

NOTICE

COMPTON CITY COUNCIL AGENDA Tuesday, December 28, 2010 5:45 PM

HEARING(S)

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 AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT WITH CURBSIDE, INC. SO AS TO APPROVE ASSIGNMENT OF THE CONTRACT TO WM CURBSIDE, LLC, TO COLLECT USED OIL AND MANAGE THE USED OIL PROGRAM, AND RE-ISSUE A PURCHASE ORDER TO WM CURBSIDE, LLC.

APPROVAL OF WARRANTS

END CONSENT AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Gonzalez al vs. City of Compton, LASC Case No. BC450494
Pursuant to California Government Code Section 54956.9

CITY TREASURER'S REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, January 04, 2011 @ 5:45 PM.

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December 28, 2010

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANGER TO AMEND THE AGREEMENT WITH CURBSIDE, INC. SO AS TO APPROVE ASSIGNMENT OF THE CONTRACT TO WM CURBSIDE, LLC, TO COLLECT USED OIL AND MANAGE THE USED OIL PROGRAM, AND RE-ISSUE THE PURCHASE ORDER TO WM CURBSIDE, LLC.

SUMMARY:

This resolution authorizes the City Manager to amend the current agreement between the City of Compton and Curbside, Inc. so as to approve the assignment of the contract to WM Curbside, LLC, to provide continuous collection and management of the City's Used Oil Program, and re-issue the purchase order to WM Curbside, LLC in the amount of \$13,422.00.

BACKGROUND:

The California Oil Recycling Enhancement Act provides funds to cities and counties for establishing and maintaining local used oil collection programs that encourage recycling and disposal of used oil. Pursuant to this Act, on September 7, 2010, the City Council adopted Resolution No. 23,189, which authorized the City Manager to enter into an agreement with Curbside, Inc. to collect and manage the City's Used Oil Program. The term of this agreement is for Fiscal Year 2010-2011 (July 1, 2010 through June 30, 2011).

STATEMENT OF THE ISSUE

The City has been notified that Waste Management, Inc. has purchased Curbside, Inc., and the new company will be WM Curbside, LLC, a wholly owned subsidiary of Waste Management, Inc.

WM Curbside, LLC, has requested City approval of their assumption of the obligations and responsibilities of the existing agreement between the City and Curbside, Inc. WM Curbside, LLC does not seek to change any provisions of the current agreement, and is willing and able to fulfill existing obligations of the current contract until its expiration date of June 30, 2011.

#1.

**Staff Report Re Amend Agreement with Curbside, Inc.
Assign to WM Curbside, LLC to Manage Used Oil Program
December 28, 2010, page 2**

FINANCIAL IMPACT

There will be no additional fiscal impact for assignment of the agreement to WM Curbside, LLC for the remainder of Fiscal Year 2010-2011. The purchase order generated to Curbside, Inc., will be cancelled and a new purchase order in the amount of \$13,422.00 issued to WM Curbside, LLC.

RECOMMENDATIONS

Staff recommends that the City Council approved the attached resolution.

**KAMBIZ SHOGHI
GENERAL MANAGER
COMPTON WATER DEPARTMENT**

**WILLIE NORFLEET
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT WITH CURBSIDE, INC. SO AS TO APPROVE ASSIGNMENT OF THE CONTRACT TO WM CURBSIDE, LLC, TO COLLECT USED OIL AND MANAGE THE USED OIL PROGRAM, AND RE-ISSUE A PURCHASE ORDER TO WM CURBSIDE, LLC.

WHEREAS, the California legislature enacted the California Oil Recycling Enhancement Act that provides funds to cities and counties for establishing and maintaining local used oil collection programs that encourage recycling and appropriate disposal of used oil; and

WHEREAS, on September 7, 2010 the City Council adopted Resolution No. 23,189, authorizing the City Manager to enter into an agreement with Curbside, Inc. to collect and manage the City's Used Oil Program; and

WHEREAS, the City has been notified that Waste Management Inc., has purchased Curbside Inc., and the new company will be WM Curbside, LLC, a wholly owned subsidiary of Waste Management, Inc.; and

WHEREAS, WM Curbside, LLC, has requested that the City approve their assumption of the obligations and responsibilities of the existing agreement between the City and Curbside, Inc.; and

WHEREAS, WM Curbside, LLC, does not propose to change any provisions of the current agreement with Curbside, Inc., and is willing and able to fulfill existing obligations of the current contract until its expiration date of June 30, 2011; and

WHEREAS, the cost of this program is funded through California Used Oil Cycle 15 Program and funds were appropriated in the Water Department's 2010-2011 Fiscal Year Budget in account 2662-90-0000-4262 therefore, there will be no additional financial impact; and

WHEREAS, staff recommends that the City Council approve WM Curbside, LLC request for assumption so that there will be no interruption or delay in managing the City's Used Oil Program.

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

SECTION 1. That the City Council authorizes the City Manager to amend the agreement with Curbside, Inc. so as to approve the assignment of the contract to WM Curbside, LLC, a wholly owned subsidiary of Waste Management, Inc., to collect used oil and manage the City's Used Oil Program through June 30, 2011.

SECTION 2. That the purchase order generated to Curbside, Inc., shall be canceled and a new purchase order issued to WM Curbside, LLC, in the amount of \$13,422.00 (Thirteen Thousand, Four Hundred and Twenty-two Dollars) to manage the Used Oil Program.

SECTION 3. That funds are available in the Water Department's 2010-11 Fiscal Year Budget in account 2662-90-0000-4262.

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

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

ADOPTED this _____ day of _____, 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 signed by the Mayor and adopted by the City Council 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-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOULTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT WITH CURBSIDE, INC. SO AS TO APPROVE ASSIGNMENT OF THE CONTRACT TO WM CURBSIDE, LLC, TO COLLECT USED OIL AND MANAGE THE USED OIL PROGRAM, AND RE-ISSUE A PURCHASE ORDER TO WM CURBSIDE, LLC.

<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.

