

# **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, June 22, 2010**

**3:00 PM**

### **HEARING(S)**

**3:15 P.M. CONTINUED JOINT PUBLIC HEARING - 2010-2011 FISCAL YEAR  
BUDGET (Item #7)**

### **OPENING**

### **ROLL CALL**

### **INTRODUCTION OF SPECIAL GUESTS**

### **PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS**

### **CONSENT AGENDA**

Consent items are routine and expected to be non-controversial. They will be acted upon by the Council at one time without discussion unless a Council Member requests an item be removed or discussed.

### **APPROVAL OF MINUTES**

## **REPORTS OF OFFICERS AND COMMISSIONS**

### **WATER DEPARTMENT**

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCENDING RESOLUTION 23,105 AND AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH KEC ENGINEERING FOR ASSOCIATED INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE REHABILITATION OF BOTH THE WATER PIPELINE PROJECT

### **APPROVAL OF WARRANTS**

## **END CONSENT AGENDA**

## **REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES**

### **CITY MANAGER'S REPORT**

2. REQUEST TO SCHEDULE A JOINT PUBLIC HEARING AUTHORIZING THE GROUND LEASE OF CERTAIN REAL PROPERTY TO LOWE ENTERPRISES REAL ESTATE GROUP AND MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33431 (**July 27, 2010 at 3:15 p.m.**)

### **CITY ATTORNEY'S REPORTS**

### **CLOSED SESSION**

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
City of Compton v. Westchester Industrial Medical Services et al.  
Case Number LASC Case #TC022419  
Pursuant to California Government Code Section 54956.9

### **CITY TREASURER'S REPORTS**

### **UNFINISHED BUSINESS**

4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER XXIV OF THE COMPTON MUNICIPAL CODE BY ADDING SECTION 24-9 (REGISTRATION OF ABANDONED PROPERTIES)(**SECOND READING**)

5. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING SPEED LIMITS ON VARIOUS CITY STREETS BASED ON THE ENGINEERING AND TRAFFIC SURVEY STUDY CONDUCTED BY WILL DAN ENGINEERING AND IN CONFORMANCE WITH THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE **(SECOND READING)**
6. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTERS VII AND XIX OF THE COMPTON MUNICIPAL CODE BY DELETING SECTIONS 7-14.5 AND 19-6.3 IN THEIR ENTIRETY; AMENDING SECTION 19-1; AND ADDING SECTION 19-10 (STREET BANNERS) **(SECOND READING)**

### **NEW BUSINESS**

7. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.7 (Order of Business), 2-1.8 (Audience Comments at Council Meetings) and 2-1.13 (Rules of Decorum of Meetings) **(FIRST READING)**
8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE COMBINED BUDGET FOR FISCAL YEAR 2010-2011

### **COUNCIL COMMENTS**

### **ADJOURNMENT**

*NEXT REGULAR MEETING: Tuesday, July 06, 2010 @ 7:00 PM.*

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



June 22, 2010

**TO: MAYOR AND CITY COUNCIL MEMBERS**

**FROM: CITY MANAGER**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2009/2010 BUDGET AND AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH KEC ENGINEERING, INC. TO REVISE THE SCOPE OF SERVICES AND COMPENSATION AMOUNT.**

### **SUMMARY**

The City Council will consider adopting a Resolution which will authorize the City Manager to amend the current contract with KEC Engineering, Inc. so as to revise the scope of services to be provided by eliminating the provision of inspection and construction management services for the Sewer Main Replacement Project along Northwood Avenue, in addition to reducing the amount of compensation to be paid to KEC Engineering, Inc.

### **BACKGROUND**

In light of the fact that much of the City's water mains and sewer infrastructure is antiquated, having been constructed in the 1940's and 1950's, a multi-year prioritized Capital Improvement Project (CIP) plan of action was developed to replace almost 3000 lineal feet of water line and 3000 lineal feet of sewer mains, in addition to 3000 lineal feet of roadway on Northwood Avenue between 163<sup>rd</sup> and Greenleaf Boulevard. The program shall be financed through the Capital Improvement Bond Funds.

Since inspection and construction management of this project is vital, the City solicited bids and proposals from experienced engineering firms to provide such services. It was determined that KEC Engineering, Inc. possessed the experience, qualities and expertise needed for this project and a contract to provide inspection and construction management services for the Northwood Avenue Water Main Replacement, Sewer Main Replacement and Street Improvements Project was awarded to KEC Engineering, Inc. pursuant to authorizing Resolution No. 23,105, adopted by the City Council on May 11, 2010.

### **STATEMENT OF THE ISSUE**

On May 11, 2010, the City Council adopted Resolution No. 23,105, which authorized the City Manager to enter into an agreement with KEC Engineering, Inc. to provide construction management and inspection services for the Northwood Avenue Water Main Replacement,

#1.

Sewer Main Replacement and Street Improvements Project at a cost of \$84,450.00, plus a 15% contingency.

Subsequent to the adoption of Resolution No. 23,105, it has been determined that due to time constraints and probable conflicting construction schedules, it is in the best interest of the City to separate the water main replacement portion of the project from that of the sewer main replacement and proceed with utilizing the expert services of KEC Engineering, Inc. for the water main replacement portion of the project.

KEC Engineering, Inc. has agreed to the proposed revision and reduction in the scope of services to be rendered, and both parties have negotiated the amount of Seventy Thousand Dollars (\$70,000.00) for provision of the inspection and construction management of the water improvement project along Northwood Avenue, as fair compensation for the services to be rendered on this project. It is further proposed that a reserve contingency amount of Seven Thousand Dollars (\$7,000.00) be authorized for this project.

### **FINANCIAL IMPACT**

The 2009/10 fiscal year budget shall be amended and revenues shall be increased as follows:

**FROM:**

| <b><u>Account</u></b> | <b><u>Description</u></b> | <b><u>Amount</u></b> |
|-----------------------|---------------------------|----------------------|
| 5003-880-000-3980     | Bond Funds                | \$77,000.00          |

**TO:**

| <b><u>Account</u></b> | <b><u>Description</u></b> | <b><u>Amount</u></b> |
|-----------------------|---------------------------|----------------------|
| 5003-880-000-4269     | Other Contract Services   | \$77,000.00          |

### **RECOMMENDATION**

Staff recommends the adoption of the attached resolution.

**KAMBIZ SHOGHI**  
**GENERAL MANAGER**

**CHARLES EVANS**  
**CITY MANAGER**





**RESOLUTION NO. \_\_\_\_\_****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2009/2010 BUDGET AND AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH KEC ENGINEERING, INC. TO REVISE THE SCOPE OF SERVICES AND COMPENSATION AMOUNT**

**WHEREAS**, much of the City's water and sewer infrastructure systems were built more than 50 years ago and are antiquated and need improvements, and

**WHEREAS**, pursuant to a review of the system conditions, a multi-year prioritized capital improvement project (CIP) plan of action was developed to replace almost 3000 lineal feet of water line and 3000 lineal feet of sewer mains, in addition to 3000 lineal feet of roadway on Northwood Avenue between 163<sup>rd</sup> and Greenleaf Boulevard (Northwood Avenue Project); and

**WHEREAS**, after soliciting bids and proposals from experienced engineering firms to provide construction management and inspection services of this project, it was determined that KEC Engineering, Inc. possessed the experience, qualities and expertise needed; and

**WHEREAS**, on May 11, 2010, the City Council adopted Resolution No. 23,105, which authorized the City Manager to enter into an agreement with KEC Engineering, Inc. to provide construction management and inspection services for the Northwood Avenue Water Main Replacement, Sewer Main Replacement and Street Improvements Project; and

**WHEREAS**, subsequent to the adoption of Resolution No. 23,105, it has been determined that due to time constraints and probable conflicting construction schedules, it is in the best interest of the City to separate the water main replacement portion of the project from that of the sewer main replacement and proceed with utilizing the expert services of KEC Engineering, Inc. for the water main replacement portion of the project; and

**WHEREAS**, KEC Engineering, Inc. has agreed to the proposed revision and reduction in the scope of services to be rendered, and both parties have negotiated the amount of Seventy Thousand Dollars (\$70,000.00) for provision of the inspection and construction management of the Northwood Avenue Water Main Replacement Project, as fair compensation for the services to be rendered on this project.

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

**SECTION 1.** That the City Manager, upon advice of the City Attorney, is authorized to amend the contract with KEC Engineering, Inc., so as to revise the scope of services to be provided by eliminating the provision of inspection and construction management services for the Sewer Main Replacement Project along Northwood Avenue, in addition to reducing the amount of compensation to be paid to KEC Engineering, Inc..

**SECTION 2.** That for services rendered for the Northwood Avenue Water Main Replacement Project, the City Manager is authorized to issue a purchase order to KEC engineering in an amount not-to-exceed Seventy Thousand Dollars (\$70,000.00).

**SECTION 3.** That a contingency amount of up to Seven Thousand Dollars (\$7,000.00) is hereby authorized.

**SECTION 4.** That the 2009/2010 fiscal year budget shall be amended and revenues shall be increased as follows:

RESOLUTION NO. \_\_\_\_\_  
PAGE TWO

From:

| <u>ACCOUNT</u>    | <u>DESCRIPTION</u> | <u>AMOUNT</u> |
|-------------------|--------------------|---------------|
| 5003-000-000-3980 | Bond Funds         | \$77,000.00   |

To:

| <u>ACCOUNT</u>    | <u>DESCRIPTION</u>      | <u>AMOUNT</u> |
|-------------------|-------------------------|---------------|
| 5003-880-000-4269 | Other Contract Services | \$77,000.00   |

**SECTION 5.** That copies of this resolution shall be filed in the offices of the City Manager, City Controller, City Attorney, City Clerk, the Municipal Water Department and the Department of Public Works.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 forgoing 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 \_\_\_\_\_ 2010.

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

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

\_\_\_\_\_  
CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2009/2010 BUDGET AND AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH KEC ENGINEERING, INC. TO REVISE THE SCOPE OF SERVICES AND COMPENSATION AMOUNT

<ManagersName>  
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

6/16/2010 6:05:42 PM  
DATE

Willie Norfleet  
CITY CONTROLLER

6/17/2010 9:08:08 AM  
DATE

Dave Hewitt  
CITY MANAGER

6/16/2010 4:44:18 PM  
DATE

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



**June 22, 2010**

**TO: MAYOR AND COUNCILMEMBERS**

**FROM: CITY MANAGER**

**SUBJECT: REQUEST TO SCHEDULE A JOINT PUBLIC HEARING  
AUTHORIZING THE GROUND LEASE OF CERTAIN REAL  
PROPERTY TO LOWE ENTERPRISES REAL ESTATE GROUP  
AND MAKING CERTAIN FINDINGS PURSUANT TO  
CALIFORNIA HEALTH AND SAFETY CODE SECTION 33431.**

**SUMMARY**

Staff respectfully requests that the Council schedule a joint public hearing with the City Council and the Urban Community Development Commission on **Tuesday, July 27, 2010, at 3:15 p.m.** pursuant to the California Community Redevelopment Law (Health and Safety Code, Section 33000 et. seq.) ("CRL") for the purpose of considering (i) the Agency's lease of certain real property located in the City of Compton ("Property") to Lowe Enterprises Real Estate Group ("Developer") and (ii) for a Senior Activity Center, Community Center and 600 stall Parking Structure ("Project") including approximately 50,000 total square feet public facilities.

**BACKGROUND:**

The redevelopment plan (the "Redevelopment Plan") for a redevelopment project area of the Agency known and designated as the "Compton Redevelopment Project Area" (the "Project Area") has been adopted and approved and all requirements of law for, and precedent to, the adoption and approval of said plan have been duly complied with. The Redevelopment Plan contemplates that the Agency will undertake such lease and development agreements in furtherance of the Redevelopment objectives of the Project Area.

**DR. KOFI SEFA-BOAKYE  
DIRECTOR OF REDEVELOPMENT**

**CHARLES EVANS  
CITY MANAGER**



June 22, 2010

TO: CITY MANAGER

FOR: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: CITY ATTORNEY

RE: **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF COMPTON AMENDING CHAPTER XXIV OF THE  
COMPTON MUNICIPAL CODE BY ADDING SECTION  
24-9 (REGISTRATION OF ABANDONED PROPERTIES)**

**SUMMARY:**

The City Council will consider adopting an ordinance amending Chapter XXIV of the Compton Municipal Code by adding Section 24-9 titled "Registration of Abandoned Properties."

**BACKGROUND:**

Economic factors have led to a significant increase in the number of residential properties in default or foreclosure in the City of Compton and throughout the United States. Many property owners have been impacted by the sub-prime loans and many of the adjustable rate mortgages (ARM) have now adjusted upwardly to the point where the owners can neither afford the new payments nor can they refinance their homes due to lack of equity. Consequently, many of these homes have resulted in being foreclosed on by the lenders. The City expends significant costs and other resources monitoring and responding to the many health, welfare, safety and economic problems caused by neglected vacant properties.

**STATEMENT OF ISSUE**

The Office of the City Attorney is requesting that the City Council adopt an "Abandoned Residential Property Registration Program "(ARPRP) ordinance as a means to curtail the blight associated with the foreclosure and subsequent abandonment of residential properties. The program will require lenders and trustees to register the properties with the City and secure and maintain them. Violation of these requirements may result in civil penalties up to one thousand (\$1000.00) dollars per day in accordance with *Senate Bill 1137*,

codified in *California Civil Code Section 2929.3*. The goal of this legislation is to reduce the number of vacant properties from becoming blighted as a result of inadequate maintenance and security. In an effort to protect neighborhoods and business districts which are paying the social costs of vacant and abandoned properties that are in foreclosure or surrendered to the mortgage holder to avoid foreclosure, there is an urgent need to implement a process for monitoring these vacant and abandoned buildings and ensuring the associated costs are borne by the property owners rather than the community. The "Abandoned Residential Property Registration Program" will require that owners, beneficiaries (lenders) and trustees that own or are responsible for abandoned residential properties which they purchased at a foreclosure sale or acquired through foreclosure under a mortgage or deed of trust, register those properties with the City's Building and Safety Department. Some of the provisions of this ordinance include:

## **1. Property Manager**

If necessary, the legal owner will be required to retain the services of a property management company to maintain and secure the property in accordance with the provisions set forth in the ordinance. Registration will facilitate periodic monitoring by Enforcement staff and provide a mechanism for staff and neighbors to contact the local property management company of the need to take action to maintain the property.

## **2. Inspection of property by beneficiary and trustee**

Prior to filing a default notice against the owner of a property, the beneficiary/trustee who holds a deed of trust on the property shall conduct an inspection of the property to determine if it is vacant. If the property is vacant or shows evidence of vacancy, either the trustee or beneficiary shall register the property with the City within ten (10) days of the inspection using forms provided by the City. Both the trustee and the beneficiary may be issued citations if the property is not registered.

## **3. Registration of Property with City by trustee and beneficiary**

If the property is occupied but remains in default, it shall be inspected by the beneficiary/trustee on a monthly basis until either; a) the trustor or another party remedy the default or b) the foreclosure is completed and ownership is transferred to a new owner or c) the property is found to be vacant or shows evidence of vacancy, then the trustee or beneficiary shall register the property within ten (10) days of discovering the vacancy with the Building and Safety

Department on specified forms. A registration fee and late fee will be charged as a means of recovering the costs of administering the program.

#### **4. Maintenance Requirements**

Properties subject to the ordinance shall be maintained free of weeds, and rubbish including but not limited to trash, junk, debris, graffiti and/or tagging, etc. The property shall be landscaped to the neighborhood standard. Pools and spas shall be kept in working order and maintained free from mosquito larvae or the pools may be drained and kept dry. Security fencing shall be secured around the pools in accordance with State of California fencing requirements.

#### **5. Security Requirements**

Properties subject to this ordinance shall be maintained in a secure manner so as not to be accessible to unauthorized persons. Property shall also be posted with the name and twenty-four (24) hour contact phone number of the local property manager which shall inspect the property on a weekly basis to ensure compliance with the ordinance.

#### **6. Penalties**

A civil fine of up to \$1000.00 per day may be imposed against the legal owner of the property, trustee and/or beneficiary who violates the ordinance in accordance with *California Civil Code Section 2929.3*.

#### **7. Appeal**

Any person aggrieved by any of the requirements of this ordinance shall have a right to appeal and may request an appeal of a determination made, in accordance with proposed Section 24-9.21 titled "Request For Appeal."

#### **FISCAL IMPACT:**

The ordinance will allow for recovery of costs expended by the City to gain compliance with the Municipal Code requirements. The City can recover up to \$1000.00 for each day a violation is maintained.

#4.

Staff Report  
June 22, 2010  
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**RECOMMENDATION:**

It is recommended that the City Council adopt the attached Ordinance establishing an Abandoned Residential Property Registration Program.

**CRAIG J. CORNWELL**  
**CITY ATTORNEY**

Attachmt:          Proposed Ordinance

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER XXIV OF THE COMPTON MUNICIPAL CODE BY ADDING SECTION 24-9 (REGISTRATION OF ABANDONED PROPERTIES)

**WHEREAS**, there has been a significant increase in the number of residential properties in default and foreclosure in the City of Compton; and

**WHEREAS**, while these properties are in default/foreclosure status, this results an increase in the number of abandoned, vacant properties the maintenance and security of which are often neglected by the owners, lenders and/or trustees; and

**WHEREAS**, vacant, abandoned properties are a magnet for criminal activity, including, but not limited to gang loitering, drug abuse, prostitution, squatter occupation, graffiti, and attractive nuisances for minors, the proliferation of which culminates in neighborhood decline, retardation in property values, and a diminution in property sales in the affected areas; and

**WHEREAS**, vacant, abandoned properties may give rise to vermin infestation, mosquito and vector control issues, the existence of which are injurious to the public health, safety and welfare of the community and constitute a public nuisance; and

**WHEREAS**, it is the responsibility of owners and those holding equitable title or any other interest in property to maintain real property which is under his or her control, free from conditions leading to blight; and

**WHEREAS**, the State of California enacted *Senate Bill No. 1137*, codified in *California Civil Code Section 2929.3*, which authorizes governmental entities to impose civil fines and penalties of up to one thousand (\$1,000.00) dollars per day, for failure of property owners to maintain vacant, residential properties which they purchase at a foreclosure sale or acquire through foreclosure under a mortgage or deed of trust; and

**WHEREAS**, the City desires to implement a program requiring owners of vacant and abandoned properties to register them with the City in order that certain standards of maintenance and security be imposed on said owners; including lenders, trustees and responsible parties, during the default and foreclosure period and beyond.

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

**Section 1.** That Section 24-9 is hereby added to Chapter XXIV of the Compton Municipal Code and titled "Abandoned Residential Property Registration Program" and shall read as follows:

|                       |                                                           |
|-----------------------|-----------------------------------------------------------|
| <b>24-9</b>           | <b><u>ABANDONED RESIDENTIAL PROPERTY REGISTRATION</u></b> |
| <b><u>PROGRAM</u></b> |                                                           |
| <b>24-9.1</b>         | <b>TITLE</b>                                              |

This section shall be known as the “Abandoned Residential Property Registration Program” and may be so cited.

**24-9.2 PURPOSE**

It is the intent and purpose of the City Council, through the adoption of this section, to establish a mechanism to protect residential neighborhoods from becoming blighted through the lack of maintenance and security of abandoned properties; to establish an abandoned property registration program to set forth directives for the maintenance of abandoned properties; and, to impose civil penalties for violation of same.

**24-9.3 DEFINITIONS**

For the purposes of this section, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directive.

a. "Abandoned" shall mean any building, structure or real property that is vacant or occupied by a person without a legal right of occupancy, and subject to a current notice of default and/or notice of trustee's sale, pending tax assessors lien sale and/or any real property conveyed via a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust, and/or any real property conveyed via a deed in lieu of foreclosure/sale.

b. "Abatement Notice" shall mean an enforcement officer's notice to abate a public nuisance.

c. "Abatement Order" shall mean the Hearing Officer "Order to Abate" or written final order decision.

d. "Accessible Property" shall mean Real property that is accessible to the public, either, in general or through an open and/or unsecured door, window, gate, fence, wall, or the like.

e. "Accessible Structure" shall mean a building or structure that is not secured or is open in such a way as to allow public or unauthorized access to the interior.

f. "Agreement" shall mean any written instrument that transfers or conveys title to residential real property from one owner to another after a sale, trade, transfer or exchange.

g. "Assignment" shall mean an instrument that transfers the beneficial interest under a deed of trust from one lender or entity to another.

h. "Beneficiary" shall mean a lender participating in a real property transaction that holds a secured interest in the real property in question identified in a deed of trust.

i. "Buyer" shall mean any person, partnership, association, corporation, fiduciary or other legal entity that agrees to transfer anything of value in consideration for real property via an "agreement" shall mean as that term is defined in this section.

j. "Dangerous Building" shall mean any building or structure reasonably deemed by qualified City staff to represent a violation of any provision specified in Chapter 14 of this Code.

k. "Days" shall mean calendar days.

l. “Deed of Trust” shall mean an instrument whereby an owner of real property, as trustor, transfers a secured interest in the real property in question to a third party trustee, said instrument relating to a loan issued in the context of a real property transaction. This definition applies to any and all subordinate deeds of trust, such as second trust deed, third trust deed, and the like.

m. “Deed in Lieu of Foreclosure” shall mean a recorded instrument that transfers ownership of real property between parties to a particular deed of trust as follows: from the trustor, borrower, to the trustee upon consent of the beneficiary, lender.

n. “Default” shall mean the material breach of a legal or contractual duty arising from or relating to a deed of trust, such as a trustor's failure to make a payment when due.

o. “Distressed” shall mean any building, structure or real property that is subject to a current notice of default and/or notice of trustee's sale, pending tax assessors lien sale and/or any real property conveyed via a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust, and/or any real property conveyed via a deed in lieu of foreclosure/sale, regardless of vacancy or occupancy by a person with no legal right of occupancy.

p. “Enforcement Official” shall mean the City Manager or his designee, the Building Official, the Municipal Law Enforcement Services Director, Public Works Director, and/or any employee or agent of the City designated and/or charged with enforcing the Compton Municipal Code, including but not limited to applicable codes adopted by reference therein.

q. “Evidence of Vacancy” shall mean any real property condition that independently, or in the context of the totality of circumstances relevant to that real property would lead a reasonable Enforcement Official to believe that a property is vacant or occupied by a person without a legal right of occupancy. Such real property conditions include but are not limited to: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past due utility notices or disconnected utilities; accumulation of trash, junk or debris; the absence of window coverings such as curtains, blinds or shutters; the absence of furnishings or personal items consistent with residential habitation; and/or statements by neighbors, passersby, delivery agents, government employees that the property is vacant.

r. “Foreclosure” shall mean the process by which real property subject to a deed of trust is sold to satisfy the debt of a defaulting trustor, borrower.

s. “Legal Owner” shall mean any person, partnership, association, corporation, fiduciary or other legal entity having a legal or equitable title or any interest in real property.

t. “Local” shall mean within forty (40) driving miles of the building, structure or real property in question.

u. “Neighborhood Standard” shall mean the condition of real property that prevails in and through the neighborhood where an abandoned building, structure or real property is located. When determining the neighborhood standard no abandoned or distressed building, structure or real property shall be considered.

v. “Notice of Default” shall mean a recorded instrument that reflects and provides notice that a default has taken place with respect to a deed of trust, and that a beneficiary intends to proceed with a trustee's sale.

w. "Out of Area" shall mean in excess of forty (40) road or driving miles of the subject property.

x. "Owner" shall mean any person, partnership, association, corporation, fiduciary or other legal entity having a legal or equitable title or any interest in real property.

y. "Owner of Record" shall mean the person holding recorded title to the real property in question at any point in time when official records are produced by the Los Angeles County Recorder's Office.

z. "Property" shall mean any unimproved or improved real property, or portion thereof, including but not limited to buildings or structures located on said real property, regardless of condition.

aa. "Residential Building" shall mean any improved real property, or portion thereof, designed or permitted to be used for dwelling purposes, including buildings and structures located on such improved real property. This includes any real property being offered under any circumstances for sale, trade, transfer, or exchange as "residential," shall mean whether or not said property is legally permitted and zoned for such use.

bb. "Securing" shall mean such measures as may be directed by an Enforcement Official that assist in rendering real property inaccessible to unauthorized persons, including but not limited to repairing fences and walls, chaining/pad locking gates, the repairing or boarding doors, windows or other openings.

cc. "Trustee" shall mean any person, partnership, association, corporation, fiduciary or other legal entity holding a deed of trust securing an interest in real property.

dd. "Trustor" shall mean any owner/borrower identified in a deed of trust, who transfers an interest in real property to a trustee as security for payment of a debt by that owner/trustor.

ee. "Vacant" shall mean any building, structure or real property that is unoccupied or occupied by a person without a legal right of occupation.

ff. "Vector" shall mean any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, and rodents and other vertebrates

gg. "Weeds" in excess of six (6) inches shall mean all weeds growing upon streets, alleys, or sidewalks, or any of the following;

1. Weeds which bear or may bear seeds of a downy or wingy nature;
2. Weeds and indigenous grasses which may attain such large growth as to become, when dry; a fire menace to adjacent improved property;
3. Weeds which are otherwise noxious or dangerous; and
4. Poison oak, poison ivy and/or castor beans when the condition or growths are such as to constitute a menace to the public health.

#### **24-9.4 ENFORCEMENT AUTHORITY**

The City Manager or his designee, the Building Official, the Municipal Law Enforcement Services Director, the Public Works Director and/or any employee or agent of the City

designated and/or charged with enforcing the Compton Municipal Code, are authorized to administer and enforce the provisions of this section.

**24-9.5 DUTY TO RECORD TRANSFER OF LOAN/DEED OF TRUST ASSIGNMENT OF RENTS.**

Within ten (10) days of a property transaction involving a change in the identity of an owner or the owner of record, or alternatively a transfer/assignment of a loan or deed of trust secured by residential property, each beneficiary and trustee engaged in said transaction or transfer/assignment shall record, via the Los Angeles County Recorder's Office, an assignment of rents, or similar instrument. This instrument shall reflect the identity, mailing address and telephone number of the trustee and beneficiary responsible for receiving payments associated with the loan or deed of trust in question. This duty/obligation shall be joint and several among and between all trustees and beneficiaries and their respective agents.

**24-9.6 INITIAL INSPECTION**

Each beneficiary and trustee, who holds a deed of trust on a property located within the City, shall perform an inspection of the property in question prior to recording a notice of default or similar instrument with the Los Angeles County Recorder's Office. If the property is found to be vacant or shows evidence of vacancy, as defined by this section, it is hereby deemed to be abandoned. One or more photographs shall be taken of the residential property accurately portraying the condition of the exterior of the premises. Photographs shall be dated and submitted to the Building and Safety Department upon registration of the property where applicable.

**24-9.7 REGULAR INSPECTIONS**

Each beneficiary and trustee shall perform a re-inspection of the property subject to foreclosure proceedings at least once a month following the initial inspection until the property is no longer in default or is subject to the conditions outlined below in subsection 24-9.10.b.

**24-9.8 REGISTRATION.**

a. *Timing of Registration*; registration of abandoned property shall be made within five (5) business days from the inspection in accordance with subsection 24-9.6. The beneficiary and trustee shall register the property with the Building and Safety Department on specified forms.

b. *Content of Registration*; the registration shall include information identifying the location of the property, the last known owner(s) of the property, the identity of the beneficiary and trustee, the direct mailing address of the beneficiary and trustee and, in the case of a corporate or out of area beneficiary or trustee, the local property management company, if any, responsible for the security, maintenance and marketing of the property in question.

c. *Occupied Property*; if the property is occupied but remains in default, it shall be inspected by the beneficiary/trustee, or an agent/designee of the beneficiary/trustee, on a monthly basis until:

1. The trustor or another party remedies the default; or
2. The foreclosure is completed and ownership is transferred to a new owner who is not the former beneficiary or trustee; or

3. The property is found to be vacant or shows evidence of vacancy, at which time it is deemed abandoned. Hence the beneficiary/trustee shall within ten (10) days of that inspection register the property with the Building and Safety Department on forms provided by the City.

4. One or more photographs shall be taken at each re-inspection and shall be dated and submitted to the Building and Safety Department within ten (10) days of the inspection in the same manner as is required upon initial inspection.

d. *Registration Fee*; an annual registration fee shall accompany the registration form. The fee and registration shall be valid for the fiscal year, or remaining portion of the fiscal year in which the registration was initially required. Subsequent registrations and fees are due July 1<sup>st</sup> of each year. If the registration is received after July 31 of the same year, a late fee will be charged.

e. *Foreclosure and Deed in Lieu of Foreclosure*; this section shall also apply to properties that have been the subject of a foreclosure sale wherein title has been transferred to the beneficiary of a deed of trust involved in the foreclosure, and to any properties transferred under a deed in lieu of foreclosure or sale.

f. *Annual Registration Requirement*; properties subject to this section shall remain subject to the annual registration requirement, security and maintenance standards of this section as long as they remain vacant.

g. *Report*; any person, partnership, association, corporation, fiduciary or other legal entity that has registered a property under this section must make a written report to the Building and Safety Department of any change of information contained in the registration within ten (10) days of the change.

h. *Joint and Several*; the duties/obligations specified in this section shall be joint and several among and between all trustees and beneficiaries and their respective agents.

#### **24-9.9 MAINTENANCE REQUIREMENTS**

*Public Nuisance*; it is declared a public nuisance for any person, partnership, association, corporation, fiduciary or other legal entity, that owns, leases, occupies, controls or manages any property subject to the registration requirement contained in subsection 24-9.8, to cause, permit, or maintain any property condition contrary to any provision of this section. Consequently, the following maintenance requirements as to any property subject to the registration requirement contained in subsection 24-9.8 are adopted:

a. *Chapter 14*; any property subject to this section must comply with subsections 14-1.3 et seq., (Unsafe Buildings and Structures) and 14-3 (Dangerous and Substandard Residential Buildings).

b. *Weeds and Rubbish*; in addition to complying with Weed Abatement sections 8-11.8 (Owner to maintain property free of weeds and rubbish) and 8-11.9 (Owner to maintain sidewalk and parkway free of weeds and rubbish), the property shall be kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspaper, circular, flyers, notices (except those required by federal, state or local law), discarded personal items including but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

c. *Property Maintenance*; any property subject to this section shall not fall within the definition of a public nuisance in accordance with the Property Maintenance Standards Chapter, subsection 24-2.2 (Conditions Which Are Declared a Public Nuisance).

d. *Graffiti*; the property shall be maintained free of graffiti, tagging or similar markings. Any removal or painting over of graffiti shall be with an exterior grade paint that matches the color of the exterior of the structure.

e. *Landscaping*; visible front and side yards shall be landscaped and maintained to the neighborhood standard. Landscaping includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Landscaping does not include weeds, gravel, broken concrete, asphalt, plastic sheeting, mulch, indoor-outdoor carpet or any similar material.

f. *Pools and Spas*; shall be kept in working order so that water remains clear and free of pollutants, debris or from becoming a breeding place for vectors, or alternatively shall be drained and kept dry. In either case, properties with pools and/or spas must comply with the minimum security fencing requirements of the State of California.

g. *Covenants, Conditions and Restrictions*; adherence to this section does not relieve the beneficiary/trustee or property owner of obligations set forth in any covenants conditions and restrictions and/or homeowners association rules and regulations which may apply to the property.

h. *Joint and Several*; the duties/obligations specified in this section shall be joint and several among and between all trustees and beneficiaries and their respective agents.

#### **24-9.10 SECURITY REQUIREMENTS**

a. *Secure Manner*; properties subject to this section shall be maintained in a secure manner so as not to be accessible to unauthorized persons. Secure manner includes, but is not limited to, closing and locking of windows, doors (walk-through, sliding and garage), gates and any other opening that may allow access to the interior of the property and or structure(s). In the case of broken windows, securing means re-glazing or boarding the window.

b. *Property Management Company*; if the property is owned by a corporation and/or out of area beneficiary/trustee/owner, a local property management company shall be contracted to perform weekly inspections to verify that the requirements of this section, and any other applicable laws, are being met.

c. *Twenty Four Hour Contact Information*; the property shall be posted with the name and 24-hour contact phone number of the local property management company. The posting shall be no less than 18 inches by 24 inches, shall be of a font that is legible from a distance of 45 feet, and shall contain the following verbiage: "THIS PROPERTY MANAGED BY \_\_\_\_\_," and "TO REPORT PROBLEMS OR CONCERNS CALL (name and phone number)".

d. *Posting*; the posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street, or it may be secured to the exterior of the building/structure facing the street on the front of the property so it is visible from the street. If no such area exists, the posting shall be on a stake of sufficient size to support the posting. The posting shall be in a location that is visible from the street to the front of the property, and to the extent possible, not readily accessible to potential vandalism. Exterior posting must be constructed of, and printed with, weather resistant materials.

e. *Weekly Inspections*; the local property management company shall inspect the property on a weekly basis to determine if the property is in compliance with the requirements of this section. If the property management company determines the property is not in compliance, it is the company's responsibility to bring the property into compliance.

f. *Joint and Several*; the duties/obligations specified in this section shall be joint and several among and between all owners, trustees and beneficiaries and their respective agents.

#### **24-9.11 ADDITIONAL AUTHORITY**

In addition to the enforcement remedies established in this section, the City shall have the authority to require the beneficiary, trustee, legal owner or owner of record of any property affected by this section, to implement additional maintenance and/or security measures including, but not limited to securing any and all doors, windows or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard or other measures as may be reasonably required to secure and reduce the visual decline of the property.

#### **24-9.12 RECOVERY OF ATTORNEYS FEES**

a. In accordance with *Government Code Section 38773.5(b)*, the prevailing party in any proceeding conducted pursuant to this section and associated with the abatement of a public nuisance shall be entitled to recovery of attorneys' fees incurred in any such proceeding.

b. The recovery of attorneys' fees by the prevailing party is limited to those individual actions or proceedings in which the City elects, at the initiation of that action or proceeding, to seek recovery of its own attorneys' fees.

c. An award of attorneys' fees to a prevailing party in an action or proceeding shall not exceed the amount of reasonable attorneys' fees incurred by the City in the action or proceeding.

#### **24-9.13 ENFORCEMENT REMEDIES**

a. Any person, partnership, association, corporation, fiduciary or other legal entity, that owns, leases, occupies, controls or manages any property subject to the registration requirement contained in subsection 24-9.8 and causes, permits, or maintains a violation of this section, as to that property, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed one thousand (\$1,000.00) dollars, or by imprisonment in the County jail for six (6) months, or by both such fine and imprisonment.

b. This section is intended to be cumulative to, and not in place of, other rights and remedies available to the City pursuant to the *Compton Municipal Code*. Above and beyond the violation and penalty specified in this section, the City Attorney or a duly authorized Enforcement Official may pursue any other right or remedy permitted by the *Compton Municipal Code*, including but not limited to commencement of any civil action, or administrative action. Civil penalties may also be sought in accordance with the applicable provisions of the Civil and Penal Codes of the State of California.

#### **24-9.14 CIVIL PENALTIES**

a. *Civil Fine*; the City may impose a civil fine of up to one thousand dollars (\$1,000.00) per day for a violation of this section in accordance with *California Civil Code Section 2929.3*. The fine will be imposed upon the legal owner (including beneficiaries, trustees and/or record owner) who purchased the property at a foreclosure sale or acquired it through foreclosure under a mortgage or deed of trust.

b. *Abatement Notice Requirements*; if the City elects to impose a fine pursuant to this section, it shall give notice of the alleged violation which shall include:

1. A description of the conditions that gave rise to the allegation;
2. Notice of the City's intent to assess a civil fine if action to correct the violation is not commenced within **fourteen (14) days** from the date of the notice and completed within **thirty (30) days** from the date of the notice;

3. *City's Right to Abate*; a statement that, if the conditions which constitute the nuisance are not abated by the legal owner within the time specified, the City shall have the right to abate such conditions with the cost, thereof, to be assessed against the owner of the property;

4. *Legal Owner's Right to Request Hearing*; a statement that the legal owner has the right to request a hearing before a Hearing Officer, and that such request must be made in writing and must be made within **fifteen (15) calendar days** from the date of service of the Abatement Notice; and

5. *Mailing Address for Notice*; the notice shall be mailed to the address provided in the deed or other instrument. Every deed or instrument executed to convey fee title to real property shall have noted across the bottom of the first page thereof the name and address to which future tax statements may be mailed in accordance with *California Government Code Section 27321.5*. If there is no address listed, the notice shall be sent to the return address provided on the deed or other instrument. In addition to service by mail, the notice may also be served by personal delivery in accordance with section 24-9.16.

c. *Not Less Than Thirty Days to Remedy Violation*; the City shall provide a period of not less than thirty (30) days for the legal owner to remedy the violation prior to imposing a civil fine. In determining the amount of the fine, the City shall take into consideration any timely and good faith efforts by the legal owner to remedy the violation.

d. *Maximum Civil Fine*; the maximum civil fine authorized by this section is one thousand dollars (\$1,000) for each day that the owner fails to maintain the property. This commences on the day following the expiration of the period to remedy the violation established by the City. This date would be specified in the notice.

**24-9.15 LESS THAN THIRTY (30) DAY NOTICE**

The City may provide less than thirty (30) days notice to remedy the condition before imposing a civil fine, if it is determined that a specific condition of the property threatens the imminent public health or safety, provided that notice of that determination is given and time for compliance is given.

**24-9.16 ABATEMENT NOTICE – SERVICE**

a. The written notice shall be served upon the legal owner of the property upon which the nuisance exists, at least thirty five (35) calendar days before the *abatement* deadline date specified in said notice.

b. The written notice shall be served by mailing to the address provided in the deed or other instrument in accordance with subsection 24-9.14.b.5. by United States Mail, postage prepaid, as certified, first class mail, return receipt requested. In addition, the notice may be also be served by personal delivery upon the legal owner.

c. The failure of the legal owner to receive such notice shall not affect the power of the City or its officers or employees to proceed as provided in this section.

d. Proof of Service of the notice shall be certified by written declaration under penalty of perjury executed by the person effecting service. It shall declare the time, date and manner in which service was made. The declaration, together with any receipt returned in acknowledgment of receipt by certified mail shall be made part of the City's permanent record.

**24-9.17 ABATEMENT NOTICE – POSTING**

If the owner's address is unavailable, such service may be made by posting the notice in a conspicuous place either upon or in front of the property of which the nuisance exists, as follows:

a. One (1) notice shall be posted on or in front of each separately owned parcel;

b. Not more than two (2) notices to any such parcel of fifty (50) to one hundred (100) feet frontage are required; and

c. Notices shall be placed at intervals of not more than one hundred (100) feet if the frontage of a parcel is greater than one hundred (100) feet, with one (1) notice for each one hundred (100) feet of frontage.

**24-9.18 DUTY TO ABATE - TIME FRAME**

The legal owner shall abate the public nuisance within thirty (30) calendar days from the date of service of the Abatement Notice.

**24-9.19 FINES**

Fines collected from enforcement of Section 24-9 et seq. will be placed in the general fund and used for the purposes of enhancing the Code Enforcement Program.

## **24-9.20 APPEALS**

Any person aggrieved by any of the requirements of this Section may appeal a determination made hereunder in the manner set forth below.

### **24-9.21 REQUEST FOR APPEAL**

a. After the written notice has been served, it shall be the duty of the legal owner to whom the notice has been directed, to abate such nuisance within the time specified by the notice. However, within fifteen (15) days of being served with this notice, the owner or occupant may request a hearing before a Hearing Officer.

b. The request must be made in writing, and must set forth the reasons why the abatement is not necessary. The request must be made within fifteen (15) calendar days from the date of service of the Abatement Notice and filed by delivering the request to the Building and Safety Department.

c. The appeal hearing shall be set not less than fifteen (15) calendar days and not more than thirty (30) calendar days from the date the legal owner filed a request for a hearing with the Building and Safety Department.

### **24-9.22 APPEAL HEARING NOTICE – SERVICE**

a. Upon receipt of a timely, written request for a hearing, the Building Official shall serve on the legal owner, who has appealed, a copy of the notice of hearing by certified mail. In addition to certified mail, the notice may also be served by personal service. The Appeal Hearing notice shall be served at least ten (10) calendar days before the hearing. Service shall be completed in the same manner as set forth in subsection 24-9.16.b thru d.

b. The failure of any person to receive such notice shall not affect the validity of any proceedings under this section.

### **24-9.23 APPEAL HEARING – PROCEDURE**

a. At the time stated in the notice, the Hearing Officer shall hear and consider all relevant evidence, objections or protests, and shall receive testimony from owners, witnesses, including City personnel, and interested persons relative to the alleged public nuisance and to the proposed abatement of the premises. The hearing may be continued from time to time without further notice.

b. Upon conclusion of the hearing, the Hearing Officer shall determine whether the premises, or any part thereof, as maintained, constitutes a public nuisance as defined in subsection 24-9.9. If the Hearing Officer finds that a public nuisance does exist, it shall determine how the nuisance is to be abated and shall establish a time, not to exceed ten (10) calendar days, within which abatement shall take place. In the event the owner fails to correct the nuisance within the time prescribed, the City shall cause the nuisance to be abated. The cost incurred by the City, including incidental enforcement costs, plus any prescribed penalties, shall become a lien upon the property.

c. A copy of the Hearing Officer's determination, noted as the Abatement Order, shall be served by mail upon the owner of the affected property. The service shall be in accordance with subsection 24-9.16.

d. The decision of the Hearing Officer is final. The appellant may seek judicial review of the Hearing Officer's determination.

e. Failure to attend the Appeal Hearing by the person appealing shall constitute a waiver of his or her rights to an Appeal Hearing. It shall also constitute an adjudication of the Abatement Notice, or any portion of the notice.

#### **24-9.24 ABATEMENT ORDER**

Once the Hearing Officer determines that a public nuisance exists, he shall issue an Abatement Order upon those who have submitted written requests for a hearing. The order shall state that unless the nuisance is abated within ten (10) calendar days from the date of mailing, the designated enforcement official or his designee will abate the nuisance and will, if necessary, enter onto private property of said person without further notice in order to abate the nuisance.

#### **24-9.25 ABATEMENT ORDER – SERVICE**

The Abatement Order shall be served in the same manner as set forth in subsection 24-9.16.

#### **24-9.26 ABATEMENT BY CITY**

In the event the nuisance is not abated by the time specified in either the Abatement Notice or the Abatement Order after a hearing is held, then the designated enforcement official or his designee may enter onto any private property and abate any nuisance found on or in front of the property.

#### **24-9.27 RECOVERY OF COSTS**

Any legal owner of real property who causes, maintains or permits a public nuisance to continue on his property after such person is given written notice to abate the nuisance, and such continuation goes beyond the time set for such abatement in the written notice, shall be liable to the City for the expenses incurred in detecting, investigating, abating the violation and the costs of monitoring compliance. If the owner fails to reimburse City within thirty (30) calendar days from the date of billing, the City may recover such costs by either; instituting a civil action, imposing a nuisance abatement lien or by a special assessment or any other remedy available under the law.

#### **24-9.28 COSTS OF ABATEMENT AS LIEN AGAINST PRIVATE PROPERTY**

The Building Official shall, after abating the nuisance, compute all expenses, so incurred by the City in connection therewith, including the applicable processing fees and all incidental enforcement costs plus any prescribed penalties. All expenses may be charged as a lien against the property on which the nuisance existed.

#### **24-9.29 ABATEMENT COST REPORT**

The Building Official, upon completion of abatement under the direction of the City, shall prepare an Abatement Cost Report which provides an accounting of the costs, including incidental expenses, incurred as a result of abating the public nuisance. The Abatement Cost Report shall itemize all costs associated with the abatement as well as:

- a. A description of the real property where the abatement activity took place;
- b. The names and addresses of the persons entitled to receive notice;
- c. A description of the work completed;
- d. Notice of the opportunity to appeal the amount and the reasonableness of the abatement costs; and
- e. Notice of the manner in which the City intends to collect the final and approved abatement costs including, but not limited to special assessment against the property.

#### **24-9.30 FILING OF ABATEMENT COST REPORT WITH CITY CLERK**

On a periodic basis, as determined by the Building Official, the original Abatement Cost Report shall be filed with the City Clerk. It will reference those properties which the owner has not fully reimbursed the City within thirty (30) calendar days from the date of billing.

#### **24-9.31 POSTING OF NOTICE OF ABATEMENT COST REPORT AND ASSESSMENT LIST**

- a. The City Clerk shall post a copy of the Abatement Cost Report, assessment list, notice of the filing of the report and the time and place where said documents will be submitted to the City Council for confirmation and hearing.
- b. Said documents shall be posted on the bulletin board adjacent to the entrance to City Hall notifying property owners of the time and location of the hearing at which they may be heard.
- c. The posting and first publication of said notice shall be made and completed at least fifteen (15) days before the time such report shall be submitted to the Council. Such notice, as so posted and published, shall be substantially in the following form:

#### **NOTICE OF HEARING ON ABATEMENT COST REPORT AND ASSESSMENT**

Notice Is Hereby Given that on \_\_\_\_\_, 2\_\_\_\_, the Building Official of the City of Compton filed with the City Clerk of said City a report and assessment on the abatement within said City, a copy of which is posted on the bulletin board adjacent to the entrance to Compton City Hall.

Notice Is Further Given that on \_\_\_\_\_, 2\_\_\_\_, at the hour of \_\_\_\_ p.m. in the Council Chambers of said City Hall, said report and assessment list will be presented to the City Council of said City for consideration and confirmation. Any and all persons interested or having any objections to said report and assessment list, or to any matter or thing contained therein, may appear at said time and place and be heard.

Date Posted \_\_\_\_\_, 2\_\_\_\_.

- d. A similar notice shall also be published twice in a newspaper of general circulation which is published and circulated within the City.

**24-9.32 MAILING OF NOTICE OF HEARING ON ABATEMENT COST REPORT AND ASSESSMENT**

- a. *Abatement Costs Assessed Against Owner*; the City Clerk shall also mail a notice to each property owner identified in the report at the address as set forth in subsection 24-9.14.b.6. Said notice shall provide a description of the real property at which the work was performed, the nature of the work performed, and the expenses incurred by the City in performing the work and shall notify the owner that said costs shall be assessed against the owner of the property.
- b. *Time and Location of Hearing*; the notice shall also specify the time and location where the proposed assessment will be presented to the City Council for hearing and confirmation. The notice shall be mailed at least ten (10) calendar days prior to the date of the hearing.

**24-9.33 HEARING ON REPORT AND CONFIRMING COST ASSESSMENT.**

- a. *Public Hearing Before City Council*; at the time and place fixed for hearing and confirming the proposed assessments, the City Council shall hear the same. The Building Official shall attend the hearing with a record of all the abatement costs.
- b. *Proposed Assessment May Be Modified*; at the hearing, the City Council may correct, modify or eliminate any proposed assessment which it may deem excessive or otherwise incorrect. Thereafter, by resolution, the Council shall confirm each assessment and the amount, as proposed or as corrected and modified.
- c. *Assessment Made Personal Obligation*; the Council may order that the costs of abatement be made a personal obligation of the property owner *and* either a nuisance abatement lien or a special assessment against the property.

**24-9.34 NUISANCE ABATEMENT LIEN**

If the Council orders that the abatement costs be deemed a nuisance abatement lien, the same may be recorded and enforced against the property pursuant to the provisions of *California Government Code Section 38773.1*.

**24-9.35 SPECIAL ASSESSMENT**

- a. As an alternative to a nuisance abatement lien, in accordance with *California Government Code Section 38773.5*, the costs of abatement may be made a special assessment against the property. Once the special assessment is recorded in the Office of the County Recorder, it shall constitute a lien on the property for the amount of the special assessment and a lien will attach against the property until the assessment, and all interest and penalties due and payable have been paid.
- b. The special assessment and lien shall be subject to the same penalties as are provided for other delinquent taxes or assessments of the City.

**24-9.36 NOTICE OF SPECIAL ASSESSMENT**

Notice shall be given to the property owner at the time of imposing the assessment and shall specify that the property may be sold after three (3) years by the tax collector for unpaid delinquent taxes. The tax collector's power of sale shall not be affected by the failure of the property owner to receive notice.

**24-9.37 COLLECTION ON TAX ROLL**

After confirmation of the report, the City Clerk shall submit a certified copy of the report to the County Auditor Controller. The County Auditor Controller shall enter each assessment on the County Tax Roll opposite the parcel of land. The amount of the assessment shall be collected at the same time and in the same manner as general municipal taxes. The assessment shall be subject to the same interest and penalties and same procedure and sale in case of delinquency. All laws and ordinances applicable to the levy, collection, and enforcement of City taxes are hereby made applicable to such special assessments.

**24-9.38 ABATEMENT COST CONSTITUTES A CIVIL DEBT**

Final abatement costs shall be deemed a civil debt owing to the City and may be deemed a personal obligation of the legal owner by the City Council. An action may be commenced in the name of the City in any court of competent jurisdiction for the collection of the amount of any delinquent or unpaid abatement costs. The remedy prescribed by this section shall be cumulative, and the use of an action to collect such an amount as a debt by civil action shall not bar the use of any other remedy provided by the Municipal Code or by law.

**24-9.39 FEES**

The fee for a) registering; b) re-registering and c) late payment of the registration fee for an abandoned property shall be set, from time to time, by resolution of the City Council.

**Section 2. SEVERABILITY**

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

**Section 3. EFFECTIVE DATE**

This ordinance shall take effect thirty (30) days from after adoption by the City Council.

**Section 4. DISTRIBUTION**

That a copy of this ordinance shall be forwarded to the offices of the City Manager, City Attorney, City Clerk, Municipal Law Enforcement Services, Public Works and Building and Safety.

**Section 5. 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.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
**MAYOR OF THE CITY 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 \_\_\_\_\_, 2010.

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 XXIV OF THE COMPTON MUNICIPAL CODE BY ADDING SECTION 24-9 (REGISTRATION OF ABANDONED PROPERTIES) (FIRST READING)

<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.                                                                                                             |



June 22, 2010

**TO: MAYOR AND CITY COUNCIL MEMBERS**

**FROM: CITY MANAGER**

**SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING SPEED LIMITS ON VARIOUS CITY STREETS BASED ON THE ENGINEERING AND TRAFFIC SURVEY STUDY CONDUCTED BY WILLDAN ENGINEERING AND IN CONFORMANCE WITH THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE**

### **SUMMARY**

An ordinance of the City Council of the City of Compton adopting and posting prima facie speed limits on various City Streets based on the Engineering and Traffic Survey and in accordance with the California Vehicle Code in order for the City to monitor and/or enforce speed limit requirements by radar or other electronic means.

### **BACKGROUND**

The City hasn't had a current Engineering and Traffic Survey in place for more than eight years, which allows for the legal enforcement of speed limits on City streets.

On October 20<sup>th</sup>, 2009, the Public Works Department received a letter from the Sheriff's Department Headquarters requesting an updated traffic/speed surveys to be completed. The letter read that these surveys are several years overdue and are required in order to enforce appropriate speed laws.

Several Sections in the California Vehicle Code refer to the requirements, responsibilities and authority of a local agency with regard to the adoption, implementation and enforcement of speed limits on City streets. Sections 40802 and 40803 refers to "speed trap", prima facie speed limits and the need of having an Engineering and Traffic Survey conducted within five years to justify enforcement of posted speed limits by radar on any particular street. Sections 22357 through 22358.4 refers to the authority of the City to adopt speed limits over or under the prima facie speed limit of 25 miles per hour on streets adjacent to residential, commercial and school areas, only if justified by an appropriate Engineering and Traffic Survey.

By virtue of the above provisions of the law, it was necessary for the City to hire a Traffic Engineering Consultant to conduct the required Engineering and Traffic Survey. A corresponding "Request for Proposal" was advertised and mailed to prospective consultants. On January 6<sup>th</sup>, 2010, the following proposals and fees were received:

#5.

|                               |            |
|-------------------------------|------------|
| 1. Willdan Engineering        | \$ 19, 600 |
| 2. Albert Grover & Associates | \$ 28, 700 |
| 3. AAE, Inc.                  | \$ 27, 894 |
| 4. Transtech                  | \$ 37, 580 |

Willdan Engineering was found well qualified and submitted the most responsive and lowest fee proposal; and hence, was awarded the contract. Subsequently, Willdan Engineering conducted and completed the required survey. The survey considers but was not limited to the 85<sup>th</sup> percentile, land usage, pedestrian traffic and the accident rate. (See attached "Table 1: Street Segments with Recommended Speed Changes").

**STATEMENT OF THE ISSUE:**

In order to have the legal authority to enforce speed limits on City streets, the City Council must approve and adopt the speed limits as a recommended, based on the Engineering and Traffic Survey prepared by Willdan Engineering.

**FISCAL IMPACT**

The signs required to be installed are included in the existing budget and no additional funds are required.

**RECOMMENDATION**

Staff recommends that the City Council adopt the attached ordinance.

**ALEX H. BEANUM, P.E.**  
**ACTING PUBLIC WORKS DIRECTOR**

**CHARLES EVANS**  
**CITY MANAGER**

**CE:AHB:LHM:AW**

**TABLE 1**  
**STREET SEGMENTS WITH RECOMMENDED SPEED CHANGES**

| STREET            | FROM             | TO               | EXISTING | NEW | REASON FOR CHANGE      |
|-------------------|------------------|------------------|----------|-----|------------------------|
| EAST ALAMEDA ST   | AUTO DRIVE       | GREENLEAF BLVD   | 35       | 35  | NO CHANGE              |
| EAST ALAMEDA ST   | GREENLEAF BLVD   | COMPTON BLVD     | 35       | 35  | NO CHANGE              |
| EAST ALAMEDA ST   | COMPTON BLVD     | ROSECRANS AVE    | 30       | 35  | 85 <sup>TH</sup> SPEED |
| EAST ALAMEDA ST   | ROSECRANS AVE    | NORTH CITY LIMIT | NP       | 35  | 85 <sup>TH</sup> SPEED |
| WEST ALAMEDA ST   | SOUTH CITY LIMIT | GREENLEAF BLVD   | 40       | 40  | NO CHANGE              |
| WEST ALAMEDA ST   | GREENLEAF BLVD   | ALONDRA BLVD     | 35       | 40  | 85 <sup>TH</sup> SPEED |
| WEST ALAMEDA ST   | ALONDRA BLVD     | COMPTON BLVD     | 35       | 35  | NO CHANGE              |
| WEST ALAMEDA ST   | COMPTON BLVD     | ROSECRANS AVE    | 35       | 35  | NO CHANGE              |
| WEST ALAMEDA ST   | ROSECRANS AVE    | NORTH CITY LIMIT | 40       | 40  | NO CHANGE              |
| ALONDRA BLVD      | WEST CITY LIMIT  | WILMINGTON AVE   | 40       | 40  | NO CHANGE              |
| ALONDRA BLVD      | WILMINGTON AVE   | ALAMEDA ST       | 35       | 40  | SEE SPECIAL CONDITIONS |
| ALONDRA BLVD      | ALAMEDA ST       | LONG BEACH BLVD  | 35       | 40  | 85 <sup>TH</sup> SPEED |
| ALONDRA BLVD      | LONG BEACH BLVD  | EAST CITY LIMIT  | 35       | 35  | NO CHANGE              |
| APRA ST           | VICTORIA ST      | ACACIA AVE       | 40       | 40  | NO CHANGE              |
| ARTESIA BLVD (EB) | CENTRAL AVE      | ACACIA AVE       | 45       | 45  | NO CHANGE              |
| ARTESIA BLVD (WB) | CENTRAL AVE      | ACACIA AVE       | 45       | 45  | NO CHANGE              |
| ARTESIA BLVD      | ACACIA AVE       | SANTA FE AVE     | 45       | 45  | NO CHANGE              |
| ARTESIA BLVD      | SANTA FE AVE     | SUSANA/HARBOR    | 45       | 45  | NO CHANGE              |
| ATLANTIC AVE      | ALONDRA BLVD     | SOUTH CITY LIMIT | 35       | 35  | NO CHANGE              |
| BRADFIELD AVE     | ROSECRANS AVE    | COMPTON BLVD     | 25       | 25  | NO CHANGE              |

#5.

**TABLE 1**  
**STREET SEGMENTS WITH RECOMMENDED SPEED CHANGES**

| STREET          | FROM                 | TO                | EXISTING | NEW | REASON FOR CHANGE      |
|-----------------|----------------------|-------------------|----------|-----|------------------------|
| BULLIS RD       | COMPTON BLVD         | ROSECRANS AVE     | 30       | 30  | NO CHANGE              |
| BULLIS RD       | ROSECRANS AVE        | NORTH CITY LIMITS | 30       | 30  | NO CHANGE              |
| CENTRAL AVE     | SOUTH CITY LIMIT     | GREENLEAF BLVD    | 40       | 40  | NO CHANGE              |
| CENTRAL AVE     | GREENLEAF BLVD       | COMPTON BLVD      | 40       | 40  | NO CHANGE              |
| CENTRAL AVE     | COMPTON BLVD         | ROSECRANS AVE     | 35       | 35  | NO CHANGE              |
| CENTRAL AVE     | ROSECRANS AVE        | NORTH CITY LIMIT  | 45       | 45  | NO CHANGE              |
| COMPTON AVE     | SLATER AVE           | EL SEGUNDO BLVD   | 30       | 35  | 85 <sup>TH</sup> SPEED |
| COMPTON BLVD    | WEST CITY LIMIT      | WILMINGTON AVE    | 35       | 35  | NO CHANGE              |
| COMPTON BLVD    | WILMINGTON AVE       | ACACIA AVE        | 35       | 35  | NO CHANGE              |
| COMPTON BLVD    | ACACIA AVE           | SANTA FE AVE      | 30       | 30  | NO CHANGE              |
| COMPTON BLVD    | SANTA FE AVE         | BULLIS RD         | 30       | 35  | 85 <sup>TH</sup> SPEED |
| COMPTON BLVD    | BULLIS RD            | EAST CITY LIMIT   | 35       | 35  | NO CHANGE              |
| EL SEGUNDO BLVD | CENTRAL AVE          | WILMINGTON AVE    | 35       | 35  | NO CHANGE              |
| GREENLEAF BLVD  | CENTRAL AVE          | WILLOWBROOK AVE   | 40       | 40  | NO CHANGE              |
| GREENLEAF BLVD  | WILLOWBROOK AVE      | LONG BEACH BLVD   | 40       | 40  | NO CHANGE              |
| GREENLEAF BLVD  | LONG BEACH BLVD      | EAST CITY LIMIT   | 30       | 35  | 85 <sup>TH</sup> SPEED |
| LONG BEACH BLVD | SOUTH CITY LIMIT     | ALONDRA BLVD      | 35       | 35  | NO CHANGE              |
| LONG BEACH BLVD | ALONDRA BLVD         | COMPTON BLVD      | 35       | 35  | NO CHANGE              |
| LONG BEACH BLVD | COMPTON BLVD         | ROSECRANS AVE     | 35       | 35  | NO CHANGE              |
| LONG BEACH BLVD | ROSECRANS AVE        | NORTH CITY LIMIT  | 35       | 35  | NO CHANGE              |
| MANVILLE ST     | WEST CITY LIMIT      | EAST CITY LIMIT   | 30       | 35  | 85 <sup>TH</sup> SPEED |
| McMILLAN ST     | THORSON AVE          | EAST CITY LIMIT   | 25       | 25  | NO CHANGE              |
| PALMER ST       | ALAMEDA ST           | SANTA FE AVE      | NP       | 30  | SEE SPECIAL CONDITIONS |
| PALMER ST       | SANTA FE AVE         | LONG BEACH BLVD   | 25       | 30  | 85 <sup>TH</sup> SPEED |
| PARMELEE AVE    | 138 <sup>TH</sup> ST | EL SEGUNDO BLVD   | 25       | 25  | NO CHANGE              |

**TABLE 1**  
**STREET SEGMENTS WITH RECOMMENDED SPEED CHANGES**

| STREET                 | FROM             | TO               | EXISTING | NEW | REASON FOR CHANGE      |
|------------------------|------------------|------------------|----------|-----|------------------------|
| ROSECRANS AVE          | WEST CITY LIMIT  | WILMINGTON AVE   | 40       | 40  | NO CHANGE              |
| ROSECRANS AVE          | WILMINGTON AVE   | ACACIA AVE       | 40       | 40  | NO CHANGE              |
| ROSECRANS AVE          | ACACIA AVE       | SANTA FE AVE     | 40       | 40  | NO CHANGE              |
| ROSECRANS AVE          | SANTA FE AVE     | BULLIS RD        | 35       | 35  | NO CHANGE              |
| ROSECRANS AVE          | BULLIS RD        | EAST CITY LIMIT  | 35       | 35  | NO CHANGE              |
| SANTA FE AVE           | ARTESIA BLVD     | GREENLEAF BLVD   | 40       | 40  | NO CHANGE              |
| SANTA FE AVE           | GREENLEAF BLVD   | ALONDRA BLVD     | 40       | 40  | NO CHANGE              |
| SANTA FE AVE           | ALONDRA BLVD     | COMPTON BLVD     | 35       | 35  | NO CHANGE              |
| SANTA FE AVE           | COMPTON BLVD     | ROSECRANS AVE    | 35       | 35  | NO CHANGE              |
| SANTA FE AVE           | ROSECRANS AVE    | NORTH CITY LIMIT | 40       | 40  | NO CHANGE              |
| VICTORIA ST            | WILMINGTON AVE   | APRA ST          | 40       | 40  | NO CHANGE              |
| VICTORIA ST            | APRA ST          | SOUTH CITY LIMIT | 40       | 40  | NO CHANGE              |
| WALNUT ST              | WEST CITY LIMIT  | WILMINGTON AVE   | 35       | 35  | NO CHANGE              |
| WALNUT ST              | WILMINGTON AVE   | ACACIA AVE       | 35       | 35  | NO CHANGE              |
| WILLOWBROOK AVE (EAST) | GREENLEAF BLVD   | ALONDRA BLVD     | NP       | 35  | 85 <sup>TH</sup> SPEED |
| WILLOWBROOK AVE (EAST) | ALONDRA BLVD     | COMPTON BLVD     | 25       | 35  | 85 <sup>TH</sup> SPEED |
| WILLOWBROOK AVE (EAST) | COMPTON BLVD     | ROSECRANS AVE    | NP       | 30  | 85 <sup>TH</sup> SPEED |
| WILLOWBROOK AVE (WEST) | GREENLEAF BLVD   | ALONDRA BLVD     | NP       | 30  | SEE SPECIAL CONDITIONS |
| WILLOWBROOK AVE (WEST) | ALONDRA BLVD     | COMPTON BLVD     | NP       | 30  | SEE SPECIAL CONDITIONS |
| WILLOWBROOK AVE (WEST) | COMPTON BLVD     | ROSECRANS AVE    | 30       | 30  | NO CHANGE              |
| WILMINGTON AVE         | SOUTH CITY LIMIT | GREENLEAF BLVD   | 35       | 35  | NO CHANGE              |
| WILMINGTON AVE         | GREENLEAF BLVD   | ALONDRA BLVD     | 35       | 35  | NO CHANGE              |
| WILMINGTON AVE         | ALONDRA BLVD     | COMPTON BLVD     | 40       | 40  | NO CHANGE              |
| WILMINGTON AVE         | COMPTON BLVD     | ROSECRANS AVE    | 35       | 35  | NO CHANGE              |
| WILMINGTON AVE         | ROSECRANS AVE    | NORTH CITY LIMIT | 35       | 35  | NO CHANGE              |



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING SPEED LIMITS ON VARIOUS CITY STREETS BASED ON THE ENGINEERING AND TRAFFIC SURVEY STUDY CONDUCTED BY WILLDAN ENGINEERING AND IN CONFORMANCE WITH THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE

WHEREAS, by law, as governed by the California Vehicle Code, Section 40802 and Section 40803, the City cannot legally enforce speed limits posted on any streets unless its supported by an Engineering and Traffic Survey Study conducted within five years of the date the offense was committed; or, unless the offence was committed on a local street, in violation of posted or prima facie speed limits as stipulated under Section 22352 of the Vehicle Code; and

WHEREAS, in order for the City to have the authority to use radar or any other electronic means of monitoring and detecting speed limit violations on City streets, the City Council must adopt speed limit requirements based on current Engineering and Traffic Survey Study; and

WHEREAS, Willdan Engineering was awarded a contract to conduct the required speed study and has already completed the required tasks and made corresponding speed limit recommendations based on such study.

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

SECTION 1. That the City adopts the speed limits as recommended, based on the Engineering and Traffic Survey study, as follows

STREET SEGMENTS WITH RECOMMENDED SPEED CHANGES

| No | STREET          | FROM             | TO               | EXISTING   | NEW |
|----|-----------------|------------------|------------------|------------|-----|
| 1  | EAST ALAMEDA ST | AUTO DRIVE       | GREENLEAF BLVD   | 35         | 35  |
| 2  | EAST ALAMEDA ST | GREENLEAF BLVD   | COMPTON BLVD     | 35         | 35  |
| 3  | EAST ALAMEDA ST | COMPTON BLVD     | ROSECRANS AVE    | 30         | 35  |
| 4  | EAST ALAMEDA ST | ROSECRANS AVE    | NORTH CITY LIMIT | Not Posted | 35  |
| 5  | WEST ALAMEDA ST | SOUTH CITY LIMIT | GREENLEAF BLVD   | 40         | 40  |
| 6  | WEST ALAMEDA ST | GREENLEAF BLVD   | ALONDRA BLVD     | 35         | 40  |
| 7  | WEST ALAMEDA ST | ALONDRA BLVD     | COMPTON BLVD     | 35         | 35  |
| 8  | WEST ALAMEDA ST | COMPTON BLVD     | ROSECRANS AVE    | 35         | 35  |
| 9  | WEST ALAMEDA ST | ROSECRANS AVE    | NORTH CITY LIMIT | 40         | 40  |
| 10 | ALONDRA BLVD    | WEST CITY LIMIT  | WILMINGTON AVE   | 40         | 40  |
| 11 | ALONDRA BLVD    | WILMINGTON AVE   | ALAMEDA ST       | 35         | 40  |

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|    |                   |                 |                  |    |    |
|----|-------------------|-----------------|------------------|----|----|
| 12 | ALONDRA BLVD      | ALAMEDA ST      | LONG BEACH BLVD  | 35 | 40 |
| 13 | ALONDRA BLVD      | LONG BEACH BLVD | EAST CITY LIMIT  | 35 | 35 |
| 14 | APRA ST           | VICTORIA ST     | ACACIA AVE       | 40 | 40 |
| 15 | ARTESIA BLVD (EB) | CENTRAL AVE     | ACACIA AVE       | 45 | 45 |
| 16 | ARTESIA BLVD (WB) | CENTRAL AVE     | ACACIA AVE       | 45 | 45 |
| 17 | ARTESIA BLVD      | ACACIA AVE      | SANTA FE AVE     | 45 | 45 |
| 18 | ARTESIA BLVD      | SANTA FE AVE    | SUSANA/HARBOR    | 45 | 45 |
| 19 | ATLANTIC AVE      | ALONDRA BLVD    | SOUTH CITY LIMIT | 35 | 35 |
| 20 | BRADFIELD AVE     | ROSECRANS AVE   | COMPTON BLVD     | 25 | 25 |

| No | STREET          | FROM             | TO                | EXISTING | NEW |
|----|-----------------|------------------|-------------------|----------|-----|
| 21 | BULLIS RD       | COMPTON BLVD     | ROSECRANS AVE     | 30       | 30  |
| 22 | BULLIS RD       | ROSECRANS AVE    | NORTH CITY LIMITS | 30       | 30  |
| 23 | CENTRAL AVE     | SOUTH CITY LIMIT | GREENLEAF BLVD    | 40       | 40  |
| 24 | CENTRAL AVE     | GREENLEAF BLVD   | COMPTON BLVD      | 40       | 40  |
| 25 | CENTRAL AVE     | COMPTON BLVD     | ROSECRANS AVE     | 35       | 35  |
| 26 | CENTRAL AVE     | ROSECRANS AVE    | NORTH CITY LIMIT  | 45       | 45  |
| 27 | COMPTON AVE     | SLATER AVE       | EL SEGUNDO BLVD   | 30       | 35  |
| 28 | COMPTON BLVD    | WEST CITY LIMIT  | WILMINGTON AVE    | 35       | 35  |
| 29 | COMPTON BLVD    | WILMINGTON AVE   | ACACIA AVE        | 35       | 35  |
| 30 | COMPTON BLVD    | ACACIA AVE       | SANTA FE AVE      | 30       | 30  |
| 31 | COMPTON BLVD    | SANTA FE AVE     | BULLIS RD         | 30       | 35  |
| 32 | COMPTON BLVD    | BULLIS RD        | EAST CITY LIMIT   | 35       | 35  |
| 33 | EL SEGUNDO BLVD | CENTRAL AVE      | WILMINGTON AVE    | 35       | 35  |
| 34 | GREENLEAF BLVD  | CENTRAL AVE      | WILLOWBROOK AVE   | 40       | 40  |
| 35 | GREENLEAF BLVD  | WILLOWBROOK AVE  | LONG BEACH BLVD   | 40       | 40  |
| 36 | GREENLEAF BLVD  | LONG BEACH BLVD  | EAST CITY LIMIT   | 30       | 35  |
| 37 | LONG BEACH BLVD | SOUTH CITY LIMIT | ALONDRA BLVD      | 35       | 35  |
| 38 | LONG BEACH BLVD | ALONDRA BLVD     | COMPTON BLVD      | 35       | 35  |
| 39 | LONG BEACH BLVD | COMPTON BLVD     | ROSECRANS AVE     | 35       | 35  |

|    |                 |                      |                  |            |    |
|----|-----------------|----------------------|------------------|------------|----|
| 40 | LONG BEACH BLVD | ROSECRANS AVE        | NORTH CITY LIMIT | 35         | 35 |
| 41 | MANVILLE ST     | WEST CITY LIMIT      | EAST CITY LIMIT  | 30         | 35 |
| 42 | McMILLAN ST     | THORSON AVE          | EAST CITY LIMIT  | 25         | 25 |
| 43 | PALMER ST       | ALAMEDA ST           | SANTA FE AVE     | Not Posted | 30 |
| 44 | PALMER ST       | SANTA FE AVE         | LONG BEACH BLVD  | 25         | 30 |
| 45 | PARMELEE AVE    | 138 <sup>TH</sup> ST | EL SEGUNDO BLVD  | 25         | 25 |

| No | STREET                 | FROM             | TO               | EXISTING   | NEW |
|----|------------------------|------------------|------------------|------------|-----|
| 46 | ROSECRANS AVE          | WEST CITY LIMIT  | WILMINGTON AVE   | 40         | 40  |
| 47 | ROSECRANS AVE          | WILMINGTON AVE   | ACACIA AVE       | 40         | 40  |
| 48 | ROSECRANS AVE          | ACACIA AVE       | SANTA FE AVE     | 40         | 40  |
| 49 | ROSECRANS AVE          | SANTA FE AVE     | BULLIS RD        | 35         | 35  |
| 50 | ROSECRANS AVE          | BULLIS RD        | EAST CITY LIMIT  | 35         | 35  |
| 51 | SANTA FE AVE           | ARTESIA BLVD     | GREENLEAF BLVD   | 40         | 40  |
| 52 | SANTA FE AVE           | GREENLEAF BLVD   | ALONDRA BLVD     | 40         | 40  |
| 53 | SANTA FE AVE           | ALONDRA BLVD     | COMPTON BLVD     | 35         | 35  |
| 54 | SANTA FE AVE           | COMPTON BLVD     | ROSECRANS AVE    | 35         | 35  |
| 55 | SANTA FE AVE           | ROSECRANS AVE    | NORTH CITY LIMIT | 40         | 40  |
| 56 | VICTORIA ST            | WILMINGTON AVE   | APRA ST          | 40         | 40  |
| 57 | VICTORIA ST            | APRA ST          | SOUTH CITY LIMIT | 40         | 40  |
| 58 | WALNUT ST              | WEST CITY LIMIT  | WILMINGTON AVE   | 35         | 35  |
| 59 | WALNUT ST              | WILMINGTON AVE   | ACACIA AVE       | 35         | 35  |
| 60 | WILLOWBROOK AVE (EAST) | GREENLEAF BLVD   | ALONDRA BLVD     | Not Posted | 35  |
| 61 | WILLOWBROOK AVE (EAST) | ALONDRA BLVD     | COMPTON BLVD     | 25         | 35  |
| 62 | WILLOWBROOK AVE (EAST) | COMPTON BLVD     | ROSECRANS AVE    | Not Posted | 30  |
| 63 | WILLOWBROOK AVE (WEST) | GREENLEAF BLVD   | ALONDRA BLVD     | Not Posted | 30  |
| 64 | WILLOWBROOK AVE (WEST) | ALONDRA BLVD     | COMPTON BLVD     | Not Posted | 30  |
| 65 | WILLOWBROOK AVE (WEST) | COMPTON BLVD     | ROSECRANS AVE    | 30         | 30  |
| 66 | WILMINGTON AVE         | SOUTH CITY LIMIT | GREENLEAF BLVD   | 35         | 35  |
| 67 | WILMINGTON AVE         | GREENLEAF BLVD   | ALONDRA BLVD     | 35         | 35  |

#5.

|    |                |               |                  |    |    |
|----|----------------|---------------|------------------|----|----|
| 68 | WILMINGTON AVE | ALONDRA BLVD  | COMPTON BLVD     | 40 | 40 |
| 69 | WILMINGTON AVE | COMPTON BLVD  | ROSECRANS AVE    | 35 | 35 |
| 70 | WILMINGTON AVE | ROSECRANS AVE | NORTH CITY LIMIT | 35 | 35 |

**SECTION 2.** That the Prima Facie speed limits as stipulated under Section 22352 of the California Vehicle Code shall also be adopted (i.e., 15 miles per hour in any alley; 25 miles per hour on local streets abutting residences, commercial areas and schools, where and when school children are present), shall still be in effect, unless superseded, based on the current Engineering and Speed Survey.

**SECTION 3.** That appropriate speed limit signs shall be posted and/or changed, immediately, as necessary.

**SECTION 4.** That copies of the ordinance shall be furnished to the offices of the City Manager, Sheriff/Police Department, City Attorney and Public Works Department.

**SECTION 5.** That the Mayor shall sign and the City Clerk shall attest to the adoption of the ordinance.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**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 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 \_\_\_\_\_, 2010.

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

**AYES: COUNCIL MEMBERS—  
NOES: COUNCIL MEMBERS—  
ABSENT: COUNCIL MEMBERS—**

\_\_\_\_\_  
**CITY CLERK OF THE CITY OF COMPTON**

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING ADOPTING SPEED LIMITS ON VARIOUS CITY STREETS BASED ON THE ENGINEERING AND TRAFFIC SURVEY STUDY CONDUCTED BY WILLDAN ENGINEERING AND IN CONFORMANCE WITH THE PROVISIONS OF THE CALIFORNIA VEHICLE CODE

Alex Be anum  
DEPARTMENT MANAGER’S SIGNATURE

5/25/2010 9:53:44 AM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

5/27/2010 12:32:49 PM  
DATE

Willie Norfleet  
CITY CONTROLLER

5/27/2010 5:50:34 PM  
DATE

Dave Hewitt  
CITY MANAGER

5/27/2010 9:48:07 AM  
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.                                                                                                             |



June 22, 2010

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY CLERK

**SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTERS VII AND XIX OF THE COMPTON MUNICIPAL CODE BY DELETING SECTIONS 7-14.5 AND 19-6.3 IN THEIR ENTIRETY; AMENDING SECTION 19-1; AND ADDING SECTION 19-10 (STREET BANNERS).**

### **SUMMARY**

The City Council will consider adopting an ordinance amending Chapters VII and XIX of the Compton Municipal Code by deleting Sections 7-14.5 and 19-6.3 (repetitive provisions pertaining to street banners) in their entirety; amending Section 19-1(to add the definition of a street banner); and adding Section 19-10 which sets forth uniform regulations and procedures for obtaining permission to hang street banners on behalf of community-based service organizations and local educational institutions.

### **BACKGROUND**

On March 11, 1952, the City Council adopted Ordinance No. 884, codified in Chapter 19 of the Compton Municipal Code (Signs and Advertising Structures). Section 19-6.3 (Types of Signs Regulated) requires permission of the City Council to erect, hang and maintain street banners over public streets. On December 12, 1978, the City Council adopted Ordinance No. 1,577, codified in Chapter 7 of the Compton Municipal Code (Police Regulations). Section 7-14.5 (Obstructions of Public and Private Passageways) essentially mirrors the provisions of Section 19-6.3.

Currently, there are limited designated locations within the City for the hanging of street banners, to wit: Long Beach Boulevard at Rosecrans Avenue; Long Beach Boulevard at Alondra Boulevard; Central Avenue at Greenleaf Boulevard; Central Avenue at Alondra Boulevard; Central Avenue at Rosecrans Avenue; Alameda Street at Compton Boulevard; Alondra Boulevard at Long Beach Boulevard; Alondra Boulevard at Central Avenue and, Rosecrans Avenue at Central Avenue.

### **STATEMENT OF THE ISSUE**

While, apparently through inadvertence, the City adopted Ordinance 1,577, which duplicated the provisions of Ordinance No. 884, neither Ordinance establishes a process by which permission to hang a street banner shall be obtained other than City Council approval, nor any cost reimbursement to the City, City liability coverage, or City-sponsored banner priority replacement regulations pertaining to street banners. Thus, this proposed Ordinance will serve as “house-cleaning” legislation to eliminate the legislative duplication, and more importantly establish uniform regulations and procedures for street banners advertising events that are of general public interest within the City.

Some of the features of the proposed Ordinance are as follows:

1. **Limited Public Forum Status** – since it is not the intent of the City to provide street banner space for unlimited expression by the general public or non-City entities or persons, only “eligible organizations” – defined to mean nonprofit community-based service organizations or corporations and local school districts – may apply for a street banner permit.
2. **Formal Standardized Process** – the proposed Ordinance establishes an application process, standardized banner specifications, a 30-day limit on the length that a particular banner may occupy a banner space, and notification of the City’s right to displace a banner to accommodate a subsequently scheduled City sponsored event.
3. **Non-Refundable Application Fee and Insurance Coverage** – requires an application fee (to be set by Council resolution) to cover the City’s cost of processing the application and City installation and removal of the banner. Additionally, the permittee shall be required to provide general liability insurance which names the City as additional insured.

Furthermore, in order to streamline the permit application process, approval of permits for street banners shall be removed from the ambit of the City Council and instead addressed by City staff.

Staff Report Re Ordinance Amending  
Chapter XIX to add Section 19-10  
June 22, 2010, page 3

### **FISCAL IMPACT**

An administrative fee, which shall be set by Council resolution, shall be required which may offset costs of processing the applications and installing and removing the banners, the costs of which has thus far been borne by the City's taxpayers.

### **RECOMMENDATION**

It is recommends that the City Council adopt the attached ordinance.

**ALITA GODWIN**  
**CITY CLERK**

Attachment: Proposed Ordinance



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTERS VII AND XIX OF THE COMPTON MUNICIPAL CODE BY DELETING SECTIONS 7-14.5 AND 19-6.3 IN THEIR ENTIRETY; AMENDING SECTION 19-1; AND ADDING SECTION 19-10 (STREET BANNERS)**

**WHEREAS**, more than thirty (30) years ago the City adopted two repetitive Ordinances (Ordinance No. 884, adopted in 1952 and Ordinance No. 1,577, adopted in 1978), pertaining to the erection of street banners within the City of Compton; and

**WHEREAS**, while both Ordinances purport to require City permission prior to the hanging of a street banner over public streets, neither provides a process to utilize for obtaining a permit or permission for hanging a street banner, or provide for recovery of the City's costs in procuring permission, installing and removing street banners; and

**WHEREAS**, it is the intent of the City Council of the City of Compton, in adopting this Ordinance, to establish uniform regulations and procedures for the obtaining of a permit for the hanging of a street banner on behalf of community-based service organizations and local educational institutions to advertise their events or a series of events that are of general public interest within the City of Compton.

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

**Section 1.** That Section 7-14.5 (Street Banners) of Chapter VII of the Compton Municipal Code is hereby deleted in its entirety.

**Section 2.** That Section 19-6.3 (Street Banners) of Chapter XIX of the Compton Municipal Code is hereby deleted in its entirety.

**Section 3.** That Section 19-1 is hereby amended to add the definition of "Street Banners" to read as follows:

"Street banner" means an object that both (i) is made of durable cloth, plastic or similar non-rigid material; and (ii) is suspended or otherwise displayed over, along, across or upon a street or other public way. Any street banner erected, placed, suspended, attached or maintained over any public street or other public way shall conform to the provisions of Section 19-10 of this Chapter.

**Section 4.** That Section 19-10 (Street Banners) is added to Chapter XIX of the Compton Municipal Code and shall read as follows:

**19-10 STREET BANNERS**

**19-10.1 PURPOSE**

The purpose of this section is to prescribe standards by which the City will provide limited availability for community-based service organizations and educational institutions to advertise their events or a series of events that are of general public interest utilizing City of Compton designated street banner spaces according to the criteria set forth herein. It is not the intent of the City of Compton to provide street banner space as a forum for the unlimited expression by the general public or to allow non-City entities or persons to post messages on City designated street banner spaces by use of street banners. The City shall not discriminate based on the content of the requested event banner, nor based on the nature of the event, provided that the

requested banner meets the requirements of this section. These standards are intended to preserve the limited public forum status of the street banner spaces.

This section does not apply to street banners that advertise events conducted, sponsored or funded by the City. Such street banners instead are prepared by the City or under its supervision, or are governed by the terms of the City's sponsorship or funding requirements. In no way shall this section be construed to limit the City's inherent right to hang City sponsored street banners from any street banner space.

## **19-10.2 DEFINITIONS**

For the purposes of this section, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directive.

a. "Community-based service organization" means a nonprofit organization or corporation organized exclusively for veterans, social welfare, civic league, religious or charitable purposes, which has been issued a determination of exempt status by the Franchise Tax Board as required under Sections 23701d, 23701f, or 23701w of the Revenue and Taxation Code of the State of California or a group which is a local chapter of a recognized national organization having such a tax exempt status. Each such non-profit organization must have a permanent meeting place in the City and must have been organized and established in the City for a minimum of **one (1)** year continuously preceding the filing of the application for the banner permit.

b. "Designated location" means the City-designated street banner space at the following locations: (1) Long Beach Boulevard at Rosecrans Avenue; (2) Long Beach Boulevard at Alondra Boulevard; (3) Central Avenue at Greenleaf Boulevard; (4) Central Avenue at Alondra Boulevard; (5) Central Avenue at Rosecrans Avenue; and (6) Alameda Street at Compton Boulevard; (7) Alondra Boulevard at Long Beach Boulevard; (8) Alondra Boulevard at Central Avenue; (9) Rosecrans Avenue at Central Avenue.

c. "Eligible organization" means a community-based service organization or a local school district.

d. "Erect" means and includes suspend, display, install, construct, place and maintain.

e. "Event" means something that takes place within the City of Compton at a venue of general interest that is open for attendance to the public regardless of their age, gender, race, religion or physical disability.

f. "Local school district" means the Compton Unified School District and the El Camino College, Compton Center (Compton Community College District).

g. "Street banner" means an object that both (i) is made of durable cloth, plastic or similar non-rigid material; and (ii) is suspended or otherwise displayed over, along, across or upon a public street or other public way.

**19-10.3 PERMIT REQUIRED**

No person shall erect or cause to be erected over, along, across or upon any public street or other public way any street banner without a street banner permit first being approved by the City Manager, or his or her designee.

**19-10.4 APPLICATION PROCESSING**

Street banner permit applications shall be processed in accordance with this section:

a. Applications shall be filed with the City Clerk's Office on a City provided form and submitted no more than 60 days and no less than 21 days prior to the event sought to be advertised. Applications received by the City outside of this period shall not be processed.

b. Applications filed by eligible organizations shall include a non-refundable application fee in an amount set by City Council resolution. If a permit is granted by the City Manager or his or her designee, prior to installation of any street banner, the permittee shall remit to the City a non-refundable banner permit processing fee in an amount set by City council resolution, in addition to proof of compliance with Section 19-10.7 (Insurance).

c. Applications shall be reviewed solely according to the following criteria:

1. Whether the application is complete.
2. Whether the applicant is an eligible organization.
3. Whether the requested street banner space is an available designated location.
4. Whether the applicant has submitted proof of general liability insurance that satisfies the insurance requirements of this section.

d. The City Manager, or his or her designee, shall process applications in the order received. An application shall be approved if there are no grounds for denial based on the review criteria.

e. Reasonable efforts shall be made to provide written notice of the approval or denial of an application to the applicant no later than seven (7) days after the application date. If the application is denied, the notice shall include an explanation of the reason(s) for the denial and the decision shall be final.

**19-10.5 BANNER SPECIFICATIONS**

Street banners displayed pursuant to an approved street banner permit shall conform to the specifications in this section:

a. Street banners shall be 40 feet long by 3 feet wide, shall be constructed of 16 ounce canvas, and shall contain two rows of 8 inch diameter wind holes set 24 inches apart. Street banners must be professionally made and must be designed as specified in the application.

b. Street banners shall have metal grommets that are 5/8 inch in diameter placed at all corners and at both the top and bottom of the banner, spaced 24 inches apart. Corner grommets shall have reinforced backing.

c. Street banners shall contain 100 feet of 3/8 nylon rope sewn into top, center and the bottom of the banner.

d. Street banners shall contain the name, date, time (if applicable) and location of the event and the name of the organization who is the permit applicant that is conducting the event. Additionally, if desired by the applicant and space allows, the street banner may also contain the telephone number and/or web address for persons to obtain additional information concerning the event.

#### **19-10.6 INSTALLATION AND REMOVAL**

Street banners shall be installed and removed by the City in accordance with this section:

a. The permittee shall deliver its street banner to the City of Compton Public Works Street Department Corporate Yard at least 14 days prior to the approved display period. Any street banner that is unsafe, or that does not satisfy the banner specifications of this chapter, shall not be installed until such time as necessary corrections have been completed.

b. The priority of street banner installations shall be based on event dates and not on the order in which applications were received or permits were issued.

c. No street banner shall be displayed for more than 30 days.

d. Each street banner shall be removed upon expiration of the approved display period, or at any earlier time that the street banner has been damaged by wind or other elements. Each permittee must retrieve its street banner from the Public Works Street Department within 1 week after it has been removed. Street banners not retrieved before the deadline shall be destroyed or otherwise disposed of by the City.

#### **19-10.7 INSURANCE**

Upon approval of a street banner permit, but prior to installation, permittees shall provide proof of issuance of a general liability insurance policy that shall remain in full force and effect throughout the display period that satisfies the insurance requirements of this section:

a. The policy shall be issued by an insurer that is authorized to do business in California and has a Best's rating of no less than A-VII.

b. The policy shall provide coverage in an amount no less than \$1,000,000 per occurrence and shall name the City as an additional named insured on the evidence of insurance and endorsement pages.

c. The coverage shall contain no special limitations on the scope of protection afforded to the City.

d. The coverage shall be primary insurance as respects the City.

e. Any failure to comply with reporting or other provisions of the policy, including breaches of warranties, shall not affect coverage provided to the City.

f. The insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

g. The policy shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, or reduced in coverage or in limits unless the City has been given 30 days prior written notice by certified mail, return receipt requested.

#### **19-10.8 DISPLACEMENT**

Approval of a street banner permit shall not preclude the City from displacing the permittee's street banner to accommodate a street banner for a subsequently scheduled event conducted, sponsored or funded by the City. In that situation, the eligible organization may be entitled to receive a prorated refund of the banner permit processing fee.

#### **19-10.9 REVOCATION OF PERMIT**

Permits may be revoked by the City Manager and/or his or her designee in whole or in part for one or more of the following grounds:

- a. The maintenance of any street banner endangers public welfare, safety or property;
- b. Failure or refusal to observe any provisions of this section or any rule promulgated by the Public Works Department; or
- c. A material misrepresentation in the permit application.

#### **19-10.10 RULES AND REGULATIONS**

With the City Manager's approval, the Director of Public Works may adopt such rules and regulations as may be necessary or convenient to implement this section. Such rules and regulations shall be kept on file in the Public Works Department and the City Clerk's Office and shall be available for the use and examination of the public.

### **Section 5. SEVERABILITY**

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

### **Section 6. EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days from after adoption by the City Council.

**Section 7.    DISTRIBUTION**

That a copy of this ordinance shall be forwarded to the offices of the City Manager, City Attorney, City Clerk, Municipal Law Enforcement Services, Public Works, and Building and Safety.

**Section 8.    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.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
**MAYOR OF THE CITY 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 \_\_\_\_\_, 2010.

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**

June 22, 2010

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

**RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.7 (Order of Business), 2-1.8 (Audience Comments at Council Meetings) and 2-1.13 (Rules of Decorum of Meetings) and 2-1.15 (Council Time Limits).**

### **SUMMARY**

The City Council will consider adopting an Ordinance that will amend Sections of Chapter II of the Compton Municipal Code so as to authorize the City Council to "convene in joint session" with other City of Compton governing bodies meeting on the same date for purposes of considering agenda items and/or receiving "Public Comments on All Agenda Items and Non-Agenda Matters." Additionally, this Ordinance, if adopted, will revise the Rules of Decorum for meetings enhancing enforcement powers in an effort to reduce recurrent disruptive behavior by members of the public during the meetings.

### **BACKGROUND**

On July 28, 2009, the City Council adopted Ordinance No. 2,195, which revised the order of business of Council meetings and rules of conduct for said meetings.

### **STATEMENT OF ISSUE**

In an effort to better serve the citizens of the City of Compton when conducting the business of the City's governing bodies so as to provide for productive meetings and to give attending members of the public who wish to conduct their business and voice their opinions on matters within the jurisdiction of all of the governing bodies that are meeting, it is proposed that Chapter II of the Compton Municipal Code be amended so as to authorize the City Council to "convene in joint session" with other City of Compton governing bodies meeting on the same date for purposes of considering agenda items and/or receiving "Public Comments on All Agenda Items and Non-Agenda Matters." Additionally, that the enforcement powers within the Rules of Decorum be enhanced so as to reduce the reoccurrence of disruptive behavior, allowing for a more productive meeting and involvement from peaceful members of the public in attendance at the meetings who wish to participate without continued disruption from members of the public whose behavior indicates a routine attendance in the spirit of disruption.

#7.

Staff Report Re Ordinance of the City Council  
Amending Sections 2-1.7, 2-1.8 and 2-1.13 of the CMC

The attached Ordinance will amend Sections 2-1.7 and 2-1.8 to provide that the City Council “may be convened in joint session with other governing bodies” for purposes of receiving public comments on agenda items and non-agenda matters and Section 2-1.13 will be amended to allow for the exclusion from future Council meetings (for up to 4 consecutive meetings) those individuals who persist in disturbing, disrupting or otherwise impeding the conduct of Council meetings, even though they have been ordered to leave or have been removed from prior Council meetings.

### **RECOMMENDATION**

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

---

**CHARLES EVANS**  
**CITY MANAGER**

Attachmnts:      Proposed Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE BY AMENDING SECTIONS 2-1.7 (Order of Business), 2-1.8 (Audience Comments at Council Meetings) and 2-1.13 (Rules of Decorum for Meetings), and 2-1.15 (Council Time Limits).**

**WHEREAS**, on July 28, 2009, the City Council of the City of Compton adopted Ordinance No. 2,195, which revised the order of business of City Council meetings and rules of conduct for said meetings; and

**WHEREAS**, in an effort to better serve the citizens of the City of Compton when conducting the business of the City’s governing bodies so as to provide for productive meetings and to give attending members of the public who wish to conduct their business and voice their opinions on matters within the jurisdiction of all of the governing bodies that are meeting, there is a need to amend Sections 2-1.7 and 2-1.8 of Chapter II of the Compton Municipal Code so as to authorize, at the discretion of the Presiding Officer, that the City Council may “convene in joint session” with other City of Compton governing bodies meeting on the same date for purposes of considering agenda items and/or receiving “Public Comments on All Agenda Items and Non-Agenda Matters;” and

**WHEREAS**, furthermore, there is a need to amend Section 2-1.13 of Chapter II of the Compton Municipal Code to enhance the enforcement powers of the Council so as to reduce the reoccurrence of disruptive behavior, allowing for a more productive meeting and involvement from peaceful members of the public in attendance at the meetings who wish to participate without continued disruption from members of the public whose behavior indicates a routine attendance in the spirit of disruption; and

**WHEREAS**, the changes stated below will provide better service in conducting the business of the citizens of Compton.

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

**Section 1.** That Section 2-1.7 (Order of Business) of Chapter II 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 (may be convened in joint session with other governing bodies);
  - 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 (may be convened in joint session with other governing bodies) on Agenda Items and Non-Agenda Matters (except public hearings);
  - i.        Hearings;
  - j.        Consent Agenda
    - 1.        Approval of Minutes of Previous Meetings;
    - 2.        Reports of Officers and Councils
    - 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.** That Section 2-1.8 (Audience Comments at Council Meetings) of Chapter II of the Compton Municipal Code is amended in its entirety to read as follows:

**2-1.8 Public Comments at 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.

a. *Agenda Items and Non-Agenda Matters.* In order that meetings may proceed in an efficient manner for the conduct of the peoples' business, the governing bodies of the City of Compton meeting may convene in joint session to receive public comments on any agenda items and/or matters within the jurisdiction of such governing bodies. Unless otherwise waived by the governing bodies meeting, the total amount of time allocated to each person wishing to address the governing bodies for public comments shall not exceed five (5) minutes. 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.

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 3.** That Section 2-1.13 of Chapter II of the Compton Municipal Code is amended to revise and replace Sections 2-1.13 (c) and 2-1.13 (d) in their entirety to read as follows:

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. 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. 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.

3. 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 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 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 or City Security Officer who is on duty at said meeting to remove that person from the chambers.

2. Exclusion. If any person has been ordered to leave or has been removed from two (2) meetings within the thirty (30) days prior to a Commission meeting, and such person thereafter disturbs, disrupts or otherwise impedes the conduct of that meeting, the presiding officer may order such person to leave that meeting and to not return to any subsequent four (4) consecutive meetings. If such person does not remove himself or herself, or if such person returns to a subsequent meeting during the next thirty (30) days, the presiding officer may order any law enforcement officer or City Security Officer who is on duty at the meeting to remove such person from chambers.

3. Removal. Any law enforcement officer or City Security Officer who is on duty at said meeting shall carry out all lawful orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the meeting. Upon instruction of the presiding officer, it shall be the duty of the law enforcement officer or the City Security Officer to remove from the meeting any person who is disturbing, disrupting or otherwise impeding the proceedings of the meeting.

4. Resisting Removal. Any person who resists removal may be charged with a violation of any applicable state and/or City laws.

5. 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.

6. 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.

7. 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 4.** That Section 2-1.15 of Chapter II of the Compton Municipal Code is amended in its entirety to read as follows:

**2-1.15** **Council Time Limits.** The City Council members shall limit their comments to three (3) minutes per council member per agenda item and ten (10) minutes per council member for any matters not appearing on the agenda (except for public hearings).

**Section 5.** 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 6.** 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 7.** That this Ordinance shall take effect thirty (30) days after its adoption.

Ordinance No. \_\_\_\_\_

**Section 8.** 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 \_\_\_\_\_, 2010.

\_\_\_\_\_  
**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 \_\_\_\_\_, 2010.

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 2-1.7 (Order of Business), 2-1.8 (Audience Comments at Council Meetings) and 2-1.13 (Rules of Decorum of Meetings) (First Reading).

Ruth Rugley  
DEPARTMENT MANAGER’S SIGNATURE

6/2/2010 6:47:57 PM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

6/3/2010 1:07:44 PM  
DATE

Willie Norfleet  
CITY CONTROLLER

6/3/2010 3:14:08 PM  
DATE

Dave Hewitt  
CITY MANAGER

6/3/2010 8:40:20 AM  
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.                                                                                                             |



June 22, 2010

**TO: MAYOR AND CITY CONCIL MEMBERS**

**FROM: CITY MANAGER**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF COMPTON ADOPTING THE COMBINED  
BUDGET FOR FISCAL YEAR 2010-2011**

The 2010-2011 Fiscal Year Operating Budget for the City of Compton is hereby transmitted to the City Council for adoption. Fiscal Year 2010-2011 is expected to be a period of continued economic turmoil. The City of Compton has reached a pivotal time dictating more vigilant approaches to fiscal management. The City of Compton will experience several budgetary challenges for Fiscal Year 2010-2011 that will affect the flow of available cash. For Fiscal Year 2010-2011, the City will continue its priorities to develop long term plans to address public safety needs and outstanding infrastructure services within the resources projected. In addition, the City will continue to address departmental spending control by enforcing financial policy and best management practices.

## **OVERVIEW**

The Fiscal Year 2010-2011 budget primary focus is allocating resources towards public safety, infrastructure improvement, repair, maintenance and beautification of streetscapes, lighting improvement, overlay projects, enforcement of property maintenance and parking regulations, expansion of recreation facilities and improvement of customer service and permitting services. The 2010-2011 Fiscal Year Budget outlines how \$229,513,145 in public resources will be invested in the Compton community. The Fiscal Year (FY) 2010-2011 budget is approximately 9.96% larger than the FY 2009-2010 budget of \$206,660,916. This significant increase in City expenditures were caused by increased revenues for new grants and grant carry-over, sewer and water bonds, and capital projects. For Fiscal Year 2010-2011, the City will utilize \$2,275,837 of prior year revenue, and \$7,244,707 of charges from current services.

## **ANNUAL BUDGET PERCENTAGE CHANGE 2007-2008 THROUGH 2010-2011**

|               | <b>2007-08</b> | <b>2008-09</b> | <b>2009-10</b> | <b>2010-11</b> |
|---------------|----------------|----------------|----------------|----------------|
| Annual Budget | 159,416,329    | 194,233,842    | 206,660,916    | 229,513,145    |
| Net Change    | 13,328,004     | 34,817,513     | 12,427,074     | 22,852,229     |
| % Change      | +12.1%         | +17.0%         | +6.4%          | +9.96          |

## **REVENUE**

## #8.

The City of Compton utilizes the fund accounting method of financial reporting. The budget consists of six major fund categories: General Fund, Special Revenue, Redevelopment, Debt Service, Enterprise, and Internal Services. These categories are established to segregate specific revenue sources and activities in accordance with special regulations, restrictions or limitations. Each fund is considered a separate accounting entity with a self-balancing set of accounts.

Utilization of “fund balances” (reserves) is a generally accepted method of bridging gaps between projected revenues and projected expenses. However, such “bridge” financing must be used sparingly to ensure the City can operate in a fiscally responsible manner until revenues catch up to expenses. Consequently, the City will implement the proposed budget fairly cautiously until the City has an opportunity to evaluate actual revenue versus projected revenue.

Revenue projections for FY 2010-2011 used available trend information and year-to-date revenue receipts to estimate available revenue for next year’s budget. However, retail revenue has shown a steady increase over the past year.

The following chart compares the estimated revenue for Fiscal Year 2010-2011 by fund type. For FY 2010-11, the General Fund will decrease by \$9,153,905 the Special Revenue Fund will increase by \$1,864,259 the Redevelopment Fund will increase by \$4,624,179 the Debt Service Fund will increase by \$14,496,391, the Enterprise Fund will increase by \$10,721,900, and the Internal Services Fund will increase by \$304,304.

### **BUDGET COMPARISON BY FUND 2007-2008 THROUGH 2010-2011**

|                        | <b>ACTUAL<br/>REVENUES<br/>FY 2007-2008</b> | <b>ACTUAL<br/>REVENUES<br/>FY 2008-2009</b> | <b>BUDGETED<br/>REVENUES<br/>FY 2009-2010</b> | <b>ESTIMATED<br/>REVENUES<br/>FY 2010-2011</b> |
|------------------------|---------------------------------------------|---------------------------------------------|-----------------------------------------------|------------------------------------------------|
| General Fund           | 47,812,976                                  | 59,657,161                                  | 62,571,891                                    | 53,412,986                                     |
| Special Revenue Fund   | 44,471,169                                  | 49,395,896                                  | 54,325,444                                    | 56,189,703                                     |
| Redevelopment Fund     | 23,438,122                                  | 35,739,889                                  | 26,511,964                                    | 31,136,143                                     |
| Debt Service Fund      | 12,733,131                                  | 9,870,393                                   | 16,817,383                                    | 31,313,874                                     |
| Enterprise Fund        | 22,180,855                                  | 29,193,845                                  | 35,192,694                                    | 45,914,594                                     |
| Internal Services Fund | 8,780,076                                   | 10,376,657                                  | 11,241,540                                    | 11,545,845                                     |
|                        | <b>159,416,329</b>                          | <b>194,233,842</b>                          | <b>206,660,916</b>                            | <b>229,513,145</b>                             |

### **GENERAL FUND**

The City's General Fund is the primary operating fund of the City. All revenues that are not allocated by law or contractual agreement to a specific fund are accounted for in the General Fund. General Fund revenues include property taxes, sales and user tax, utility user taxes, franchise fees, licenses and permits, current services charges, earnings on investments and other miscellaneous revenues. The projected General Fund revenue of \$53,412,986 accounts for 24% of the 2010-2011 total budget and can be allocated to any City expenditure category.

### **SPECIAL REVENUE FUND**

The Special Revenue Fund is used to account for the proceeds from specific revenue sources that are legally restricted to expenditures for specific purposes. The Special Revenue Funds include retirement tax, gasoline tax, Propositions A and C, Community Development Block Grant and other Federal, State, and local resources secured by the City to fund restricted activities. The \$56,189,703 Special Revenue Fund represents 27% of the 2010-2011 total budget.

### **REDEVELOPMENT FUND**

The Redevelopment Fund is used to account for the financial resources received from and expended on areas which have been designated as Community Redevelopment Areas. The fund has projected revenues of \$31,136,143 and accounts for 14% of the 2010-2011 total budget.

### **DEBT SERVICE FUND**

The Debt Service Fund is used to account for the accumulation of resources for payment of long-term debt. Debt Service Funds are generally used when resources are restricted for long-term debt. The fund is projected at \$31,313,874 for 2010-2011 and reflects 14% of the total 2010-2011 budget.

### **ENTERPRISE FUND**

The Enterprise Fund is used to account for governmental accounting funds in which services are financed and operated similarly to those of a private business. There are seven Enterprise Funds which include Water, Richland Farms, Capital Improvement, Rubbish, Sewer, Golf, and Recreation. The combined total for these funds is projected to be \$45,914,594 which accounts for 16% of the total 2010-2011 budget. The fund experienced the percentage increase due primarily to increases in water costs.

### **INTERNAL SERVICES FUND**

The Internal Services Fund is used to account for the financing of goods or services provided by one department to another on a cost reimbursement basis. The City has four Internal Services Funds which are Equipment Rental, Central Duplicating, Workers' Compensation and General Liability. These funds are projected to contribute an additional \$11,545,845 or 5% of the City's total 2010-2011 budget.

#8.

The City Manager hereby submits the Fiscal Year 2010-2011 Annual Budget to the City Council for adoption.

CHARLES EVANS  
CITY MANAGER

**RESOLUTION NO. \_\_\_\_\_****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON  
ADOPTING THE COMBINED BUDGET FOR FISCAL YEAR 2010-2011**

**WHEREAS**, the proposed budget for the combined programs of the City of Compton has been considered by the City of Compton; and

**WHEREAS**, the City Council has hereto fixed the time and place for holding public hearings on said budget and has caused notice of said hearings to be published as required by the Charter of the City of Compton; and

**WHEREAS**, said public hearings were conducted on June 15, 2010 and continued to June 22, 2010; and

**WHEREAS**, it is both cost-effective and administratively efficient, in some specific instances, to fill positions set out in the adopted budget at a lower position in the same or a similar occupational family grouping.

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

**SECTION 1.** That the combined City Budget (General City, Municipal Water Department and other funds) for Fiscal Year 2010-2011, as set forth in the proposed Annual Budget document, including the various changes discussed by the City Council, is hereby adopted; provided however, that this does not and shall not be deemed to affect in any way previous actions of the City Council under and by virtue of Subsections 5-3.5, 5-3.6 or 5-3.7 of the Compton Municipal Code, and all classifications or positions in the City's employment; that all such previous actions shall remain in full force and effect until the effective date of any resolution of the City Council which may hereafter be adopted under the provisions of Subsection 5-3.7 of the Compton Municipal Code changing the existing salary range or ranges for any or all of the classifications or positions in the City employment.

**SECTION 2.** That the Fiscal Year 2010-2011 Budget is a projection and shall be appropriated on July 1, 2010.

**SECTION 3.** That the City Manager is authorized to substitute a lower position for the higher position, where both fall within the same or a similar occupational family grouping at the then existing salary range, without further action of the City Council; and to make temporary and interim appointments in accordance with the Charter and Personnel Rules and Regulations of the City of Compton.

**SECTION 4.** That the City Manager may transfer appropriations from the proposed General Fund contingency within the departments with the adopted budget. A quarterly report shall be made by the City Manager describing each transfer and the reason thereof.

**SECTION 5.** That the City Manager may transfer funds within, but not between, each of the budgeted departments as required to achieve the purpose of said departments. A quarterly report shall be made by the City Manager describing each transfer and the reason therefore.

**SECTION 6.** That a certified copy of this resolution shall be attached to the annual Budget document upon completion of the City Manager, and the same shall be filed with the City Controller, and that a copy of said resolution and Annual Budget shall be placed and shall remain on file in the office of the City Clerk.

**SECTION 7.** That the Mayor shall sign and the City Clerk shall attest to the adoption of the resolution.

#8.

RESOLUTION NO. \_\_\_\_\_  
PAGE TWO

ADOPTED this \_\_\_\_\_ day of June \_\_\_\_\_, 2010.

\_\_\_\_\_  
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 \_\_\_\_\_ June \_\_\_\_\_, 2010.

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

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Management

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ADOPTING THE COMBINED BUDGET FOR FISCAL YEAR 2010-2011

Dave Hewitt  
DEPARTMENT MANAGER’S SIGNATURE

6/15/2010 9:09:15 AM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

6/15/2010 6:16:42 PM  
DATE

Willie Norfleet  
CITY CONTROLLER

6/17/2010 8:16:04 AM  
DATE

Dave Hewitt  
CITY MANAGER

6/15/2010 12:30:18 PM  
DATE

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

