

NOTICE

COMPTON CITY COUNCIL AGENDA Tuesday, March 20, 2012 5:45 PM

HEARING(S)

**5:50 P.M. - PUBLIC HEARING - TO RECEIVE COMMENTS ON THE
PROPOSED SUBSTANTIAL AMENDMENT FOR THE CITY OF COMPTON
(Item 13)**

**5:55 P.M. - JOINT PUBLIC HEARING - FOR THE PUBLIC HOUSING
AGENCIES (PHA) 2012 ANNUAL PLAN (Item 14)**

OPENING

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. **Certificate Recognition - B.J. Douglas** - Outstanding Community Service
(Councilperson Arceneaux)
2. **Certificate of Recognition - Dimple Coats, Electa Lawson Williams,
Felicia Marie Haynes, Patsy E. Bowie Childers** (Women's History Month) -
Commission for Women, Mayor and City Council
3. **Oral Presentation - Carlos Blevid**, Planet Aid Post - Yellow Donations Bins

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

4. March 6, 2012

REPORTS OF OFFICERS AND COMMISSIONS

HUMAN RESOURCES

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ADJUST FRINGE BENEFITS FOR EMPLOYEES IN THE UNREPRESENTED CLASSIFICATIONS

APPROVAL OF WARRANTS

6. Warrant #207281 - Date - 3/13/12 - Name - Southern Counties Oil - Services - Unleaded and Diesel Fuel - Amount - \$20,851.68 - Requested by: Public Works

Warrant #207282 - Date - 3/13/12 - Name - Staples Advantage - Services - Supplies for Grants Division - Amount - \$1,607.60 - Requested by: Grants Division

Total Amount - \$22,459.28

END CONSENT AGENDA

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

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

APPOINTMENT - LOAN REVIEW BOARD - THEODORE AUSTIN, Bank of the West

MAYOR'S APPOINTMENTS (2) TO THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON'S OVERSIGHT BOARD
Pursuant to California Health and Safety Section 34179

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

REMOVAL OF LOAN REVIEW BOARD COMMISSIONER - Jackie Banks, Wells Fargo

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

9. CLAIMS AGAINST CITY:

Darlene Covill v. City of Compton - I-8478/LI0000166A
(Application for leave to present a late claim)

UNFINISHED BUSINESS

10. 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 (SECOND READING)

NEW BUSINESS

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONTRACT WITH MELAD AND ASSOCIATES TO INCREASE THE CONTRACT AMOUNT AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES, TRANSFER FUNDS BETWEEN ACCOUNTS AND RESCIND RESOLUTION NO. 23,479
12. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TAKING CERTAIN ACTIONS IN CONNECTION WITH A PROPOSED AMENDMENT TO A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON AND COMPTON SENIOR APARTMENTS, L.P
13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF SUBSTANTIAL AMENDMENTS TO THE CITY OF COMPTON'S FISCAL YEARS 2009-10, 2010-11 AND 2011-12 ANNUAL ACTION PLANS OF THE CONSOLIDATED PLANS
14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING SUBMISSION OF THE PUBLIC HOUSING AUTHORITY (PHA) ANNUAL PLAN (2012-2013)

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, March 27, 2012 @ 5:45 PM.

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

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

MARCH 6, 2012

The City Council meeting was called to order at 6:03 p.m. in the Council Chambers of City Hall by Mayor Eric Perrodin.

ROLL CALL

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

Council Members Absent: None

Other Officials Present: C. Cornwell, A. Godwin, B. Batiste

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. Certificate of Appreciation - William "Bill" Bailey - Tuskegee Airman (**Not in attendance**)

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Bernard Peyton, Chairperson and CEO of the California Center for Economic Initiative (CCEI), petitioned the support of the City Council for a vocational service program designed to educate and train at-risk youth, veterans and other unemployed and under-employed individuals.

Nelija Harewood-Peyton, representative of CCEI, gave an account of the inner city youth boating association and their partnership with the United States Power Squadrons. Ms. Peyton assured the City Council that they were not there for money, but to illicit their support.

Maria Villareal, Compton resident and President of the Latino Chamber of Commerce, announced that the Latino Chamber would be presenting a new program to address the practicality of small businesses in the City of Compton. She noted that workshops would also be held to educate restaurant business owners on the (Fat Oil & Grease) F.O.G. program and the necessity of the grease traps.

Herbert Arceneaux, Compton resident, requested the community's support in locating and recognizing the oldest living residents in the City of Compton.

Velera Dudley, Compton resident, petitioned the City Council to address the parking issues involving the Campfire Site and the loud noise on Raymond Street.

Councilperson Arceneaux indicated that she would get the details of the Campfire site event and questioned why the parking permit was not enforced. Ms. Arceneaux cited that there is a loud noise ordinance and assured Ms. Dudley that she would talk with her personally concerning the details of the loud noise over the weekend.

Pastor William German, Optimal Christian Academy, thanked the Mayor and City Council for the 4-way stop sign at Poinsettia and Palmer Street. Pastor German introduced Eriko Oguro and Ruby McDowell to the Compton Community.

Eriko Oguro, Christian missionary, thanked the City of Compton for supporting Japan after the tsunami.

Ruby McDowell, representative of the Pastor's Bible Fellowship Women's Ministry, invited the residents to participate in their annual conference held to discuss the impacts of Christian mothers and their children. The event will be held at the Carson Community Center on March 24, 2012. The keynote speaker will be former BET host and author of First Class Singles, Cheryl Martin. For additional information please go to www.pbfwomensministry.com.

Lorraine Cervantes, Compton resident, asked the City Council to publicly take a position in favor of the City Charter amendment to vote by district. Ms. Cervantes also asked that the council acknowledge and officially determine that there are 100,000 residents in the City of Compton.

#4.

Craig Cornwell, City Attorney, recognized his mother, Maple J. Cornwell for 46 years of dedicated service to the Compton Unified School District.

Phillip May, representative of Compton High School, thanked the City of Compton for supporting the Solar Cup program at Compton High School. Mr. May also mentioned the many accomplishments of the Compton Panthers semi-professional football team.

Rushelli Luna, representative of the Tar Tar Marketplace, invited the City Council to participate in their meetings held to address the issues surrounding El Camino Community College Compton Center.

Javier Rodriguez, representative of the Tar Tar Marketplace” encouraged the City Council to support the "Tar Tar Marketplace" organization which was organized to keep the residents informed about the issues taking place at the El Camino Community College Compton Center.

Joyce Kelly, Compton resident, referenced a statement from Councilperson Dobson and cited that the City Council is paid to work, or make sure that all work is performed in the City. Ms. Kelly mentioned the announcement from last week’s council meeting regarding who was at fault for the sewage spill and suggested that someone contact the newspaper to ensure that the allegations against Compton are publicly recanted. Ms. Kelly also asked that someone be on the lookout for residents and employees receiving kickbacks for unlawfully authorizing business licenses and permits.

Pastor Bryan L. Smith, Senior pastor of Curry Temple C.M.E. Church cordially invited the City Council to participate in the first of many “City-wide Prayer Vigils” at Curry Temple C.M.E. Church on Saturday April 7, 2012.

Lynn Boone, Compton resident, addressed the closed session items and suggested that there would be numerous ex-employees suing the City. Ms. Boone acknowledged the disposition and character of Mr. Batiste; however she contested his ability to permanently fulfill the requirements of a City Manager. She also stated that it was ridiculous to suggest the restoration of pocket parks when they are meant to be temporary.

CONSENT AGENDA

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

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

APPROVAL OF MINUTES

2. February 14, 2012
February 17, 2012
February 21, 2012

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

3. REQUEST THE USE OF AND WAIVER OF FEES FOR THE NEIGHBORHOOD CENTER FOR POLL WORKER TRAINING FOR THE UPCOMING JUNE 5, 2012 PRIMARY ELECTION (**May 12 and 25, 2012**)

APPROVAL OF WARRANTS

4. Warrant #207056 - Clean Street - Oil Spill Clean Up - \$455.00 - Requested by: Public Works

Warrant #207057 - Clean Street - Street Sweeping (January) - \$35,000.00 - Requested by: Public Works

Total Amount - \$35,455.00

END CONSENT AGENDA**REGULAR AGENDA****CITY MANAGER'S REPORT**

5. REQUEST TO SCHEDULE A JOINT PUBLIC HEARING FOR THE PUBLIC HOUSING AGENCIES (PHA) 2012 ANNUAL PLAN

On motion by Arceneaux, seconded by Zurita, the joint public hearing was scheduled for March 20, 2012 at 5:55 p.m., by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - None

CITY ATTORNEY'S REPORTS

6. CLAIM AGAINST THE CITY:
Gloria Cortez v. City of Compton - I-8479/LI0000167A

On motion by Arceneaux, seconded by Jones, the above claim was denied, by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - None

CLOSED SESSION

7. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Moore v. City of Compton, et al. LASC No. BC465651
Pursuant to California Government Code Section 54956.9(a)
8. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
One (1) Potential Case
Pursuant to California Government Code Section 54956.9(b) **(REAGENDAD)**
9. PUBLIC APPOINTMENT
Title: City Manager
Pursuant to California Government Code Section 54957

On motion by Arceneaux, seconded by Jones, the closed sessions were approved, by the following vote on roll call:

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

NOES: Council Members - None

ABSENT: Council Members - None

#4.

UNFINISHED BUSINESS

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS FISCAL YEAR 2011-2012 ANNUAL BUDGET AND TRANSFERRING FUNDS BETWEEN ACCOUNTS TO PAY THE PUBLIC WORKS CITY YARD DUMPING FEES OWED TO THE COMPTON MUNICIPAL WATER DEPARTMENT

Councilperson Dobson asked that someone explain how the Water Department encumbered funds from the Public Works Department.

Bryan Batiste, City Manager, reported that it is a common occurrence for both departments to utilize or dispose of material at the City Yard; however the Water Department disposes of material regularly. The Water Department is reimbursed from the Public Works Department for the items that they paid for in the City Yard that were removed on their behalf.

Mayor Perrodin inquired about the balance in the account and why \$400,000 was being allocated from the Lighting and Landscaping Fund.

John Strickland, Public Works Department, assured the Mayor that there were enough funds to cover the costs incurred by Public Works to the Water Department.

Stephen Ajobiewe, City Controller, confirmed that there was \$3.4 million in the Lighting and Landscape Fund.

Mayor Perrodin requested the total cost of the lighting and landscaping project. Mr. Strickland indicated the cost of the project by allocation:

Lighting and landscape - \$900,000
Salaries - \$376,692
Overtime - \$50,000
Workers compensation \$47,699
Health Insurance - \$96,355 health insurance
Stand-by - \$1,300
PERS - \$81,166 PERS
General insurance - \$10,597
Office supplies - \$10,000,
Automotive equipment - \$380,472
Maintenance and repair - \$164,189
Landscaping - \$60,000
Other contract services \$487,848
Contingency Fund \$443,935
Debt Services - \$108,000

Mayor Perrodin asked the City Attorney if it was common for cities to utilize over half of their lighting and landscape budgets to pay for salaries.

Craig Cornwell, City Attorney, replied affirmatively.

Mayor Perrodin requested a report determining how the City of Compton compares to other cities, in regards to the percentage paid directly for lighting and landscaping, as opposed to salaries and benefits in connection therewith.

On motion by Arceneaux, seconded by Jones, **Resolution # 23,499** entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE PUBLIC WORKS FISCAL YEAR 2011-2012 ANNUAL BUDGET AND TRANSFERRING FUNDS BETWEEN ACCOUNTS TO PAY THE PUBLIC WORKS CITY YARD DUMPING FEES OWED TO THE COMPTON MUNICIPAL WATER DEPARTMENT" was approved, by the following vote on roll call:

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

NEW BUSINESS

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE QUOTE AND ISSUE A PURCHASE ORDER TO TECH DEPOT FOR THE PURCHASE OF TWO NEW SERVERS FOR THE UTILITY BILLING SYSTEM AND TRANSFER FUNDS BETWEEN ACCOUNTS

On motion by Arceneaux, seconded by Jones, **Resolution # 23,500** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE QUOTE AND ISSUE A PURCHASE ORDER TO TECH DEPOT FOR THE PURCHASE OF TWO NEW SERVERS FOR THE UTILITY BILLING SYSTEM AND TRANSFER FUNDS BETWEEN ACCOUNTS**" was approved, by the following vote on roll call:

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

12. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2012 FOR THE SUBMISSION OF PROPOSED CHARTER AMENDMENT TO THE VOTERS OF THE CITY OF COMPTON AND REQUESTING THAT THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY CONSOLIDATE THE SPECIAL ELECTION WITH THE STATEWIDE PRIMARY ELECTION CONDUCTED BY THE COUNTY OF LOS ANGELES ON THAT SAME DATE

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

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

On motion by Arceneaux, seconded by Jones, **Ordinance # 2,228** entitled "**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 5, 2012 FOR THE SUBMISSION OF PROPOSED CHARTER AMENDMENT TO THE VOTERS OF THE CITY OF COMPTON AND REQUESTING THAT THE BOARD OF SUPERVISORS OF LOS ANGELES COUNTY CONSOLIDATE THE SPECIAL ELECTION WITH THE STATEWIDE PRIMARY ELECTION CONDUCTED BY THE COUNTY OF LOS ANGELES ON THAT SAME DATE**" was adopted, by the following vote on roll call:

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

COUNCIL COMMENTS

Councilperson Zurita notified the residents receiving Park Water that they would not be participants in the water rate freeze.

Councilperson Zurita announced the following services and activities offered by the Dollarhide Neighborhood Center: Dial-A-Ride, social clubs, enrichment classes, nutritional information, Braille and employment opportunities. The center is open from 8 a.m. to 5 p.m. Monday through Friday. Seniors are asked to call (310) 605-5688 for additional information.

#4.

Councilperson Zurita also suggested a contest be held to consider a new slogan for the City of Compton.

Councilperson Arceneaux stated that she had the opportunity to attend a Compton Creek Mosquito Abatement Conference in Austin Texas regarding HR872. Ms. Arceneaux discussed the United States' involvement in mosquito abatement in other countries and their dependence on those funds. She also mentioned that funds were set aside to conduct mosquito abatement youth education programs and cited that she would bring back additional information regarding the program participation dates.

Councilperson Dobson encouraged the residents to participate in the City of Compton/Compton Initiative Clean-Up event scheduled for April 21, 2012

Councilperson Dobson announced the free income tax preparation program for senior citizens sponsored by AARP. Residents are asked to schedule an appointment by calling the Dollarhide Neighborhood Center at (310) 605-5688.

Councilperson Dobson notified the residents that the Los Angeles Regional Food Bank Commodity Supplemental Food Program is currently providing free food kits to senior citizens. For additional information please call (323) 234-3030.

Councilperson Dobson encouraged the residents to attend the Commission on Aging meeting to be held on Thursday, March 8, 2012 at the Dollarhide Center from 1:30 p.m. to 3 p.m.

Councilperson Dobson requested that the meeting be adjourned in the memory of Prentice Tyson, the father in law of William Lewis in the Public Works Department.

Councilperson Jones invited the community to participate in the luncheon held to honor Councilperson Arceneaux at the Los Angeles Harbor Masonic Lodge in San Pedro, California. For additional information regarding this event please call (310) 505-3532.

Councilperson Jones also noted that community activist Lorraine Cervantes would be honored at a luncheon on Thursday, March 15, 2012 from 10 a.m. to 12 p.m. Attendees are asked to call (310) 605-5511 to R.S.V.P for this event.

Mayor Perrodin commended Compton native Lorenzo Romar for being voted as the PAC 12 Coach of the Year.

Mayor Perrodin articulated his support for the district-only voting initiative and encouraged the residents to vote in favor, as well.

CLOSED SESSION

The meeting was recessed to closed session at 7:20 p.m. and reconvened at 8:40 p.m.

ROLL CALL

Council Members Present: Zurita, Dobson, Arceneaux, Jones, Perrodin
Council Members Absent: None

REPORT OUT OF CLOSED SESSION

Craig Cornwell, City Attorney, reported out that all members of the City Council were present to consider the closed session item regarding conference with legal counsel-existing litigation; Moore v. City of Compton, et al. LASC No. BC465651 pursuant to California Government Code Section 54956.9(a). No reportable action was taken on this matter.

2) As it relates to the Public Appointment Title: City Manager pursuant to California Government Code Section 54597. No reportable action was taken on this matter.

ADJOURNMENT

On motion by Jones, seconded by Arceneaux, the meeting was adjourned at 8:41 p.m. in the memory of **Prentice Tyson**, by the following vote on roll call:

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

City Clerk of the City of Compton

Mayor of the City of Compton

March 20, 2012

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: SHERI EATON, ACTING HUMAN RESOURCES DIRECTOR

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE CITY MANAGER TO ADJUST
FRINGE BENEFITS FOR EMPLOYEES IN THE
UNREPRESENTED CLASSIFICATIONS

SUMMARY

The City Council will consider a resolution to adjust fringe benefits for employees in the unrepresented classifications.

BACKGROUND

Due to the financial position of the City, on October 18, 2011, the City Council authorized the City Manager to begin negotiations with the City's five recognized bargaining units. The City Council also approved side letter agreements to the Memoranda of Agreement (MOA) with the recognized bargaining units that represent the majority of City employees.

The purpose of these negotiations was to seek cost sharing agreements to assist the City in closing current and future year budget gaps while minimizing the negative impact on the City's ability to deliver community service. On January 12, 2012, the Coalition and the representatives for the City of Compton reached tentative agreements subject to the approval of the City Council which become effective January 1, 2012.

STATEMENT OF THE ISSUE

Certain classifications are not represented by recognized bargaining units and are not impacted by the provisions of the MOA. Unrepresented employees must also participate in cost sharing to assist the City in closing current and future year budget gaps while minimizing the negative impact on the City's ability to deliver community service.

#5.

Unrepresented employees are subject to the same provisions as the recognized bargaining units which include, but are not limited to:

- Elimination of cell phone allowance
- Change in dental plan contribution
- Elimination of vision plan
- Implementation of non-paid furlough days
- Elimination of uniform allowance (Public Safety Employees)
- Elimination of Holiday Pay (Public Safety Employees)

Implementation of the above for unrepresented employees shall also be effective January 1, 2012. All other terms and conditions of Resolution #22,189, which establishes fringe benefits for unrepresented employees, and was adopted by City Council on December 19, 2006, shall remain in effect and unchanged.

ALTERNATIVE

If City Council does not adopt this resolution, the operational costs of the City will continue to increase, which is not favorable to the City at this time.

FINANCIAL IMPACT

The adoption of this resolution will support the City in its efforts toward closing current and future year budget gaps.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution to adjust fringe benefits for the unrepresented employees effective January 1, 2012.

SHERI D. EATON
ACTING HUMAN RESOURCES DIRECTOR

APPROVED FOR FORWARDING:

BRYAN K. BATISTE
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ADJUST FRINGE BENEFITS FOR EMPLOYEES IN THE UNREPRESENTED CLASSIFICATIONS

WHEREAS, due to the financial position of the City, on October 18, 2011, the City Council authorized the City Manager to begin negotiations with the City's five recognized bargaining units; and

WHEREAS, the City Council of the City of Compton has approved side letter agreements to the Memoranda of Agreement (MOA) with the recognized bargaining units that represent the majority of City employees; and

WHEREAS, the purpose of these negotiations was to seek cost sharing agreements to assist the City in closing current and future year budget gaps while minimizing the negative impact on the City's ability to deliver community service; and

WHEREAS, on January 12, 2012, the Coalition and the representatives for the City of Compton reached tentative agreements subject to the approval of the City Council; and

WHEREAS, certain classifications are not represented by recognized bargaining units and not impacted by the provisions of the MOA; and

WHEREAS, unrepresented employees must also participate in cost sharing to assist the City in closing current and future year budget gaps while minimizing the negative impact on the City's ability to deliver community service; and

WHEREAS, unrepresented employees are subject to the same provisions as the recognized bargaining units which includes, but is not limited to:

- Elimination of cell phone allowance
- Change in dental plan contribution
- Elimination of vision plan
- Implementation of 12 non-paid furlough days
- Elimination of uniform allowance (Public Safety Employees)
- Elimination of Holiday Pay (Public Safety Employees)

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

Section 1. That the classifications that are not represented by a recognized bargaining, including the miscellaneous, confidential, hourly and seasonal classifications noted in Exhibits A, B and C, which are attached hereto and incorporated herein by reference.

Section 2. That the City Council of the City of Compton does hereby approve the fringe benefits adjustments for unrepresented employees as outlined above.

Section 3. That the City Manager, upon the advice of the City Attorney, is hereby directed to execute and implement the provisions for unrepresented employees as outlined above.

Resolution No. _____
Page Two

Section 4. That all other terms and conditions of Resolution #22,189, adopted by City Council on December 19, 2006 shall remain effect and unchanged.

Section 5. That a certified copy of this Resolution shall be filed in the Offices of the City Clerk, City Manager, City Attorney, City Controller and Human Resources.

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, 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: COUNCIL MEMBERS–
NOES: COUNCIL MEMBERS–
ABSTAIN: COUNCIL MEMBERS–
ABSENT: COUNCIL MEMBERS–

CITY CLERK OF THE CITY OF COMPTON

#5.

EXHIBIT "A"

MISCELLANEOUS EMPLOYEES

CLASSIFICATION TITLES

- Accounts Payable Supervisor
- Administrative Clerk
- Administrative Clerk/City Clerk's Office
- Audio Engineer
- Chief of Survey Party
- Community Services Officer
- Crime Analyst
- Custodian Superintendent
- Emergency Medical Technician
- Engineering Project Manager (Public Works)
- Equipment Operator, Grade I/Parks and Recreation Dept.
- Fire Fighter Trainee
- Jailer
- Laboratory Assistant
- Matron
- Neighborhood Preservation Coordinator
- Police Captain
- Police Communications Supervisor
- Police Dispatcher I (formerly Communications Operator I)
- Police Dispatcher II (formerly Communications Operator II)
- Police Lieutenant
- Police Officer/Lateral Entry
- Police Records Technician
- Police Records Technician, Senior
- Police Records Technician, Supervising
- Police Recruit
- Police Sergeant
- Police Subpoena/Timekeeping Technician
- Property and Evidence Technician (formerly Property Officer)
- Rehabilitation Inspector, Senior
- Relocation Coordinator
- Reprographics Equipment Operator I
- Reprographics Equipment Operator II
- Reprographic Services Manager
- Special Services Aide
- Superintendent of Parks
- Systems Analyst
- Televillage Client Service Representative
- Televillage Facilities Director
- Youth Services Coordinator

EXHIBIT "B"
CONFIDENTIAL EMPLOYEES
CLASSIFICATION TITLES

- Council Liaison Officer
- Human Resource Specialist
- Labor Relations Analyst
- Labor Relations Officer
- Legal Secretary
- Police Legal Advisor
- Secretary to the City Manager
- Secretary to the Mayor and Council

#5.

EXHIBIT "C"

HOURLY AND SEASONAL EMPLOYEES

CLASSIFICATION TITLES

- Administrative Intern, Jr.
- Administrative Intern, Sr.
- City Council Assistant
- File Clerk
- Help for Posting Notices
- JTPA Trainee – Adult
- JTPA Trainee – Youth
- Maintenance Assistant
- Maintenance Laborer
Trainee
- Manpower Program
Monitor
- Receiving/Delivery Clerk
- Receptionist Clerk
- Recreation Activities
Specialist
- Recreation Aide
- Special Services Aide
Trainee

EXHIBIT "C"

HOURLY AND SEASONAL EMPLOYEES

CLASSIFICATION TITLES

- Area Supervisor
- Community Service Worker
- Construction Manager
- Construction Worker Trainee
- Construction Worker I
- Construction Worker II
- Field Coordinator
- Management Aide - 40 Hours
- Management Aide - 36 Hours
- Management Analyst
- Management Assistant - 40 Hours
- Management Assistant - 36 Hours
- Network Administrator
- Network Administrator, Assistant
- Network PC Specialist
- Production Aide I
- Production Aide II
- Program Manager
- Project Administrative/Public Affairs Officer
- Project Construction Inspector
- Public Access Coordinator
- Resident Construction Engineer
- Secretary to the Mayor
- Software Application Specialist
- Special Project Coordinator
- Special Services Aide
- Swim Pool Manager, Assistant
- Volunteer Program Coordinator
- Volunteer Program Manager
- Windows NT Administrator
- Youth Services Intern, Junior
- Youth Services Intern, Senior

#5.

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

Human Resources

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ADJUST FRINGE BENEFITS FOR EMPLOYEES IN THE UNREPRESENTED CLASSIFICATIONS

Sheri Eaton

DEPARTMENT MANAGER’S SIGNATURE

3/8/2012 10:25:25 AM

DATE

REVIEW / APPROVAL

Ruth Rugley

CITY ATTORNEY

3/8/2012 1:13:11 PM

DATE

Barbara Rumbaoa

CITY CONTROLLER

3/8/2012 4:09:19 PM

DATE

Bryan Batiste

CITY MANAGER

3/8/2012 12:48:56 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.

WARRANTS APPROVED BY COUNCIL

<u>Warrant #</u>	<u>Date</u>	<u>Name</u>	<u>Services Provided</u>	<u>Amount</u>	<u>Amount Paid Year to Date</u>
207281	3/13/12	Southern Counties Oil	Unleaded and Diesel Fuel	\$20,851.68	\$181,521.16
Requested by Public Works					
207282	3/13/12	Staples Advantage	Office supplies for Grants Division	\$1,607.60	\$10,643.53

Requested by Grants Division

I hereby certify that the above demands in the amount of \$22,459.28 were approved at a regular meeting of the City Council and reject _____ as of March 20, 2012.

Council Member

Council Member

City Manager

I hereby certify that the Finance Committee at a regular meeting of the City Council on March 20, 2012 allowed the above demands.

Alita Godwin
City Clerk



#6.

SC Fuels * Southern Counties Oil * Fleet Fuels * Total Energy Products
www.SCFuels.com
FEIN 33-0488996

Remit To:

SCFuels

PO Box 4159

Orange, CA 92863-4159

(714) 744-7140

2011 DEC 23 PM 10:51

PAID
207281
213112
CK. NO.
DATE

Bill To: CITY OF COMPTON
205 S WILLOWBROOK AVENUE
Attn: WILLIAM NORFLEET
COMPTON, CA 90220

Customer#: #838927-0

Invoice # 1813373
INVOICE AMOUNT 20,851.68
DUE DATE: 01/19/12
Delivery Date: 12/20/11
Terms NET 30 DAYS
Order #: 1414027
Sales Person ANDY SANTILLAN
Cust PO: jameswalker

Ship To: CITY OF COMPTON
458 S ALAMEDA
COMPTON, CA 90220

#838927-2

Prod ID	Product Delivered	BOL#	Quantity	Unit Price	Total
	SALES TAX			3.750000 %	502.38
815	FUEL SURCHARGE		1.00	6.000000	6.00

Category	Note
327	GASOLINE, 3, UN 1203, PG II

INVOICE AMOUNT \$ 20,851.68

Effective 01/01/12, if buyer fails to pay, or if any EFT is rejected by buyer's financial institution for any reason, in addition to any other rights seller may have, seller may collect a late payment fee in the amount of \$150.00, which charge may be increased from time to time.

Paid By	<i>[Signature]</i>
V#	10006450
P.O. #	B03665F
A/C #	6000720004269
A/C #	



SC Fuels * Southern Counties Oil * Fleet Fuels * Total Energy Products
www.SCFuels.com
FEIN 33-0488996

2011 DEC 23 AM 8:11

Remit To:
SCFuels
PO Box 4159
Orange, CA 92863-4159
(714) 744-7140

Bill To: CITY OF COMPTON
205 S WILLOWBROOK AVENUE
Attn: WILLI W NORFLEET
COMPTON, CA 90220

Customer#: #838927-0

Invoice # 1813373
INVOICE AMOUNT 20,851.68
DUE DATE: 01/19/12
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Sales Person ANDY SANTILLAN
Cust PO: jameswalker

Ship To: CITY OF COMPTON
458 S ALAMEDA
COMPTON, CA 90220

#838927-2

Prod ID	Product Delivered	BOL#	Quantity	Unit Price	Total
327	UNL ETH 10	1218715	2003.00	2.840000	5,688.52
	FEDERAL ETHANOL 10% EXCISE		2003.00	0.183000	366.55
	FEDERAL L.U.S.T.		2003.00	0.001000	2.00
	FEDERAL ENVIRONMENTAL FEE		2003.00	0.001710	3.43
	CA GAS EXCISE		2003.00	0.357000	715.07
	CA Oil Spill Fee		2003.00	0.001190	2.38
	CHILDHOOD LEAD POISONING FEE		2003.00	0.000760	1.52
	CA AB32 ENV SURCHARGE		2003.00	0.001462	2.93
	CA AB32-2 ENV SURCHARGE		2003.00	0.001454	2.91
	ETHANOL BLEND CREDIT		2003.00	0.045000-	(90.14)
	SALES TAX			3.750000 %	251.08
327	UNL ETH 10	1218690	4008.00	2.840000	11,382.72
	FEDERAL ETHANOL 10% EXCISE		4008.00	0.183000	733.46
	FEDERAL L.U.S.T.		4008.00	0.001000	4.01
	FEDERAL ENVIRONMENTAL FEE		4008.00	0.001710	6.85
	CA GAS EXCISE		4008.00	0.357000	1,430.86
	CA Oil Spill Fee		4008.00	0.001190	4.77
	CHILDHOOD LEAD POISONING FEE		4008.00	0.000760	3.05
	CA AB32 ENV SURCHARGE		4008.00	0.001462	5.86
	CA AB32-2 ENV SURCHARGE		4008.00	0.001454	5.83
	ETHANOL BLEND CREDIT		4008.00	0.045000-	(180.36)

Effective 01/01/12, if buyer fails to pay, or if any EFT is rejected by buyer's financial institution for any reason, in addition to any other rights seller may have, seller may collect a late payment fee in the amount of \$150.00, which charge may be increased from time to time.

STAPLES

INVOICE DATE	CUSTOMER	SUMMARY INVOICE
12/24/11	LA 1586494	8020566209
PLEASE PAY BY	TERMS	AMOUNT DUE
1/23/12	Net 30 Days	2,542.32

INVOICE *DETAIL*

Staples Advantage

Federal ID #:04-3390816

THE CITY OF COMPTON
 ATTN: ACCOUNTS PAYABLE
 OFFICE OF THE CITY MANAGER
 205 S WILLOWBROOK AVE
 COMPTON, CA 90220

DATE

CITY OF COMPTON
 ATTN: CLAUDIA BATRES
 205 S WILLOWBROOK AVE
 CITY HALL
 CITY MANAGER'S OFFICE
 COMPTON, CA 90220-3190

Bill to Account: 1050048

Ship to Account: COMPTON CITY H

Budget Ctr: CITY MANAGER'S OFFICE
 P O Number: 54R01926
 Ordered by: CLAUDIA BATRES

Release:
 Job:

Invoice Number: 3166331206
 Order: 7080068500-000-004
 Order Date: 12/19/11

Order	Line	Item Number	Description	Order Qty	B/O Qty	Unit Meas	Ship Qty	Unit Price	Extended Price
	4	654001	HP 88 BLACK/YELLOW PRINthead	2		EA	2	71.99	143.98

Freight:	.00	Tax: (8.7500 %)	12.60	Sub-Total:	143.98
				Total:	156.58

Backorder of 7080068500

Paid By	<i>SW</i>
V#	<i>00846370</i>
P.O. #	<i>B03656</i>
A/C #	<i>280764114210</i>
A/C #	

#6.

STAPLES

INVOICE DATE	CUSTOMER	SUMMARY INVOICE
12/24/11	LA 1586494	8020566209
PLEASE PAY BY	TERMS	AMOUNT DUE
1/23/12	Net 30 Days	2,542.32

INVOICE DETAIL

Staples Advantage

Federal ID #:04-3390816

THE CITY OF COMPTON
ATTN: ACCOUNTS PAYABLE
OFFICE OF THE CITY MANAGER NO.
205 S WILLOWBROOK AVE
COMPTON, CA 90220

DATE

CITY OF COMPTON
ATTN: CLAUDIA BATRES
205 S WILLOWBROOK AVE
CITY HALL
CITY MANAGER'S OFFICE
COMPTON, CA 90220-3190

Bill to Account: 1050048

Ship to Account: COMPTON CITY H

Budget Ctr: CITY MANAGER'S OFFICE

P O Number: 54R01926

Ordered by: CLAUDIA BATRES

Release:

Job:

Invoice Number: 3166331207

Order: 7080068500-000-005

Order Date: 12/19/11

Order	Line	Item Number	Description	Order Qty	B/O Qty	Unit Meas	Ship Qty	Unit Price	Extended Price
	2	1VR51440	PAD, MOUSE, GEL, PP	2		EA	2	13.31	26.62
	18	AAGDMD16632	CALENDAR, DSKPD, MNTH, PUPS	1		EA	1	21.09	21.09
	31	605677	CART STOW AND GO	2		EA	2	85.38	170.76
	34	816152	RUBBERBAND LATEX FREE #54	3		BX	3	2.08	6.24

Freight:	.00	Tax: (8.7500 %)	19.66	Sub-Total:	224.71
				Total:	244.37

Paid By	<i>SW</i>
V#	00846319
P.O. #	803656
A/C #	280080411424P
A/C #	

Customer Service inquiries # 800-416-5411 Invoice Payment Inquiries 888-753-4110
Make checks payable to Staples Advantage, Dept LA PO Box 83689, Chicago IL 60696-3689

Page: 1

STAPLES

INVOICE DATE	CUSTOMER	SUMMARY INVOICE
12/24/11	LA 1586494	8020566209
PLEASE PAY BY	TERMS	AMOUNT DUE
1/23/12	Net 30 Days	2,542.32

INVOICE DETAIL

Staples Advantage

Federal ID #:04-3390816

THE CITY OF COMPTON
ATTN: ACCOUNTS PAYABLE
OFFICE OF THE CITY MANAGER
205 S WILLOWBROOK AVE
COMPTON, CA 90220

CITY OF COMPTON
ATTN: CLAUDIA BATRES
205 S WILLOWBROOK AVE
CITY HALL
CITY MANAGER'S OFFICE
COMPTON, CA 90220-3190

2012 JAN -3 AM 11:33

CITY MANAGER'S OFFICE
RECEIVED

Bill to Account: 1050048

Ship to Account: COMPTON CITY H

Budget Ctr: CITY MANAGER'S OFFICE
P O Number: 54RO1926
Ordered by: CLAUDIA BATRES

Release:
Job:

Invoice Number: 3166331205
Order: 7080068500-000-002
Order Date: 12/19/11

Order Line	Item Number	Description	Order Qty	B/O Qty	Unit Meas	Ship Qty	Unit Price	Extended Price
5	653999	HP 88 CYAN/MAGENTA PRINthead	2		EA	2	71.99	143.98
6	321689	STAMP PRE INK DRAFT RD 321689	1		EA	1	6.28	6.28
7	885744	EASEL PAD HOLDER	1		PK	1	12.99	12.99
8	470401	NOTES POST-IT 3X5 ULTRA	5		PK	5	6.89	34.45
9	873986	POST-IT NOTE RLD ULTRA 4X6 AST	2		PK	2	7.82	15.64
10	660502	POST-IT FLAG 1IN RED SH GRIP	1		PK	1	11.21	11.21
11	653347	PEN STPLS SONIX GEL STICK BLK	2		DZ	2	11.57	23.14
12	483191	PEN ENERGEL 0.7MM MT BK	2		DZ	2	15.08	30.16
13	752368	PILOT REGRIP RT BP MED BLACK	2		DZ	2	16.01	32.02
14	752359	PILOT REXGRIP RT BP MED BLUE	2		DZ	2	16.01	32.02
15	858040	12 AAG TIMEPIECE DAILY 3X6	3		EA	3	23.57	70.71
16	177485	GLUE STIC BULK PACK .26OZ	1		PK	1	5.49	5.49
17	356654	DUST-OFF 7 OZ 2 PACK	1		PK	1	10.95	10.95
19	599527	66 X 60 L WORKSTATN CHAIRMAT	1		EA	1	66.71	66.71
20	611278	6PK MINI CORRECTION 3C BLISTER	4		PK	4	5.44	21.76
21	483535	TAPE STAPLES 3/4X1296 6PK	1		PK	1	3.51	3.51
22	135848	SPLS 8.5X11 COPY CS	6		CT	6	35.77	214.62
23	521062	CLIPS BINDER MINI 60PK 521062	5		PK	5	2.55	12.75
24	481323	SILVER SM BINDER CLIPS 40CT	2		PK	2	2.29	4.58
25	614400	BINDER CLIP MICRO BLK 100	2		PK	2	4.24	8.48
26	915775	12 MNTH DAYRNR DESKPAD 18X11	1		EA	1	6.23	6.23
27	493340	SWINGLINE STANDARD STAPLES 5PK	1		PK	1	8.80	8.80
28	598808	UNI-BALL SIGNO GEL 207 RT	3		DZ	3	17.56	52.68
29	901155	8G MICRO SLIDE ATTACHE SILVER	4		EA	4	13.64	54.56
30	782185	BATTERY AA ALKALINE 12PK	1		PK	1	8.51	8.51
32	690748	SPLS STRG BOX WHT LTR 12	2		CT	2	53.66	107.32
33	453980	MEMOREX 100PK CDR SPINDLE	1		PK	1	31.60	31.60
35	858127	12 AAG WKLY OUTLNK NOTES 8X11	1		EA	1	51.96	51.96
36	915609	12 WKLY DAYRNR BUTTERFLY 4X6	1		EA	1	9.34	9.34
37	815225	DT-DESK CALCULATOR CLIP	1		EA	1	17.11	17.11

Freight:	.00	Tax: (8.7500 %)	97.09	Sub-Total:	1,109.56
				Total:	1,206.65

Paid By	<i>[Signature]</i>
V#	0846370
P.O.#	B03656 F
A/C#	28078411440
A/C#	

Customer Service inquiries # 800-416-5411 Invoice Payment Inquiries 888-753-4110
Make checks payable to Staples Advantage, Dept LA PO Box 83689, Chicago IL 60696-3689

Page: 1

March 20, 2012

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: BRYAN BATISTE, CITY MANAGER

SUBJECT: NEW APPOINTMENTS TO THE CITY'S LOAN REVIEW BOARD

SUMMARY

Council will consider new appointments to the City's Revolving Loan Review Board.

BACKGROUND

In 1982, the City of Compton received funding from the U. S. Department of Commerce Economic Development Administration (EDA) Division to implement a Commercial/Industrial Revolving Loan Fund (RLF) program. In order to participate in the program, the City was required to provide matching funds to administer the program. The City of Compton received \$500,000 from EDA, and the City contributed \$500,000 for a total of \$1,000,000 in loan funds available to local businesses.

The RLF program offers commercial loan financing for industrial manufacturing businesses up to \$150,000 and loans for retail and service related businesses up to \$100,000. Before a business can receive RLF funding, the business must meet the RLF credit underwriting standards and program requirements. Applications for RLF financing must also be reviewed and recommended by the Loan Review Board (LRB). The LRB members are appointed by Mayor and Council. The Mayor and Council in turn serve as the RLF Administration Board and have the authority to render a decision on the loan application and to discharge nonperforming loans in accordance with EDA's policies and procedures.

The LRB is comprised of five members: City Manager, a member from a financial institution, and three members that represent the Compton business community. The current board members are Jackie Banks of Wells Fargo (**Appointed April 2005 and term expires June 2014**), Dr. Lestean M. Johnson, President of Compton Chamber of Commerce (**Appointed March 2009 and terms expires June 2014**), Mr. Rolando Marquez of La Quinta Real Restaurant (**Appointed April 2005 and term expires June 2013**) and Eugene McGuire, Sr. of Southeast Tow (**Appointed March 2005 and term expires June 2014**). Jackie Banks of Wells Fargo Bank served as the financial institution's representative. Ms. Banks is no longer at the Rosecrans and Central bank branch and bank staff was unable to forward her new contact information.

Over the course of the last year, the Board has had difficulty in obtaining a quorum. The last board meeting occurred on May 17, 2011. PEDD staff scheduled additional board meetings but no quorum was reached. There are some pending loan applications that need to be reviewed but without a quorum, no recommendation can be made to City Council. In light of these circumstances, staff recommends that new board members be appointed by Council.



RLF Board Appointment Staff Report

Page 2

Mr. Douglas Sanders, City Treasurer, has offered a recommendation for a financial institution board member, Mr. Theodore Austin of the Bank of the West. Staff is requesting Council to appoint three new board members to the LRB.

FISCAL IMPACT:

The selection of board members will not have a fiscal impact to the City's general fund.

RECOMMENDATION:

Staff recommends that the City Council remove Jackie Banks (Wells Fargo) and appoint Theodore Austin (Bank of the West) and make new appointments for the remaining positions.

DEREK R. HULL, DIRECTOR
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

APPROVED FOR FORWARDING:

BRYAN BATISTE
CITY MANAGER

Memorandum

March 20, 2012

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: CITY ATTORNEY REPORT/CLAIM NO. I-8478/LI0000-166A

SUMMARY

Council will consider the application of Darlene Covill for permission to file a late claim (Claim No. I-8478/LI0000166A), presented to the City on February 6, 2012, pursuant to Govt. Code §915, 912.4(a) and 912.6(a).

BACKGROUND

Claimant applied for leave to present a late claim on February 6, 2012. Claimant alleges that on July 13, 2011, she was parking a rental moving van in front of 1809 W 155th Street. Claimant alleges that while reversing her vehicle into a parking spot, she did not see tree branches that ultimately damaged the top of her rental vehicle. Claimant explains that her view was obstructed by the tree.

California law is specific concerning the amount of time permitted for filing a liability claim with a public entity - six (6) months for a claim made for damage to personal property. Pursuant to Government Code Section 911.6, an application for leave to present a late claim can only be granted on limited grounds. Claimant alleges that she was late in submitting her claim because of a foot surgery on October 19, 2011, which restricted her normal activities until December 31, 2011.

Based upon this information, Claimant's application for leave to present a late claim cannot be granted as Claimant must show physical incapacity during the entire claim period which caused her delay. *Martin v. City of Madera*, 265 Cal. App. 2d 76, 80, 70 Cal. Rptr. 908 (1968).

FINANCIAL IMPACT

Four Hundred Dollars and No Cents (\$400.00).

RECOMMENDATION

Staff recommends that this application for leave to present a late claim be denied.

_____/S/
CRAIG J. CORNWELL
CITY ATTORNEY

March 20, 2012

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

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

**SUBJECT: 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**

SUMMARY

The City Council will consider adopting an Ordinance that will amend Chapter XX of the Compton Municipal Code ("Code") by amending Section 20-2.4 in its entirety to update its provisions and by deleting Section 20-2.4(A) so as to remove the Schedule of Street Work Permit Fees from the Code and have the same set by City Council resolution, as currently provided for in Section 20-2.4.

BACKGROUND

Section 20-2 of Chapter XX of the Compton Municipal Code requires that a permit be obtained prior to doing work in, over or through any property or right-of-way owned by the City and sets forth the process for obtaining a permit, in addition to requiring certain fees and deposits for the same.

On February 23, 1960, the City Council adopted Ordinance No. 1,173, which, among other matters, established requirements for a permit to do street work on City property and set forth the fee amounts to be charged for such permits. On July 16, 1985, the City Council adopted Ordinance No. 1,700, which deleted the schedule of permit fees from the Code that had been adopted by Ordinance No. 1,173 and in place thereof stated that "... *Such fees shall be in accordance with a schedule thereof from time to time in effect as established by resolution of the Council.*" (Emphasis added).

On October 4, 1989, Ordinance No. 1,809 was adopted by the City Council, which amended Section 20-2 to add a Section 20-2.4(A), a "Schedule of Street Work Permit Fees," however apparently the provisions of Section 20-2.4 providing for the establishment of permit fees by Council resolution was inadvertently overlooked when deciding to place a schedule of permit fees directly within the Code.

#10.

Staff Report re Amend CMC Section 20-2 – Amend
Section 20-2.4 and Delete Section 20-2.4(A)
Street Work Permit Fees
March 20, 2012, Page 2

STATEMENT OF THE ISSUE

The proposed ordinance will amend Section 20-2.4 of the Compton Municipal Code to include updated provisions that will provide greater protections against liability for the City. For example:

- Includes the requirement that the permittee indemnify, defend and hold the City harmless from and against liability, suits, actions, judgments, etc. which arise out the permittee's use, operation and activity under its permit.
- Specifies the forms and type of insurance policy or policies that will fully protect the City from claims and suits for bodily injury and property damage that permittee must maintain throughout the term of the permit and specifies that the required amounts of insurance coverage shall be set by Council resolution.

Currently, there exists a contradiction between the provisions of Section 20-2.4 and 20-2.4(A) as concerns the manner in which the schedule of permit fees shall be enacted. Ordinance No. 1,700, enacted in 1985, states that permit fees shall be established by Council resolution. However, in 1989, Ordinance No., 1,809 was adopted which added a schedule of fees to the Code [Section 20-2.4(A)], without consideration of the language of Section 20-2.4, which established that fees shall be set by Council resolution.

Amending the fee schedule that is contained within the Code is a lengthy procedure that requires the adoption of another ordinance, in addition to the wait period (a minimum of 30 days after the ordinance is adopted) before the amendment shall become effective; whereas authorizing the City Council to establish the schedule of fees via resolution makes the process of updating fee schedules to reflect the cost incurred by the City for the administration and enforcement of the involved regulation more effective, efficient and timely.

Thus, the proposed ordinance will delete Section 20-2.4(A) from the Code to resolve the conflicting provisions and simplify the process of updating the fee schedule.

FISCAL IMPACT

If the within Ordinance is adopted a resolution establishing a schedule of fees shall be brought before the Council for consideration and adoption. This proposed resolution will increase the fee amounts to more accurately reflect the current costs incurred by the City for the administration and enforcement of the involved regulation.

Staff Report re Amend CMC Section 20-2 – Amend
Section 20-2.4 and Delete Section 20-2.4(A)
Street Work Permit Fees
March 20, 2012, Page 3

RECOMMENDATION

Staff recommends the adoption of the attached Ordinance.

JOHN STRICKLAND JR.
INTERIM DIRECTOR OF PUBLIC WORKS

APPROVED FOR FORWARDING:

BRYAN BATISTE
CITY MANAGER

BB:JSJ:CJC:RAR:rar

ORDINANCE NO. _____

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

WHEREAS, Section 20-2 of Chapter XX of the Compton Municipal Code requires that a permit be obtained prior to doing work in, over or through any property or right-of-way owned by the City and sets forth the process for obtaining a permit, in addition to requiring certain fees and deposits for the same; and

WHEREAS, while in Ordinance No. 1,173, adopted by the City Council on February 23, 1960, the amount of fees charged for permits was set forth within Ordinance No. 1,173; on July 16, 1985, the City Council adopted Ordinance No. 1,700, which deleted the schedule of permit fees from the Compton Municipal Code and in place thereof stated within Ordinance No. 1,700, that “... *Such fees shall be in accordance with a schedule thereof from time to time in effect as established by resolution of the Council.*”; and

WHEREAS, on October 4, 1989, Ordinance No. 1,809 was adopted by the City Council, which amended Section 20-2 to add a Section 20-2.4(A), a “Schedule of Street Work Permit Fees” to the Compton Municipal Code, however apparently the provisions of Section 20-2.4 providing for the establishment of permit fees by Council resolution was inadvertently overlooked when deciding to place a schedule of permit fees directly within the Code; and

WHEREAS, currently there exist a conflict between the provisions of Section 20-2.4 and 20-2.4(A) as concerns the manner in which the schedule of permit fees shall be enacted and leaving Section 20-2.4(A) within the Compton Municipal Code perpetuates this conflict, in addition to causing confusion; and

WHEREAS, amending the fee schedule that is contained within the Compton Municipal Code is a lengthy procedure that requires the adoption of another ordinance, in addition to the wait period required before the amendment shall become effective; whereas authorizing the City Council to establish the schedule of fees via resolution makes the process of updating fee schedules to more accurately reflect the cost incurred by the City for the administration and enforcement of the involved regulation more effective, efficient and timely.

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

Section 1. That Section 20-2.4 (Permits; Fees) of the Compton Municipal Code is hereby amended in its entirety to read as follows:

Section 20-2.4. Permits; Fees.

A fee shall be charged for all aforesaid street work, except that no fee shall be charged to any governmental agency providing the work is being done by the agency. The City Council shall from time to time establish, by resolution, a fee for public works permits in addition to any other deposits required for each public works permit issued. The fees shall not be refundable. In the case of a new subdivision or major improvement in any street or other public place within the City, or work performed under an improvement act of the State Legislature, the City Engineer may, in lieu of such permit fees, require the permittee to pay

to the City an amount equal to one-half of one percent (1/2%) of the involved constructions costs.

a. Prior to the issuance of any permit to perform any work mentioned in this section, the applicant shall also agree to indemnify, defend and hold harmless, to the maximum extent permitted by law, the City and its officials, officers, agents, employees and representatives, from and against any and all liability, suits, actions, proceedings, judgments, claims, losses, liens, damages, injuries (whether in contract or in tort, including personal injury, accidental death or property damage, and regardless of whether the allegations are false, fraudulent or groundless), costs and expenses (including reasonable attorney’s fees, litigation, arbitration, mediation, appeal expenses) which in whole or in part arise out of or are connected with, or which are alleged to have arisen out of or to have been connected with, the permittee’s use, operation, and activity under its permit. City may, in its sole and absolute discretion, select counsel of its choosing to defend against any asserted liability, suit, action, proceeding, judgment, claim, loss, lien, damage, injury, cost or expense which is subject to indemnification obligations set forth herein. Permittee shall be required to fully reimburse City for the legal fees and all related litigation and expert costs of such defense.

b. Each permittee shall obtain, pay for and maintain in full force and effect throughout the tem of the permit, an insurance policy or policies that fully protects the City from claims and suits for bodily injury and property damage. The insurance must be issued by an insurance carrier which is duly qualified to engage in such insurance business under the laws of the State of California, insuring the City, as additionally insured, against any liability for loss resulting from the prosecution of the work for which an application for a permit has been made and be in the amount or amounts which the City Council shall from time to time establish by resolution. The policy or policies must include a signed endorsement naming the City and its official, officers, agents and employees as additional insured’s; provide that the permittee’s insurance is primary and that no other insurance available to the City will be called on to contribute to a loss covered under the policy; provide that permittee’s insurance applies separately to each insured or additional insured who is seeking coverage, or against whom a claim is made or suit is brought; and, provide at least thirty (30) days’ advance written notice of cancellation (other than for nonpayment of premium), termination or reduction of coverage. The insurance must afford coverage for the permittee’s use, operation and activity, vehicles, equipment, facility representatives, agents and employees as follows:

- 1. Commercial General Liability Insurance with separate per occurrence limits for bodily injury and property damage, and including coverage for contractual liability; personal injury; explosion, collapse and underground; products; and completed operations in an amount determined by City Council resolution.
- 2. Business Automobile Liability Insurance with separate per occurrence limits for bodily injury and property damage, including rented, leased, hired, scheduled, owned and non-owned auto coverage, as applicable, or in a combined single limit in an amount determined by City Council resolution.
- 3. Workers’ Compensation Insurance in compliance with the laws of the State of California, and employer’s liability insurance in an amount not less than One Million Dollars (\$1,000,000) per claimant.

The insurance required herein in no way relieves or decreases the permittee’s or its agent’s obligation to indemnify and defend the City under this section. Prior to issuance of a permit, the permittee shall furnish the City, or have on file with the City

Engineer, certificates of insurance and endorsements, in the form and amount(s) required, evidencing all of the coverage's above.

c. To the extent street work is performed pursuant to a valid franchise or agreement, which was entered into prior to the adoption of this section and which grants the franchise holder or party to the agreement a specific right to perform such street work within the City without being subject to fee requirements, indemnity requirements or insurance requirements such as those set forth herein, the street work shall not be subject to the fee requirement, indemnity requirement or insurance requirement set forth herein.

Section 2. That Section 20-2.4A (Schedule of Street Work Permit Fees) of the Compton Municipal Code is hereby deleted in its entirety.

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

Section 4. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, City Attorney and Public Works Department.

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

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

ADOPTED this _____ day of _____, 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 hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2012.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER 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 (FIRST READING)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

3/6/2012 2:16:31 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

3/6/2012 4:43:45 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

3/6/2012 7:33:22 PM
DATE

Bryan Batiste
CITY MANAGER

3/6/2012 2:49:30 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.

March 20, 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 TO INCREASE THE
CONTRACT AMOUNT AND ISSUE A PURCHASE ORDER TO MELAD
AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND
TEMPORARY BUILDING INSPECTION SERVICES, TRANSFER
FUNDS BETWEEN ACCOUNTS AND RESCIND RESOLUTION NO.
23,479**

SUMMARY

This Resolution will rescind Resolution No. 23,479, adopted by the City Council on February 14, 2012, due to a lack of appropriate funding, and authorize the City Manager to amend the current contract with Melad and Associates, increase the contract amount by One Hundred Twenty Thousand Dollars (\$120,000.00), issue a purchase order to Melad and Associates to continue providing plan check and temporary inspection services to the Building and Safety Department, and transfer funds between accounts.

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 Dollars (\$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.

STATEMENT OF ISSUE

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. The Department is 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

MELAD AND ASSOCIATES

March 20, 2012

PAGE TWO

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 that are acceptable, and not impede the economic development of this community, additional funding is necessary.

It is important to note that the fees for these services are collected when plans are submitted and permits are requested for Building Department approval. In essence, 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.

To date the Building Department had used all funds 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. Additionally, Melad and Associates is performing reviews to current projects and we anticipate an additional cost of Twenty Five Thousand Dollars (\$25,000.00) for that work. We estimate that an additional Forty Eight Thousand Dollars (\$48,000.00) will be needed to cover the expenses for the remainder of the 2011-2012 Fiscal Year.

Departmental projections indicate that the City of Compton will collect plan review fees in the amount of One Hundred Twenty Thousand Dollars (120,000.00) prior to the end of the current fiscal year.

On February 14, 2012, the City Council adopted Resolution No. 23,479, which authorized the City Manager to amend the contract with Melad and Associates and increase the contract amount by \$150,000 for the remainder of the fiscal year. Subsequent to this action, it was revealed that the Departmental account did not have sufficient funding to cover the costs, thus the need to rescind that resolution and adopt a new resolution that will transfer funds between accounts.

FISCAL IMPACT

The plan check services are paid by applicants at the time of submittal, as part of the building permit process and the monies are deposited into the General Fund. Services are used only as required. Funds in the amount of Fifty Thousand Dollars (\$50,000.00) will be transferred from Account No. 1001-510-000-4218 to Account No. 1001-770-000-4269. Funds in the amount of

MELAD AND ASSOCIATES

March 20, 2012

PAGE THREE

Seventy Thousand Dollars (\$70,000.00) will be transferred from Revenue Account No. 1001-000-000-3640 to Account No. 1001-770-000-4269.

RECOMMENDATION

That Council adopts the attached resolution authorizing the City Manager to amend the contract with Melad and Associates, issue a purchase order in an amount not to exceed One Hundred Twenty Thousand Dollars (\$120,000.00) to Melad and Associates for building plan check services for Fiscal Year 2011-2012, transfer funds between accounts and rescind Resolution No. 23, 479.

**VICTOR OROZCO, SENIOR BUILDING INSPECTOR
BUILDING & 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 TO INCREASE THE CONTRACT AMOUNT AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES, TRANSFER FUNDS BETWEEN ACCOUNTS AND RESCIND RESOLUTION NO. 23,479

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 Building and Safety 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, due to the current demand of plan and permit approvals the funding has been depleted and staff is requesting to amend the contract and add an additional One Hundred Twenty Thousand Dollars (\$120,000.00); and

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

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, on February 14, 2012, the City Council adopted Resolution No. 23,479, which authorized the City Manager to amend the contract with Melad and Associates and increase the contract amount, however it was subsequently revealed that the Departmental account did not have sufficient funding to cover the costs; and

WHEREAS, there is a need to rescind Resolution No. 23, 479 and adopt this resolution which will transfer sufficient funds between accounts for payment of services rendered.

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

Section 1. That Resolution No. 23,479, adopted by the City Council on February 14, 2012, is hereby rescinded.

Section 2. 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 and inspection services in an amount not to exceed One Hundred Twenty Thousand Dollars (\$120,000.00).

Section 3. That funds in the amount of Fifty Thousand Dollars (\$50,000) be transferred from Account No. 1001 510 000 4218 and Seventy Thousand Dollars (\$70,000) be transferred from Revenue Account No. 1001 000 000 3640 to Account No. 1001-770-000-4269.

Section 4. 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 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

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:

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

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 TO INCREASE THE CONTRACT AMOUNT AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES, TRANSFER FUNDS BETWEEN ACCOUNTS AND RESCIND RESOLUTION NO. 23,479

Jerry Durant
DEPARTMENT MANAGER’S SIGNATURE

3/1/2012 11:01:38 AM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

3/1/2012 5:33:08 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

3/1/2012 7:13:59 PM
DATE

Bryan Batiste
CITY MANAGER

3/1/2012 5:06:35 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.

March 20, 2012

TO: HONORABLE MAYOR AND COUNCILMEMBERS

**FROM: DR. KOFI SEFA-BOAKYE, DIRECTOR
SUCCESSOR AGENCY TO THE COMMUNITY
REDEVELOPMENT AGENCY**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON TAKING CERTAIN ACTIONS IN
CONNECTION WITH A PROPOSED AMENDMENT TO A
DISPOSITION AND DEVELOPMENT AGREEMENT
BETWEEN THE FORMER COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF
COMPTON AND COMPTON SENIOR APARTMENTS, L.P**

SUMMARY

Staff is respectfully requesting that the City Council to approve the attached resolution authorizing the amendment to the Disposition and Development Agreement between META Housing and the City of Compton, as successor in interest to the housing assets and functions of the Community Redevelopment Agency of the City of Compton.

BACKGROUND

The Urban Community Development Commission (UCDC) approved a Disposition and Development Agreement (DDA) with Meta Housing Corporation in June 2009, to facilitate the development of a proposed 75-unit senior citizen development on the southeast corner of Tamarind and Arbutus Street within the North Downtown Specific Plan area. The proposed development will consist of fifteen (15) two-bedroom units and sixty (60) one-bedroom units containing 563-567 square feet each within a three (3) story building. The development will be affordable for senior citizens (aged 55 and older) on fixed income. The terms of the executed DDA called for the Agency to convey certain Agency owned parcels (approximately 78,000sqft) towards the development. The conveyance of Agency parcels towards the development will ensure affordability of the rental units to the specific income population covenanted in the DDA

STATEMENT OF THE ISSUE

On February 1, 2012, the Community Redevelopment Agency was dissolved. However, pursuant to part 1.85 of ABX1 26 of the California legislature, and Health and Safety Code Section 34176(a) (as contained in Part 1.85 of AB X1 26) (i) a city that created a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency, and (ii) if a city so elects to retain the responsibility for performing housing functions previously performed by a

#12.

redevelopment agency, all rights, powers, duties, and obligations, excluding any amounts on deposits in the Low Moderate Income Housing Fund, shall be transferred to the city.

In compliance with AB X1 26, the current DDA must be amended to incorporate the name change of the former Community Redevelopment Agency;, amend the term of the DDA for twelve (12) months; and allow for the reconveyance of the deed of trust on the property between the former Community Redevelopment Agency and the City of Compton.

ECONOMIC BENEFITS

The proposed affordable senior housing development will provide several benefits to the City. The primary reason being that this project would complement the objectives and goals of the North Downtown Specific Plan. The Downtown Specific Plan is designed to create a unique and identifiable Downtown with a vibrant pedestrian-oriented environment that will provide various amenities and services to the residents.

This project will eliminate the existing blight conditions at the proposed site, which has been vacant and burdened with non-conforming land uses that are in contradiction to the North Downtown Specific Plan. Moreover, this project will support the surrounding development projects of the Redevelopment Agency such as; the Senior Activity Center and the Martin Luther King Jr. Transit Center are purposely designed to create a pedestrian oriented neighborhood. Finally, the development will enable the City to provide quality Affordable Housing units for its growing seniors' population.

FISCAL IMPACT

The financing necessary to facilitate this development is designated within DDA through a residual land note.. The Successor Housing Agency's assistance to this project is in the form of land assets, which were previously owned by the former Community Redevelopment Agency. As a result, the City will not be providing any direct monetary assistance to fund the development.

The reconveyance of the Deed of Trust between the former Community Redevelopment Agency and the City of Compton will be added to the Successor Agency's Recognized Obligations and Payment Schedule (ROPS) as to repayment of Three Million Dollars to the City of Compton for land purchased by the former Community Redevelopment Agency.

The property maintenance of this site until the subsequent disposition of the property to Meta Housing Corporation will be undertaken by approved landscape contractors listed on the Successor Agency's approved Enforceable Obligation Payment Schedule (EOPS) approved by the Successor Agency Board.

RECOMMENDATION

Staff is respectfully requesting that the Board approve the attached resolution approving the amendment to the Disposition and Development Agreement between META Housing and the City of Compton, as successor in interest to the housing assets and functions of the Community Redevelopment Agency of the City of Compton.

**DR. KOFI SEFA-BOAKYE, DIRECTOR
SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY**

APPROVED FOR FORWARDING:

**BRYAN BATISTE,
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TAKING CERTAIN ACTIONS IN CONNECTION WITH A PROPOSED AMENDMENT TO A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON AND COMPTON SENIOR APARTMENTS, L.P

WHEREAS, the Community Redevelopment Agency of the City of Compton (the “Agency”) and Compton Senior Apartments L.P., a California limited partnership, (the “Redeveloper”) entered into that certain Disposition and Development Agreement, dated as of June 1, 2009, (the “Original Agreement”) with respect to the acquisition and development of certain real property described in the Original Agreement (the “Property”); and

WHEREAS, the Redeveloper has requested that the Original Agreement be amended in accordance with the First Amendment to Disposition and Development Agreement, attached hereto as Exhibit A, and incorporated herein by reference (the “Amendment”); and

WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the “Redevelopment Law”), including adding Part 1.8 (commencing with Section 34161)(“Part 1.8”) and Part 1.85 (commencing with Section 34170) (“Part 1.85”); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that AB X1 26 and AB X1 27 are unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case, largely upholding AB X1 26, invalidating AB X1 27, and holding that AB X1 26 may be severed from AB X1 27 and enforced independently; and

WHEREAS, the Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012, to take effect four months later; and

WHEREAS, on February 1, 2012, the Community Redevelopment Agency was dissolved. However, pursuant to part 1.85 of ABX1 26 of the California legislature, and Health and Safety Code Section 34176(a) (as contained in Part 1.85 of AB X1 26) (i) a city that created a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency, and (ii) if a city so elects to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, duties, and obligations, excluding any amounts on deposits in the Low Moderate Income Housing Fund, shall be transferred to the city; and

WHEREAS, the City Council made an election to serve as the successor agency for the Agency under Part 1.85 (the “Successor Agency”) and by its Resolution No. 1, adopted on February 7, 2012, as amended on March 13, 2012, the City Council, acting as the governing board for the Successor Agency, provided that the Successor Agency is a distinct and separate legal entity from the City and will be governed by a Board of Directors consisting of the members of the City Council of the City; and

WHEREAS, By its Resolution No. 23,498, adopted on February 28, 2012, the City Council elected, pursuant to Health and Safety Code Section 34176, to retain the housing assets and functions previously performed by the Agency. Health and Safety Code Section 34177(g) provides that the Successor Agency shall effectuate transfer of housing functions and assets to the appropriate entity designated pursuant to Health and Safety Code Section 34176 (i.e., the City) and Health and Safety Code Section 34181(c) provides that the oversight board for the Successor Agency shall direct the Successor Agency to transfer housing responsibilities and all rights, powers, duties, and obligations to the appropriate entity pursuant to Health and Safety Code Section 34176 (i.e., the City); and

WHEREAS, the City and redeveloper wishes to extend the term of the DDA for twelve (12) months, reconveyance of the Deed of Trust on the property between the City and the former Community Redevelopment Agency and change the name from the former Community Redevelopment Agency.

NOW, THEREFORE, THE CITY COUNCIL HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

- Section 1.** The above recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The City Council hereby approves the amendment to the Disposition and Development Agreement between the City of Compton and Compton Senior Apartments, L.P. for the development of a 75-unit Senior Housing Residential development.

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: ss

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

FIRST AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT

This First Amendment to Amended and Restated Disposition and Development Agreement (the "Amendment") is made and entered into as of this ____ day of _____, 2012, by and between Compton Senior Apartments L.P., a California limited partnership (the "Redeveloper") and the City of Compton (the "City"), as successor in interest to the housing assets and functions of the Community Redevelopment Agency of the City of Compton (the "Agency"), with reference to the following recitals of fact:

R E C I T A L S:

A. WHEREAS, the Redeveloper and the Agency entered into that certain Disposition and Development Agreement, dated as of June 1, 2009 (the "Original Agreement"), with respect to the acquisition and development of certain real property more fully described therein; and

B. WHEREAS, the Agency was dissolved on February 1, 2012 pursuant to Part 1.85 of AB X1 26 of the California legislature, and Health and Safety Code Section 34176(a) (as contained in Part 1.85 of AB X1 26) provides that (i) a city that created a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency, and (ii) if a city so elects to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, duties, and obligations, excluding any amounts on deposit in the Low and Moderate Income Housing Fund, shall be transferred to the city; and

C. WHEREAS, the City, by its Resolution No. 23,498, adopted on February 28, 2012, elected to retain the housing assets and functions previously performed by the Agency, as provided in Health and Safety Code Section 34176(a); and

D. WHEREAS, the City, as successor in interest to the Agency with respect to the Original Agreement, and Redeveloper desire to amend the Original Agreement as set forth in this Amendment. For purposes hereof, the Original Agreement and this Amendment shall be collectively referred to herein as the "DDA".

A G R E E M E N T:

1. Original Agreement. Except as amended hereby, the Original Agreement remains unmodified and in full force and effect. Capitalized terms not otherwise defined herein shall have the meanings set forth in the Original Agreement.

2. City Deed of Trust. The parties hereto acknowledge that the Redeveloper has objected to the existence of the City Deed of Trust pursuant to Section 2.3 of the Original Agreement, and the City has agreed to reconvey the lien of the City Deed of Trust prior to the Close of Escrow. Notwithstanding anything to the contrary contained in the Original Agreement, the reconveyance of the City Deed of Trust shall be an additional condition precedent to the Redeveloper's obligation to purchase the Property from the City on the Close of Escrow.

3. Close of Escrow. Section 3.7 of the Original Agreement is hereby deleted in its entirety and replaced with the following:

“3.7 Close of Escrow. Close of Escrow shall occur following satisfaction of all conditions precedent therefor set forth in Section 3.3 and if it shall not have occurred by March 25, 2013 (“**Outside Closing Date**”), then any Party not then in default of this Agreement may terminate this Agreement and cancel the Escrow, without liability to the other Party or any other person for such termination and cancellation, by delivering written notice of termination to the other Party and Escrow Holder and, thereafter, the Parties shall proceed pursuant to Section 3.11. Notwithstanding the foregoing, (i) the Outside Closing Date shall be automatically extended to March 25, 2014 if Escrow shall have failed to close due solely to the failure of the Redeveloper to have been awarded the Tax Credits following the submittal of a complete and timely application therefor, and (ii) the Outside Closing Date may be extended to March 25, 2015 by the City in the exercise of its sole and absolute discretion.”

4. Counterparts. This Amendment may be executed in several counterparts, each of which shall be deemed to be an original copy and all of which together shall constitute one agreement binding on all parties hereto, notwithstanding that all the parties shall not have signed the same counterpart.

5. Severability of Provisions. Each provision of this Amendment shall be considered severable, and if for any reason any provision which is not essential to the effectuation of the basic purposes of this Amendment is determined to be invalid and contrary to any existing or future law, such invalidity shall not impair the operation of or affect those provisions of this Amendment which are valid.

6. Amendment Binding. This Amendment shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. Except as amended hereby, the Original Agreement remains unchanged and in full force and effect and the parties hereto hereby ratify and reaffirm the terms of the Original Agreement as amended hereby.

[signatures follow on next page]

IN WITNESS WHEREOF, this Amendment has been duly executed as of the day and year first above written.

CITY:
CITY OF COMPTON,
a municipal corporation

Dated: _____

By: _____
Name:
Its:

ATTEST:

City Clerk

APPROVED AS TO LEGAL FORM:

City Attorney

REDEVELOPER:

SOURCES OF FUNDS Compton Senior Apartments

9% Tax Credit Structure

CONSTRUCTION

Land	\$	3,000,000
Acquisition Costs	\$	25,000
Architecture/Engineering	\$	689,159
Impact Fees	\$	1,474,214
Const. Loan Interest	\$	393,600
Other Soft Costs	\$	1,487,038
Offsites	\$	375,000
Hard Costs	\$	8,716,855
Dev. Fee	\$	1,825,000

TOTAL USES	\$	17,985,866
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PERMANENT

Land	\$	3,000,000
Acquisition Costs	\$	25,000
Architecture/Engineering	\$	689,159
Impact Fees	\$	1,474,214
Const. Loan Interest	\$	393,600
Other Soft Costs	\$	1,487,038
Offsites	\$	375,000
Hard Costs	\$	8,716,855
Dev. Fee	\$	1,825,000

TOTAL USES	\$	17,985,866
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CONSTRUCTION

1st Construction Loan	\$	8,200,000
City of Compton	\$	4,125,000
AHP	\$	740,000
County (Industry Funds)	\$	2,562,250
Tax Credit Equity	\$	1,342,642
City of Compton - Additi	\$	-
Deferred Costs	\$	1,015,974

TOTAL SOURCES	\$	17,985,866
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PERMANENT

Perm Loan	\$	2,932,907
City of Compton	\$	4,125,000
AHP	\$	740,000
County (Industry Funds)	\$	2,562,250
Tax Credit Equity	\$	6,713,210
City of Compton - Additional Funds	\$	-
Deferred Dev. Fee	\$	912,500
Gap Amount	\$	-

TOTAL SOURCES	\$	17,985,866
----------------------	-----------	-------------------

#12.



#12.



RESOLUTION SIGN-OFF FORM

DEPARTMENT: Community Redevelopment

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON TAKING CERTAIN ACTIONS IN CONNECTION WITH A PROPOSED AMENDMENT TO A DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON AND COMPTON SENIOR APARTMENTS, L.P

<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.

March 20, 2012

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: RENEA FERRELL, GRANTS MANAGER
CITY MANAGER'S OFFICE**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE ADOPTION OF SUBSTANTIAL
AMENDMENTS TO THE CITY OF COMPTON'S FISCAL YEARS
2009-10, 2010-11 AND 2011-12 ANNUAL ACTION PLANS OF THE
CONSOLIDATED PLANS**

SUMMARY

Staff would like Council to receive citizen comments and adopt the resolution approving the City's proposed substantial amendments to its HUD-mandated Fiscal Years 2009-10, 2010-11 and 2011-Annual Action Plans of the Consolidated Plans.

BACKGROUND

The City of Compton is proposing substantial amendments to its Fiscal Years 2009-10, 2010-11 2011-12 Annual Action Plans of the Consolidated Plans. These Action Plans outline the City of Compton's planned uses of the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Shelter Grant (ESG) programs. In addition, the City received Community Development Block Grant -Recovery (CDBG-R) grant as a part of the Recovery Act. These programs are funded by the U.S. Department of Housing and Urban Development (HUD). The substantial amendment being proposed are those modifications involving a change in use, purpose, scope location and or funding amounts. The City has followed HUD's regulation for substantial amendments as well as the City's Citizen Participation Plan.

STATEMENT OF ISSUE

The City proposes to reallocate unexpended funds in the amount of \$1,069,700.12 from prior and current year CDBG projects and \$74,914 from CDBG-R projects. The purpose of these amendments is to reallocate funding from a number of cancelled projects.

The following is a detailed list of the proposed changes:

- a. Re-allocation of CDBG and CDBG-R program funds from projects with unexpended balances**

#13.

FY 2009-10

Intel Clubhouse: \$74,914 (CDBG-R)

These funds were allocated to fund a full-time staff person that would have facilitated the teaching of computer-based programs, television cameras, and music equipment to children of low to low/moderate income households. This project has been cancelled and \$74,914 remains unexpended in the account.

FY 2010-11

Alondra Blvd Median Enhancement: \$375,000 (CDBG)

The Alondra Boulevard Median Enhancement Project consists of expansion and median improvements along Alondra Boulevard from Central Avenue to Willowbrook Avenue. This project has been cancelled and \$375,000 remains unexpended in the account.

Olympic Park Improvement: \$225,355.37 (CDBG)

These funds were allocated to various needed improvements at Olympic Park. This project has been cancelled and \$225,355.37 remains unexpended in the account.

Greenleaf Park Project: \$200,000 (CDBG)

These funds were allocated for the construction of pedestrian walkways and bike pathways along Greenleaf Avenue for the phase I portion of this project. This portion of this project has been completed and the \$200,000 remains unexpended in the account.

FY 2011-12

Removal of Architectural Barriers: \$269,344.75 (CDBG)

These funds were allocated for the removal of architectural barriers in low to moderate income areas throughout the City. This project has been cancelled and \$269,344.75 remains unexpended in the account

b. Re-allocation of CDBG and CDBG-R program funds to new and/or existing projects

The City proposes to reallocate the above listed unexpended funds in the amount of \$74,914 (CDBG-R) and \$1,069,700.12 (CDBG) to the following new and/or existing projects:

CDBG-R Total Funded: \$ 74,914

Public Works Department

Crane Avenue Rehabilitation (existing): \$74,914 (CDBG-R)

These funds will go towards the cost of replacing pavement along Crane Avenue from Rosecrans Avenue to Compton Blvd and Myrrh Street to Alondra Boulevard.

CDBG Total Funded: \$ 1,069,700.12

Public Works Department

Crane Avenue Rehabilitation (existing): \$142,086 (CDBG)

These funds will go towards the cost of replacing pavement along Crane Avenue from Rosecrans Avenue to Compton Blvd and Myrrh Street to Alondra Boulevard.

Residential Street Reconstruction (existing): \$651,614.12 (CDBG)

These funds will go towards the reconstruction of various residential streets in low to moderate income areas throughout the City of Compton.

Fire Department

Compton Fire-Ambulance (new): \$276,000 (CDBG)

These funds will be used towards the of purchase two (2) ambulances for the Compton Fire Department. Both ambulances will be used to service the low to moderate income areas of the City.

ALTERNATIVES

The Council has the authority to change the implementation of CDBG and CDBG-R funds. If the Council decides against allocating the funds towards proposed projects, the City would have to expend General Fund dollars to implement these activities.

FISCAL IMPACT

This resolution will have no impact on the General Fund. The City of Compton 2011-2012 Fiscal Year's budget would be modified as follows:

CDBG-R

From

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-81W-126-4266	Contract Services	\$74,914
	Total:	\$74,914

To

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-72X-135-4249	Special Department	\$74,914

#13.

CDBG

From

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-72V-118-4262	Other Professional Services	\$375,000
2800-51X-136-4249	Special Department Expense	\$225,355.37
2800-51X-132-4101	Salaries	\$47,532
2800-51X-132-4190	Worker's Compensation	\$9,402
2800-51X-132-4191	Health Insurance	\$5,983
2800-51X-132-4192	Retirement	\$8,605
2800-51X-132-4193	PERS Pickup	\$3,813
2800-51X-132-4194	Life Insurance	\$150
2800-51X-132-4195	Dental Insurance	\$565
2800-51X-132-4196	Vision Insurance	\$90
2800-51X-132-4197	Unemployment Insurance	\$105
2800-51X-132-4198	State Disability	\$373
2800-51X-132-4199	Medi-Cal Contribution	\$37
2800-51X-132-4269	Other Contract Services	\$123,345
2800-72Y-141-4269	Other Contract Services	<u>\$269,344.75</u>
	Total:	\$1,069,700.12

To

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-72X-135-4249	Special Department	\$142,086
2800-72Y-131-4269	Other Contract Services	\$651,614.12
2800-69Y-142-4333	Automotive Equipment	\$276,000

RECOMMENDATIONS

Staff recommends that the Mayor and Council Members adopt the attached resolution.

RENEA FERRELL
GRANTS MANAGER

APPROVED AS TO FORWARDING:

BRYAN BATISTE
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING THE ADOPTION OF SUBSTANTIAL
AMENDMENTS TO THE CITY OF COMPTON'S FISCAL YEARS
2009-10, 2010-11 AND 2011-12 ANNUAL ACTION PLANS OF THE
CONSOLIDATED PLANS**

WHEREAS, the City of Compton is proposing to substantially amend its HUD-mandated fiscal years 2009-10, 2010-11 and 2011-12 Annual Action Plans of the Consolidated Plans; and

WHEREAS, the City's Action Plans outline its planned uses of the Community Development Block Grant (CDBG), Home Invest Partnership (HOME), and Emergency Shelter (ESG) programs; and

WHEREAS, the City has conducted its substantial amendment process in accordance with HUD's regulations and the City's Citizen Participation Plan; and

WHEREAS, a public hearing was conducted on the proposed amendments on March 20, 2012; and

WHEREAS, the City Council has received all testimony and been fully informed of citizens views; and

WHEREAS, the proposed substantial amendments will be accounted for in the City of Compton FY 2011-12 Budget.

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

Section 1 That the City Council shall adopt the proposed substantial amendment to the fiscal years 2009-10, 2010-11 and 2011-2012 Annual Action Plans of the Consolidated Plan, as follows

a. Re-allocation of CDBG and CDBG-R program funds from projects with unexpended balances

FY 2009-10

Intel Clubhouse: \$74,914 (CDBG-R)

These funds were allocated to fund a full-time staff person that would have facilitated the teaching of computer-based programs, television cameras, and music equipment to children of low to low/moderate income households. This project has been cancelled and \$74,914 remains unexpended in the account.

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RESOLUTION NO. _____

Page 2

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These funds were allocated to various needed improvements at Olympic Park. This project has been cancelled and \$225,355.37 remains unexpended in the account.

Greenleaf Park Project: \$200,000 (CDBG)
These funds were allocated for the construction of pedestrian walkways and bike pathways along Greenleaf Avenue for the phase I portion of this project. This portion of this project has been completed and \$200,000 remains unexpended in the account.

FY 2011-12

Removal of Architectural Barriers: \$269,344.75 (CDBG)
These funds were allocated for the removal of architectural barriers in low to moderate income areas throughout the City. This project has been cancelled and \$269,344.75 remains unexpended in the account

b. Re-allocation of CDBG and CDBG-R program funds to new and/or existing projects

The City proposes to reallocate the above listed unexpended funds in the amount of \$74,914 (CDBG-R) and \$1,069,700.12 (CDBG) to the following new and/or existing projects:

CDBG-R Total Funded: \$ 74,914

Public Works Department

Crane Avenue Rehabilitation (existing): \$74,914 (CDBG-R)
These funds will go towards the cost of replacing pavement along Crane Avenue from Rosecrans Avenue to Compton Blvd and Myrrh Street to Alondra Boulevard.

CDBG Total Funded: \$ 1,069,700.12

Public Works Department

Crane Avenue Rehabilitation (existing): \$142,086 (CDBG)
These funds will go towards the cost of replacing pavement along Crane Avenue from Rosecrans Avenue to Compton Blvd and Myrrh Street to Alondra Boulevard.

Residential Street Reconstruction (existing): \$651,614.12 (CDBG)
These funds will go towards the reconstruction of various residential streets in low to moderate income areas (CDBG e throughout the City of Compton.

Fire Department

Compton Fire-Ambulance (new): \$276,000 (CDBG)
These funds will be used towards the of purchase two (2) ambulances for the Compton Fire Department. Both ambulances will be used to service the low to moderate income areas of the City.

RESOLUTION NO. _____

Page 3

Section 2 That the City shall amend the 2011-2012 Fiscal Year’s budget as follows:

CDBG-R

From

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-81W-126-4266	Contract Services	\$74,914
Total:		\$74,914

To

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-72X-135-4249	Special Department	\$74,914

CDBG

From

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-72V-118-4262	Other Professional Services	\$375,000
2800-51X-136-4249	Special Department Expense	\$225,355.37
2800-51X-132-4101	Salaries	\$47,532
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2800-51X-132-4197	Unemployment Insurance	\$105
2800-51X-132-4198	State Disability	\$373
2800-51X-132-4199	Medi-Cal Contribution	\$37
2800-51X-132-4269	Other Contract Services	\$123,345
2800-72Y-141-4269	Other Contract Services	\$269,344.75
Total:		\$1,069,700.12

To

<u>Account No.</u>	<u>Account Description</u>	<u>Amount</u>
2800-72X-135-4249	Special Department	\$142,086
2800-72Y-131-4269	Other Contract Services	\$651,614.12
2800-69Y-142-4333	Automotive Equipment	\$276,000

Section 3 That the City Manager is authorized to execute the amendments to the Fiscal Years 2009-10, 2010-11 and 2011-12 Annual Action Plans of the Consolidated Plans in accordance with HUD regulations as well as City regulations related to the projects.

RESOLUTION NO. _____
Page 4

Section 4 That a copy of this resolution shall be filed in the office of the City Manager, City Controller, City Clerk, Public Works Department, Fire Department and Careerlink.

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

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

City Management

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE ADOPTION OF SUBSTANTIAL AMENDMENTS TO THE CITY OF COMPTON’S FISCAL YEARS 2009-10, 2010-11 AND 2011-12 ANNUAL ACTION PLANS OF THE CONSOLIDATED PLANS

<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.

March 20, 2012

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: BRYAN BATISTE, CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING SUBMISSION OF THE PUBLIC HOUSING AUTHORITY (PHA) ANNUAL PLAN (2012-2013)

SUMMARY

The City Council will adopt a Resolution approving submission of the Public Housing Agency (PHA) Annual Plan 2012-13 to the U.S. Department of Housing and City Council (HUD).

BACKGROUND

The PHA Plan is a comprehensive guide to the public housing agency (PHA) policies, programs, operations, and strategies for meeting local housing needs and goals. There are two parts to the PHA Plan: the 5-Year plan, which each PHA submits to HUD every 5th fiscal year and the Annual Plan, which is submitted every year. The Annual Plan informs HUD, residents, and the public of the PHA's mission for serving the needs of low-income and very low-income families and the PHA strategy for addressing those needs.

STATEMENT OF THE ISSUE

The City Council has adopted the City's Five-Year Plan (2010-2015), and held a required public hearing to consider the Annual Plan 2012-13. Based on that hearing the Annual Plan is ready to be submitted to HUD.

FISCAL IMPACT

There is no fiscal impact.

BRYAN BATISTE
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON APPROVING SUBMISSION OF THE PUBLIC HOUSING
AUTHORITY (PHA) ANNUAL PLAN (2012-2013)**

WHEREAS, the U.S. Department of Housing and Urban Development requires the development, adoption and implementation of a Public Housing Authority (PHA) Annual Plan; and

WHEREAS, the City Council has held a joint public hearing with the Urban Housing Development Commission Acting as the Local Housing Authority held on March 20, 2012, in compliance with requirements of the U.S. Department of Housing and Urban Development; and

WHEREAS, it is one of the City of Compton’s top priorities to effectively and efficiently operate the Compton Local Housing Authority pursuant to all federal and local rules.

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

Section 1. That the City Council hereby approves the submission of the Public Housing Authority (PHA) Plans for 2012-2013.

Section 2. That the City Manager is hereby authorized to execute and deliver any and all documents in connection with the 2012-2013 Annual PHA Plan.

Section 3. That a copy of this Resolution shall be transmitted to the U.S. Department of Housing and City Council.

Section 4. That a copy of this Resolution shall be filed in the offices of the City Manager, Local Housing Authority, City Controller, City Clerk, Economic Resource Development and the Urban Community Development Commission.

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
CITY OF LOS ANGELES
CITY OF COMPTON**

RESOLUTION NO. _____
PAGE 2

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the forgoing resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 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: **Housing Authority**

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING SUBMISSION OF THE PUBLIC HOUSING AUTHORITY (PHA) ANNUAL PLAN (2012-2013)

Delmonsha Green
DEPARTMENT MANAGER'S SIGNATURE

3/13/2012 2:28:09 PM
DATE

REVIEW / APPROVAL

Craig Cornwell
CITY ATTORNEY

3/16/2012 10:38:55 AM
DATE

Stephen Ajobiewe
CITY CONTROLLER

3/16/2012 10:37:35 AM
DATE

Bryan Batiste
CITY MANAGER

3/16/2012 8:03:56 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.

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