

# **NOTICE**

## **COMPTON CITY COUNCIL AGENDA Tuesday, February 14, 2012 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**

1. January 24, 2012  
February 4, 2012

#### **REPORTS OF OFFICERS AND COMMISSIONS**

#### **BUILDING AND SAFETY**

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH MELAD AND ASSOCIATES, INCREASE THE CONTRACT AMOUNT, AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES

**CITY MANAGER**

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXTEND THE LICENSE AGREEMENT WITH AND ISSUE A PURCHASE ORDER TO MTM TECHNOLOGIES FOR RENEWAL OF WEBSense INTERNET SECURITY SOFTWARE LICENSE

**HOUSING AUTHORITY**

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXTEND THE AGREEMENT WITH AND ISSUE A PURCHASE ORDER TO HAPPY SOFTWARE, INC. FOR MAINTENANCE SUPPORT FOR HAPPY SOFTWARE MODULES

**PUBLIC WORKS-ENGINEERING**

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE CONSTRUCTION OF THE GREENLEAF CORRIDOR IMPROVEMENT PROJECT (CIP# 08-02) PERFORMED BY LOS ANGELES ENGINEERING, INC., SANCTION STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION

**RECREATION DEPARTMENT**

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO NATIONAL CHARTER LINES TO PROVIDE BUS SERVICES FOR EXCURSION TRIPS FOR COMPTON YOUTH, DISABLED AND SENIOR CITIZENS

**WATER DEPARTMENT**

7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID FROM TORO ENTERPRISES INC. FOR THE CONSTRUCTION OF THE GREENLEAF BOULEVARD REHABILITATION PROJECT (CIP# 11-02)
8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND ISSUE A PURCHASE ORDER TO ONLINE UTILITY EXCHANGE TO SUBSCRIBE TO THE CENTRALIZED DATABASE TO BE IN COMPLIANCE WITH THE RED FLAG POLICY

## **APPROVAL OF WARRANTS**

9. Warrant #206512 - Date - 2/7/12 - Name - State Water Resources Control Board - Services - Annual Permit Fee - Amount - \$1,943.00 - Requested by: Water

Warrant #206608 - Date - 2/8/12 - Name - State Water Resources Control Board - Services - Annual Waste Discharge Fees - Amount - \$8,154.00 - Requested by: Public Works

Warrant #206627 - Date - 2/9/12 - Name - Bay Alarm Company - Services - Installation of two Security Camera's - Amount - \$880.00 - Requested by: Water

Total Amount - \$10,977.00

## **END CONSENT AGENDA**

## **REGULAR AGENDA**

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

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

10. REQUEST TO SCHEDULE A PUBLIC HEARING TO RECEIVE COMMENTS ON THE PROPOSED SUBSTANTIAL AMENDMENT REGARDING HPRP FOR THE CITY OF COMPTON (**March 27, 2012 at 5:50 p.m.**)

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

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE PUBLIC WORKS FISCAL YEAR 2011-2012 ANNUAL BUDGET TO ADD A JUNIOR CIVIL ENGINEER POSITION
12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVISING THE CITY'S POLICY PROHIBITING UNLAWFUL DISCRIMINATION, HARASSMENT (INCLUDING SEXUAL HARASSMENT) AND RETALIATION AND RESCINDING RESOLUTION NOS. 15,582, 16,709 AND 19,608

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 23,328 WITH B.L. HAYES, INC. TO DEMOLISH THE MARTIN LUTHER KING, JR. AND CESAR CHAVEZ MONUMENT ON THE NORTHEAST CORNER OF COMPTON BOULEVARD AND WILLOWBROOK AVENUE

### **COUNCIL COMMENTS**

### **ADJOURNMENT**

*NEXT REGULAR MEETING: Tuesday, February 21, 2012 @ 5:45 PM.*

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

*View Meetings Live at <mms://207.105.49.220:8080>*

**JANUARY 24, 2012**

The City Council meeting was called to order at 6:07 p.m. in the Council Chambers of City Hall by Mayor Pro-Tem Janna Zurita.

**ROLL CALL**

**Council Members Present:** Dobson, Arceneaux, Jones, Zurita  
**Council Members Absent:** Perrodin

**Other Officials Present:** C. Cornwell, A. Godwin, P. Ewell

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

**Barbara Calhoun**, Compton resident and former councilperson, cordially invited the City Council to participate in the "Boat Show Event" to be held at the Los Angeles Convention Center from February 9, 2012 to February 12, 2012. For additional information regarding this event, please call (310) 608-5900.

Councilperson Arceneaux invited anyone interested in free tickets to the "Boat Show" to contact her office at (310) 605-5552.

**Jerome Vincent Carter**, Inspiration 52, announced that his organization would be hosting a "Free Book Publishing & Business Seminar Event" on Saturday, February 4, 2012 at California State University Dominguez Hills from 9 a.m. to 5 p.m. For additional information regarding this event, go to [www.inspiration52.com/seminar](http://www.inspiration52.com/seminar).

**Diane Sanchez**, Representative of the Metropolitan Water District (MWD), requested an opportunity to speak at the City Council meeting scheduled for February 7, 2012. Ms. Sanchez also asked if the Cultural Diversity Committee was still in existence.

**Councilperson Arceneaux** asked Ms. Sanchez, if MWD is anticipating any water rate increases. Ms. Sanchez confirmed that there would be a water rate increase once the cost analysis for the next two years is completed.

Councilperson Arceneaux requested a report concerning the Cultural Diversity Committee.

**Perris Meek**, Compton resident and business owner, asked the City Council to consider incentives to keep residents in the City of Compton.

**Joyce Kelly**, Compton resident, articulated her disdain for the way the residents are being treated, with regard to the freedoms as stated in the United States Constitution.

**William Kemp**, Compton resident, challenged the residents to get up and vote for the change they want to see in the City of Compton.

**Herb Arceneaux**, Compton resident, stated that he had an important message for the Mayor.

**Lynn Boone**, Compton resident, stated that she had quite a few questions for the Mayor, in regards to the memos for the police equipment.

**Lorraine Cervantes**, Compton resident, spoke in favor of the demolition of the monument at Willowbrook and Compton Boulevard.

**CONSENT AGENDA**

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

# #1.

**AYES: Council Members - Dobson, Arceneaux, Jones, Zurita**

**NOES: Council Members - None**

**ABSENT: Council Members - Perrodin**

## **APPROVAL OF MINUTES**

1. January 10, 2012

## **HUMAN RESOURCES**

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AMENDMENTS TO THE POSITION CLASSIFICATION PLAN BY ADOPTING CLASSIFICATION SPECIFICATIONS FOR THE POSITIONS OF MAINTENANCE WORKER I, MAINTENANCE WORKER II AND MAINTENANCE LEADWORKER (**Resolution # 23,466**)

## **WATER DEPARTMENT**

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT BETWEEN THE MUNICIPAL WATER DEPARTMENT AND PITNEY BOWES, INC. AND PLACE FUNDS IN A SPECIAL ACCOUNT AND DETERMINE THE USE OF THE FUNDS AT A LATER DATE (**Resolution # 23,467**)

## **END CONSENT AGENDA**

## **REGULAR AGENDA**

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

**P. Ewell**, City Manager, presented the City Council with a brief staff report regarding the ongoing activities that have to be implemented by the new City Manager:

- The labor agreements that were recently entered into (time sensitive);
- HUD-related issues (The City is currently in the process of completing any remaining transactions related to the dissolution of redevelopment agencies and the transfer of HOME and HPRP program funds to the Local Housing Agency);
- Distribution of a City-wide policy for the management of HUD funds
- \$1.2 million of 2006 Los Angeles County funds for the maintenance and development of park space (off-sets pressure from the General Fund)
- Proposal to address \$300,000 in charges dating back to 2006
- Efforts to improve the City's Lease Revenue Bond rating with S&P Bonds
- The establishment of host fees for a transfer facility

**Mayor Pro-Tem Zurita** asked the City Manager why the City failed to charge host fees.

City Manager Ewell explained that he was notified by office staff that the issue had been dismissed even after an extensive dialogue was held as to how the City would move forward in this matter.

Mayor Pro-Tem Zurita commended Ms. Ferrell and other members of City staff on a job well done.

4. ORAL REPORT - WATER QUALITY UPDATE -

**Kambiz Shoghi**, General Manager of the Water Department, presented a brief staff report regarding the City's water supply and contract with the Metropolitan Water District.

**Councilperson Arceneaux** expressed a concern for the amount of fluoride in the City's water supply, due to its inconclusive effects on children and the elderly.

Mr. Shoghi indicated that the City's intent is to reduce its dependence on MWD's water supply. He cited their fluoridation level at .8% and the City's at .33 %, due to a significant amount of water coming from the City's own water wells. He assured Councilperson Arceneaux of the safety of the City's water supply, noting the State's maximum fluoridation level at 2 milligrams per liter. He reiterated his intentions to import less and less water from MWD while providing safe drinking water for Compton residents.

**Councilperson Arceneaux** asked Mr. Shoghi why the City depends on MWD for its water. Mr. Shoghi explained that the City does not have enough water rights to extract enough water from Compton's own ground water.

Councilperson Arceneaux also questioned why the City of Compton, one of the founding member agencies of MWD, is not receiving more of a cost benefit from MWD.

Mr. Shoghi contrasted the differences between a member agency and a non-member agency, citing that the City receives its water supply for \$800 per acre foot directly from MWD, whereas the City of Lakewood pays more than \$950 per acre foot and receives their water supply from the Central Basin.

## 5. STATUS REPORT ON THE DEMOLITION OF THE MARTIN LUTHER KING JR. AND CESAR CHAVEZ MOUNUMENT

**John Strickland**, Director of the Public Works Department, stated that in 2011, the City authorized the City Manager to enter into an agreement with B. L. Hayes for the demolition of the Cesar Chavez and Martin Luther King, Jr. monument. After approving the contract with B. L. Hayes, the City needed proof of insurance documents before the demolition began, however at that point staff was directed to halt the process. The demolition company indicated that the plaques were delivered to the Public Works yard; however staff has yet to locate them.

**Councilperson Arceneaux** asked Mr. Strickland if the demolition was on hold. Mr. Strickland replied affirmatively.

Councilperson Arceneaux cited an outcry from the community to restore the monument, because of its significance to Compton's history. Ms. Arceneaux recommended that the item be brought back as a resolution to vote it up or down.

Councilperson Arceneaux questioned if there was a cost analysis conducted on the restoration of the monument. Mr. Strickland confirmed that there was no cost analysis conducted on the restoration, due to the time sensitive nature of this report.

Councilperson Arceneaux reiterated her request to bring this item back as a resolution with a cost analysis attached to the background documentation.

**Mayor Pro-Tem Zurita** questioned why the monument was initially scheduled for demolition. Mr. Strickland explained that a portion of the monument was destroyed in the process of developing the Martin Luther King, Jr. Transit Center expansion of Willowbrook Avenue.

Mayor Pro-Tem Zurita supported Councilperson Arceneaux's request to restore the monument back to its original state.

Mayor Pro-Tem Zurita questioned who owned the land where the monument sits. Mr. Strickland stated that the land is owned by the City.

**City Manager Ewell** requested a formal motion to officially halt the demolition in the interim.

**Craig Cornwell**, City Attorney, suggested a formal rescission of the original vote and then another vote to determine whether the monument will be demolished or rebuilt. In response to the conflict of interest, the City Attorney concluded that no conflict of interest exists.

# #1.

**Councilperson Dobson** questioned when the City became the owners of the property. Mr. Cornwell stated that he would include that information in a staff report.

6. ACCEPTING THE RESIGNATION OF P. LAMONT EWELL, CITY MANAGER

On motion by Arceneaux, seconded by Dobson, the resignation letter of P. Lamont Ewell was received and filed, by the following vote on roll call:

**AYES: Council Members - Dobson, Arceneaux, Jones, Zurita**

**NOES: Council Members - None**

**ABSENT: Council Members - Perrodin**

**CITY ATTORNEY'S REPORTS**

**CLOSED SESSION**

7. PUBLIC EMPLOYEE APPOINTMENTS

Title: City Manager

Title: City Controller

Pursuant to California Government Code Section 54957

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

**AYES: Council Members - Dobson, Arceneaux, Jones, Zurita**

**NOES: Council Members - None**

**ABSENT: Council Members - Perrodin**

**UNFINISHED BUSINESS**

8. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER XX OF THE COMPTON MUNICIPAL CODE TO AMEND SECTION 20-2.4 IN ITS ENTIRETY AND DELETE SECTION 20-2.4(A) RELATING TO STREET WORK PERMIT FEES **(REMOVED)**

**NEW BUSINESS**

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2011-2012 BUDGET TO AUTHORIZE THE CITY MANAGER TO APPROPRIATE FUNDS FOR SERVICES AND EXPENDITURES NOT ADEQUATELY FUNDED IN THE FISCAL YEAR 2011-2012 BUDGET

On motion by Arceneaux, seconded by Jones, **Resolution # 23,468** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE FISCAL YEAR 2011-2012 BUDGET TO AUTHORIZE THE CITY MANAGER TO APPROPRIATE FUNDS FOR SERVICES AND EXPENDITURES NOT ADEQUATELY FUNDED IN THE FISCAL YEAR 2011-2012 BUDGET**" was approved, by the following vote on roll call:

**AYES: Council Members - Dobson, Arceneaux, Jones, Zurita**

**NOES: Council Members - None**

**ABSENT: Council Members - Perrodin**

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON PURSUANT TO ASSEMBLY BILL 936 CONCERNING FORGIVENESS OF LOANS, ADVANCES, OR OTHER INDEBTEDNESS

On motion by Arceneaux, seconded by Jones, **Resolution # 23,469** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON PURSUANT TO ASSEMBLY BILL 936 CONCERNING FORGIVENESS OF LOANS, ADVANCES, OR OTHER INDEBTEDNESS**" was approved, by the following vote on roll call:

**AYES: Council Members - Dobson, Arceneaux, Jones, Zurita**

**NOES: Council Members - None**

**ABSENT: Council Members - Perrodin**

## **COUNCIL COMMENTS**

**Councilperson Jones** mentioned that he had the opportunity to attend the “Tribute to the Tuskegee Airmen Event” hosted by the Tomorrow’s Aeronautical Museum. He encouraged the residents to go see the movie "Red Tails" to witness the achievements that they made under pressure.

**Councilperson Arceneaux** announced that the Compton Initiative would be in the Third District on Saturday, January 28, 2012 from 7 a.m. to 12 p.m. Participants are asked to meet at Walton Middle School located at 900 West Greenleaf Boulevard, Compton, California.

**Councilperson Dobson** encouraged all residents to participate in the Third District Clean-Up.

Councilperson Dobson announced that the VFW Post 5394 Ladies Auxiliary would be hosting a "Black History Month Celebration" on Saturday, February 4, 2012 from 1 p.m. to 5 p.m.

Councilperson Dobson encouraged the City Council and stated that she was looking forward to implementing the activities previously mentioned by the City Manager.

**Mayor Pro-Tem Zurita** announced that the American Association of Retired Persons (AARP) would be sponsoring "Free Tax Preparation Services for All Senior Citizens." The services are scheduled to begin Tuesday, February 7, 2012 to April 10, 2012 from 9 a.m. to 11:30 a.m. at the Dollarhide Neighborhood Center. If you would like to schedule an appointment, please call (310) 605-5688.

Mayor Pro-Tem Zurita asked the City Manager to advise her on how to schedule a maintenance crew for the Alameda Corridor.

Mayor Pro-Tem Zurita requested that the meeting be adjourned in the memory of Fannie Mae Fletcher.

**The meeting was recessed to closed session at 7:48 p.m. and reconvened at 10:19 p.m.**

## **ROLL CALL**

**Council Members Present: Zurita, Dobson, Arceneaux, Jones, Perrodin**

**Council Members Absent: None**

**Craig Cornwell**, City Attorney, stated that council met in closed session regarding Public Employee appointment: Title City Manager. The City Council selected Bryan Batiste effective January 26, 2012. Additional terms will be negotiated and brought back for City Council approval.

The vote to appoint Bryan Batiste as the interim City Manager is as follows:

**AYES: Council Members - Zurita, Arceneaux, Jones**

**NOES: Council Members - Perrodin**

**ABSENT: Council Members - None**

**ABSTAIN: Council Members - Dobson**

The next item was under Public Employee Appointment Title: City Controller. All members of the City Council were present. The City Council unanimously selected Stephen Ajobiewe as the City Controller. Effective January 25, 2012 his current Step B will move to Step C.

**Mayor Perrodin** congratulated Centennial High School's Decarre Watson and Shaiquan Jackson for being selected to the All C.I.F. Team in the Northwest Division.

ADJOURNMENT

On motion by Arceneaux, seconded by Jones, the meeting was adjourned at 10:23 p.m. in the memory of **Fannie Mae Fletcher**, by the following vote on roll call:

- AYES:** Council Members - Zurita, Dobson, Arceneaux, Jones, Perrodin  
**NOES:** Council Members - None  
**ABSENT:**Council Members - None

\_\_\_\_\_  
Clerk of the City of Compton

\_\_\_\_\_  
Mayor of the City of Compton

**February 4, 2012**

The Special City Council meeting was called to order at 8:40 a.m. in the Council Chambers of City Hall by Mayor Eric Perrodin.

**ROLL CALL**

**Council Members Present: Zurita, Dobson, Jones, Perrodin**  
**Council Members Absent: Arceneaux**

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

**PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS –**  
There were no Public Comments.

**UNFINISHED BUSINESS –** There was no Unfinished Business.

**NEW BUSINESS –**

**CITY ATTORNEY REPORTS –**

**CLOSED SESSION –**

**PUBLIC EMPLOYMENT**  
**Title – City Manager**  
**Pursuant to California Government Code Section 54957**

On motion by Dobson, seconded by Zurita, council recessed to closed session at 8:41 p.m., by the following vote on roll call:

**AYES: Council Members – Zurita, Dobson, Jones, Perrodin**  
**NOES: Council Members – None**  
**ABSENT: Council Members – Arceneaux**

**NOTE: Councilmember Arceneaux was in attendance during closed session.**

The City Clerk adjourned the City Council meeting at 5:30 p.m., due to lack of a quorum.

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

\_\_\_\_\_  
**MAYOR OF THE CITY OF COMPTON**



February 14, 2012

**TO: MAYOR AND CITY COUNCIL MEMBERS**

**FROM: VICTOR OROZCO, SENIOR BUILDING INSPECTOR  
BUILDING & SAFETY DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE  
CONTRACT WITH MELAD AND ASSOCIATES, INCREASE THE  
CONTRACT AMOUNT, AND ISSUE A PURCHASE ORDER TO MELAD  
AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND  
TEMPORARY BUILDING INSPECTION SERVICES**

**SUMMARY**

This resolution authorizes the City Manager to amend the current contract with Melad and Associates, increase the contract amount by One Hundred Fifty Thousand (\$150,000.00) and issue a purchase order to Melad and Associates to continue providing plan check and temporary inspection services to the Building and Safety Department, per Resolution No. 23,402, dated October 4, 2011.

**BACKGROUND**

The Building and Safety Department utilizes the services of a variety of vendors for its operations each fiscal year. Among these services is the review of building plans to ensure compliance with all applicable codes and ordinances and the performance of certain building inspections when necessary. On October 4, 2011, the City Council approved Resolution No. 23,402, authorizing the City Manager to enter into a contract with Melad and Associates for One Hundred Thousand Dollar (\$100,000.00) for building plan check and temporary building inspection services, however, as a result of current demand, the Department has depleted the current funding.

Annually, the Department estimates revenues for building and plan check services based on the previous year's actual revenues. A number of factors are considered, including the current economy, economic development efforts and trends and projections in regional business development. We are funded well below the level of funding necessary to maintain our current service levels, as well as fund these vital services for the remainder of the fiscal year. The Department's anticipated projects include, the second phase of the Compton Town Center Project, as well as many other planned developments, industrial and commercial tenant improvements and business development projects.

In order to maintain an optimal level of service and keep permit approval turn-around times acceptable, that will not impede the economic development of this community, additional funding is necessary.

## **MELAD AND ASSOCIATES**

**February 14, 2012**

**PAGE TWO**

It is important to note, the fees for these services are collected when plans are submitted and permits are requested for Building Department approval. These funds are collected from the applicants. The fees collected for services are distributed accordingly: Seventy Five Percent (75%) of the fee is paid to Melad and Associates, while the other Twenty Five Percent (25%) is used for other departmental costs associated with the daily operation of the Department. This funding does not present an additional liability to the General Fund, as payments from this funding will only be paid after the fees have been collected for services rendered. The fees for service will be collected, deposited into the fund, and only then will the contractor be paid.

To date the Building Department has collected an additional Sixty Four Thousand Dollars (\$64,000.00) for plan review services in Account Number 1001-770-000-4269. Currently, Melad and Associates has submitted outstanding invoices in the amount of Forty Seven Thousand Dollars (\$47,000.00) for services rendered. Departmental projections indicate that the City of Compton will have approximately Twenty Six Thousand Dollars (\$26,000.00) in revenue towards operational cost after payment of fees to Melad and Associates for plan check services.

### **STATEMENT OF THE ISSUE**

Melad and Associates is currently providing building plan check services and temporary building inspection services under contract. An additional One Hundred Fifty Thousand Dollars (\$150,000.00) in funding is necessary to continue providing these services for the remainder of the fiscal year.

### **FISCAL IMPACT**

Funds are available in Account No. 1001-000-000-4269 in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) for these services, and will be transferred to Building Department Account No. 1001-770-000-4269. All fees for plan check services are paid by applicants as part of the building permit process and the monies are deposited into the General Fund.

### **RECOMMENDATION**

That Council adopts the attached resolution authorizing the City Manager to enter into an agreement and issue a purchase order in the amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00) to Melad and Associates for building plan check services for Fiscal Year 2011-2012.

**VICTOR OROZCO, SENIOR BUILDING INSPECTOR  
BUILDING AND SAFETY DEPARTMENT**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE  
CITY MANAGER**

RESOLUTION NO \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH MELAD AND ASSOCIATES, INCREASE THE CONTRACT AMOUNT, AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES

WHEREAS, it is pertinent that the Building and Safety Department utilize the services of a variety of vendors (consultants and contractors) for effective operation; and

WHEREAS, the Building and Safety Department also requires the professional service of a qualified firm to review building plans to ensure compliance with all applicable codes and regulations; and

WHEREAS, in addition to the Department’s in-house plan check and inspection services, the Department must hire a qualified plan check consultant to provide plan checks, expedited plan checks, supplemental plan checks and inspection services; and

WHEREAS, on October 4, 2011, the City Council approved Resolution No. 23,402, authorizing the City Manager to enter into a contract with Melad and Associates to provide these services; and

WHEREAS, Melad and Associates has an existing contract with the City of Compton on an as needed basis and has performed satisfactorily; and

WHEREAS, due to the current demand of plan and permit approvals the funding has been depleted; and

WHEREAS, staff is requesting to amend the contract and add an additional One Hundred Fifty Thousand Dollars (\$150,000.00); and

WHEREAS, the table below illustrates the breakdown on how funds will be disbursed between the consultant and the City of Compton; and

| PLAN CHECK FEES (*)  |            |         | EXPEDITED  |         | SUPPLEMENTAL |         |
|----------------------|------------|---------|------------|---------|--------------|---------|
| Consultants          | Consultant | Compton | Consultant | Compton | Consultant   | Compton |
| Melad and Associates | 75%        | 25%     | 50%        | 50%     | \$60 per hr  | +25%    |

\*The city collects 25% of building permit fees when plans are required

WHEREAS, funding for the plan check services is appropriated in the FY 2011-2012 budget (Account No. 1001-770-000-4269) in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00); and

WHEREAS, this resolution covers a period not to exceed beyond fiscal year 2011-2012 with the condition that an Agreement or any additional amendments thereof, with CONSULTANT be approved on a fiscal year basis, provided that funds are available during that fiscal year period.

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

Section 1. That the City Manager is authorized to amend the contract with Melad and Associates and issue a purchase order to Melad and Associates for plan check services in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000.00).

Section 2. That funds in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) is available in the Building and Safety 2011-2012 fiscal year budget (Account No. 1001-770-000-4269).

Section 3. That a certified copy of this Resolution be filed in the offices of the City Clerk, City Manager, City Attorney, City Controller and the Department of Building and Safety.

**Section 4.** That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**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 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 \_\_\_\_\_, 2012.

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

|                 |                         |
|-----------------|-------------------------|
| <b>AYES:</b>    | <b>COUNCIL MEMBERS-</b> |
| <b>NOES:</b>    | <b>COUNCIL MEMBERS-</b> |
| <b>ABSENT:</b>  | <b>COUNCIL MEMBERS-</b> |
| <b>ABSTAIN:</b> | <b>COUNCIL MEMBERS-</b> |

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

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Building and Safety

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH MELAD AND ASSOCIATES, INCREASE THE CONTRACT AMOUNT, AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES

<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.                                                                                                             |



February 14, 2012

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS**

**FROM: DWAYNE COLEMAN, DIRECTOR  
INFORMATION SYSTEMS DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF COMPTON AUTHORIZING THE CITY MANAGER TO  
EXTEND THE LICENSE AGREEMENT WITH AND ISSUE  
A PURCHASE ORDER TO MTM TECHNOLOGIES FOR  
RENEWAL OF WEBSense INTERNET SECURITY  
SOFTWARE LICENSE**

**SUMMARY**

This Resolution authorizes the City Manager to extend the current licensing and maintenance agreement with and issue a purchase order to MTM TECHNOLOGIES for renewal of the City of Compton's Websense Internet Security Software license for a three-year period beginning January 1, 2012 through December 31, 2015. The total cost for the three (3) year renewal is \$16,000.00.

**BACKGROUND**

Websense is the world's leading Internet web filtering security solution. Websense is currently used by the Information Technology Systems department to control web content by filtering objectionable websites and Internet applications that are deemed inappropriate and un-related to business.

The City of Compton has licensed with MTM TECHNOLOGIES in fiscal years (2009, 2010) for Websense Internet Security Software.

**STATEMENT OF ISSUE**

Websense is an industry-leading web-filtering solution that helps organizations manage and enforce internet usage policies. Websense is designed to limit users access to specific sites on the Internet. The result is improving productivity by managing access to websites to minimize lost time on the Internet, minimizing legal liability risk associated with Internet usage, and providing optimal use of network resources for consistent network services and access to mission critical applications.

Websense enforces the City of Compton's Information Systems Acceptable Use Policy regarding web access.

**Staff Report – Extend License Agreement  
MTM TECHNOLOGIES/Websense Internet Security  
February 14, 2012, page 2**

**ALTERNATIVES**

This is an industry standard software, and there are no alternative or competing products on the market that can match the features that Websense provides. Websense software integrates seamlessly into our network infrastructure and offers unequaled flexibility, control, customization, and management of internet use for the City of Compton's Information technology Systems department.

**FINANCIAL IMPACT**

The cost for extension of the Websense Internet Security Software licensing and maintenance with MTM TECHNOLOGIES for the three (3) year period is \$16,000.00. Funds for this purchase will come from Account Number 1001-510-000-4218.

**RECOMMENDATION**

Staff requests that the City Council adopt the attached Resolution.

**DWAYNE COLEMAN, DIRECTOR  
INFORMATION SYSTEMS DEPARTMENT**

**APPROVED FOR FORWARDING**

**BRYAN BATISTE  
CITY MANAGER**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON  
AUTHORIZING THE CITY MANAGE TO EXTEND THE LICENSE  
AGREEMENT AND ISSUE A PURCHASE ORDER TO MTM TECHNOLOGIES  
FOR RENEWAL OF WEBSENSE INTERNET SECURITY SOFTWARE  
LICENSE**

**WHEREAS**, Websense is the world's leading Internet web filtering security solution; and

**WHEREAS**, Websense is currently used by the Information Technology Systems department to control web content by filtering objectionable websites and Internet applications that are deemed inappropriate and un-related to business; and

**WHEREAS**, Websense enforces the City of Compton's Information Systems Acceptable Use Policy regarding web access; and

**WHEREAS**, this is an industry standard software, and there are no alternative or competing products on the market that can match the features that Websense provides and

**WHEREAS**, the City of Compton has licensed with MTM TECHNOLOGIES in fiscal years (2009, 2010) for Websense Internet Security Software; and

**WHEREAS**, the cost for a three (3) licensing and maintenance agreement shall be \$16,000.00.

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

**SECTION 1.** That the City Manager is authorized to extend the licensing and maintenance agreement with MTM TECHNOLOGIES for the Websense Internet Security Software for a three-year period beginning January 1, 2011 through December 31, 2015.

**SECTION 2.** That a purchase order is authorized to be issued to MTM TECHNOLOGIES in the amount of \$16,000.00 for which funds are allocated in Account Number 1001-510-000-4218.

**SECTION 3.** That a certified copy of this resolution shall be filed in the offices of the City Manager, City Controller, City Attorney, Information Systems Department and the City Clerk.

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

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**MAYOR OF THE CITY OF COMPTON**

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

ATTEST:

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

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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: City Management

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXTEND THE LICENSE AGREEMENT WITH AND ISSUE A PURCHASE ORDER TO MTM TECHNOLOGIES FOR RENEWAL OF WEBSense INTERNET SECURITY SOFTWARE LICENSE

Bryan Batiste  
DEPARTMENT MANAGER’S SIGNATURE

2/1/2012 8:41:11 PM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

2/9/2012 4:04:11 PM  
DATE

Stephen Ajobiewe  
CITY CONTROLLER

2/9/2012 4:18:17 PM  
DATE

Bryan Batiste  
CITY MANAGER

2/9/2012 3:37:39 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.                                                                                                             |



February 14, 2012

**TO: HONORABLE MAYOR AND COUNCIL MEMBERS**

**FROM: DELMONSHA GREEN, (ACTING) DIRECTOR  
COMPTON LOCAL HOUSING AUTHORITY**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COMPTON AUTHORIZING THE CITY MANAGER TO  
EXTEND THE AGREEMENT WITH AND ISSUE A PURCHASE  
ORDER TO HAPPY SOFTWARE, INC. FOR MAINTENANCE  
SUPPORT FOR HAPPY SOFTWARE MODULES.**

### **SUMMARY**

This request is for authorization to extend the agreement with and issue a purchase order to HAPPY Software, Inc. for maintenance support for the Housing Authority's HAPPY Software Modules from the period of February 1, 2012 through January 31, 2013. The contract ensures that the Housing Authority software will be current with ever-changing regulations, entitles the agency to technical support, feature updates and software enhancements, and assistance when needed.

### **BACKGROUND**

This software manages the day-to-day operation of the Housing Authority and is approved by the Housing and Urban Development (HUD). It is also used to upload valuable information to HUD and other divisions within HUD.

The software allows the Housing Authority to input and maintain important data required by HUD to operate a Public Housing Authority (PHA):

Waiting List – makes it easy to manage one or more multiple preferenced waiting lists and generate ready-to-mail applicants, letters and forms. The Waiting List component manages both active and inactive lists and includes full statistical reporting.

Occupancy – streamline the Specialists everyday tasks. It offers automated wizards for performing HUD actions. Specialists can enter required 50058 data, efficiently manage their caseloads, and print all required documentation.

Letters and Forms – Print more than 70 forms filled-out and create custom packets. It also creates Spanish language forms with automatic language substitution.

Reasonableness – gives agencies a fast and consistent way to instantly find the most comparable units, without complicated point systems or time-consuming manual comparisons.

## #4.

Payments – works in conjunction with Occupancy to effortlessly print checks on standard Deluxe check stock, payment records, and check summaries. Payments allows for month adjustments and automatic reconciliation. Reconcile Screen independently confirm and check every change that will appear on the record of payments.

Inspections – completely automates the entire HQS Inspections process. The built-in automated scheduler reduces the time it takes to create and schedule inspections.

This is a small list of components the Housing Authority utilizes on a daily basis within the software. There are more features this software has to offer.

### **STATEMENT OF ISSUE**

Currently the software maintenance coverage has expired and it is necessary to renew this coverage. The HAPPY Software has been used by the Housing Authority since January 2004. While there is other software currently being utilized by other Housing Authority's, to change from HAPPY software would be extremely costly in the amount of approximately \$50,000-\$60,000, plus yearly maintenance fees. It is not the Housing Authority's desire and it is not economically feasible to change software vendors at this time.

The Housing Authority is requesting authorization to issue a purchase order for maintenance support renewal to cover the period of one year in the amount of Six Thousand Five Hundred and Seventy Eight Dollars (\$6,578).

### **FINANCIAL IMPACT**

Funds have been allocated for this expense in account numbers 28207900004220 and 28207900004262.

### **RECOMMENDATION**

It is recommended that the attached resolution be adopted.

**DELMONSHA GREEN,  
(ACTING) DIRECTOR  
COMPTON LOCAL HOUSING AUTHORITY**

### **APPROVED FOR FORWARDING:**

**BRYAN BATISTE  
CITY MANAGER**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXTEND THE AGREEMENT WITH AND ISSUE A PURCHASE ORDER TO HAPPY SOFTWARE, INC. FOR MAINTENANCE SUPPORT FOR HAPPY SOFTWARE MODULES.**

**WHEREAS**, HAPPY Software, Inc. has provided the Housing Authority with maintenance for HAPPY Modules; and

**WHEREAS**, the maintenance coverage has expired and it is necessary to renew maintenance coverage; and

**WHEREAS**, the cost for annual maintenance for the period February 1, 2012 through January 31, 2013 will be Six Thousand Five Hundred and Seventy Eight Dollars (\$6,578); and

**WHEREAS**, the funds have been allocated in the Controller’s Office Fiscal Year 2011-2012 Budget.

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

**Section 1.** That the City Manager is authorized, on approval of the City Attorney, to enter into any contracts or other documents that may be necessary to the continued licensing and maintenance support services from Happy Software, Inc. for the period of February 1, 2012 through January 31, 2013.

**Section 2.** That a purchase order is authorized to issue in the amount of \$6,578.00 for provision of maintenance support services.

**Sections 3.** That funds for these services are available in Account Nos. 2820 790 000 4220 and 2820 790 000 4262.

**Section 4.** That a certified copy of this resolution shall be filed in the Offices of the City Manager, City Controller, City Attorney, Compton Local Housing Authority and City Clerk.

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

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**MAYOR OF THE CITY OF COMPTON**

**ATTEST:**

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

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF COMPTON

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

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, attested to by the City Clerk at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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



11 Federal Street • Saratoga Springs, NY 12866  
 518-584-4668 • 888-GT-HAPPY • Fax: 518-584-5388  
[www.happysoftware.com](http://www.happysoftware.com)

November 23, 2011

Ms. Delmonsha Green, Acting Housing Director  
 Compton Housing Authority  
 600 N. Alameda St.  
 Compton, CA 90221

|                   |                   |
|-------------------|-------------------|
| <b>Total Due:</b> | <b>\$6,578.00</b> |
|-------------------|-------------------|

TAX ID: 16-1521627

Invoice #: 21903

## Invoice

### Support Renewal

#### HAPPY Support Renewal

| Item                                       | Start Date | End Date  | Price     | Qty | Price      |
|--------------------------------------------|------------|-----------|-----------|-----|------------|
| Waiting List Renewal for 1 Year            | 2/1/2012   | 1/31/2013 | \$588.00  | 1   | \$588.00   |
| Occupancy Renewal for 1 Year               | 2/1/2012   | 1/31/2013 | \$1440.00 | 1   | \$1,440.00 |
| FileMTCS Renewal for 1 Year                | 2/1/2012   | 1/31/2013 | \$588.00  | 1   | \$588.00   |
| Payments Renewal for 1 Year                | 2/1/2012   | 1/31/2013 | \$588.00  | 1   | \$588.00   |
| 1099s & Payment History Renewal for 1 Year | 2/1/2012   | 1/31/2013 | \$588.00  | 1   | \$588.00   |
| Inspections Renewal for 1 Year             | 2/1/2012   | 1/31/2013 | \$786.00  | 1   | \$786.00   |
| History Renewal for 1 Year                 | 2/1/2012   | 1/31/2013 | \$0.00    | 1   | \$0.00     |
| Custom Forms Renewal for 1 Year            | 2/1/2012   | 1/31/2013 | \$441.00  | 1   | \$441.00   |
| FSS Pro Renewal for 1 Year                 | 2/1/2012   | 1/31/2013 | \$956.00  | 1   | \$956.00   |
| Remote Screen Sharing Renewal for 1 Year   | 2/1/2012   | 1/31/2013 | \$162.00  | 1   | \$162.00   |
| Mobile Inspections Renewal for 1 Year      | 2/1/2012   | 1/31/2013 | \$441.00  | 1   | \$441.00   |

**Total HAPPY Support Renewal: \$6,578.00**

**#4.**

Agency is responsible for sales and use tax if applicable.

1.5% Monthly Late Fee Charged on all Overdue Payments.

*If payment has already been sent, please disregard this invoice.*

|                   |                   |
|-------------------|-------------------|
| <b>Total Due:</b> | <b>\$6,578.00</b> |
|-------------------|-------------------|

Please write the invoice number on your check and make payable to:

HAPPY Software, Inc.  
11 Federal Street  
Saratoga Springs, NY 12866

**Payment is Due: February 1, 2012**



## Definition of Support

PLEASE READ CAREFULLY

### Definitions

(i) "Incident" means a single issue, problem, or product usage question a Licensee requests HAPPY Software, Inc. (HAPPY) to analyze or resolve.

(ii) "Software" means the current version of the listed modules of software of proprietary HAPPY product(s) designated on the Purchase Agreement or one single version immediately prior to the current version.

(iii) "Support" means the assistance provided to Agency by HAPPY for the then-current version of the Software.

(iv) "Update" means bug fixes and changes to maintain compliance with regulations. Updates are identified by a change in the number to the right of the decimal point in the product version number (e.g., Housing Pro 7.1).

(v) "Upgrade" means a significant improvement to an existing product through added functionality and/or enhanced performance. Upgrades are identified by a change in the number to the left of the decimal point in the product version number (e.g., an upgrade from Housing Pro 7.0 to 8.0).

### General

By installing, accessing, or otherwise using the Software, Licensee agrees to be bound by these Support terms.

The Software is sold with Support. Support is sold at the time of the purchase and must be renewed at the end of each term to allow continued use of the licensed Software. Support begins upon the implementation "Go Live" date, or your Support renewal date, indicated on your Purchase Agreement and will continue for twelve (12) months. Support must be paid in advance of renewal date and is non-refundable. Support shall automatically renew for successive one-year periods unless either party delivers written notice to the other party of its intention not to renew. Termination by the Licensee requires sixty (60) days prior written notice. Support is non-transferable and is valid only for the Licensee. HAPPY may limit or terminate Support, or may elect not to renew Support to any Licensee who uses the services in an irregular, excessive, abusive, or fraudulent manner, as determined by HAPPY in its sole discretion.

### Description of Support and Maintenance Services

If Licensee has paid all the applicable license and support fees to HAPPY Software, Inc. (HAPPY), the following terms apply.

#### 1. Updates

The Software is updated from time to time and whenever changes in Federal Regulations published as "Final" in the Federal Register are made and when such changes necessitate a change to the software. Changes to the Software will be made within 90 days of the effective date of the Final rule. Updates may require additional inputting or re-inputting of data by your agency and such inputting of data is not the responsibility of HAPPY. The only warranty we make is that the updated software will be fit for use and conform to the new regulations. Updates will be mailed to you, made available for download via the Internet or installed by HAPPY, at HAPPY's option. Instructions describing how to update the Software and a listing of changes to the Software will be included with Updates. Training and installation are not included. New versions of the Software will not include any customization for your agency except in modules specifically designed to survive Updates. Updates may require you to change or replace your existing hardware or system software. A new version of FileMaker® Pro, the operating environment for the Software, may be required for new versions of the Software and is not included with Updates. We reserve the right to update or change the Software at any time. Updates must be installed in a timely manner to ensure compliance with changed regulations and to avoid interruptions in use of the Software.

*Terms and conditions are subject to change – 1/11*

## Software Use License

PLEASE READ CAREFULLY

### Definitions

(i) "Activation Code" means the code provided or reissued by HAPPY Software, Inc. (HAPPY) that permits Use of the Software and for which the Agency has paid the appropriate fees.

(ii) "Agency" means a Housing Authority as defined by the U.S. Department of Housing and Urban Development or HUD.

(iii) "Content" means all data, text, images, documents, and any other information or materials uploaded by or on behalf of you in connection with your use of the Software.

(iv) "Purchase Agreement" means the HAPPY document that specifies the Software licensed to the Agency.

(v) "Information" means personally identifiable information.

(vi) "Installed User" means the number of active users registered in the software. An Agency's permitted number of Installed Users is set forth on the Purchase Agreement.

(vii) "Licensee" collectively refers to the Agency and the Installed Users using the Software.

(viii) "Service Term" means the period of time for which you have elected to pay for and/or use a Service.

(ix) "Software" means proprietary HAPPY product(s) or services, associated documentation, any updates, additional modules, or additional software provided by HAPPY Software in connection therewith.

(x) "Use" means that the Software is either loaded in the temporary memory of a computer or installed in the permanent memory of a computer.

Using the Software binds you to the terms of this Software Use License. If Licensee does not agree to the terms of this License, Licensee must not install, copy, download, access or Use the Software, and Licensee must promptly notify HAPPY in writing. HAPPY reserves the right to modify, alter or otherwise update this License at anytime.

### Ownership

The Software is licensed, not sold, to you by HAPPY for Use only under the terms of this License, and HAPPY reserves any rights not expressly granted to you. HAPPY shall, at all times, retain title to and ownership of all Software, regardless of its form, including without limitation, any and all revisions, custom development, updates, upgrades, modifications, bug fixes and enhancements to the Software. The Licensee specifically acknowledges and agrees that it shall not acquire any ownership interest or proprietary right to any Software by virtue of this Use License.

### Restrictions

The Software contains trade secrets in its human perceivable form and, to protect them, you may not reverse engineer, decompile, disassemble or otherwise reduce the Software to any human perceivable form. You may not modify, adapt, translate, rent, lease, loan or create derivative works based upon the Software or any part thereof. The Software produces copyrighted forms and other proprietary materials during normal Use. Your Agency is allowed full Use of these materials within your Agency only, and is barred from distributing these materials for Use by any other party. You may not distribute, integrate, transmit, or provide access to the Software to any software provider that is generally competitive with HAPPY Software product offerings.

*Terms and conditions subject to change – 9/2011*

## Software Use License

### Limited Warranty

HAPPY warrants for a period of ninety (90) days from your date of purchase that the Software will substantially conform to the published specifications. In no event does HAPPY warrant that the Software is error free, that the Agency will be able to operate the Software without problems or interruptions, or that the Software will operate without conflict with other systems or software programs. HAPPY does not warrant that HAPPY's servers and software are free of viruses or other harmful components, or that HAPPY's security procedures and mechanisms will prevent the loss or alteration of or improper access to information or content by third parties. HAPPY's entire liability and your sole and exclusive remedy for any breach of the foregoing limited warranty will be, at HAPPY's option, a refund of the purchase price or repair or replacement of the Software. This limited warranty is the only warranty provided.

### Limitation of Liability

In no event will HAPPY, its parent, subsidiaries or any of the licensors, directors, officers, employees or affiliates of any of the foregoing be liable to you for any consequential, incidental, indirect or special damages whatsoever including without limitation, damages for loss of business profits, business interruption, loss of business information and the like, whether foreseeable or unforeseeable, arising out of the Use of or inability to Use the Software or accompanying materials, regardless of the basis of the claim and even if HAPPY has been advised of the possibility of such damage.

### Termination

This License is effective until terminated. This License will terminate immediately without notice from HAPPY if you fail to comply with any provision of this License. Upon such termination you must immediately cease using and destroy the Software, all accompanying written materials and all copies thereof. Outdated versions of the Software automatically terminate if not updated to ensure compliance with Federal Regulations. Licensee may terminate this license by providing sixty (60) days prior written notice to HAPPY. In the event of any termination of this license, Licensee shall promptly return to HAPPY all copies of the Software and verify in writing that all copies of the Software have been destroyed within sixty (60) days. HAPPY reserves the right to delete any data files associated with Content, Information, or Use upon termination.

*The following terms and conditions apply to the HAPPY and Housing Pro database products only.*

### Grant of Rights

You may Use the Software at one Agency only and only for the number of Installed Users specified in your Purchase Agreement(s). You may be required to enter or re-enter an Activation Code provided by HAPPY to Use the Software. You may install the Software on a common storage device which is accessible by multiple computers at your site as long as each computer that accesses the Software is an Installed User. You may make one copy of the Software in machine readable form solely for backup purposes. You may not transfer your rights under this License to another party under any circumstances. HAPPY or its independent accountants reserve the right to examine Agency's books, records and accounts during Agency's normal business hours or to electronically transmit and collect information solely for the purpose of verifying compliance with the above provisions. In the event such audit discloses that the number of Installed Users is exceeded, Agency will promptly pay to HAPPY the appropriate license fee for the additional computers or users. At HAPPY's option, HAPPY may terminate this license for failure to pay the required license fee.

### Third-Party Beneficiary

Licensee is notified that FileMaker®, Inc. is a third-party beneficiary to this License to the extent that this License contains provisions that relate to Licensee Use of the bundled software. In no event shall Bundle Redistributor or its suppliers be liable in any way for consequential, incidental, indirect or special damages whatsoever arising out of use of or inability to use the software.

*The following terms and conditions apply to all HAPPY hosted web service applications only.*

### Privacy Policy

Use of HAPPY web services are subject to the HAPPY Software, Inc. Online Privacy Policy. A copy of this policy is available online at <http://www.waitlistcheck.com/policy.php>.

*Terms and conditions subject to change – 9/2011*

## Software Use License

### Access to Services

Your ability to access the services may require the payment of third party fees (such as telephone toll charges, ISP, or airtime charges) and that you are responsible for paying such fees. HAPPY is not responsible for any equipment you may need to be able to access the services.

To gain access to and use the services, you may be required to create a login ID and password ("Log-In Information"). You are responsible for all activity occurring under your Log-In Information, and you must keep your Log-In Information confidential and not share your Log-In Information with third parties. HAPPY has no obligation or responsibility with regard to your use, distribution, disclosure, or management of Log-In Information. Notwithstanding the foregoing, HAPPY may require you to change your Log-In Information if such Log-In Information is inconsistent with the terms of this agreement.

### Content

You may upload Content to the service in connection with your use of the service. HAPPY does not verify, endorse, or claim ownership of any Content, and you retain all right, title, and interest in and to the Content. HAPPY does not store Content except as necessary for HAPPY to perform the service. HAPPY shall make commercially reasonable efforts to block the uploading of Content to the service that contains viruses detected by using industry standard virus detection software. Notwithstanding anything to the contrary herein, HAPPY has no responsibility or liability for the deletion or accuracy of Content, the failure to store, transmit or receive transmission of Content (whether or not processed by the service), or the security, privacy, storage, or transmission of other communications originating with or involving use of the service. Certain features of the service enable you to specify the level at which such service restrict access to your Content. You are solely responsible for applying the appropriate level of access to your Content.

### Use Restrictions

Access to and use of the service is subject to all applicable international, federal, state and local laws and regulations. You agree not to use this service in any way that violates such laws or regulations. In connection with your access or use of the service, you agree not to:

- (i) introduce a virus, worm, Trojan horse or other harmful software code or similar files that may damage the operation of a third party's computer or property or information;
- (ii) use the service in any manner that could damage, disable, overburden, or impair any HAPPY server, or the network(s) connected to any HAPPY server or interfere with any other party's use of the Service;
- (iii) attempt to gain unauthorized access to service, materials, other accounts, computer systems or networks connected to any HAPPY server or to the service, through hacking, password mining, or any other means;
- (iv) obtain or attempt to obtain any materials or information through any means not intentionally made available through the service;
- (v) sell, lease, or rent access to or use of the service, or otherwise transfer any rights to use the service under this Agreement;

If HAPPY becomes aware of any possible violations, HAPPY reserves the right to investigate such violations, and HAPPY may, at its sole discretion, terminate immediately your license to use of the service or change, alter or remove Content, in whole or in part, without prior notice to you.

Use of the service is subject to your payment of HAPPY's charges for the services, which may vary according to the service, features, or service term to which you have subscribed (the "Service Fees"). You are responsible for paying all taxes levied in connection with your use of the services.

## RESOLUTION SIGN-OFF FORM

**DEPARTMENT:** **Housing Authority**

**RESOLUTION TITLE:           A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO EXTEND THE AGREEMENT WITH AND ISSUE A PURCHASE ORDER TO HAPPY SOFTWARE, INC. FOR MAINTENANCE SUPPORT FOR HAPPY SOFTWARE MODULES**

*Delmonsha Green*  
DEPARTMENT MANAGER'S SIGNATURE

**1/24/2012 11:52:53 AM**  
DATE

**REVIEW / APPROVAL**

***Ruth Rugley***  
CITY ATTORNEY

**1/31/2012 6:43:14 PM**  
DATE

***Stephen Ajobiewe***  
CITY CONTROLLER

**2/1/2012 8:02:19 AM**  
DATE

***Bryan Batiste***  
CITY MANAGER

**1/28/2012 5:26:27 PM**  
DATE

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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.



February 14, 2012

**TO: MAYOR AND CITY COUNCIL MEMBERS**

**FROM: JOHN D. STRICKLAND JR., (INTERIM) DIRECTOR  
PUBLIC WORKS DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COMPTON ACCEPTING THE CONSTRUCTION OF THE  
GREENLEAF CORRIDOR IMPROVEMENT PROJECT (CIP# 08-  
02) PERFORMED BY LOS ANGELES ENGINEERING, INC.,  
SANCTION STAFF TO FILE THE NOTICE OF COMPLETION  
WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE,  
AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S  
RETENTION**

### **SUMMARY**

It is recommended that the City Council accepts the construction of the Greenleaf Corridor Improvement Project (CIP# 08-02) performed by Los Angeles Engineering, sanction staff to file the Notice of Completion with the Los Angeles County Recorder's Office, and authorize the release of the contractor's retention.

### **BACKGROUND**

Resolution No. 23,271 authorized a contract with Los Angeles Engineering Inc. for the Greenleaf Corridor Improvement Project for Two Million Two Hundred Eighty One Thousand One Hundred Twenty-Nine Dollars (\$2,281,129). Additionally, a contingency of up to \$228,112 was also included.

The Greenleaf Corridor Improvement Project consisted of two sites referred to as the "Walton" site and the "Mayo" site. Work for each site includes demolition, clearing, grading drainage, site utilities, electrical grounding, sign uplighting, solar accent lighting, exercise equipment, site furnishings, concrete headers, walks slabs and curbs, curb ramps, drive approaches, gutters, stripping, asphalt base and paving, rubberized surfacing, decomposed granite paving, boulders, gravel, vehicle gates, bollards, fencing signage, interpretive signage, monument signs, landscape planting, and automatic irrigation system.

### **STATEMENT OF THE ISSUE**

While the project was being conducted, in accordance with California Public Contracts Law and City practice, a retainage amount equivalent to 10% was withheld from progress payments to insure satisfactory completion.

# #5.

Greenleaf Corridor Improvement Project  
February 14, 2012  
Page Two

All of the work on the project has been completed in a satisfactory manner. Accordingly, staff recommends that the City Council accept the improvements, sanction staff to file the Notice of Completion with the Los Angeles County Recorder's Office, and authorize the release of the contractor's retention.

## **ALTERNATIVES**

There are no alternatives. The contractor has fulfilled its contractual obligations according to the plans and specifications outlined in the bid proposal.

## **FINANCIAL IMPACT**

There is no financial impact connected with release of the retainage. Retention funds are held in an escrow account.

## **RECOMMENDATION**

Staff recommends the adoption of the attached Resolution.

**JOHN D. STRICKLAND, JR.**  
**INTERIM DIRECTOR OF PUBLIC WORKS**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE**  
**CITY MANAGER**

BB/JS

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE CONSTRUCTION OF THE GREENLEAF CORRIDOR IMPROVEMENT PROJECT (CIP# 08-02) PERFORMED BY LOS ANGELES ENGINEERING INC., SANCTION STAFF TO FILE A NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE, AND AUTHORIZING THE RELEASE OF THE CONTRACTOR'S RETENTION**

**WHEREAS**, on February 1, 2011, Resolution No. 23,271 authorized a contract with Los Angeles Engineering, Inc. for the construction of the Greenleaf Corridor Improvement Project (CIP #08-02) in the amount of Two Million Two Hundred Eighty One Thousand One Hundred Twenty-Nine Dollars (\$2,281,129); and

**WHEREAS**, there was contingency authorized in the amount of up to \$228,112; and

**WHEREAS**, while the project was being conducted, in accordance with California Public Contracts Law, a retainage amount equivalent to 10% was withheld from progress payments to ensure satisfactory completion; and

**WHEREAS**, the project has been completed in satisfactory manner at a final construction cost of \$2,317,451.88, which is within the amount authorized, and should be formally accepted.

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

**SECTION 1.** That the City Council of the City of Compton accepts the completion of the Greenleaf Corridor Improvement Project (CIP# 08-02), and authorizes staff to file a Notice of Completion with the County of Los Angeles Recorder's Office and release the contractor's retention.

**SECTION 2.** That certified copies of this resolution shall be filed in the offices of the City Manager, City Controller, City Clerk and Public Works Department.

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

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**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 Goodwin, 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 \_\_\_\_\_, 2012.

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

|                 |                         |
|-----------------|-------------------------|
| <b>AYES:</b>    | <b>COUNCIL MEMBERS-</b> |
| <b>NOES:</b>    | <b>COUNCIL MEMBERS-</b> |
| <b>ABSENT:</b>  | <b>COUNCIL MEMBERS-</b> |
| <b>ABSTAIN:</b> | <b>COUNCIL MEMBERS-</b> |

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



December 14, 2011

Mr. John D. Strickland,  
Public Works Department  
**CITY OF COMPTON**  
500 North Alameda Street  
Compton, CA 90221

**Subject:** Greenleaf Corridor Improvement Project (CIP #08-02) – Federal Project No. HPLUL-5078 (032)

**Re:** Certificate of Completion

Dear Mr. Strickland:

I am pleased to inform you that all work has been completed on the subject project.

Please let this letter serve as Certificate of Completion for the subject project. All work under this Contract was inspected December 5<sup>th</sup>, 2011, and was complete and according to the project Plans and Specifications.

The total cost of the work including all Contract Change Orders is \$2,317,451.88. The original Contract price was \$2,281,129. We issued two (2) Contract Change Orders for an addition of \$32,617.38 and had \$3,705.50 in incremental increases to individual bid items not exceeding 125% of the original bid item value.

I recommend that the City of Compton accept this project as of the Work Completion Date of December 5<sup>th</sup>, 2011, and for the total Contract Amount of \$2,317,451.88.

If you have any questions regarding this project or require any additional information, please contact me at (949) 212-4231.

Sincerely,

Todd Niemann, CCM  
Construction Manager

cc: John Risch, L.A. Engineering, Inc.

**GRIFFIN STRUCTURES INCORPORATED**

Corporate Headquarters  
385 Second Street  
Laguna Beach, California 92651  
Tel 949.497.9000 Fax 949.497.8883

CALIFORNIA NEVADA ARIZONA ITALY



RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE CONSTRUCTION OF THE GREENLEAF CORRIDOR IMPROVEMENT PROJECT (CIP# 08-02) PERFORMED BY LOS ANGELES ENGINEERING, INC., SANCTION STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER’S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTOR’S RETENTION

John Strickland  
DEPARTMENT MANAGER’S SIGNATURE

1/26/2012 8:58:00 AM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

1/31/2012 6:26:26 PM  
DATE

Stephen Ajobiewe  
CITY CONTROLLER

2/1/2012 8:07:07 AM  
DATE

Bryan Batiste  
CITY MANAGER

1/28/2012 5:26:15 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.                                                                                                             |



February 14, 2012

**TO: MAYOR AND COUNCILMEMBERS**

**FROM: MARVIN HUNT, INTERIM DIRECTOR  
PARKS & RECREATION DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF COMPTON AUTHORIZING THE CITY MANAGER TO  
ISSUE A PURCHASE ORDER TO NATIONAL CHARTER LINES  
TO PROVIDE BUS SERVICES FOR EXCURSION TRIPS FOR  
COMPTON YOUTH, DISABLED AND SENIOR CITIZENS**

**BACKGROUND**

The Recreation Department requests authorization for issuance of a purchase order to National Charter Lines to provide bus services for excursion trips for Compton Youth, Senior Citizens and Disabled Persons.

**STATEMENT OF THE ISSUE**

The Recreation Department develops excursion trips for seniors, youth, and disabled persons who participate in historical, cultural and recreational destinations within geographical locations established by MTA. The City assures that all buses contracted will be fully accessible for disabled persons who wish to participate. These services will be provided on a first-come, first-served basis.

National Charter Lines provides these services as needed. The Recreation Department has used this vendor on a continued basis and has had many years of satisfied service.

The Department received quotes from Coach America, California Touch of Class, and National Charter. The quotes included in the following information are calculated for a five (5) hour minimum:

| <b><u>Coach America</u></b>      | <b><u>California Touch of Class</u></b> | <b><u>National Charter</u></b>   |
|----------------------------------|-----------------------------------------|----------------------------------|
| <b><u>47 Passenger Buses</u></b> | <b><u>47 Passenger Buses</u></b>        | <b><u>47 Passenger Buses</u></b> |
| \$600.00                         | \$598.00 + Tax                          | \$450.00                         |
| (Each Additional hour)           | (Each Additional hour)                  | (Each Additional hour)           |
| \$110.00                         | \$78.00 + Tax                           | \$60.00                          |
| <b><u>55 Passenger Buses</u></b> | <b><u>55 Passenger Buses</u></b>        | <b><u>55 Passenger Buses</u></b> |
| \$675.00                         | \$624.00 + Tax                          | \$550.00                         |
| (Each Additional hour)           | (Each additional hour)                  | (Each Additional hour)           |
| \$120.00                         | \$93.60+Tax                             | \$75.00                          |

**ALTERNATIVE**

If City Council does not adopt this resolution, the Parks & Recreation Department will not have the ability to offer affordable transportation services for its seniors and the youth.

**FISCAL IMPACT**

The annual cost for these services is approximately \$25,000.00 per year. There are funds available in the Recreational Transit Vehicle Charter, Senior Citizens Transportation Account #1001-840-000-4279. There is no fiscal impact to the general fund budget.

**RECOMMENDATION**

That the City Council approve the attached resolution.

**MARVIN C. HUNT, (INTERIM) DIRECTOR  
PARKS AND RECREATION DEPARTMENT**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE  
CITY MANAGER**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A  
PURCHASE ORDER TO NATIONAL CHARTER LINES TO PROVIDE  
BUS SERVICES FOR EXCURSION TRIPS FOR COMPTON YOUTH,  
DISABLED AND SENIOR CITIZENS**

**WHEREAS**, the Recreation Department develops excursion trips for seniors, youth, and disabled persons who participate in historical, cultural and recreational destinations within geographical locations established by MTA; and

**WHEREAS**, the Department solicited bids for providing charter buses on an as-needed basis for such excursion trips, and received bids from Coach America, California Touch of Class and National Charter; and

**WHEREAS**, National Charter Lines bid was the lowest bid and the Department has always been satisfied with the services rendered by this provider over the years.

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

**Section 1.** That the City Manager is authorized to issue a purchase order in the amount of Twenty Five Thousand Dollars (\$25,000.00) to National Charter Lines to provide excursion bus services for the Parks and Recreation Department during Fiscal Year 2011-2012 (July 1, 2011 to June 30, 2012).

**Section 2.** That funds are available in the Prop. A Transportation Account No. 1001-840-000-4279.

**Section 3.** That a copy of this resolution be filed in the Office of the City Manager, City Controller, City Clerk and the Recreation Department.

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

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**MAYOR OF THE CITY OF COMPTON**

**ATTEST:**

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

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF COMPTON

RESOLUTION NO. \_\_\_\_\_  
PAGE 2

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was duly adopted by the City Council, signed by the Mayor and attested by the City Clerk at a Regular meeting thereof held on \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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: Recreation

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO NATIONAL CHARTER LINES TO PROVIDE BUS SERVICES FOR EXCURSION TRIPS FOR COMPTON YOUTH, DISABLED AND SENIOR CITIZENS

Marvin Hunt  
DEPARTMENT MANAGER’S SIGNATURE

1/26/2012 3:37:33 PM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

2/2/2012 7:29:43 PM  
DATE

Stephen Ajobiewe  
CITY CONTROLLER

2/6/2012 8:55:40 AM  
DATE

Bryan Batiste  
CITY MANAGER

2/2/2012 4:29:54 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.                                                                                                             |



February 14, 2012

**TO: MAYOR AND CITY COUNCIL**

**FROM: KAMBIZ SHOGHI, GENERAL MANAGER  
COMPTON MUNICIPAL WATER DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT  
THE BID FROM TORO ENTERPRISES INC., ISSUE A  
PURCHASE ORDER AND ENTER INTO A CONTRACT FOR THE  
CONSTRUCTION OF THE GREENLEAF BOULEVARD  
REHABILITATION PROJECT (CIP# 11-02)**

### **SUMMARY**

A resolution of the City Council of the City of Compton accepting the bid for the construction of the Greenleaf Boulevard Rehabilitation Project (CIP# 11-02) from Toro Enterprises Inc. and authorizing the City Manager to enter into a construction contract and issue a purchase order.

### **BACKGROUND**

Portions of Greenleaf Boulevard are in a deteriorating condition. The resultant proposed project shall include reconstruction Greenleaf Boulevard, from Alameda Street to Long Beach Boulevard. Previously a street improvement project was completed that involved Greenleaf Blvd, from Alameda St. to Whitemarsh Ave., CIP #09-10.

Staff advertised to solicit bids for the construction of the Greenleaf Boulevard Rehabilitation project from qualified firms. On November 23, 2011, a total of three (3) bids were received from the following contractors:

| <b><u>Contractors</u></b>    | <b><u>Bid Amount</u></b> |
|------------------------------|--------------------------|
| <b>Toro Enterprises Inc.</b> | <b>\$443,350.00</b>      |
| All American Asphalt         | \$453,000.00             |
| Sully-Miller Contracting     | \$434,000.00             |

### **STATEMENT OF ISSUE**

Subsequent to opening of the submitted bids, Sully-Miller Contracting voluntarily withdrew its bid for this project, thus the bid submitted by Toro Enterprises Inc. in the amount of \$443,350.00 was the lowest, most responsible bidder. Toro Enterprises Inc. has the appropriate experience and expertise to complete the project.

**#7.**

**Staff Report – Accept Bid/Award Contract  
Greenleaf Blvd. Rehabilitation Project  
February 14, 2012, page 2**

Also, staff recommends that a 15% contingency in the amount of \$66,502.50 be authorized.

**ALTERNATIVE**

The alternative is to either award the contract to Toro Enterprises, Inc. (the lowest bidder) or reject all bids and re-advertise/bid the project which would result in delays and additional costs to the City.

**FISCAL IMPACT**

Funds for construction of the project shall come from Account Number 1012-710-000-4269 (Public Works Capital Improvement Account).

**RECOMMENDATION**

Staff recommends the City Council adopted the attached Resolution.

**KAMBIZ SHOGHI, GENERAL MANAGER  
COMPTON MUNICIPAL WATER DEPARTMENT**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE, CITY MANAGER**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID FROM TORO ENTERPRISES INC. FOR THE CONSTRUCTION OF THE GREENLEAF BOULEVARD REHABILITATION PROJECT (CIP# 11-02)

WHEREAS, portions of Greenleaf Boulevard are in a deteriorating condition and in need of repair; and

WHEREAS, the Greenleaf Boulevard Rehabilitation Project (CIP #11-02) shall include reconstruction of Greenleaf Boulevard from Alameda Street to Long Beach Boulevard; and

WHEREAS, staff advertised to solicit bids for the construction of the Greenleaf Boulevard Rehabilitation Project from qualified firms; and

WHEREAS, on November 23, 2011, a total of three (3) bids were received from the following contractors; and

| <u>CONTRACTOR</u>        | <u>BID AMOUNT</u> |
|--------------------------|-------------------|
| Toro Enterprises Inc.    | \$443,350.00      |
| All American Asphalt     | \$453,000.00      |
| Sully-Miller Contracting | \$434,000.00      |

WHEREAS, subsequent to opening of the submitted bids, Sully-Miller Contracting voluntarily withdrew its bid for this project, thus the bid submitted by Toro Enterprises Inc. in the amount of \$443,350.00 was the lowest, most responsible bidder; and

WHEREAS, Toro Enterprises Inc. has the appropriate experience and expertise to complete this project and staff therefore recommends that their bid be accepted and all other bids rejected.

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

SECTION 1. That the bid/proposal of Toro Enterprises, Inc. is hereby accepted and all other bids rejected.

SECTION 2. That the City Manager is authorized to enter into a contract with Toro Enterprises Inc. for the construction of the Greenleaf Boulevard Rehabilitation Project (CIP#11-02).

SECTION 3. That a purchase order to Toro Enterprises Inc. in the amount of \$443,350.00 (Four Hundred Forty Three Thousand, Three Hundred Fifty Dollars) is authorized.

SECTION 4. That a 15% percent contingency in the amount of \$66,502.50 (Sixty-six Thousand, Five Hundred and Two Dollars and Fifty Cents) is authorized.

SECTION 5. That funds for construction of the project shall come from Account Number 1012-710-000-4269 (Public Works Capital Improvement Account).

SECTION 6. That copies of this resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney, Public Works and Compton Municipal Water Department.

RESOLUTION NO. \_\_\_\_\_  
PAGE 2

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
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 \_\_\_\_\_ 2012.

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

February 14, 2012

**TO: MAYOR AND COUNCIL MEMBERS**

**FROM: KAMBIZ SHOGHI, GENERAL MANAGER  
COMPTON MUNICIPAL WATER DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF COMPTON AUTHORIZING THE CITY MANAGER TO  
ENTER INTO AN AGREEMENT AND ISSUE A  
PURCHASE ORDER TO ONLINE UTILITY EXCHANGE  
TO SUBSCRIBE TO THE CENTRALIZED DATABASE TO  
BE IN COMPLIANCE WITH THE RED FLAG POLICY**

### **SUMMARY**

The Water Department is requesting that the City Council authorize the City Manager to enter into an agreement and process a purchase order for Online Utility Exchange in the amount of \$8,200.00 (Eight Thousand and Two Hundred Dollars) to subscribe to the centralized database in order for the Department to become “Red Flag” compliant.

### **BACKGROUND**

Identity Theft has been a growing problem for many years. The Federal Trade Commission, the federal bank regulatory agencies and the National Credit Union Administration have issued regulations requiring certain institutions to develop and implement identity theft prevention programs, as part of the Fair and Accurate Credit Transactions (FACT) Act of 2003. Under the “Red Flags Rules” creditors including utility companies must develop a program that identifies and detects the relevant warning signs or “red flags” of identity theft. Online Utility Exchange has a centralized database that will supply sufficient identifying information concerning an applicant. Using this system the Department will eliminate the need to keep customer’s personal information in a file; thereby reducing the risk of exposing applicant’s personal information such as driver’s license and social security numbers.

### **STATEMENT OF THE ISSUE**

While attending a Springbrook Users Conference, which is the utility billing software used by this Department, staff was made aware of the new requirement to become “Red Flag Compliant”. In order to meet the “Red Flag” guidelines each organization

## **Resolution Staff Report** **Page 2**

must develop a program which includes training of key personnel on how to prevent expose of sensitive client information. Several vendors attended this conference and staff solicited information from each vendor and Online Utility Exchange is the only company that forwarded their proposal; Dell SecureWorks indicated that their company was cutting that section from their company and the other company did not respond, therefore, staff is requesting approval to enter into an agreement and issue a purchase to Online Utility Exchange. Staff is requesting a purchase order in the amount of \$8,200.00 (Eight Thousand and Two Hundred Dollars) to cover staff, training, monthly service charges, applicant fees and software.

The department has received three quotes and they are as follows:

| <u><b>Company</b></u>          | <u><b>Bid Amount</b></u> |
|--------------------------------|--------------------------|
| <b>Online Utility Exchange</b> | <b>\$ 8,200.00</b>       |
| Dell SecureWorks               | No Bid                   |
| Veratad Technologies           | No Bid                   |

### **ALTERNATIVE**

The alternative would be to wait until the next Springbrook User's Conference and solicit quotes at that time.

### **FINANCIAL IMPACT**

The Municipal Water Department has funds in account 5000-900-000-4262 to cover this expenditure.

### **RECOMMENDATION**

It is recommended that the attached resolution be adopted.

**KAMBIZ SHOGHI, GENERAL MANAGER**  
**COMPTON MUNICIPAL WATER DEPARTMENT**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE**  
**CITY MANAGER**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON  
AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT  
AND ISSUE A PURCHASE ORDER TO ONLINE UTILITY EXCHANGE TO  
SUBSCRIBE TO THE CENTRALIZED DATABASE TO BE IN COMPLIANCE  
WITH THE RED FLAG POLICY

WHEREAS, the Federal Trade Commission (FTC) have issued regulations “Red Flag Rules” requiring institutions and creditors to develop and implement identity theft prevention programs, as a part of the Fair and Accurate Credit Transactions (FACT) Act of 2003; and

WHEREAS, a creditor is defined as any entity that regularly extends, renews, or continues credit; and

WHEREAS, the FTC allows each entity the opportunity to design and implement a program that is appropriate to their size and complexity as long as the guidelines are met; and

WHEREAS, the FTC originally scheduled the implementation for May 2009; however, that date was extended to December 31, 2010; and

WHEREAS, the Compton Municipal Water Department proposes to establish a contract with Online Utility exchange as to utilize their centralized database system as a means to comply with the “Red Flag Rules”; and

WHEREAS, the Department solicited quotes and the following quotes were received:

| <u>Company</u>                 | <u>Bid Amount</u>  |
|--------------------------------|--------------------|
| <b>Online Utility Exchange</b> | <b>\$ 8,200.00</b> |
| Dell SecureWorks               | No Bid             |
| Veratad Technologies           | No Bid             |

WHEREAS, one of the above companies indicated that their company is cutting the red flag program from their company and the other company did not submit a proposal therefore, it is staff’s recommendation to go with Online Utility Exchange; and

WHEREAS, Online Utility Exchange monthly service charges is \$30.00 and their application screening fee is \$2.70, therefore, the Department is requesting that the City Manager approves a purchase order in the amount of \$8,200.00 (Eight Thousand and Two Hundred Dollars) for these services; and

WHEREAS, funds are available in the Water Department’s Fiscal Year 2011-2012 Budget in account 5000-900-000-4262.

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

**SECTION 1.** That the City Council hereby authorizes the City Manager to enter into an agreement for Fiscal Year 2011-2012 and process a purchase order for Online Utility Exchange for \$8,200.00 (Eight Thousand and Two Hundred Dollars) to cover the monthly service charges and application screening fees.

**SECTION 2.** That funds for these services are available in the Water Department’s Fiscal Year 2011 – 2012 budget in Account Number 5000-900-000-4262.

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

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

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**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 and signed by the Mayor at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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

|                 |                         |
|-----------------|-------------------------|
| <b>AYES:</b>    | <b>COUNCIL MEMBERS-</b> |
| <b>NOES:</b>    | <b>COUNCIL MEMBERS-</b> |
| <b>ABSENT:</b>  | <b>COUNCIL MEMBERS-</b> |
| <b>ABSTAIN:</b> | <b>COUNCIL MEMBERS-</b> |

\_\_\_\_\_  
**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 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT AND ISSUE A PURCHASE ORDER TO ONLINE UTILITY EXCHANGE TO SUBSCRIBE TO THE CENTRALIZED DATABASE TO BE IN COMPLIANCE WITH THE RED FLAG POLICY

Kambiz Shoghi  
DEPARTMENT MANAGER’S SIGNATURE

11/2/2011 6:10:56 PM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

2/8/2012 12:14:15 PM  
DATE

Stephen Ajobiewe  
CITY CONTROLLER

2/8/2012 1:16:45 PM  
DATE

Bryan Batiste  
CITY MANAGER

2/8/2012 7:14:57 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.                                                                                                             |



**WARRANTS APPROVED BY COUNCIL**

| <u>Warrant #</u>                 | <u>Date</u> | <u>Name</u>                            | <u>Services Provided</u>             | <u>Amount</u> | <u>Amount Paid<br/>Year to Date</u> |
|----------------------------------|-------------|----------------------------------------|--------------------------------------|---------------|-------------------------------------|
| 206514                           | 2/07/12     | State Water Resources<br>Control Board | Annual permit fee                    | \$1,943.00    | \$39,537.73                         |
| <b>Requested by Water Dept.</b>  |             |                                        |                                      |               |                                     |
| 206608                           | 2/08/12     | State Water Resources<br>Control Board | Annual waste discharge fees          | \$8,154.00    |                                     |
| <b>Requested by Public Works</b> |             |                                        |                                      |               |                                     |
| 206627                           | 2/09/12     | Bay Alarm Co.                          | Installation of two security cameras | \$880.00      | \$17,749.30                         |
| <b>Requested by Water Dept.</b>  |             |                                        |                                      |               |                                     |

I hereby certify that the above demands in the amount of \$10,977.00 were approved at a regular meeting of the City Council and reject  
 \_\_\_\_\_ as of February 14, 2012.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on February 14, 20112 allowed the above demands.

\_\_\_\_\_  
Alita Godwin  
City Clerk

#9.



## INVOICE

Annual Permit Fees Required by Sections 13260 & 13269  
of the California Water Code

FACILITY ID (WDID): 4B196100044  
FACILITY NAME: MUNICIPAL WATER SUPPLY WELLS  
480 COMPTON  
COMPTON, CA 90221

INVOICE NO: WD-0067467  
BILLING PERIOD: 07/01/11 - 06/30/12  
INVOICE DATE: 11/8/2011  
INDEX NO: 146397

PAID  
2012/5/14  
2/17/12  
CK. NO.  
DATE

Total Amount Due by  
Thursday, December 8, 2011

\$ 1,943.00

COMPTON MUNICIPAL WATER DEPT.  
KAMBIZ SHOGHI  
205 S. WILLOBROOK AVE.  
COMPTON, CA 90220

|         |                    |
|---------|--------------------|
| Paid By | <i>[Signature]</i> |
| V#      | 10000856           |
| P.O. #  | B03592 F           |
| A/C #   | 500900004249       |
| A/C #   |                    |

Invoice details are shown on the back

STATE WATER RESOURCES CONTROL BOARD  
Annual Permit Fee

Facility ID: 4B196100044

RM #: 193617

Billing Period: 07/01/11 - 06/30/12

Invoice No: WD-0067467

Amount Due:

\$ 1,943.00

Due By: Thursday, December 8, 2011

PLEASE REMIT YOUR PAYMENT ON OR BEFORE THE DUE DATE SHOWN ABOVE. LATE PAYMENT COULD RESULT IN PENALTIES UNDER PROVISIONS OF THE WATER CODE SECTION 13261. THESE ACTIONS COULD INCLUDE DAILY PENALTIES IN ADDITION TO YOUR FEE OR OTHER ACTIONS DEEMED APPROPRIATE BY THE REGIONAL BOARD.

Make your check payable to SWRCB FEES

If you have any questions about this invoice, please call the Water Board at 213-620-2424.

Retain this portion for your records



## DEMAND FOR PAYMENT

Annual Permit Fees Required by Sections 13260 & 13269  
of the California Water Code

Date: 1/3/2012  
Facility ID: 4SSO10378  
Facility Name: COMPTON CITY CS  
205 WILLOWBROOK  
COMPTON, CA 90220

Fiscal Year: 2011/12  
Invoice Number: WD-0062055  
Billing Period: 07/01/11 - 06/30/12  
Invoice Date: 11/8/2011  
Amount Past Due: \$ 8,154.00  
Region: 4  
Index Number: 140985

CITY OF COMPTON  
CHARLES BERGSON  
205 S. WILLOWBROOK AVE.  
COMPTON, CA 90220

|         |                    |
|---------|--------------------|
| Paid By | <i>[Signature]</i> |
| V#      | 10000856           |
| P.O. #  | B03315F            |
| A/C #   | 1001710000449      |
| A/C #   |                    |

For details please refer to the original invoice

2012 JAN -9 PM 1:31

## DEMAND FOR PAYMENT OF ANNUAL WASTE DISCHARGE FEES

This is a FORMAL DEMAND FOR PAYMENT on the above delinquent invoice. Our accounting office records indicate that you have failed to pay the required annual fee. Failure to pay the required fee is considered a misdemeanor under California law (Water Code Section 13261) and could result in a civil liability assessment of up to \$1000 per day for each day that the fees go unpaid, revocation of your discharge permit, or referral to a collection agency. Please return payment in the attached envelope along with the bottom portion of the invoice. Payment must be received no later than 30 days from the date of this notice.

Please note that a transfer of ownership or relocation of a facility requires a new Waste Discharge Permit. If you are no longer discharging, please submit a letter to the Regional Water Quality Board requesting termination of your permit.

If you have any questions about this invoice, please call your  
Regional Water Quality Control Board at 213-620-2424.

For payment status of your invoice, please go to the "Stormwater and Wastewater Permit Fee Information" link at  
<http://water101.waterboards.ca.gov/dwqdas/feeunit/search/DischargerInvoiceInfo.asp>

Retain this portion for your records



www.bayalarm.com  
800-610-1000

## COMMERCIAL ALARM INSTALLATION AND SERVICES AGREEMENT

☐ 9836 Kitty Ln., Oakland, CA 94603

☐ 3819 Duck Creek Dr., Stockton, CA 95215

☐ 1590 S. Lewis St., Anaheim, CA 92805

CSFM AUTOMATIC FIRE EXTINGUISHING CONCERN, TYPE 1 LICENSE, A-0471

☐ 60 Berry Dr., Pacheco, CA 94553

☐ 3475 Orange Grove Ave., N. Highlands, CA 95660

☐ 1728 Standard Ave., Glendale, CA 91201

CALIFORNIA CONTRACTOR'S LICENSE NO. 880138

☐ 856 Milton Rd., Burlingame, CA 94010

☐ 2335 Larkspur Ln., Ste A, Redding, CA 96002

☐ 1920 S. Archibald Ave., Ste K, Ontario, CA 91761

ALARM OPERATOR'S ACO LIC #28

☐ 1016 Clegg Ct., Petaluma, CA 94954

☐ 2264 Goodyear Ave., Ventura, CA 93003

☒ 1250 E. 223rd St., Ste 114, Carson, CA 90745

☐ 1290 Hammerwood Ave., Ste D, Sunnyvale, CA 94089

☐ 4883 Ronson Ct., Ste C, San Diego, CA 92111

☐ New System or Takeover ☐ New Owner ☒ Addendum-Alteration Addition ☐ Cancel Former Agreement-Alteration Addition

User hereby authorizes Bay Alarm Company hereinafter "Bay," or assigns to install, maintain, and service a security system under the following conditions and agrees to pay the installation charge upon completion and the service charge in advance at Bay's address, for an initial period of five (5) years, from date the System is operational.

User \_\_\_\_\_ City of Compton (Water Operations) \_\_\_\_\_ Phone \_\_\_\_\_ (310) 605-5500

Address \_\_\_\_\_ See attached Addendum A for Locations \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_

Bay will install the system ("System") described below and on the attached continuation page(s), and will maintain and monitor, and provide other services pursuant to the terms and conditions of this agreement. Installation will begin approximately 1-2 weeks, and will be completed approximately 1-2 weeks. Starting the installation of wiring and/or delivery of equipment to your premises will constitute substantial commencement of the work to be performed. User agrees to pay in addition to charges stated herein all taxes, permits, fees, or any costs relating to this System imposed by any governmental or regulatory body or increases in charges made by the telephone company. User understands there may be a direct telephone company charge for the installation of a telephone interface jack. Services to consist of the following only:

### INSTALLATION CHARGE AND PAYMENT:

TOTAL INSTALLATION CHARGE: \$ 840.00

DEPOSIT DUE AT SIGNING \$ 0.00

DUE UPON COMPLETION OF PREWIRE: \$ 0

BALANCE DUE UPON SYSTEM COMPLETION: \$ 840.00

#### TYPE SERVICE:

##### INTRUSION ALARM

☒ Monitored

##### OPEN/CLOSING OPTIONS

- ☐ E-Autolog  
☐ BayNet Plus  
☐ Supervised: (select one below)  
☐ Central Station Open/Closing  
☐ User Keypad Control  
☐ Video (addendum required)

☐ BAYLINK

☐ BAYNET

☐ CCTV

☐ ACCESS

☒ VIDEO VERIFICATION (addendum required)

☐ VIDEO NOTIFICATION (addendum required)

##### FIRE ALARM

☐ Monitored

##### FIRE TEST FREQUENCY

- ☐ NFPA 72  
☐ Sprinkler Inspection Service  
Bay will inspect \_\_\_\_\_ risers per quarter  
☐ Other \_\_\_\_\_

##### FIRE TEST DEVICES

- ☐ Panel Only  
☐ Panel & Fire Devices

##### INDUSTRIAL MONITORING

- ☐ Refrigeration  
☐ Temperature Control  
☐ Other \_\_\_\_\_

☐ OTHER \_\_\_\_\_

#### COMMUNICATION TYPE:

- ☐ POTS (Plain Old Telephone Service)  
☐ Internet Protocol  
☐ Local

#### WIRELESS TRANSMISSION

- ☐ Digital Cellular Alarm Back-Up  
☒ Digital Cellular Alarm Only  
☐ Other \_\_\_\_\_

OTHER \_\_\_\_\_

FOR OFFICE USE ONLY

MONTHLY SERVICE CHARGE: \$ 20.00 Payable quarterly in advance.

How to Get Service: Contact Bay at 1-800-470-1000. Bay will provide service as soon as reasonably possible.

USER SIGN, DATE & PRINT NAME HERE → DATE 01 / 29 / 2012  
M D YEAR

### BAY ALARM:

Ryan Makovsky

SALES REPRESENTATIVE

AGENT #

BY:

AUTHORIZED SIGNATURE

TITLE

APPROVED (Office Use Only)

DATE

SIGNER'S NAME (PRINTED OR TYPED)

☐ CORP ☐ LLC ☐ SOLE PROPRIETOR ☐ PARTNERSHIP ☐ OTHER \_\_\_\_\_

This agreement will not be effective until either approved by one of Bay's managers, or Bay begins the installation of the equipment or initiates service. In the event of disapproval, Bay's only obligation shall be to refund any monies paid by User to Bay. User acknowledges and agrees that User will not receive a copy of this agreement signed by Bay's Manager, and such lack of receipt shall not, in any way, invalidate or otherwise affect this agreement.

**February 14, 2012**

**TO: MAYOR AND COUNCIL MEMBERS**

**FROM: RENE FERRELL, GRANTS MANAGER**

**SUBJECT: REQUEST TO SCHEDULE A PUBLIC HEARING TO RECEIVE  
COMMENTS ON THE PROPOSED SUBSTANTIAL AMENDMENT  
REGARDING HPRP FOR THE CITY OF COMPTON**

The City of Compton, as a direct entitlement community to the U.S. Department of Housing and Urban Development (HUD), is required to hold public hearings to receive input from residents on proposed changes in funding allocations for HPRP projects and activities from prior years Action Plans. Therefore, in order to notify the public about the proposed Substantial Amendment, a public hearing is requested for **Tuesday, March 27, 2012 at 5:50pm.**

**RENE FERRELL  
GRANTS MANAGER**

**BRYAN BATISTE  
CITY MANAGER**



**February 14, 2012**

**TO: HONORABLE MAYOR AND COUNCIL**

**FROM: KAMBIZ SHOGHI, WATHER DEPARTMENT, GENERAL MANAGER**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE PUBLIC WORKS FISCAL YEAR 2011-2012 ANNUAL BUDGET TO ADD A JUNIOR CIVIL ENGINEER POSITION**

**SUMMARY**

A resolution of the City Council of the City of Compton authorizing the City Manager to amend the Public Works fiscal year 2011-2012 annual budget to add a Junior Civil Engineer position.

**BACKGROUND**

The City receives Traffic Congestion Relief Funds (Fund 1012) from the State of California for local street or road maintenance and reconstruction. Funds were allocated in Public Works 2011-2012 budget for the reconstruction of Greenleaf Boulevard, from Alameda Street to Long Beach Boulevard. The proposal submitted by Toro Enterprises Inc. in the amount of \$443,350.00 was the lowest responsive bid.

**STATEMENT OF THE ISSUE**

In addition to the construction cost, proper construction management is imperative to the success of major reconstruction projects, such as this one. Contracting out for such services usually cost ten to twenty percent of the construction cost, which would amount up to \$88,670.00 for this single project.

A cost-effective alternative would be to return the Junior Civil Engineer position to the budget and utilize the individual filling that position to perform the needed construction management role. In addition, this employee could work on a myriad of Public Works projects providing, not only construction management, but preparation of plans and specifications as well. The cost in terms of salary and benefits for adding the position to the current budget is \$90,097.00.

**ALTERNATIVE**

An alternative would be to contract construction management services for this one time project at a cost up to \$88,670.00.

# #11.

## **Staff Report - CIP# 11-02 Budget Amendment**

**Page 2**

### **FISCAL IMPACT**

Adding the Junior Civil Engineer position to the budget will not increase the budget. Funds shall be transferred from the Traffic Congestion Relief Fund operating account (1012-710-000-4269, Other Contract Services) to the appropriate personnel accounts. Furthermore, the General Fund shall not be impacted in any way. The additional monies in this fund are needed for contingency.

### **RECOMMENDATION**

Staff recommends the City Council amend the Public Works Department fiscal year 2011-2012 budget to add a Junior Civil Engineer position.

**JOHN STRICKLAND JR.  
PUBLIC WORKS DEPARTMENT**

**KAMBIZ SHOGHI,  
WATER DEPARTMENT GENERAL MANAGER**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE  
CITY MANAGER**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON  
AUTHORIZING THE CITY MANAGER TO AMEND THE PUBLIC WORKS  
FISCAL YEAR 2011-2012 ANNUAL BUDGET TO ADD A JUNIOR CIVIL  
ENGINEER POSITION

WHEREAS, the City receives Traffic Congestion Relief Funds (Fund 1012) from the State of California to maintain and reconstruct local streets and roads; and

WHEREAS, funds were allocated in the budget for the reconstruction of Greenleaf Boulevard, from Alameda Street to Long Beach Boulevard; and

WHEREAS, the proposal submitted by Toro Enterprises Inc. in the amount of \$443,350.00 was the lowest responsive bid; and

WHEREAS, in addition to the construction cost, this project requires proper construction management; and

WHEREAS, contracting this service usually cost up to twenty percent of the construction cost, which can amount up to \$88,670.00 for this single project; and

WHEREAS, a cost-effective alternative would be to return the Junior Civil Engineer position to the budget and utilize the individual filing that position to perform the needed construction management role; and

WHEREAS, in addition, this employee could work on a myriad of Public Works projects, providing not only construction management, but preparation of plans and specifications as well; and

WHEREAS, the cost in terms of salary and benefits for adding the position to the current budget is \$90,097; and

WHEREAS, funds for this position shall be transferred from account number 1012-710-000-4269 to the appropriate personnel accounts.

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

SECTION 1. That the City Manager is authorized to amend the Public Works fiscal year 2011-2012 annual budget to add a Junior Civil Engineer position.

SECTION 2. That funds for this position shall be transferred as follows:

| <u>FROM</u>       | <u>TO</u>         | <u>AMOUNT</u> |
|-------------------|-------------------|---------------|
| 1012-710-000-4269 | 1012-710-000-4101 | \$56,136.00   |
| 1012-710-000-4269 | 1012-710-000-4190 | \$ 842.00     |
| 1012-710-000-4269 | 1012-710-000-4191 | \$13,541.00   |
| 1012-710-000-4269 | 1012-710-000-4192 | \$11,575.00   |
| 1012-710-000-4269 | 1012-710-000-4193 | \$ 4,515.00   |
| 1012-710-000-4269 | 1012-710-000-4194 | \$ 221.00     |
| 1012-710-000-4269 | 1012-710-000-4195 | \$ 1,257.00   |
| 1012-710-000-4269 | 1012-710-000-4196 | \$ 200.00     |
| 1012-710-000-4269 | 1012-710-000-4197 | \$ 322.00     |
| 1012-710-000-4269 | 1012-710-000-4198 | \$ 674.00     |
| 1012-710-000-4269 | 1012-710-000-4199 | \$ 814.00     |

RESOLUTION NO. \_\_\_\_\_  
PAGE 2

**SECTION 3.** That copies of this resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, Public Works Department, and Water Department.

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

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
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 \_\_\_\_\_ 2012.

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

February 14, 2012

TO: CITY MANAGER

FOR: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVISING THE CITY'S POLICY PROHIBITING UNLAWFUL DISCRIMINATION, HARASSMENT (INCLUDING SEXUAL HARASSMENT) AND RETALIATION AND RESCINDING RESOLUTION NOS. 15,582, 16,709 AND 19,608**

## **SUMMARY**

The City Council will consider adopting a Resolution which will revise and update the City's policy prohibiting unlawful workplace discrimination, harassment and retaliation.

## **BACKGROUND**

On June 7, 1988, the City Council of the City of Compton adopted Resolution 15,582, which established a policy prohibiting unlawful harassment, including sexual harassment. Resolution No. 15,582 was revised to expand the definition of sexual harassment by Resolution 16,706, adopted on October 22, 1991. Based on the policy declaration of Resolution No. 16,706, the City implemented City of Compton Standard Operating Manual Policy 3.13 prohibiting unlawful harassment, including sexual harassment. Again, in 1999, a resolution was adopted by the City Council revising the City's policy prohibiting unlawful harassment to add the requirement that the Personnel Director immediately report sexual harassment claims to the City Manager (i.e. Resolution No. 19,608).

## **STATEMENT OF ISSUE**

State and federal laws expressly prohibit discrimination and/or harassment of employees or applicants for employment based on race, religion, creed, color, national origin, ancestry, citizenship, physical or mental disability, legally protected medical conditions, veteran status, sexual orientation, gender identity, marital, family care status, sex (including pregnancy, childbirth and related medical conditions), age (40 and over), and any other basis protected by law.

# #12.

Staff Report Re Resolution Revising Policy Prohibiting  
Unlawful Discrimination and Harassment  
February 14, 2012, page 2

While the City has had a long time commitment to providing a work environment that is free from unlawful discrimination and harassment, including sexual harassment, the language and provisions of the City's current policy is limited, outdated and does not adequately and clearly reflect the City's strict prohibition to all forms of unlawful discrimination and harassment in the workplace as mandated by federal and state laws.

The attached Resolution reflects the City's intent and commitment to providing a work environment free from unlawful discrimination and harassment and instructs the City Manager to revise and update the City's policy so as to include provisions that make it clear that all forms of unlawful discrimination and harassment, including sexual harassment are strictly prohibited and provide an efficient means for reporting and resolving complaints of unlawful discrimination and/or harassment.

## **FISCAL IMPACT**

There is no fiscal impact to the City of Compton for adopting the attached Resolution.

## **RECOMMENDATION**

Staff recommends that the City Council adopt the attached Resolution.

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

Attachments: Proposed Resolution  
Proposed (Revised) SOM 3.13 (Workplace Discrimination, Harassment and Retaliation)

CJC:RAR:rar

## RESOLUTION NO. \_\_\_\_\_

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVISING THE CITY'S POLICY PROHIBITING UNLAWFUL DISCRIMINATION, HARASSMENT (INCLUDING SEXUAL HARASSMENT) AND RETALIATION AND RESCINDING RESOLUTION NOS. 15,582, 16,709 AND 19,608**

**WHEREAS**, state and federal laws expressly prohibit discrimination and/or harassment of employees or applicants for employment based on race, religion, creed, color, national origin, ancestry, citizenship, physical or mental disability, legally protected medical conditions, veteran status, sexual orientation, gender identity, marital, family care status, sex (including pregnancy, childbirth and related medical conditions), age (40 and over), and any other basis protected by law; and

**WHEREAS**, the City of Compton has had a long time commitment to providing a work environment that is free from unlawful discrimination and harassment, including sexual harassment; and

**WHEREAS**, Resolution No. 15, 582, adopted by the City Council on June 7, 1988, Resolution No. 16,709, adopted on October 22, 1991, and Resolution No. 19,608, adopted on September 14, 1999, established and revised the City's policy prohibiting sexual harassment, however, the language of the current City policy is limited, outdated and in need of revision and updating so as to comply with federal and state laws; and

**WHEREAS**, it is in the best interest of the City and its employees to update the City policy prohibiting unlawful discrimination and harassment so as to include provisions that make it clear that all forms of unlawful discrimination and harassment, including sexual harassment are strictly prohibited; and

**WHEREAS**, the City policy prohibiting unlawful discrimination and harassment, including sexual harassment, applies to all City employees, vendors and agents.

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

**Section 1.** That Resolution No. 15,582, adopted by the City Council on June 7, 1988; Resolution No. 16,709, adopted by the City Council on October 22, 1991; and Resolution No. 19,608, adopted by the City Council on September 14, 1999, are hereby rescinded.

**Section 2.** That by adopting this Resolution, the City Council of the City of Compton declares the City's intent and commitment to providing a work environment that is free from unlawful discrimination, harassment (including sexual harassment) and retaliation.

**Section 3.** That the City Manager is hereby instructed to revise and update the City's Discrimination and Harassment Policy, contained within the City of Compton's Standard Operating Manual, so as to include provisions that make it clear that all forms of unlawful discrimination, harassment (including sexual harassment) and retaliation are strictly prohibited and provide an efficient means for reporting and resolving complaints of unlawful discrimination and/or harassment.

**Section 4.** That a copy of this Resolution shall be forwarded to the offices of each department of the City.

**Section 5.** That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**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, do hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2012.

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

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

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

## *City of Compton*

|                                                                      |                                  |                         |                     |
|----------------------------------------------------------------------|----------------------------------|-------------------------|---------------------|
| <b>STANDARD OPERATING MANUAL</b>                                     | <b>EFFECTIVE:</b>                | <b>SECTION: 3</b>       | <b>POLICY: 3.13</b> |
| <b>SUBJECT:</b> Workplace Discrimination, Harassment and Retaliation | <b>SUPERSEDES:</b> April 1, 1997 | <b>TITLE:</b> Personnel | <b>PAGE 1 OF 9</b>  |

### **I. PURPOSE**

The purpose of this Policy is to provide a work environment that is free from unlawful discrimination, harassment (including sexual harassment) and retaliation. This Policy is to define and forbid discriminatory and/or harassing conduct, to prohibit the condoning or perpetuating of such conduct and to provide an efficient means for reporting and resolving complaints of discrimination and/or harassment. The City encourages all covered individuals to report – as soon as possible – any conduct that is believed to violate this Policy.

State and federal law expressly prohibit discrimination and/or harassment of employees or applicants based upon race, religion, creed, color, national origin, ancestry, citizenship, physical or mental disability, legally protected medical condition, veteran status, sexual orientation, gender identity, marital status, family care status, sex (including pregnancy, childbirth and related medical conditions), age (40 and over) and any other basis protected by law.

Discrimination and/or harassment are misconduct that can decrease work productivity, decrease morale and cause emotional and physical damage. Incidents of discrimination and/or harassment can result in serious economic implications such as high turnover, ineffective use of time during working hours, costly salaries paid for nonproductive work hours, and employee absences due to hearings and meetings related to discrimination and/or harassment complaints.

### **II. POLICY**

It is the policy of the City, in accordance with Resolution No. \_\_\_\_\_, adopted by the City Council on \_\_\_\_\_, 2012, to maintain a strict policy prohibiting unlawful discrimination, harassment (including sexual harassment) and retaliation.

The City's policy strictly prohibits unlawful discrimination and harassment on the basis of race, religion, creed, color, national origin, ancestry, citizenship, physical or mental disability, legally protected medical condition, veteran status, sexual orientation, gender identity, marital status, family care status, sex (including pregnancy, childbirth and related medical conditions), age (40 and over) and any other basis protected by law. When necessary, the City also makes reasonable accommodation for disabled employees and for pregnant employees who request an accommodation with the advice of their

## *City of Compton*

|                                                                      |                                  |                         |                     |
|----------------------------------------------------------------------|----------------------------------|-------------------------|---------------------|
| <b>STANDARD OPERATING MANUAL</b>                                     | <b>EFFECTIVE:</b>                | <b>SECTION: 3</b>       | <b>POLICY: 3.13</b> |
| <b>SUBJECT:</b> Workplace Discrimination, Harassment and Retaliation | <b>SUPERSEDES:</b> April 1, 1997 | <b>TITLE:</b> Personnel | <b>PAGE 2 OF 9</b>  |

health care providers for pregnancy, childbirth and related medical conditions. The City considers discrimination and/or harassment a serious offense and is firmly committed to the philosophy that every employee has the right to work in an environment free from discriminatory intimidation, ridicule and insult and to be treated with courtesy, dignity and respect. Every employee is expected to adhere to a standard of conduct that is respectful to all persons within the work environment.

In keeping with this commitment, the City maintains and follows a strict policy prohibiting unlawful discrimination and harassment, in any form, including verbal, physical and visual harassment, coercion, and/or reprisal. This policy applies to all employees, vendors and agents. The City does not tolerate sexual or other unlawful harassment of employees at the work place or in any work-related situation by anyone. The City also prohibits unlawful discrimination and harassment of non-employees by employees in connection with any administration, enforcement, business, service or professional relationship with the City. If, after a prompt and thorough investigation, it is determined that an employee has engaged in discrimination and/or sexual or other harassment, that employee will be subject to appropriate sanction or disciplinary action up to and including termination. The City will also seek to protect employees from harassment by non-employees in the work place or in work-related situations.

Any retaliation against a person for filing a complaint or participating in the complaint resolution process is prohibited. Individuals found to be retaliating in violation of this Policy will be subject to appropriate sanction or disciplinary action up to and including termination.

### **III. DEFINITIONS AND PROHIBITED CONDUCT**

The City's Discrimination, Harassment and Retaliation Policy prohibit the following types of conduct:

A. Protected Classifications. This Policy prohibits harassment or discrimination because of an individual's protected classification. "Protected Classification" includes race, religion, creed, color, national origin, ancestry, citizenship, physical or mental disability, legally protected medical condition, veteran status, sexual orientation, gender identity, marital status, family care status, sex (including pregnancy, childbirth and related medical conditions), age (40 and over) and any other basis protected by law.

***CITY OF COMPTON***

|                                                                      |                                  |                         |                     |
|----------------------------------------------------------------------|----------------------------------|-------------------------|---------------------|
| <b>STANDARD OPERATING MANUAL</b>                                     | <b>EFFECTIVE:</b>                | <b>SECTION: 3</b>       | <b>POLICY: 3.13</b> |
| <b>SUBJECT:</b> Workplace Discrimination, Harassment and Retaliation | <b>SUPERSEDES:</b> April 1, 1997 | <b>TITLE:</b> Personnel | <b>PAGE 3 OF 9</b>  |

B. Discrimination. Discrimination is any action or conduct by which an employee is treated differently or less favorably than other employees similarly situated to him or her for the sole reason that he or she is a member of a legally protected classification.

C. Harassment. Unlawful harassment may include any verbal or physical conduct based on an employee's membership in a protected classification that is sufficiently severe or pervasive so as to affect an employee's work performance negatively and/or alter the conditions of employment and create an intimidating, hostile or otherwise offensive working environment.

D. Sexual Harassment. Sexual harassment is defined as follows: Any action that constitutes an unwelcome sexual advance or request for sexual favors, or any verbal or physical conduct of a sexual nature that is (i) related to or conditional to the receipt of employee benefits, including, but not limited to, hiring and advancement, (ii) related to or forms the basis for employment decisions affecting the employee, or (iii) sufficiently severe or pervasive so as to affect an employee's work performance negatively and/or alter the conditions of employment and create an intimidating, hostile or otherwise offensive working environment. Sexual harassment can involve people of either the same or opposite sex.

Examples of the type of conduct that can constitute unlawful harassment or sexual harassment include, but are not limited to, the following:

1. Verbal harassment - For example: epithets, derogatory comments or slurs, jokes, graphic commentaries about an individual's body or other suggestive comments made on the basis of a legally protected classification.

2. Physical harassment - For example: assault, impeding or blocking movement, interference with normal work movement, massages, sitting on laps, or unwanted touching of any type based upon a legally protected classification.

3. Visual forms of harassment - For example: leering, making derogatory gestures, derogatory posters, notices, bulletins, cartoons, drawings, e-mails, faxes or other depictions based upon a legally protected classification.

## *City of Compton*

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4. Sexual conduct - For example: unwelcome sexual advances, requests for sexual favors, propositions, and other verbal or physical conduct of a sexual nature which is made a condition of an employment benefit or unreasonably interferes with an individual's work performance and creates an offensive work environment.

5. Retaliation - Taking any adverse employment action against any applicant, employee, vendor or agent for having reported or threatened to report unlawful discrimination or harassment, or has participated in the complaint and investigation process described herein. The following individuals are protected from retaliation: those who make good faith reports of harassment or discrimination, and those who associate with an individual who is involved in reporting harassment or discrimination or who participate in the complaint or investigation process.

If you have questions regarding these definitions of discrimination, harassment (including sexual harassment) or retaliation, if you are uncertain what constitutes discrimination, harassment (including sexual harassment) or retaliation, if you are uncertain as to what constitutes prohibited conduct under the City's Policy, contact your supervisor, the Human Resources Director, the City Manager or other management official.

#### **IV. REPORTING DISCRIMINATION OR HARASSMENT**

If you believe any comments, gestures or actions of a co-worker, supervisor, vendor or agent to be discriminatory, harassing or offensive, you should immediately communicate, in a direct and candid manner, to that person that such behavior is unwelcome. However, failure to do so does not prevent you from filing a complaint nor does it in any way exonerate the discriminating party or harasser. If the behavior continues, follow this Policy and procedures for reporting the discrimination or harassment.

City management is readily available and receptive to complaints of discrimination, sexual or other unlawful harassment. If you feel that you are being discriminated against or harassed by another employee, by a vendor, by an agent or otherwise, you should immediately report the facts of the incident or incidents and the name(s) of the individual(s) involved to your immediate supervisor. If you do not feel that the matter can be discussed with your immediate supervisor, you should contact the Human Resources Director and arrange for a meeting to discuss your complaint. If you do not feel that the matter can be discussed with the Human Resources Director, you should

## *City of Compton*

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contact the City Manager and arrange for a meeting to discuss your complaint. Employees are never required to complain to a supervisor or manager if that person is the person who is harassing the employee. Instead, the complaint may be made to any other supervisor or manager.

Supervisors or managers who receive complaints or who observe or are aware of conduct violating this Policy are required to inform the Human Resources Director without delay. If the Human Resources Director is alleged to be involved in the discrimination or harassment, the supervisor or manager is required to make the report to the City Manager without delay.

It is recommended that complaints be made no later than 15 working days after the incident. In addition, a written and signed statement of the complaint should be submitted to your supervisor, the Human Resources Director or the City Manager within 10 days of the initial report. Employees in need of assistance in filing the complaint will be provided help by the Human Resources Office, or other designated personnel, as appropriate.

Complaints should include the following information:

- A. The employee's name, department and position title.
- B. The name of the person or persons committing the harassment, including their title(s) if known.
- C. The specific nature of the harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the victim as a result of the harassment (if applicable), or any other threats made against the victim as a result of the harassment.
- D. Witnesses to the harassment.
- E. Whether the victim previously has reported such harassment and, if so, when and to whom.

Your notification to the City is essential. You may be assured that you will not be penalized in any way for reporting discrimination, sexual harassment or other harassment

## *City of Compton*

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problems. This would be considered retaliation and it is unlawful for an employer to retaliate against employees who oppose practices prohibited by state and federal law, file complaints, or otherwise participate in an investigation, proceeding or hearing conducted by the Department of Fair Employment and Housing or the Equal Employment Opportunity Commission. Similarly, the City will not tolerate any employees who interfere with its own internal investigations and its own internal complaint procedure.

Employees are reminded that the City protects employees from sexual or other harassment by non-employees (e.g. vendors, agents). Any employee who is the victim of any harassment by a non-employee or observes this conduct toward another City employee should report such harassment to his or her immediate supervisor, and appropriate action will be taken. Likewise, employees who observe or are advised about the sexual or other harassment of another employee are encouraged to follow these reporting procedures.

The City cannot resolve discrimination or a sexual or other harassment problem unless it knows about it. Therefore, it is your responsibility to bring those kinds of problems to the attention of the City so that the necessary steps can be taken to correct the problem, and we encourage you to do so.

### **V. THE CITY'S RESPONSE TO COMPLAINTS OF DISCRIMINATION, HARASSMENT OR RETALIATION**

All complaints of discrimination, harassment or retaliation that are reported to management will be investigated immediately, thoroughly, objectively, completely and as confidentially as possible. The City, as part of its investigation, will make every attempt to interview all individuals with information relative to the complaint. The Human Resources Director is responsible for assuring the completion of a timely investigation consistent with this policy, but may delegate some or all of the activity to others. If the Human Resources Director is alleged to be involved in the discrimination or harassment, the City Manager will be responsible.

Any investigation related to a complaint under this Policy will be conducted with as much confidentiality as possible and with respect for the rights of all individuals involved and consistent with a full, fair and proper investigation. Information related to the investigation will be provided on a "need to know" basis only.

*City of Compton*

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The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of harassment, and to protect the reputation of any employee wrongfully charged with harassment.

It is important for the complaining party and the alleged harasser to understand that, except as otherwise provided by law, it is a violation of this Policy to discuss any investigation with other employees or to conduct your own investigation at anytime. Employees who have any information to assist the City are to contact the person conducting the investigation. Failure to follow this Policy may subject employees to discipline, as the confidential nature of the complaint and the investigation is vital in protecting the privacy rights of all parties involved.

The City will make its determination and communicate that determination to the complaining employee and to the alleged harasser. These employees are not entitled to copies of any notes or other written materials regarding the investigation, as the City considers these confidential documents. If it is determined that the alleged harasser has violated City policies, appropriate corrective action will be taken in accordance with established City disciplinary procedures, up to and including discharge. Furthermore, as part of the City's attempt to remedy the complaining employee's concerns, the City shall take reasonable steps to protect the complainant from further discrimination, harassment or retaliation.

Complaints regarding elected officials or officials appointed by the City Council will be referred to the City Manager for investigation and the findings will be reported to the City Council for, where appropriate, remedial action or censure, as permitted by law.

Employees have the option to report harassment, discrimination or retaliation to the U. S. Equal Employment Opportunity Commission ("EEOC") or the California Department of Fair Employment and Housing ("DFEH"). These administrative agencies offer legal remedies and a complaint process. The nearest offices are listed in the government section of the telephone book or employees can check the posters that are located on the City's bulletin boards for office locations and telephone numbers.

While the City vigorously defends its employees' right to work in an environment free of discrimination, retaliation, sexual or other harassment, it also recognizes that false accusations of discrimination, retaliation, sexual or other harassment can have serious consequences. Accordingly, any employee who is found, through the City's

## *City of Compton*

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investigation, to have deliberately and falsely accused another person of discrimination, retaliation, sexual or other harassment will be subject to appropriate sanction or disciplinary action up to and including discharge.

### **VI. REFERENCES:**

#### **EEOC Contact Information:**

By Mail: U.S. Equal Employment Opportunity Commission  
Post Office Box 7033  
Lawrence, Kansas 66044

By Telephone: 1-800-669-4000

By Email: [info@ask.eeoc.gov](mailto:info@ask.eeoc.gov)

EEOC Headquarters is located at:

U.S. Equal Employment Opportunity Commission  
1801 L Street, N.W.  
Washington, D.C. 20507  
Phone: (202) 663-4900  
TTY: (202) 663-4494

#### **DFEH Contact Information**

Employment/Public Accommodations: 1-800-84-1684

Housing: 1-800-223-3212 (Within California)  
1-510-622-2946 (Outside California)

Hate Violence: 1-800-884-1684

*City of Compton*

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**EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF  
WORKPLACE DISCRIMINATION AND HARASSMENT POLICY**

This will acknowledge that I have received my copy of the City of Compton's **Workplace Discrimination, Harassment and Retaliation Policy ("Policy")** and that I have read the Policy and understand my rights and obligations under the Policy. I understand that if I have any questions, I can ask my supervisor or the Human Resources Director.

I understand that this Policy represents only current policies, procedures, rights and obligations and does not create a contract of employment. Regardless of what the Policy states or provides, the City retains the right to add, change or delete provisions of the Policy and all other working terms and conditions within limitations provided by law.

My signature below further signifies that I have read this Policy and that I accept and will abide by all of its provisions.

**PRINT FULL NAME:**

\_\_\_\_\_  
**EMPLOYEE DEPARTMENT AND JOB TITLE:**

\_\_\_\_\_  
**SIGNED:**

\_\_\_\_\_  
**DATED:**

\_\_\_\_\_  
**[RETAIN IN EMPLOYEE PERSONNEL FILE]**



RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVISING THE CITY’S POLICY PROHIBITING UNLAWFUL DISCRIMINATION, HARASSMENT (INCLUDING SEXUAL HARASSMENT) AND RETALIATION AND RESCINDING RESOLUTION NOS. 15,582, 16,709 AND 19,608

Ruth Rugley  
DEPARTMENT MANAGER’S SIGNATURE

1/17/2012 6:44:09 PM  
DATE

REVIEW / APPROVAL

Ruth Rugley  
CITY ATTORNEY

1/19/2012 4:57:50 PM  
DATE

Stephen Ajobiewe  
CITY CONTROLLER

1/19/2012 5:27:02 PM  
DATE

P. Lamont Ewell  
CITY MANAGER

1/19/2012 4:06:37 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.                                                                                                             |



February 14, 2012

**TO: MAYOR AND CITY COUNCIL MEMBERS**

**FROM: JOHN D. STRICKLAND JR., (INTERIM) DIRECTOR  
PUBLIC WORKS DEPARTMENT**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
COMPTON RESCINDING RESOLUTION NO. 23,328 WITH B.L. HAYES,  
INC. TO DEMOLISH THE MARTIN LUTHER KING, JR. AND CESAR  
CHAVEZ MONUMENT ON THE NORTHEAST CORNER OF  
COMPTON BOULEVARD AND WILLOWBROOK AVENUE**

### **SUMMARY**

City Council has instructed staff to halt the planned demolition of the Martin Luther King Jr. and Cesar Chavez Monument and rescind the prior resolution that authorized the same.

### **BACKGROUND**

On March 31, 2001, the City of Compton dedicated the Renaissance Monument in honor of Martin Luther King Jr. and Cesar Chavez as well as honoring a selected group of community leaders that have made a valuable contribution to the Compton community.

After 11 years, the monument has become a blighted structure that has been very costly to maintain and repair, therefore on May 24, 2011, the City authorized the City Manager to enter into an agreement with B.L. Hayes for the demolition of the site for \$20,000. The contract was never executed and funds were never allocated in the 2011-2012 Public Works Department budget.

### **STATEMENT OF ISSUE**

On February 24, 2012, Public Works staff provided the City Council with a status report on the demolition of the monument. Staff indicated that the demolition had never started. City Council therefore directed staff to halt the project and take the necessary steps to rescind the resolution.

In order for the City to rescind Resolution No. 23,328, which previously authorized B.L. Hayes to demolish the monument, City Council's authorization is necessary.

### **FINANCIAL IMPACT**

No fiscal impact. Funds were not allocated in this fiscal year's budget.

### **ALTERNATIVES**

The City could move forward with the demotion of the monument or not take any action at this time.

# #13.

Rescind B.L. Hayes Demolition Resolution No. 23,328

February 14, 2012

Page Two

## **RECOMMENDATION**

Staff recommends the adoption of the attached resolution.

**JOHN D. STRICKLAND, JR., (INTERIM) DIRECTOR  
PUBLIC WORKS DEPARTMENT**

**APPROVED FOR FORWARDING:**

**BRYAN BATISTE  
CITY MANAGER**

BB/JS

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON  
RESCINDING RESOLUTION NO. 23,328 WITH B.L. HAYES, INC TO DEMOLISH  
THE MARTIN LUTHER KING, JR. AND CESAR CHAVEZ MONUMENT ON THE  
NORTHEAST CORNER OF COMPTON BOULEVARD AND WILLOWBROOK  
AVENUE**

**WHEREAS**, on March 31, 2001, the City of Compton dedicated the Renaissance Monument in honor of Martin Luther King Jr. and Cesar Chavez as well as honoring a selected group of ministers that have made a valuable contribution to the Compton community; and

**WHEREAS**, during the past decade, this monument has become a blighted structure that has been very costly to maintain and repair; and

**WHEREAS**, on May 23, 2011, the City Council authorized the City Manager to enter into an agreement with B.L. Hayes for the demotion of the monument for \$20,000; and

**WHEREAS**, the contract was never executed and funds never allocated in the 2011-2012 Public Works Department budget; and

**WHEREAS**, on February 24, 2012, Public Works staff provided the City Council with a status report on the demolition of the monument;

**WHEREAS**, the City Council directed staff to halt the demolition of the project and rescind the resolution with B.L. Hayes.

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

**SECTION 1.** That Resolution No. 23,328, adopted by the City Council on May 24, 2011, authorizing the City Manager to enter into a contract with B. L. Hayes to demolish the monument at the northeast corner of Compton Boulevard and Willowbrook Avenue is hereby rescinded.

**SECTION 2.** That copies of this resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, and the Public Works Department.

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

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
**MAYOR OF THE CITY OF COMPTON**

#13.

RESOLUTION NO. \_\_\_\_\_  
PAGE 2

ATTEST:

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

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk, at a regular meeting thereof, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

That said resolution 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:

Public Works-Engineering

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RESCINDING RESOLUTION NO. 23,328 WITH B.L. HAYES, INC. TO DEMOLISH THE MARTIN LUTHER KING, JR. AND CESAR CHAVEZ MONUMENT ON THE NORTHEAST CORNER OF COMPTON BOULEVARD AND WILLOWBROOK AVENUE

*John Strickland*

DEPARTMENT MANAGER’S SIGNATURE

2/1/2012 7:52:26 AM

DATE

REVIEW / APPROVAL

*Ruth Rugley*

CITY ATTORNEY

2/2/2012 11:10:02 AM

DATE

*Stephen Ajobiewe*

CITY CONTROLLER

2/2/2012 7:46:25 AM

DATE

*Bryan Batiste*

CITY MANAGER

2/2/2012 7:18:27 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.                                                                                                             |

