by Council Member to Item on Consent Agenda), 2-1.8 (Audience Comments at Council Meetings), 2-1.13 (Rules of Decorum for Meetings) and 2-1.15 (Council Time Limit on Agenda Items).**

<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.

July 14, 2009

TO: CITY MANAGER

FOR: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER VII OF THE COMPTON MUNICIPAL CODE BY ADDING SECTION 7-26 ESTABLISHING REGULATIONS FOR SOLICITION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS OF MONEY OR OTHER PROPERTY.

SUMMARY

The City Council will consider adopting an Ordinance amending Chapter VII of the Compton Municipal Code by adding Section 7-26 establishing regulations for the solicitation of employment, business or contribution of money or other property.

BACKGROUND

This proposed Ordinance addresses a significant public safety issue. Pedestrians that approach and solicit occupants of vehicles on public rights-of-way and within public and private parking areas create safety hazards in the City's industrial and commercial zones. This activity causes vehicles to stop in traffic lanes, impeding and blocking the flow of traffic. The proposed Ordinance also enhances business operations in the City by regulating activity that poses a threat to the normal business operations of owners that choose to limit solicitation on their private parking lots.

STATEMENT OF ISSUE

The City has an interest in the public health, safety and welfare of its citizens by maintaining a safe and orderly flow of traffic. The City also has an interest in assuring business owners in the City protection from unauthorized solicitation on their private parking lots.

Under standard First Amendment analysis, courts have determined that restrictions on solicitation in a public forum must satisfy four requirements in order to pass constitutional challenge.

The proposed Ordinance meets all four of these elements:

- **The Ordinance is content neutral** – it is not intended to target a particular message or exchange of ideas; it applies to all solicitors equally, regardless of whether they are soliciting donations for a religious group, promoting a school fund-raiser, or soliciting personal donations.

- **The Ordinance is narrowly tailored** – it is not vague or overbroad, and it provides clear definitions of terminology used. It is aimed strictly at solicitation posing traffic hazards or impeding normal business operations of commercial premises.

- **The Ordinance serves a significant governmental interest** – the activity of soliciting from occupants of vehicles distracts drivers from their primary duty to watch traffic control signals or warnings, and to move through the city's streets and intersections safety. The City has a significant interest in maintaining safe and free flowing travel on public streets. The City also has an interest in protecting the property rights of private business owners who may be adversely affected by such solicitations in their private parking areas.

- **The Ordinance leaves ample alternative channels of communication** – it does not prohibit *all* solicitations, it merely places limitations on solicitations that involve traffic issues, public safety and property rights.

RECOMMEDATION

Staff recommends that the City Council adopt the attached Ordinance, which will amend Chapter VII of the Compton Municipal Code by adding Section 7-26 establishing regulations for the Solicitation of Employment, Business or Contribution of Money or Other Property.

CRAIG J. CORNWELL
CITY ATTORNEY

CHARLES EVANS
CITY MANAGER

Staff report.add §7-26.solicitation.2009

CJC:CE:RAR:DS:ds

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER VII OF THE COMPTON MUNICIPAL CODE BY ADDING SECTION 7-26 ESTABLISHING REGULATIONS FOR SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS OF MONEY OR OTHER PROPERTY.

WHEREAS, it is the intent of the City Council of the City of Compton, in adopting this Ordinance, to protect and preserve the safety of pedestrians and occupants of vehicles in or upon public rights-of-way, to assure the free flow of pedestrian and vehicular traffic, and to minimize conflicts between pedestrian and vehicular traffic; and

WHEREAS, it is the City Council's further intent to minimize the risk of vehicular congestion in or upon City streets, roadways, or alleyways so as to promote the safety of drivers and other occupants of vehicles; and

WHEREAS, the City Council desires to adopt reasonable regulations in connection with employment and business solicitation activities by pedestrians or occupants of vehicles in or upon public rights-of-way and in or upon public and private parking areas so as to reduce traffic congestion, assure the safety of pedestrians and occupants of vehicles and promote and preserve the quality of life for residents and business owners in the City.

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

Section 1. That Chapter VII of the Compton Municipal Code is hereby amended to add Section 7-26 (Regulations for Solicitation of Employment, Business or Contributions) to read as follows:

7-26 SOLICITATION OF EMPLOYMENT, BUSINESS OR CONTRIBUTIONS OF MONEY OR OTHER PROPERTY.

7-26.1 Legislative Purpose. It is the intent of the Council of the City of Compton to protect the health and welfare of the general public and promote safer and more efficient traffic flow in industrial and commercial zones by reasonably regulating the time, place and manner of the solicitation of employment and/or business from pedestrians and occupants of vehicles on the pubic rights-of-way and in public and private parking areas. These regulations are content neutral and are not intended and do not restrict the right of free speech or alternative channels of communication.

7-26.2 Findings. The Council of the City finds, determines and declares that the approaching and solicitation by pedestrians directed to the occupants of vehicles which are located in the public rights-of-way and roadways has caused a significant public safety risk by causing vehicles to stop, impede and block the flow of traffic in travel lanes within or adjacent to industrial or commercial zones and that it will be in the interest of the public health, safety and welfare to restrict the solicitation acts that occur in, within or directly affect traffic conditions upon any public street, roadway, alley or on private parking areas within the City.

7-26.3 Definitions. For the purposes of this chapter, the following meanings shall apply:

a. "Alley" means any highway or street not exceeding twenty-five (25) feet in width which is primarily used for access to the rear or side entrances of abutting property.

b. "Business" means and includes any type of product, goods, services, performance or activity which is provided or performed or offered to be provided or performed in exchange for money, labor, goods or any other form of consideration.

c. "Code" means the Compton Municipal code.

d. "Employment" means the services, industry or labor performed by a person for wages or other compensation or under any contract of hire, written or oral, expressed or implied.

e. "Occupant" means a person who occupies a vehicle.

f. "Parkway" means that portion of a street or highway other than the roadway or the sidewalk. In general terms, the space between the street and the sidewalk.

g. "Pedestrian" means any individual who is utilizing a public street, sidewalk, roadway, alleyway, parkway or public or private parking area while traveling without the benefit of any vehicle as defined herein.

h. "Person" means any individual, company, corporation, association, business, or other legal entity.

i. "Private parking area" means privately owned property which is designated or used primarily for the parking of vehicles and which adjoins one (1) or more commercial establishments or adjoins any property in a nonresidential zone, including, but not limited to, driveways, setbacks and portions of that area that are landscaped.

j. "Roadway" means that portion of the public right-of-way that is designated and used primarily for vehicular travel.

k. "Solicit" or "solicitation" means the act of making a request, offer or announcement by use of the spoken word, bodily act or gesture. A solicitation as defined in this section shall be deemed completed when made, whether or not an employment relationship is created. It shall not constitute solicitation for a pedestrian to make a request or announcement using signs or delivering flyers or leaflets.

l. "Street" means a way or place of whatever nature, publicly maintained and open to the use of the public for purpose of vehicular travel. For the purposes of this section, street includes highway and any parking area or lot owned or operated by the City or the Community Redevelopment Agency of the City of Compton.

m. "Vehicle" means a vehicle as defined in California Vehicle Code Section 670 as the same now reads or may hereafter be amended.

7-26.4 Prohibition of solicitation in public right-of-ways.

a. No person shall stand in or on any portion of a public right-of-way, including any street, roadway, alley, highway or driveway that is within, or immediately adjacent to, any industrial or commercial zone within the City and solicit employment, business or contributions of money or other property from the occupant of any vehicle that is traveling upon a public right-of-way, including a street, roadway, alley, highway or driveway or is stopped in or blocking a lane of traffic. This section does not prohibit any solicitation that is directed at the occupant of a vehicle that is legally stopped at the side of the roadway and out of the lanes of traffic.

b. No person, while the occupant of any vehicle that is traveling upon a public right-of-way, including a street, roadway, alley, highway or driveway or is stopped in or blocking a lane of traffic, shall solicit employment, business or contributions of money or other property from a person who is on or within the public right-of-way, including any street, roadway, highway or driveway that is within, or immediately adjacent to, any industrial or commercial zone within the City.

c. This section shall not apply to peddlers or other vendors who have a permit and/or license pursuant to Chapter 9 of this Code.

7-26.5 Prohibition of solicitation in unauthorized locations within private parking areas.

a. No person shall solicit or attempt to solicit employment, business or contributions of money or other property from a location within a private parking area as defined in this chapter. This section shall not apply to a solicitation to perform employment or business for the owner or lawful tenants of the subject premises.

b. This section shall only apply to private parking areas when the following occurs:

1. The owner or person in lawful possession of the private parking area establishes a written policy which provides area(s) for the lawful solicitation of employment and/or business, in locations which are accessible to the public and do not interfere with normal business operations of the commercial premises. Nothing herein shall require a private property owner to permit solicitations at their premises.

2. The owner or person in lawful possession of the private parking area has caused a notice to be posted in a conspicuous place at each entrance to such private parking area not less than eighteen by fourteen inches in size with lettering not less than one inch in height, but not to exceed in total area six square feet. Said notice shall be in substantially the following form: "It is a misdemeanor to engage in the solicitation of employment and/or business in areas of this private parking lot which are not approved for such activity by the property owner."

7-26.6 Violation - Penalty

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. Any person violating any provision of this chapter or failing to comply with any of its requirements shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding One Thousand Dollars ($1,000.00), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment. Each and every person shall be deemed guilty of a separate offense for each and every day or any portion thereof, during which any violation of any of the provisions of this chapter is committed, continued or permitted by such person, and shall be deemed punishable therefore as provided in this chapter.

7-26.7 Civil Remedies

a. The violation of any of the provisions of this chapter shall constitute a nuisance and may be abated by the City, or, on private property, by the owner or lawful tenant of that private property, through civil process by means of restraining order, preliminary or permanent injunction or in any other manner provided by law for the abatement of such nuisances.

b. In addition to the civil process described in subsection a. above, at the request of the property owner or lawful tenant of the real property upon which the violation occurs, this chapter may be enforced by any law enforcement officer by citation of any person who violates this chapter, or by any law enforcement officer or private security by removal from the private property of any person who violates this chapter.

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, Municipal Law Enforcement Services 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 _____, 2009.

_____

MAYOR OF THE CITY OF COMPTON

Ordinance No. _____

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 _____, 2009.

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

WARRANTS APPROVED BY COUNCIL

Warrant #	Date	Name	Description	Amount
177318	07/16/9	Macro Z	Ground Water Storage Program Progress Payment	$12,427.74
			Requested By: Water	
177333	07/16/9	Victory Outreach	Maintenance Service for May And June 2009	$23,134.99
			Requested By: Parks	

I hereby certify that the above demands in the amount of $35,562.73 were approved at a regular meeting of the City Council and reject _____ as of July 21, 2009,

_____ _____ _____
Council Member Council Member City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on July 21, 2009 allowed the above demands.

_____
Alita Godwin
City Clerk