

NOTICE

COMPTON CITY COUNCIL AGENDA Tuesday, June 11, 2013 5:45 PM

HEARING(S)

5:50 P.M. - PUBLIC HEARING - 2013/2014 FISCAL YEAR BUDGET (Continue to June 18, 2013 at 5:50 p.m.)

5:55 P.M. - PUBLIC HEARING - DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014 (Item #22)

6:00 P.M. - PUBLIC HEARING - DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE SEWER SERVICE CHARGES FOR FISCAL YEAR 2013/2014 (Item #23)

6:05 P.M. - JOINT PUBLIC HEARING - AMENDING THE CAPITAL IMPROVEMENT PLAN AND REALLOCATE CAPITAL FUNDING FOR PROJECTS FINANCED THROUGH REFINANCING OF LEASE REVENUE BONDS (Item #24)

OPENING

ROLL CALL

INTRODUCTION OF SPECIAL GUESTS

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

CONSENT AGENDA

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

APPROVAL OF MINUTES

1. MAY 21, 2014
MAY 28, 2013

REPORTS OF OFFICERS AND COMMISSIONS

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

2. INVESTMENT REPORT - APRIL 30, 2013 (Receive/File)

CITY MANAGER

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON, CALIFORNIA OPPOSING COMPACTS FOR OFF -RESERVATION OR URBAN TRIBAL GAMING

PUBLIC WORKS-ENGINEERING

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE CONSTRUCTION OF THE CRANE AVENUE RECONSTRUCTION PROJECT (CIP# 09-06) PERFORMED BY SIALIC CONTRACTORS CORPORATION DBA SHAWNAN , SANCTION STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION
5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO JANKOVICH FOR THE PURCHASE OF GASOLINE, LUBE AND DIESEL FUEL FOR THE CITY OWNED VEHICLES

WATER DEPARTMENT

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF HD SUPPLY WATERWORKS, INC. FOR THE FURNISHING AND DELIVERY OF LEAD-FREE MULTI-JET WATER METERS AND AMEND THE 2012-2013 FISCAL YEAR BUDGET TO TRANSFER FUNDS
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE WATER DEPARTMENT 2012/2013 FISCAL YEAR BUDGET TO INCREASE REVENUES

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT FOR GROUNDWATER PUMPING RIGHTS FOR FISCAL YEARS 2013-2014 THROUGH 2017-2018.
9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE CITY OF NORWALK FOR GROUNDWATER PUMPING RIGHTS FOR FISCAL YEARS 2012-2013, 2013-2014, 2014-2015

END CONSENT AGENDA

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

CITY MANAGER'S REPORT

10. ORAL BUDGET DISCUSSION - 2013-2014 FISCAL YEAR

CITY ATTORNEY'S REPORTS

11. ORAL PRESENTATION
ANIMAL MAINTENANCE
DERRETT vs. CITY OF COMPTON

CLOSED SESSION

12. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager
City Controller
Pursuant to California Government Code Section 54957
13. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Perez v. City of Compton, WCAB Case Number ADJ7734883
Baker v. City of Compton, WCAB Case Number ADJ3964372 and ADJ4081926
Shandell v. City of Compton, LASC Case Number TC 020 285
Warren v. City of Compton, LASC Case Number BC 389182
Hartford v. City of Compton, USDC, Case Number CV 12-04357
DMG-MRW
Pursuant to California Government Code Section 54956.9(a)

14. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One (1) Potential Case
Pursuant to California Government Code Section 54956.9(b)

UNFINISHED BUSINESS

NEW BUSINESS

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING A PURCHASE ORDER WITH THE CITY OF DOWNEY FOR FIRE AND EMERGENCY MEDICAL DISPATCHING SERVICES
16. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE FISCAL YEAR 2012-2013 BUDGET AND TO ENTER INTO AN AGREEMENT WITH COMPTON CHAMBER OF COMMERCE
17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON SUPPORTING THE ADOPTION OF CALIFORNIA ASSEMBLY BILL (AB) 28 TO REFORM THE STATE'S ENTERPRISE ZONE (EZ) PROGRAM
18. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON OPPOSING THE GOVERNOR'S MAY BUDGET REVISE OF THE 2013-2014 STATE BUDGET PROPOSING SUBSTANTIAL REFORMS TO THE CALIFORNIA ENTERPRISE ZONE (EZ) PROGRAM
19. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON OPPOSING THE ADOPTION OF CALIFORNIA SENATE BILL (SB) 434 TO SIGNIFICANTLY REFORM THE STATE'S ENTERPRISE ZONE (EZ) PROGRAM
20. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ENGINEER'S REPORT OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S LIGHTING AND LANDSCAPE ASSESSMENTS DISTRICT NO. 1 CHARGES FOR FISCAL YEAR 2013/2014
21. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ENGINEER'S REPORT OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S SEWER SERVICE CHARGE FOR FISCAL YEAR 2013/2014
22. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE LIGHTING AND LANDSCAPE DISTRICT NO. 1 FISCAL YEAR 2013/2014

23. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS OF SEWER SERVICE CHARGE FOR FISCAL YEAR 2013/2014
24. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING CHANGES TO THE DEFINITION OF "2008 PROJECT" UNDER THE FACILITY LEASE AND THE TRUST AGREEMENT RELATING TO THE COMPTON PUBLIC FINANCE AUTHORITY LEASE REVENUE BONDS (REFUNDING AND VARIOUS CAPITAL PROJECTS), SERIES 2008 AND REALLOCATING MONEYS IN THE 2008 PROJECT FUND THEREFORE AND AMENDING THE FISCAL YEAR 2012-2013 BUDGET
25. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE TO DELETE SECTION 2-1.12 (ADJOURNMENT OF CITY COUNCIL MEETINGS IN AUGUST) IN ITS ENTIRETY (FIRST READING)

APPROVAL OF WARRANTS

26. Warrant #215990 - Date - 6/3/13 - Name - California Department of Health Services - Service - Payment - Water System Fees (July 2012-December 2012) - Amount - \$6,438.60 - Requested by: City Manager

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, June 18, 2013 @ 5:45 PM.

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MAY 21, 2013

The City Council meeting was called to order at 6:02 p.m. in the Council Chambers of City Hall by Mayor Pro-Tem Lillie Dobson.

ROLL CALL

Council Members Present: Zurita, Arceneaux, Jones, Dobson

Council Members Absent: Perrodin*

Other Officials Present: C. Cornwell, V. McDaniel, G. H. Duffey

COMMENDATORY RESOLUTIONS/PRESENTATIONS

1. 2013 COMPTON ACADEMIC ACHIEVEMENT SCHOLARSHIP - Pacific Coast Waste & Recycling Company - Councilman Jones (Presentation made)

The City Council and Pacific Coast Waste & Recycling Company presented eleven \$1,000 scholarship awards to the following Compton Unified School District high school students: Thomas Andrew, A. Esperanza, William Bluford, Viviana S., Jade Davis-Hurd, Johnny M., Otis Perry, Camilla M., Jorge Lopez, Danielle Haman, and Tawana McDavid.

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Robert Ray, Compton resident, asked that Aja Brown disqualify herself from the mayoral race and encouraged the residents to vote Omar Bradley for mayor. He further suggested that Mr. Melanson implicate the persons responsible, and not be the scapegoat for the situation he is in.

William Scott, Compton resident, expressed a concern for the lack of communication between the City and the residents. He contended that there was no information regarding community events on the City's calendar via the website and asked that the city manager promptly address this issue. He further urged the citizens to attend the "Mayoral Candidates Forum" to be held on Saturday, May 25, 2013 at 12 p.m. in the Council Chambers.

Benjamin Holifield, Compton resident, proposed that the City postpone all new hires until after the June 4, 2013 election. He further contended that the Downtown Compton Center is dilapidating due to the City's focus on the Gateway Towne Center.

William Carter, Compton resident, commented on the destruction of the political candidate signs around the City and warned those responsible that they could be fined and/or jailed for the offense. He also voiced a concern for the density of the populations within each of the districts after redistricting, and argued that Measure B cuts jobs and hurts the City as a whole.

Rudolfo Ruval, Compton resident, referenced Item Number Seven and asked that the new hearing date be announced to the public. He also mentioned Item Numbers Eight and Nine and asked how those grant funds would be expended in the fire department's budget.

Elizabeth Ramirez, Compton resident, suggested that this City Council's salaries be adjusted to that of the senior citizens, so that they could experience life living on a fixed income and paying their water bills.

Joyce Kelly, Compton resident, proclaimed that individuals at the podium have a right to free speech and free press in accordance to the First Amendment of the United States of America. She proposed that Aja Brown could not possibly have accomplished what she says she has accomplished on her flyers, and further urged the citizens of Compton to give the former mayor a second chance at leading the City.

***Mayor Perrodin in at 6:49 p.m.**

#1.

Lynn Boone, Compton resident, referenced Items Eight and Nine and her suggestion to council to create a grants commission. She also asked whether or not the monies in the Wells Fargo Bank account are associated with the lockbox funds. She spoke in opposition to Item Ten because it would give the city manager the authority to spend up to \$25,000 without the council's consent. She further encouraged the citizens to exercise their right to vote on June 4th. She mentioned that she was disgusted and disheartened to learn that Aja Brown was not attending the "Candidate's Forum" on Thursday and questioned how she could have something more important to do than addressing the citizens of Compton.

Diana Sanchez, Compton resident, thanked everyone that supported her during the April 16th election and held that she would continue her work with Community United for Compton, Concerned Citizens of Compton, National Association for Equal Justice in America (NAJEA) and the Metropolitan Water District (MWD). She also asked that everyone pray for the Carlos family.

5:50 P.M. - PUBLIC HEARING - 2013 FIREWORKS APPROVAL/DENIAL HEARING (Item #6)

On motion by Zurita, seconded by Dobson, the public hearing was opened at 7:01 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

Vernell McDaniel, Deputy City Clerk, presented the staff report and the proposal to approve fireworks stands for the following organizations: Community United for Compton (2nd Year), Compton Souther Drill Team and Drum Squad, Crossroads United Methodist Church (2nd Year), Curry Temple Church, Dominguez High School Quarterback Club (2nd Year), Dominguez Samoan Congressional Church, Hopes and Dreams Foundation, Iglesias Hispania Adoracion, Light of the World Community Center, New Holy Trinity Baptist Church, Sandra's Soul Steppers and Victory Outreach.

Mayor Perrodin opened the floor for audience comments on the hearing.

AUDIENCE COMMENTS ON THE HEARING

Robert Ray, Compton resident, proposed a 100% ban on all fireworks.

Mayor Perrodin notified Mr. Ray that the citizens of Compton voted for the use and sale of Safe 'N' Sane Fireworks.

Lois Johnson, Light of the World Church of God in Christ, asked the council to address why they were not selected to operate a fireworks stand this year.

Oscar Ramos, representative of the City Clerk's Office, explained that the organizations were selected through a random lottery process.

Ms. Young, Compton resident, voiced her appreciation for the Mother's Day luncheon. She further commended Mayor Perrodin for his service to the Compton community.

Lynn Boone, Compton resident, asked Mr. Ramos if the applicants were aware of the lottery date and process. Mr. Ramos replied affirmatively.

William Scott, Compton resident, requested the feasibility of 24-hour fireworks' stands 2 to 3 days before the 4th of July. Mr. Ramos answered that fireworks stands have to close by 10 p.m. in accordance to the ordinance.

Rudolfo Ruval, Compton resident, suggested that applicants for fireworks' stands be selected based upon their contributions to the Compton community.

Verdell Littles, member of the Order of the Eastern Star, explained that the process of selecting fireworks' stands is done right, she has been there for the past three years.

On motion by Dobson, seconded by Zurita, the public hearing was closed at 7:16 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

COUNCIL COMMENTS ON THE HEARING

Councilperson Jones asked if the Dominguez Samoan Congressional Church organization is the same entity that operates bingo at the Crystal Casino.

Councilperson Zurita inquired about whether or not the lottery process supersedes the guidelines of granting organizations permits to operate a fireworks stand.

Deputy City Clerk McDaniel explained that the lottery process was adopted because the Clerk's Office always received more applications than actual fireworks' stands; applicants are invited to participate and witness the lottery process themselves.

Councilperson Zurita asked if the decision was adopted by council. Ms. McDaniel explained that it was an administrative decision made by the City Clerk's Office to ensure that the application's process was fair and equitable.

Craig Cornwell, City Attorney, referred Councilperson Zurita to Compton Municipal Code Section 22-2.4., noting that the lottery process is conducted in accordance with that section.

6. APPROVAL OF THE 2013 FIREWORKS APPLICATIONS

On motion by Dobson, seconded by Zurita, the fireworks applications 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

CONSENT AGENDA

On motion by Zurita, seconded by Dobson, 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. APRIL 9, 2013 - Approved.
APRIL 23, 2013 - Approved.
MAY 7, 2013 - Approved.

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

3. INVESTMENT REPORT - March 30, 2013 **(Received/Filed)**

#1.

BUILDING AND SAFETY

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE BUILDING AND SAFETY DEPARTMENT 2012/2013 FISCAL YEAR BUDGET, AMEND THE CONTRACT, AND ISSUE A PURCHASE ORDER TO MELAD AND ASSOCIATES FOR BUILDING PLAN CHECK SERVICES AND TEMPORARY BUILDING INSPECTION SERVICES(**Resolution # 23,756**)

END CONSENT AGENDA

REGULAR AGENDA

CITY MANAGER'S REPORT

7. REQUEST TO RESCHEDULE THE MAY 28, 2013 BUDGET HEARING TO A SPECIAL MEETING TO BE HELD ON JUNE 3, 2013 AT 5:30 P.M.

On motion by Arceneaux, seconded by Zurita, to reschedule the May 28, 2013 budget hearing to a special meeting to be held on Monday, June 3, 2013 at 5:30 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

5. ORAL PRESENTATION - Michael Sieckert - Metro - Artesia Report (**Presentation Reagendad**)

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

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS

8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING FUNDS FROM THE HOMELAND SECURITY GRANT PROGRAM (HSGP- 2010), AUTHORIZING AN AGREEMENT WITH THE COUNTY OF LOS ANGELES AND AMENDING THE FIRE DEPARTMENT'S 2012-2013 FISCAL YEAR BUDGET

On motion by Arceneaux, seconded by Jones, **Resolution # 23,757** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING FUNDS FROM THE HOMELAND SECURITY GRANT PROGRAM (HSGP- 2010), AUTHORIZING AN AGREEMENT WITH THE COUNTY OF LOS ANGELES AND AMENDING THE FIRE DEPARTMENT'S 2012-2013 FISCAL YEAR BUDGET**" 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

9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, ACCEPT THE URBAN AREA SECURITY INITIATIVE GRANT (UASI-2012) FROM THE CITY OF LOS ANGELES AND AMEND THE FIRE DEPARTMENT'S 2012-2013 FISCAL YEAR BUDGET

On motion by Zurita, seconded by Arceneaux, **Resolution # 23,758** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, ACCEPT THE URBAN AREA SECURITY INITIATIVE GRANT (UASI-2012) FROM THE CITY OF LOS ANGELES AND AMEND THE FIRE DEPARTMENT'S 2012-2013 FISCAL YEAR BUDGET**" 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

10. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVISING THE CITY'S POLICIES AND PROCEDURES FOR THE APPROVAL OF PURCHASE ORDERS, WORK CHANGE ORDERS, BUDGETARY TRANSFERS AND CONTRACTS TO INCREASE THE CITY MANAGER'S MAXIMUM APPROVAL LEVEL OF EXPENDITURES TO \$25,000 AND RESCINDING RESOLUTION NO. 23,393.

Councilperson Dobson questioned the need to increase the city manager's authority to purchase expenditures outside of this City Council's approval.

Councilperson Arceneaux affirmed that she believes this resolution is in the best interest of the City due to previous delays in payment to contractors for pothole repairs. Ms. Arceneaux also mentioned that the city manager has conceded to providing regular expenditure reports.

Councilperson Zurita acknowledged that she was the person that requested that the signature of authority be reduced; however she stated that she is confident that the policy accompanying this resolution would advise the City Council with monthly reports on expenditures and proposed expenditures at council meetings.

Councilperson Dobson maintained that the initial reasoning for reducing the signature of authority was due to a deficit and financial problems that the City is still experiencing. Ms. Dobson stated that receiving a report after the money has already been spent is too late. She also mentioned that she initially thought the \$5,000 was inadequate and questioned who decided that amount and why.

Councilperson Arceneaux admitted that she was the person responsible for this item because the limit of \$5,000 made it difficult for the city manager to fulfill the responsibilities and needs of the citizens.

Councilperson Dobson stated that it appears as though a councilperson has to direct the city manager to provide her information that she should already been privy to.

Councilperson Zurita asserted that she receives her information from the city manager during their Monday meetings.

Mayor Perrodin articulated concerns for the legal aspect of this resolution, such as Sections 4 and 5 which he claims usurps the City Council's authority granted by the City Charter to the City Attorney; and the terms "urgent situation" and "fiscal stability" within the resolution. The Mayor maintained that he agrees that the city manager should have a signature authority of \$25,000; his issue is with Section 4 and 5 because the amount can be increased to up to \$200,000 with no checks and balances.

Councilperson Arceneaux directed the city manager to address the Mayor's comments.

City Manager Duffey remarked that the proposed resolution contains the same language used in Resolutions 23,393, 22,721, 22,522, 22,084 and 21,925.

Councilperson Arceneaux commented that the two sections that the Mayor is concerned about will not change or be corrected because it is contained in the current and old resolutions.

#1.

Mayor Perrodin reiterated that his concerns are to change or omit Sections 4 and 5 and hoped that someone would suggest that those sections be omitted.

Councilperson Arceneaux stated that she supports the Mayor's request.

City Attorney Cornwell clarified that this resolution, if enacted, will be the authority of City Council and does not usurp the Body's authority.

Councilperson Jones asked if the language in the City Charter is consistent with the resolution. Mr. Cornwell remarked that they are two different situations, the section in the City Charter does not prevent council from creating this section in the resolution.

Douglas Sanders, City Treasurer, requested the criteria for "urgent situations."

City Manager Duffey answered that this resolution deals with efficiency and the ability to take care of business, and if the city manager cannot distinguish between what is urgent and what is not urgent he should not be the city manager.

Mayor Perrodin interjected that at that time it might be too late; this issue is related to a living document which will remain in effect after he is gone.

Mayor Perrodin stated that he believes the resolution is poorly written, and as a council they cannot rely on the advice of the City Attorney to be negligent in their duties.

Councilperson Zurita asked the City Attorney if the Mayor's statement is true. City Attorney Cornwell stated that it is his job to advise City Council as to the City's business in accordance to the City Charter.

City Attorney Cornwell clarified that he is in agreement with the Mayor that this resolution delegates council's authority, however he stated that he does not believe it is an improper delegation because every section in the resolution can be amended, deleted, at the will of the council.

Councilperson Arceneaux proposed the deletion of Sections 4 and 5, and that the resolution only address the increase of \$25,000.

City Attorney Cornwell indicated that an omission of Section 4 of the resolution would allow for purchase orders but not contracts, so therefore the need for a contract would still come before this Body for approval.

Councilperson Zurita asked if Sections 4 and 5 are appropriate for this resolution. City Attorney Cornwell replied affirmatively.

Councilperson Arceneaux asked if it is the pleasure of the council to leave the resolution as is.

Councilperson Zurita stated that she would like to leave it as it is.

Councilperson Arceneaux withdrew her motion to amend the resolution.

Councilperson Dobson remarked that she is concerned about the increase in the signature of authority and such purchases like the one last week wherein staff entered into an agreement with Lowes opposed to Home Depot.

On motion by Zurita, seconded by Arceneaux, **Resolution # 23,759** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON REVISING THE CITY'S POLICIES AND PROCEDURES FOR THE APPROVAL OF PURCHASE ORDERS, WORK CHANGE ORDERS, BUDGETARY TRANSFERS AND CONTRACTS TO INCREASE THE CITY MANAGER'S MAXIMUM APPROVAL LEVEL OF EXPENDITURES TO \$25,000 AND RESCINDING RESOLUTION NO. 23,393.**" was approved, by the following vote on roll call:

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

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE COMPTON LIGHTING AND LANDSCAPE DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE

Councilperson Dobson asked the city manager if he would fix a portion of the streetlights with this funding allocation.

City Manager Duffey replied affirmatively.

On motion by Arceneaux, seconded by Zurita, **Resolution # 23,760** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE COMPTON LIGHTING AND LANDSCAPE DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE**" 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. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE PRELIMINARY ENGINEERING REPORT OF WILL DAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014

On motion by Arceneaux, seconded by Jones, **Resolution # 23, 761** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE PRELIMINARY ENGINEERING REPORT OF WILL DAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014**" 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

13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014 AND APPOINTING A TIME AND PLACE FOR A PUBLIC HEARING TO BE HELD ON JUNE 11, 2013 @ 5:55 P.M.

On motion by Zurita, seconded by Arceneaux, **Resolution # 23,762** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2013/2014 AND APPOINTING A TIME AND PLACE FOR A PUBLIC HEARING TO BE HELD ON JUNE 11, 2013 @ 5:55 P.M.**" 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

#1.

14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE COMPTON SEWER SERVICE CHARGES FOR FISCAL YEAR 2013/2014 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913, DIVISION 12 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

On motion by Arceneaux, seconded by Zurita, **Resolution # 23,763** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE COMPTON SEWER SERVICE CHARGES FOR FISCAL YEAR 2013/2014 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913, DIVISION 12 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**" 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

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE PRELIMINARY ENGINEERING REPORT OF WILL DAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S SEWER SERVICE CHARGES FOR FISCAL YEAR 2013-2014

On motion by Arceneaux, seconded by Jones, **Resolution # 23,764** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE PRELIMINARY ENGINEERING REPORT OF WILL DAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S SEWER SERVICE CHARGES FOR FISCAL YEAR 2013-2014**" 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

16. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE SEWER SERVICE CHARGES FOR FISCAL YEAR 2013/2014 AND APPOINTING A TIME AND PLACE FOR A PUBLIC HEARING TO BE HELD ON JUNE 11, 2013 @ 6:00 P.M.

On motion by Arceneaux, seconded by Jones, **Resolution # 23,765** entitled "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS AND CHARGES WITHIN THE SEWER SERVICE CHARGES FOR FISCAL YEAR 2013/2014 AND APPOINTING A TIME AND PLACE FOR A PUBLIC HEARING TO BE HELD ON JUNE 11, 2013 @ 6:00 P.M.**" 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 WARRANTS - There were no warrants to be approved.

COUNCIL COMMENTS

Councilperson Zurita asked the city manager to present an update regarding the use of the new pothole repair machine. City Manager Duffey stated that he anticipates staff to have a list of the streets next week.

Councilperson Zurita asked the city manager if TLC Tree Trimming is still working for the City. City Manager Duffey replied affirmatively.

Councilperson Zurita also asked if the camera surveillance program would be in the next fiscal year budget, and that a portion of those cameras be placed in high graffiti areas. City Manager Duffey replied affirmatively.

Councilperson Zurita invited the residents to attend the "Coffee with Captain McCray" event to be held on Wednesday, May 22, 2013 at 10 a.m. at the Winchell's Donut Shop located at 1300 East Alondra Boulevard.

Councilperson Zurita also announced the Dollarhide Neighborhood Center "Senior Health & Fitness Day" event to be held on Wednesday, May 29, 2013 from 9 a.m. to 2 p.m.

Councilperson Zurita further announced the "Compton Youth Football Camp" to be held on Saturday, June 29, 2013 from 8 a.m. to 3 p.m. at Gonzales Park in the Jackie Robinson Stadium. For more information please call (310) 605-5688.

Councilperson Zurita urged the residents to take advantage of the bulky waste pick up service presented by Pacific Coast Waste & Recycling. For more information residents should call (310) 605-5500. Ms. Zurita also mentioned that City Hall would be closed Monday, May 27, 2013 and Thursday, May 30, 2013.

Mayor Perrodin presented Mr. Larnell Johnson with a proclamation on behalf of his exemplary leadership, dedication and commitment to New Jerusalem Church of God in Christ.

Councilperson Dobson stated that she had the opportunity to attend an event wherein Senator Roderick Wright honored the accomplishments of various students in his district. Ms. Dobson also thanked Pacific Coast Waste & Recycling for the college scholarship they presented to eleven of Compton's college bound students.

Councilperson Dobson asked the city manager to immediately address the tree at 2028 North Locust Street and 2012 Locust Street. She encouraged the citizens to exercise their right to vote and requested that the meeting be adjourned in the memory of Darnell Blackburn and Marjorie Shipp's sister Freida Anderpont.

Councilperson Arceneaux directed the city manager to update the City events calendar on the City's website. Ms. Arceneaux also requested that an explanation be provided concerning the water rates charged to Compton residents. Ms. Arceneaux further requested that the light bulbs on the major thoroughfares' street signs be replaced.

Councilperson Arceneaux notified the residents that the Google app to report potholes and graffiti will be ready on June 1, 2013 and the Apple app will be ready June 13, 2013. Ms. Arceneaux also asked that the city manager provide a report regarding the reason why the streets in the Third District were not swept over the weekend.

Councilperson Arceneaux also mentioned "Career Day" at Robert F. Kennedy Elementary School and the Solar Cup competition at Lake Skinner.

Councilperson Arceneaux also announced that the Ralphs/Food4Less Renewal Energy Project would create more than 24 jobs and 40 part-time contractor jobs. For additional information regarding this project and/or job opportunities should go to www.feedresourcerecovery.com.

Councilperson Jones asked both the City Attorney and City Manager to develop a resolution to oppose Senate Bill 434 and support Assembly Bill 28 because it supports the Enterprise Zone. Dr. Jones commended the Ralphs/Food4Less Grocers for being a leader in the clean energy sector.

Councilperson Jones also thanked Richard Macias, Mel Howard and Steve Tucker from Pacific Coast Waste & Recycling for their outstanding contributions to students in the Compton Unified School District. Dr. Jones also mentioned that he had the opportunity to attend the awards ceremony for academic achievers hosted by Senator Roderick Wright at California State University Dominguez Hills.

#1.

Councilperson Jones announced that President Obama’s administration is seeking African American interns to work in Washington, D.C. to focus on public policy, African American education, communication, and outreach in the Department of Education. College undergraduates can apply at www.findinternship.com.

ADJOURNMENT

On motion by Arceneaux, seconded by Zurita, the meeting was adjourned at 9:05 p.m. in the memory of **Darnell Blackburn, Freida Anderpont, Bruce Allen**, by the following vote on roll call:

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

City Clerk of the City of Compton

Mayor of the City of Compton

MAY 28, 2013

The City Council meeting was called to order at 6:30 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, G. H. Duffey

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Charles Davis, Compton resident and former City Clerk, contested the statements made by mayoral candidate Omar Bradley at the "Candidates' Forum" last Saturday. He conceded that Section 702 of the City Charter: Eligibility for City Attorney had not been changed since 1973. He suggested that council report back each week to address false statements made at the podium. He further stated that the Fire Department is supporting Mr. Bradley because he promised to send them to the County of Los Angeles.

Rudolfo Ruval, Compton resident, asked that the City Council address at least some of the residents questions, especially if they are incorrect. He further stated that the mark of a true leader is someone that can address allegations publicly.

Joanna Morales, Compton resident, invited the residents to take advantage of the spaying and neutering services provided free of charge by Downtown Dog Rescue on June 8, 2013. Anyone interested should call (213) 403-0129.

Charles Strickland, Compton resident, notified Ms. Aja Brown that she could not steal the hearts of Compton residents by stealing fire fighter union endorsed Omar Bradley signs. He commended Mayor Perrodin and mayoral candidate Omar Bradley for their collective respect in the public. He also maintained that Aja Brown has never experienced the struggles of living in the City of Compton and that respect from the community must be earned.

Benjamin Holifield, Compton resident, invited the residents and business community to attend the Compton Business & Area Network meetings held every Thursday at 2201 North Long Beach Boulevard. Attendees can RSVP at (310) 920-7986.

Minnie Sawyer, Compton resident, expressed her support for mayoral candidate Omar Bradley.

Lorraine Cervantes, Compton resident, claimed that the resolution that passed last Tuesday would increase the city manager's signature of authority for of up to \$200,000 superseding all previous resolutions in the same vein. She indicated that Omar Bradley had shown diligence when he left the hospital and came to the "Candidate's Forum" last Saturday. She also mentioned that one of the individuals on Aja Brown's endorsement list had denounced her for himself, his bishop, and superintendent. Lastly, she mentioned that there is an official complaint filed against her with HUD regarding the First Time Homebuyers program.

Aaron Ramirez, committee organizer for Compton Neighborhood Action Council, presented a proposal to host a "Women & Children in Action" event to be held on Sunday, June 30, 2013 at Wilson Park.

Mayor Perrodin referred Ms. Ramirez to the City Manager's Office.

Elizabeth Ramirez, Compton resident, asked when she should expect the preferential parking program to be reinstated. She also asked that the adult entertainment advertisements on the side of Superior Market and the Blueline Transit be removed; and if the water rates would be increased as of July 1, 2013.

#1.

Mayor Perrodin replied affirmatively.

Ms. Ramirez proposed that the City consider using the increase in gaming revenues to pay down the water bonds. Lastly, she asked that signs be posted in the Richland Farms community for drivers to ensure the right-of-way for youth riding horses.

Mary Patterson, Compton resident, petitioned the owners of the Crystal Casino to open the gate adjoining the Blueline Transit and their establishment.

Joyce Kelly, Compton resident, accused Mr. Galvan of being a womanizer and voiced her support for Omar Bradley as mayor of the City of Compton.

Mike Chattom, National Association for Equal Justice in America (NAEJA), asked that the City address the predatory towing issues at 312 West Compton Boulevard.

Councilperson Arceneaux asked the City Attorney to address this issue.

Lestean Johnson, President of the Compton Chamber of Commerce, presented City Clerk Alita Godwin and Channel 36 Mark Woods with a plaque of appreciation for their tireless dedication and commitment to the citizens of Compton on behalf of the Compton Chamber of Commerce, Concerned Citizens of Compton, National Association for the Advancement of Colored People (NAACP) and the South Poinsettia Avenue Block Club.

Lynn Boone, Compton resident, alleged that the city manager is trying to create positions that current city employees will not qualify for. She affirmed that an eligibility requirement for the City Attorney was removed with Measure L—and asked that the City Council direct the city manager to come before the citizens with a proposal to contract out the City Attorney's Office.

CONSENT AGENDA - There were no items posted to the Consent Agenda.

REGULAR AGENDA

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

CITY ATTORNEY'S REPORTS

Craig Cornwell, City Attorney, directed the audience to California Government Code 6000 with regard to newspapers of general circulation. He reported that outside counsel is paid hourly for the work that they do, and out of 30 cases, less than 3 are currently being outsourced to outside counsel. As it relates to residency requirements, that matter was addressed by the California Supreme Court *Thompson v. Mellon* (1973).

1. **ORAL PRESENTATION** - City Attorney's Volunteer Internship Program - Javon Payton
(Presentation made)
2. **REQUEST TO SET PUBLIC HEARING TO AMEND THE CAPITAL IMPROVEMENT PLAN AND REALLOCATE CAPITAL FUNDING FOR PROJECTS FINANCED THROUGH THE REFINANCING OF LEASE REVENUE BONDS**

On motion by Arceneaux, seconded by Dobson, a public hearing was scheduled for June 11, 2013 at 6:05 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**

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE POSITION CLASSIFICATION PLAN BY ADOPTING CLASSIFICATION SPECIFICATIONS FOR THE POSITION OF CHIEF BUILDING OFFICIAL

It was moved by Arceneaux, seconded by Zurita.

Mayor Perrodin asked if there would be instances wherein code enforcement would have to supplement violations found by the building official.

City Manager Duffey remarked that there would probably be more occasions wherein the building official would supplement code enforcement.

Mayor Perrodin questioned who would have ultimate supervision over code enforcement officers in this situation.

City Manager Duffey explained that this item would not circumvent or negate Municipal Law Enforcement Services' (MLES) supervision over code enforcement.

Mayor Perrodin suggested that code enforcement/MLES be supervised by the City Attorney's Office.

Councilperson Arceneaux articulated her support for that recommendation to help bring about faster resolutions to code violations.

City Attorney Cornwell conceded that he was willing and able to supervise that department if it is the desire of the City Council.

On motion by Arceneaux, seconded by Zurita, **Resolution # 23,766** entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE POSITION CLASSIFICATION PLAN BY ADOPTING CLASSIFICATION SPECIFICATIONS FOR THE POSITION OF CHIEF BUILDING OFFICIAL" 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 WARRANTS

4. Warrant #215646 - 5/9/13 - C.H.A.N.G.E. - Graffiti Removal - \$1,750.00
Warrant #215680 - 5/14/13 - SYMPRO, INC. - Annual Maintenance - \$3,759.00

Requested by City Manager's Office

Warrant #215870 - 5/22/13 - Bay Alarm Co. - Well Monitoring - \$1,285.38
Requested by Fire Department

It was moved by Zurita, seconded by Arceneaux, to discuss this item.

Councilperson Dobson expressed a concern for the crime and excessive graffiti over the weekend in the Second District.

City Manager Duffey explained that warrant number 215646 pays for a period of time ending April 26, 2013--the City is no longer using C.H.A.N.G.E. and Urban Graffiti; they are now using city employees and will be bringing back additional employees to address graffiti removal.

#1.

Mayor Perrodin cited a rise in crime and gang activity over the weekend and suggested that gaming revenues be used to employ C.H.A.N.G.E. for graffiti removal.

City Manager Duffey proposed that they continue their current schedule for graffiti removal until the new budget year and then go out to bid.

Councilperson Zurita insisted that preventative measures be taken to address the graffiti such as resident participation, surveillance cameras, and decoy Sheriff's cars.

On motion by Arceneaux, seconded by Zurita, the above warrants 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

COUNCIL COMMENTS

Councilperson Zurita congratulated Jacquelyn Deloche for being honored by the Women's of Distinction Social Club and announced that she would be hosting a series of events from Friday, May 31, 2013 to June 2, 2013 at 329 West Compton Boulevard. Ms. Zurita also announced that she would be hosting two interactive workshops for single mothers on the topic of "Why Women Can't Raise Their Sons" to be held on Saturday, June 1, 2013 from 1:30 p.m. to 2:45 p.m. at the Adams Quest African American Museum located at 329 West Compton Boulevard and Saturday, June 15, 2013 from 12 p.m. to 2 p.m. at the Sheik Community Center located at 1900 North Long Beach Boulevard.

Councilperson Zurita requested a comprehensive inventory of the fire department's equipment and supplies.

Jon Thompson, Fire Chief, confirmed that he would give her a copy of their most recent audit findings from the County of Los Angeles.

Councilperson Zurita inquired about another freeze on water rates on behalf of the citizens.

City Attorney Cornwell stated that the City would have to review the revenue and obligations schedule--but they will look into it.

Councilperson Zurita announced that Congresswoman Janice Hahn would be hosting a "Free Export Workshop" to be held on Friday, June 7, 2013 from 8 a.m. to 5 p.m. at the Southgate Municipal Auditorium located at 4900 Southern Avenue, Southgate California.

Councilperson Zurita also announced that the Compton Initiative would be in the First District on July 20, 2013. For more information on how you can participate contact Kiera Jo at (310) 605-5510.

Councilperson Zurita reminded the citizens that they could call Pacific Coast Waste & Recycling for a free bulky waste pick up at (310) 635-2955.

Councilperson Zurita notified the residents that City Hall will be closed on May 30, 2013.

Councilperson Jones stated that he had the opportunity of honoring the lives of military veterans at Lincoln Memorial Park Cemetery.

Councilperson Jones invited the residents to attend Assemblyman Isadore Hall III's "Health Fair" to be held on Saturday, June 1, 2013 from 10 a.m. to 2 p.m. at Wilmington Waterford Park.

Councilperson Arceneaux provided the history of Lincoln Memorial Park Cemetery and thanked Mike Mince and his wife for hosting the ceremony.

Councilperson Arceneaux announced that Compton High School and Bunche Elementary School would be awarded the Holland Opus Grant on Thursday, May 30, 2013 at 8:30 a.m. in the Compton Unified School District office.

Councilperson Arceneaux also announced the "National Trails Day on the Compton Creek" event to be held on Saturday, June 1, 2013 from 8 a.m. to 12 p.m. For more information on how you can participate call Parks and Recreation at (310) 605-5688.

Councilperson Arceneaux further announced that Heal the Bay and Supervisor Mark Riddley Thomas will be honoring the first documented local surfer of African American and Mexican descent Nick Gabaldon on Saturday, June 1, 2013 at the Bay Street Inkwel Beach at 9 a.m. For more information contact Meredith McCarthy at (310) 451-1500 ext. 116.

Councilperson Dobson invited the senior citizen community to attend the City of Compton Department of Parks and Recreation "National Health and Fitness Day" to be held on Wednesday, May 29, 2013 from 9 a.m. to 2 p.m. at the Dollarhide Neighborhood Center.

Councilperson Dobson mentioned that she received information from the city controller that Mayer, Hoffman, McCain were paid 81% of their contract amount because they resigned and refused to issue an opinion on the City's report.

Councilperson Dobson commended NAEJA and the Compton Chamber of Commerce for their efforts to host candidates' forums.

Mayor Perrodin mentioned that he received a letter from Southern California Gas Company regarding safety information about their pipeline system and natural gas transmission pipelines. The Mayor advised the residents to go to www.socalgas.com and search "maps" or call 811 to find out if they have a pipeline near their home or business.

Mayor Perrodin announced that a special City Council meeting would be held Monday, June 3, 2013.

ADJOURNMENT

On motion by Zurita, seconded by Dobson, the meeting was adjourned at 9:12 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

Clerk of the City of Compton

Mayor of the City of Compton

DATE: JUNE 11, 2013
TO: MAYOR AND COUNCIL MEMBERS
FROM: CITY TREASURER
SUBJECT: INVESTMENT REPORT

IN ORDER TO COMPLY WITH STATE LAW AND THE CITY'S INVESTMENT POLICY, THE ATTACHED REPORT ACCURATELY REFLECTS ALL POOLED INVESTMENTS HELD ON BEHALF OF THE CITY AND SUCCESSOR AGENCY AS OF APRIL 30, 2013.



DOUGLAS SANDERS
CITY TREASURER



CITY OF COMPTON

Portfolio Management

Portfolio Summary

April 30, 2013

City of Compton
205 S. Willowbrook Ave.
Compton, CA 90220
(310)605-5515

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Passbook/Checking Accounts -2	705,013.37	705,013.37	705,013.37	4.23	1	1	0.157	0.159
Local Agency Investment Funds	15,225,419.23	15,225,419.23	15,225,419.23	91.42	1	1	0.276	0.280
Managed Pool & Money Market Account	723,148.68	723,148.68	723,148.68	4.34	1	1	0.050	0.051
Investments	16,653,581.28	16,653,581.28	16,653,581.28	100.00%	1	1	0.261	0.265

Total Earnings	April 30 Month Ending	Fiscal Year To Date
Current Year	2,290.97	21,560.18
Average Daily Balance	10,850,684.36	9,122,624.03
Effective Rate of Return	0.26%	0.28%

This report reflects all pooled investments in conformity with the investment policy adopted by the City Council (Gov Code 53646(b) (3)). The monthly investment report must state the ability of the agency to meet its expenditure requirements for the next six months or provide an explanation of why sufficient cash funds may or may not be available. The investment program SHOULD provide sufficient cash to meet six months of estimated expenditures, there should be sufficient cash available until the April Property Tax distribution. In April the City received approximately a total of \$9.5 million minus \$785,000 for the TRANS payment. In December the City received a little over \$12 million in property tax revenue and in January the City received over \$8 million, within 30 days the City received total of \$20 million of property revenue with April Property Tax distribution the total \$28.8 million this fiscal year. We may have received a little bump in property tax revenue due to the defunct CRA and property reverting back to the County Tax Rolls. The FEDS still holding interest rate at .25% and under. As of April 30, 2013 the City had approximately \$11.4 million in the General Bank account plus LAIF accounts and approximately \$2.5 million in outstanding warrants to be paid to vendors. As of this report the Los Angeles County Sheriff March 2013 payment has not been submitted to the Treasurer Office. Our City continues in the right direction in meeting its obligations to the vendors on payments.

The pricing of securities is done by Union Bank and Interactive Data Services. Moody Investor Service rates the State Pool Accounts AAA.

Treasury Rates as of 04/30/13
3 month T-Bill @ 0.0510%
6 month T-Bill @ 0.0760%
1 year T-Bill @ 0.1010%

DOUGLAS SANDERS, CITY TREASURER

5/23/13

Reporting period 04/01/2013-04/30/2013

#2.

Date: 05/23/2013 - 16:58

CITY OF COMPTON
Portfolio Management
Portfolio Details - Investments
April 30, 2013

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	YTM 360	YTM 365	Days to Maturity
Passbook/Checking Accounts - 2											
5007	5007	Family Self Sufficiency		11/01/2012	400,454.30	400,454.30	400,454.30	0.090	0.089	0.090	1
4000	4000	Neighborhood Improvement			304,559.07	304,559.07	304,559.07	0.250	0.247	0.250	1
Subtotal and Average			704,924.25		705,013.37	705,013.37	705,013.37		0.157	0.159	1
Local Agency Investment Funds											
6000	6000	General City			6,045,457.81	6,045,457.81	6,045,457.81	0.280	0.276	0.280	1
6005	6005	SA Surplus Tax			135,471.03	135,471.03	135,471.03	0.280	0.276	0.280	1
6011	6011	SA Low Cost Housing			176,716.38	176,716.38	176,716.38	0.280	0.276	0.280	1
6029	6029	Measure R		07/05/2012	2,054,624.19	2,054,624.19	2,054,624.19	0.280	0.276	0.280	1
6019	6019	EDA Revolving Loan			434,975.02	434,975.02	434,975.02	0.280	0.276	0.280	1
6002	6002	Prop C			3,341,207.51	3,341,207.51	3,341,207.51	0.280	0.276	0.280	1
6030	6030	PROP A		10/05/2012	195,551.60	195,551.60	195,551.60	0.280	0.276	0.280	1
6027	6027	River Mountain Conservancy			11,717.51	11,717.51	11,717.51	0.280	0.276	0.280	1
6028	6028	HUD Section 108			0.00	0.00	0.00	0.280	0.276	0.280	1
6004	6004	Local Housing Authority			0.00	0.00	0.00	0.280	0.276	0.280	1
6007	6007	Successor Agency General			10,938.26	10,938.26	10,938.26	0.280	0.276	0.280	1
6003	6003	Sewer Bond Proceeds			87,212.48	87,212.48	87,212.48	0.280	0.276	0.280	1
6009	6009	Public Finance Authority			0.00	0.00	0.00	0.280	0.276	0.280	1
6022	6022	Regional Park			2,731,547.44	2,731,547.44	2,731,547.44	0.280	0.276	0.280	1
Subtotal and Average			9,422,635.93		15,225,419.23	15,225,419.23	15,225,419.23		0.276	0.280	1
Managed Pool & Money Market Account											
5004	5004	Formal Assurance Prg Money Mkt			123,301.44	123,301.44	123,301.44	0.250	0.247	0.250	1
5001	5001	5116 Highmark Fund			421,030.51	421,030.51	421,030.51	0.010	0.010	0.010	1
5006	5006	1001 Highmark Fund			178,284.23	178,284.23	178,284.23	0.010	0.010	0.010	1
5005	5005	Rental Rehab Prg Money Market			202.76	202.76	202.76	0.060	0.059	0.060	1
5003	5003	Residential Rehab Money Market			329.74	329.74	329.74	0.040	0.039	0.040	1
Subtotal and Average			723,124.18		723,148.68	723,148.68	723,148.68		0.050	0.051	1
Total and Average			10,850,684.36		16,653,581.28	16,653,581.28	16,653,581.28		0.261	0.265	1

CITY OF COMPTON
Portfolio Management
Interest Earnings Summary
April 30, 2013

April 30 Month Ending

Fiscal Year To Date

CD/Coupon/Discount Investments:			
Interest Collected	0.00	0.00	
Plus Accrued Interest at End of Period	0.00	0.00	
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)	
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)	
Interest Earned during Period	0.00	0.00	
Adjusted by Premiums and Discounts	0.00	0.00	
Adjusted by Capital Gains or Losses	0.00	0.00	
Earnings during Periods	0.00	0.00	
Pass Through Securities:			
Interest Collected	0.00	0.00	
Plus Accrued Interest at End of Period	0.00	0.00	
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)	
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)	
Interest Earned during Period	0.00	0.00	
Adjusted by Premiums and Discounts	0.00	0.00	
Adjusted by Capital Gains or Losses	0.00	0.00	
Earnings during Periods	0.00	0.00	
Cash/Checking Accounts:			
Interest Collected	6,090.59	24,109.03	
Plus Accrued Interest at End of Period	-51,650.95	-51,650.95	
Less Accrued Interest at Beginning of Period	(-47,851.33)	(-49,102.10)	
Interest Earned during Period	2,290.97	21,560.18	
Total Interest Earned during Period	2,290.97	21,560.18	
Total Adjustments from Premiums and Discounts	0.00	0.00	
Total Capital Gains or Losses	0.00	0.00	
Total Earnings during Period	2,290.97	21,560.18	

**CITY OF COMPTON
BANK ACCOUNT BALANCES AS OF
APRIL 30, 2013**

FUND #	NAME OF ACCOUNT	BANK NAME	BALANCE
101	PAYROLL	WELLS FARGO BANK	343,623.83
1001	GENERAL CITY ACCOUNT	BANK OF THE WEST	7,408,507.28
1520	MEASURE R	BANK OF THE WEST	512,436.55
2000	PROP A	BANK OF THE WEST	386,330.73
1200	SA SURPLUS TAX	BANK OF THE WEST	0.00
4000	SA GENERAL	BANK OF THE WEST	2,063,164.63
1203	SA LOW COST HOUSING	BANK OF THE WEST	0.00
9203	PUBLIC FINANCE AUTHORITY	BANK OF THE WEST	179,145.40
1001	COC REGIONAL PARK	BANK OF THE WEST	963.80
2820	COC - FAMILY SELF SUFFICIENCY	BANK OF THE WEST	400,454.30
2754-84-85	JTPA - CAREERLINK	BANK OF THE WEST	260,038.41
2805	HOME LOAN PROGRAM	BANK OF THE WEST	127,786.09
2818	SECTION 108 - HUD FUND	BANK OF THE WEST	2,798,562.52
1022	POLICE DRUG PROPERTY FORFEITURE	BANK OF THE WEST	2,641.93
5116	SEWER BONDS PROCEEDS	BANK OF THE WEST	327,290.00
6400	LIABILITY	BANK OF THE WEST	57,839.07
1001	COC - CHANGE FUND	BANK OF THE WEST	598.00
1900	PROP C	BANK OF THE WEST	509,385.88

**CITY OF COMPTON
BANK ACCOUNT BALANCES AS OF
APRIL 30, 2013**

FUND #	NAME OF ACCOUNT	BANK NAME	BALANCE
6300	WORKERS COMP	BANK OF THE WEST	150,052.45
2820	HOUSING AUTHORITY	BANK OF THE WEST	2,188,111.53
1001	EMERGENCY MEDICAL SERVICES COC	BANK OF THE WEST	702,934.60
1061	COPS GRANT WEED AND SEED	BANK OF THE WEST	468,888.02
1001	COC PARKING VIOLATIONS	BANK OF THE WEST	232,911.19
1001	COC UTILITIES BILLINGS	BANK OF THE WEST	1,112,047.44

June 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: G. HAROLD DUFFEY, CITY MANAGER
OFFICE OF THE CITY MANAGER

RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON, CALIFORNIA OPPOSING COMPACTS FOR OFF-
RESERVATION OR URBAN TRIBAL GAMING

SUMMARY

On March 7, 2000, the voters of the State of California approved Proposition 1A which amended the Constitution of the State of California to establish the absolute legality of Indian gaming in California. The State of California is now being asked to approve proposed compacts for off-reservation gaming outside of the areas where the applicant tribe has both historic and modern day connections to the land. If these compacts are approved they will destabilize the entire framework of the California gaming economy and potentially impact local and regional State licensed card clubs.

BACKGROUND

The State of California has authorized in Section 6500 of the California State Government Code, the creation of Joint Powers Authorities, whereby two or more public authorities may operate collectively on issues which transcend the boundaries of their existing authorities and to combine commercial and economic efforts to achieve common goals. Based on the authority granted in Section 6500 the California Cities for Self Reliance, Joint Powers Authority was formed in July 2001. Member cities of the JPA are host communities for several state-licensed card clubs which are crucial to their respective economies and cumulatively provide thousands of jobs and millions of dollars in tax revenue for our communities.

Member agencies of the California Cities for Self Reliance JPA are:

- Bell Gardens,
- Commerce
- Gardena
- Hawaiian Gardens
- Inglewood
- Compton

The combined population of the JPA consist of over 334,000 inhabitants; and

#3.

member cities of the JPA are host communities for several state-licensed card clubs which are crucial to their respective economies and cumulatively provide thousands of jobs and millions of dollars in tax revenue for our communities.

STATEMENT OF ISSUE

The State of California is now being asked to approve proposed compacts for off-reservation gaming outside of the areas where the applicant tribe has both historic and modern day connections to the land. If approved, it could have a devastating impact on the City of Compton and the surrounding cities, state licensed card clubs. In addition, staff believes that a new compact to provide off-reservation gaming is in violation of the March 7, 2000, voter approved Proposition 1A, which amended the Constitution of the State of California to establish the absolute legality of Indian gaming in California. A key element to securing strong public support for Proposition 1A was that it would not result in any off-reservation or urban tribal gaming.

ALTERNATIVE

Take no action

FINANCIAL IMPACT

The City of Compton budgeted \$780,000 in gaming revenue in the 2013/14 budget and projects to receive a minimum of \$1,200,000 in the 2014/15 budget. If a Compact is reached and tribes are allowed to operate Casino's in or near JPA member borders, it could have a devastating impact on State licensed card clubs, as Casino's are permitted to engage in more gaming activities than card clubs.

Ultimately, it could lead to closure of local card clubs and/or a significant reduction in gaming revenues for the City.

RECOMMENDATION

That the City Council approve the attached resolution opposing the negotiation, consideration, or approval of any compact for off-reservation or urban tribal gaming facilities anywhere in the State of California, and strongly urges the California Legislature to reject any and all such compact or compacts for, presented to them for consideration now or at any future time.

G. HAROLD DUFEE
CITY MANAGER

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON,
CALIFORNIA OPPOSING COMPACTS FOR OFF-RESERVATION OR URBAN
TRIBAL GAMING**

WHEREAS, the State of California has authorized in Section 6500 of the California State Government Code the creation of Joint Powers Authorities whereby two or more public authorities may operate collectively on issues which transcend the boundaries of their existing authorities and to combine commercial and economic efforts to achieve common goals; and

WHEREAS, under the authorization granted in Section 6500 the California Cities for Self Reliance Joint Powers Authority was formed in July 2001 to promote and protect the common economic interests of its member cities and engage in public policy issues which affect these interests; and

WHEREAS, the current membership of the California Cities for Self Reliance Joint Powers Authority is comprised of the Cities of Bell Gardens, Commerce, Gardena, Hawaiian Gardens, Compton and Inglewood, with a highly diverse and combined population of over 334,000 inhabitants; and

WHEREAS, these member cities of the JPA are host communities for several state-licensed card clubs, which are crucial to their respective economies and cumulatively provide thousands of jobs and millions of dollars in tax revenue for our communities; and

WHEREAS, on March 7, 2000, the voters of the State of California approved Proposition 1A which amended the Constitution of the State of California to establish the absolute legality of Indian gaming in California; and

WHEREAS, the guarantees offered by numerous tribal leaders and other supporters of Proposition 1A to the voters of California, that approval of 1A, would not result in any off-reservation or urban tribal gaming, were a key element to securing strong public support for its successful passage, and

WHEREAS, since March 7, 2000 the overwhelming majority of tribes in California have demonstrated their good will and integrity to the voters of California by scrupulously honoring their promises to the public that they would not engage in off-reservation or urban gaming, and

WHEREAS, California Indian tribes, card clubs, and racetracks all have invested billions of dollars in new facilities and equipment based on the clear rules set forth in Proposition 1A and other laws governing gaming in California, and this investment has resulted in the dynamic growth of a California gaming sector which has created tens of thousands of jobs and billions of dollars in tax revenue and revenue-sharing for the state; and

WHEREAS, the State of California is now being asked to approve proposed compacts for off-reservation gaming outside of the areas where the applicant tribe has both historic and modern day connections to the land; and

WHEREAS, approval of any compact for off-reservation or urban tribal gaming would be in violation of the intent of California voters in approving Proposition 1A and undermine public confidence that their wishes pertaining to tribal gaming are being faithfully adhered to by the State of California; and

WHEREAS, if these compacts are approved they will destabilize the entire framework of the California gaming economy currently in place which was established by the California Legislature and voting public; and

WHEREAS, discarding the current framework of the California gaming laws to permit off-reservation or urban tribal gaming will be economically destructive to the hundreds of Indian tribes, card clubs, racetracks, and their host communities who have made multi-billion dollar investments on their own lands and in their own communities based on the expectation that the current framework would be upheld and no off-reservation or urban tribal gaming would be permitted by the State; and

WHEREAS, approving even a single compact for off-reservation or urban tribal gaming will set a dangerous precedent which will undoubtedly encourage the future proliferation of similar proposals; and

WHEREAS, any approval of a compact for off-reservation or urban Indian gaming anywhere in the State of California ultimately constitutes a direct threat to the economic well-being of JPA member communities, the defense of which is the core mission of the JPA; and

WHEREAS, the overwhelming majority of California tribes and tribal leaders have consistently opposed and fought against all attempts to establish off-reservation or urban tribal casinos, including these compacts presently under consideration.

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

Section 1. That the City Council of the City of Compton hereby opposes the negotiation, consideration, or approval of any compact for off-reservation or urban tribal gaming facilities anywhere in the State of California, and strongly urges the California Legislature to reject any and all such compact or compacts presented to them for consideration now or at any future time.

Section 2. That a copy of this Resolution shall be filed in the offices of the City clerk, City Manager, City Attorney and forwarded by the City Clerk to the California Cities for Self Reliance Joint Powers Authority.

Section 3. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2013.

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 Clrk at a regular meeting thereof held on the ____ day of _____, 2013.

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

AYES: **COUNCIL MEMBERS–**
NOES: **COUNCIL MEMBERS–**
ABSTAINS: **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, CALIFORNIA OPPOSING COMPACTS FOR OFF - RESERVATION OR URBAN TRIBAL GAMING

G. Harold Duffey
DEPARTMENT MANAGER’S SIGNATURE

6/4/2013 12:20:48 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/6/2013 3:52:36 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 6:06:25 PM
DATE

G. Harold Duffey
CITY MANAGER

6/4/2013 12:22:30 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.

June 11, 2013

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: GLEN W.C. KAU, P.E., INTERIM DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON ACCEPTING THE CONSTRUCTION OF THE
CRANE AVENUE RECONSTRUCTION PROJECT (CIP# 09-06)
PERFORMED BY SIALIC CONTRACTORS CORPORATION
DBA SHAWNAN , SANCTION STAFF TO FILE THE NOTICE OF
COMPLETION WITH THE LOS ANGELES COUNTY
RECORDER'S OFFICE, AND AUTHORIZE THE RELEASE OF
THE CONTRACTOR'S RETENTION**

SUMMARY

It is recommended that the City Council accept the Crane Avenue Reconstruction Project (CIP# 09-06) performed by Sialic Contractors Corporation dba Shawnan as complete, and direct staff to:

- a) File the Notice of Completion with the Los Angeles County Recorder's Office;
- b) Release of the ten percent project retention.

BACKGROUND

Resolution No. 23,514 authorized a contract with Sialic Contractors Corporation dba Shawnan for the subject project for Three Hundred Ninety One Thousand, Five Hundred Thirty Dollars (\$391,530). A ten percent (10%) contingency of \$39,153 was also approved towards the project.

The project work scope reconstructed the street pavement and removal/replacement of sidewalk and driveways between Rosecrans Avenue and Compton Boulevard, and street repavement between Rosecrans Avenue and Alondra Boulevard. Also, the project changed the travelled direction from a two-way street to a one-way street northbound between Rosecrans Avenue and Compton Boulevard.

STATEMENT OF THE ISSUE

When the project was under construction, per California Public Contract Code and City practice, a ten percent (10%) retention amount was withheld from progress payments to insure satisfactory project completion.

#4.

Crane Avenue Reconstruction Project
June 11, 2013
Page Two

All project work was inspected and completed in a satisfactory manner in accordance with the project specifications. Staff recommends that the City Council accept the project as complete, direct staff to file the Notice of Completion with the Los Angeles County Recorder's Office, and authorize release of the project retention.

ALTERNATIVES

There are no alternatives. The contractor has fulfilled its contractual obligations per the project specifications and bid proposal.

FINANCIAL IMPACT

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

RECOMMENDATION

Staff recommends the adoption of the attached Resolution.

**GLEN W.C. KAU, P.E., INTERIM DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE CONSTRUCTION OF THE CRANE AVENUE RECONSTRUCTION PROJECT (CIP# 09-06) PERFORMED BY SIALIC CONTRACTORS CORPORATION DBA SHAWNAN, SANCTION STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER’S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTORS RETENTION

WHEREAS, on April 3, 2012, Resolution No. 23,514 authorized a contract with Sialic Contractors Corporation dba Shawnan for the construction of the Crane Avenue Reconstruction Project (CIP #09-06) in the amount of Three Hundred Ninety One Thousand Five Hundred Thirty Dollars (\$391,530); and

WHEREAS, there was contingency authorized in the amount of up to \$39,153; and

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

WHEREAS, the project has been completed in satisfactory manner at a final construction cost of \$427,718.55 which is within the amount authorized, and should be formally accepted.

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

SECTION 1. That the City Council of the City of Compton accepts the completion of the Crane Avenue Reconstruction Project (CIP# 09-06), and authorizes staff to file a Notice of Completion with the County of Los Angeles Recorder’s Office and release the contractor’s retention.

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

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

ADOPTED this _____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2013.

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: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ACCEPTING THE CONSTRUCTION OF THE CRANE AVENUE RECONSTRUCTION PROJECT (CIP# 09-06) PERFORMED BY SIALIC CONTRACTORS CORPORATION DBA SHAWNAN , SANCTION STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION

Glen Kau
DEPARTMENT MANAGER'S SIGNATURE

5/21/2013 1:06:55 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/5/2013 8:53:12 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 5:32:28 PM
DATE

G. Harold Duffey
CITY MANAGER

5/28/2013 8:48:57 AM
DATE

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

June 11, 2013

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: GLEN W. C. KAU, P.E., INTERIM PUBLIC WORKS DIRECTOR

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO JANKOVICH FOR THE PURCHASE OF GASOLINE, LUBE AND DIESEL FUEL FOR CITY-OWNED VEHICLES

SUMMARY

This resolution requests authorization to a issue purchase order to Jankovich for the provision of gasoline, lube and diesel fuel for the City of Compton's fleet and equipment.

BACKGROUND

The Public Works Street Maintenance Division has a continuous need to purchase and store gasoline and diesel fuel for the daily operations of our City-owned vehicles and equipment. Without an adequate supply of fuel, the City will not meet its daily operational needs. Jankovich has provided fuel to the City of Compton in the past and have provided satisfactory service.

FISCAL IMPACT

The Public Works Street Maintenance Division is requesting to issue a purchase order to Jankovich to provide fuel for the remainder of the 2012-2013 Fiscal Year. Funds for this expenditure shall not exceed Forty Thousand Dollars (\$40,000).

The Funds are allocated in the Public Works Street Maintenance Division 2012-2013 Fiscal Year's budget in account number 6000-720-000-4220. The balance in the account as of this writing is \$42,496.

RECOMMENDATION

Staff recommends the adoption of the authorizing the City Manager to issue a purchase order to Jankovich to provide fuel for the City of Compton's fleet and equipment.

**GLEN W. C. KAU, P.E.
INTERIM PUBLIC WORKS DIRECTOR**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER
TO JANKOVICH FOR THE PURCHASE OF GASOLINE, LUBE AND
DIESEL FUEL FOR THE CITY OWNED VEHICLES**

WHEREAS, the Public Works Street Maintenance Division has a continuous need to purchase and store gasoline and diesel fuel for the daily operations of our City-owned vehicles and equipment; and

WHEREAS, without an adequate supply of fuel, the City will not meet its daily operational needs; and

WHEREAS, the funds have been allocated in the Street Maintenance Division’s 2012-2013 Fiscal Year Budget for this purchase; and

WHEREAS, due to the vendor exceeding the approved \$25,000 threshold during the current Fiscal Year 2012-2013, authorization from City Council is required.

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

SECTION 1. That the City Manager is hereby authorized to issue a purchase order to Jankovich in an amount not to exceed Forty Thousand Dollars (\$40,000) to provide gasoline and diesel fuel for the City’s Fleet.

SECTION 2. That funds are to be taken from Account No. 6000-720-000-4220.

SECTION 3. That a copy of this resolution shall be forwarded to the offices of the City Manager, City Controller and Street Maintenance Division.

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

ADOPTED this _____ day of _____ 2013.

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

RESOLUTION NO. _____
PAGE 2

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2013.

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: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO JANKOVICH FOR THE PURCHASE OF GASOLINE, LUBE AND DIESEL FUEL FOR THE CITY OWNED VEHICLES

John Strickland
DEPARTMENT MANAGER’S SIGNATURE

5/28/2013 8:29:39 AM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/6/2013 3:51:36 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/6/2013 9:05:58 AM
DATE

G. Harold Duffey
CITY MANAGER

5/28/2013 8:33:02 AM
DATE

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

June 11, 2013

TO: MAYOR AND COUNCIL MEMBERS

FROM: GLEN W. C. KAU, P. E., INTERIM DIRECTOR OF PUBLIC WORKS/MUNICIPAL UTILITIES

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF HD SUPPLY WATERWORKS, INC. FOR THE FURNISHING AND DELIVERY OF LEAD-FREE MULTI-JET WATER METERS AND AMEND THE 2012-2013 FISCAL YEAR BUDGET TO TRANSFER FUNDS.

SUMMARY

This resolution authorizes the City Manager to accept the bid of HD Supply Waterworks, Inc., for the furnishing and delivery of lead-free Multi-Jet Water Meters, issue a purchase order in the amount of \$51,417.70 and amend the Water Department budget to transfer funds.

BACKGROUND

The Water Department is responsible for the installation and replacement of water meters in the City. This requires the Water Department to have an adequate stock of water meters available for daily activities relative to water meter servicing and replacement. The water meters will be stored at the vendor's facility and delivered as needed based upon a twenty-four (24) hour advance notice from the Water Department request and the vendor will bill the City after delivery of meters.

STATEMENT OF THE ISSUE

The department advertised for bids for the furnishing and delivery of lead-free Multi-Jet Water Meters. The bid proposal solicited for the following items:

- 100 – 5/8" meters
- 10 - 1 ½" meters
- 50 - 1" meters
- 10 - 2" meters
- 5 - 3" meters
- 5 - 4" meters

#6.

Water Meters
June 11, 2013
Page 2

On August 16, 2012, the following bids were submitted:

<u>VENDORS</u>	<u>LOCATION</u>	<u>AMOUNT</u>
HD Supply Waterworks, Inc.	Valencia, CA	\$ 51,417.70
Westerly Meter Service Company	Compton, CA	\$ 52,145.63
Brandon Supply, Inc.	Santa Fe Springs, CA	\$ 79,620.00

Staff reviewed the bids submitted and determined the bid submitted by HD Supply Waterworks, Inc. was the lowest responsible and responsive bidder.

FINANCIAL IMPACT

Adequate funds are available in the approved FY 2012-13 budget for this expenditure and the budget will be amended to transfer funds as follows:

From:		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000 850 000 4252	Water Purchase	\$ 25,417.00
To:		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000 880 000 4235	Store Purchases	\$ 25,417.00

After this deduction, the account balance will be \$1,549,233.93 (One Million, Five Hundred Forty-Nine Thousand, Four Hundred Seventeen Dollars and Ninety-three Cents).

RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution.

GLEN W. C. KAU, P. E., INTERIM DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES

APPROVED FOR FORWARDING:

G. HAROLD DUFFEY
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF HD
SUPPLY WATERWORKS, INC. FOR THE FURNISHING AND DELIVERY
OF LEAD-FREE MULTI-JET WATER METERS AND AMEND THE 2012-
2013 FISCAL YEAR BUDGET TO TRANSFER FUNDS

WHEREAS, the Water Department is responsible for the installation and replacement of water meters in the City; and

WHEREAS, the Water Department is required to have an adequate stock of water meters available for daily activities relative to water meter servicing and replacement; and

WHEREAS, the Water Department advertised for bids for the furnishing and delivery of lead-free Multi-Jet Water Meters for Fiscal Year 2012-2013; and

WHEREAS, bids were received on Thursday, August 16, 2012 as follows:

<u>VENDORS</u>	<u>AMOUNT</u>
HD SUPPLY WATERWORKS	\$51,417.70
Brandon Supply Inc.	\$79,620.00
Westerly Meter Service	\$52,145.63

WHEREAS, staff reviewed the bids submitted and determined that the bid of HD Supply Waterworks is the lowest most responsible bidder for the following supplies: 100 – 5/8” meters; 10 – 1 ½” meters; 50 – 1” meters; 10 - 2” meters; 5 - 3” meters; 5 – 4”; meters; and

WHEREAS, funds for this expenditure in the Water Department’s Fiscal Year 2012-2013 Budget need to be transferred as follows:

From:		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000 850 000 4252	Water Purchase	\$25,417.00
To:		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000 880 000 4235	Store Purchases	\$25,417.00

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

SECTION 1. That the bid of HD Supply Waterworks, Inc. is hereby accepted and all other bids rejected.

SECTION 2. That a purchase order in the amount of Fifty-one Thousand, Four Hundred and Seventeen Dollars and Seventy Cents (\$51,417.70) for the furnishing and delivery of Lead-Free Water Meters shall be issued.

SECTION 3. That funds for this expenditure in the Water Department’s Fiscal Year 2012-2013 budget shall be transferred:

From:		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000 850 000 4252	Water Purchase	\$25,417.00

RESOLUTION NO. _____
PAGE TWO

To:		
<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5000 880 000 4235	Store Purchases	\$25,417.00

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

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

ADOPTED this _____ day of _____, 2013.

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 at a regular meeting thereof held on the _____ day of _____ 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE BID OF HD SUPPLY WATERWORKS, INC. FOR THE FURNISHING AND DELIVERY OF LEAD-FREE MULTI-JET WATER METERS AND AMEND THE 2012-2013 FISCAL YEAR BUDGET TO TRANSFER FUNDS

Tana McCoy
DEPARTMENT MANAGER’S SIGNATURE

5/16/2013 1:07:31 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

5/27/2013 2:12:49 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

5/23/2013 12:49:15 PM
DATE

G. Harold Duffey
CITY MANAGER

5/22/2013 1:21:00 PM
DATE

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

June 11, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM: GLEN C. KAU, P.E., INTERIM DIRECTOR
PUBLIC WORK/MUNICIPAL UTILITIES**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING THE WATER DEPARTMENT 2012/2013 FISCAL YEAR
BUDGET TO INCREASE REVENUES**

SUMMARY

City Council adopted Resolution No. 23,633 on October 23, 2012. This Resolution will allow the City Controller to appropriate the EPA Grant funds into the Water Department 2012/13 fiscal year budget.

BACKGROUND

The Water Department is in the process of completing the new well and storage tank at Sibrie Park, Well #20. Resolution No. 23,633 was adopted on October 23, 2012 and the City Council approved the project and the funding. The EPA Grant funding was not brought over from the prior year to the 2012/2013 fiscal year budget. The funds are in prior year funding account and need to be moved/appropriated into the Water Department's 2012/13 fiscal year's budget.

STATEMENT OF ISSUE

The Water Department needs to have the EPA Grant funding appropriated in the 2012/2013 fiscal year's budget. The EPA Grant is a major part of the ongoing project at Sibrie Park, Well #20.

The EPA Grant deadline is June 30, 2013; however, the project will not be completed by June 30, 2013. It is the Department's goal to complete as much of this project by that date in order to receive grant reimbursement. To achieve that goal, funds need to be moved from prior year's revenue and appropriated into the 2012/13 fiscal year's budget so that funds can be expended.

ALTERNATIVE

The alternative would be to forfeit the EPA grant funding, and fund the project solely with Water Bond funds.

#7.

**Resolution Staff Report
Amending the 2012/13 Budget
Page 2**

FISCAL IMPACT

The Water Department received a grant from the EPA and there is a balance of \$843,495.74; in order to expend those funds the balance need to be appropriated into the department's budget as follows:

<u>MOVE REVENUE</u>	<u>AMOUNT</u>
2620-000-000-3980 (Prior Year Misc)	\$843,495.74
<u>INCREASE REVENUE</u>	<u>AMOUNT</u>
2620-850-000-3565 (Revenue)	\$843,495.74
<u>INCREASE EXPENSES</u>	<u>AMOUNT</u>
2620-850-000-4332	\$843,495.74

RECOMMENDATION

Staff recommends the adoption of the attached resolution.

**GLEN C. KAU P.E.
INTERIM DIRECTOR PUBLIC WORK/
MUNICIPAL UTILITIES**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING THE WATER DEPARTMENT 2012/2013 FISCAL YEAR
BUDGET TO INCREASE REVENUES

WHEREAS, The City Council adopted Resolution No. 23,633 on October 23, 2012, which awarded Cora Constructors the bid and issued a contract for the construction of Well #20 at Sebrie Park; and

WHEREAS, The Water Department received an EPA grant and has a balance of \$843,495.74; and

WHEREAS, Resolution # 23,633 identified the funding source but it did not appropriate the funds and increase the revenue in the 2012/13 fiscal year budget; and

WHEREAS, The 2012/13 fiscal year budget’s revenue and expense accounts need to be increased as follows:

<u>INCREASE REVENUE</u>	<u>AMOUNT</u>
2620-000-000-3565	\$843,495.74
<u>INCREASE EXPENSE</u>	<u>AMOUNT</u>
2620-850-000-4332	\$843,495.74

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

- SECTION 1.** That the City Council adopted Resolution No. 23,633 on October 23, 2012 which awarded Cora Constructors the bid and issued a contract for the construction of Well #20 at Sebrie Park.
- SECTION 2.** That the Resolution indicated that the EPA Grant funds would be used however it did not amend the budget to increase revenue account 2620-850-000-3565 as well as increase expenses in 2620-850-000-3565 by the amount of \$843,495.74 and bring prior year funding for this expenditure to the 2012/13 fiscal year budget.
- SECTION 3.** That this Resolution will allow the Controller to increase the Municipal Water Department’s 2012/13 budget and appropriate prior year funds from the EPA Grant in the amount of \$843,495.74 (Eight Hundred, Forty-three Thousand, Four Hundred, Ninety-five Dollars and Seventy-four Cents).

SECTION 4. That the EPA Grant that the Water Department received will be allocated in the 2012/13 fiscal year budget and will increase the revenues and expenses as follows:

<u>INCREASE REVENUE</u>	<u>AMOUNT</u>
2620-000-000-3565	\$843,495.74
<u>INCREASE EXPENSE</u>	<u>AMOUNT</u>
2620-850-000-4332	\$843,495.74

RESOLUTION NO. _____
PAGE 2

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

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

ADOPTED this ____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

**STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON**

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE WATER DEPARTMENT 2012/2013 FISCAL YEAR BUDGET TO INCREASE REVENUES

Tana McCoy
DEPARTMENT MANAGER’S SIGNATURE

5/20/2013 11:27:56 AM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/5/2013 8:45:53 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 5:26:22 PM
DATE

G. Harold Duffey
CITY MANAGER

5/28/2013 8:47:17 AM
DATE

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

June 11, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: GLEN W. C. KAU, P.E. INTERIM DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE
AGREEMENT WITH THE NORWALK-LA MIRADA UNIFIED SCHOOL
DISTRICT FOR GROUNDWATER PUMPING RIGHTS FOR FISCAL
YEARS 2013-2014 THROUGH 2017-2018.**

SUMMARY

The City Council will consider adopting a resolution that will authorize the City Manager to enter into an agreement with the Norwalk-La Mirada Unified School District ("School District") whereby the City of Compton will be able to lease up to 378 acre-feet of the School District's ground water pumping allocation rights each fiscal year over the period of fiscal years 2013-2014 through 2017-2018 to offset the amount of imported water the City would need to purchase from other sources.

BACKGROUND

Water rights are required to pump groundwater from the Central Basin. These rights are valuable and there is a sizable surcharge for pumping more than the rights holder's allocated amount of water. Each year holders of groundwater rights solicit request for proposals to lease their water rights. This is the amount of water they are not able to carry over into the next fiscal year. This creates an opportunity for other parties to leverage, thereby reducing their supply cost because pumping groundwater is less expensive than purchasing imported water from the Metropolitan Water District ("MWD").

The Compton Water Department produces ground water which is augmented by purchasing finished water supplied by the MWD at a proportion of 75% to 25%. This augmented water supply by MWD is necessary to meet the required demand by the City's residents. The Water Department will be able to produce more water from the aquifer thereby reducing the amount supplied by MWD if these leased rights are realized. The production cost associated with ground water pumping has historically been more cost effective than purchasing imported water from other sources.

STATEMENT OF THE ISSUE

The Norwalk-La Mirada Unified School District is willing to lease up to 378 acre-feet of their allowable pumping allocation of ground water to the City of Compton for Fiscal Years 2013-14, 2014-15, 2015-16, 2016-17 and 2017-18 at a unit cost of \$134.00 per acre-foot of water. The City can utilize this leased allocation to offset the required amount of imported water through Metropolitan Water District connections.

#8.

Staff Report – Agreement with Norwalk-La Mirada
Unified School District
Lease Ground Water Pumping Rights
June 11, 2013, page 2

ALTERNATIVE

No alternatives are necessary for review.

FISCAL IMPACT

The funds for this expenditure will be available in the Compton Municipal Utilities Department's 2013-14, 2014-15, 2015-16, 2016-17 and 2017-18 Fiscal Years Budget in Source of Supply, Account No. 5000 850 000 4252. The associated unit cost with this is \$134 per acre-foot of water, with a total not-to-exceed cost of \$253,260 over the next five (5) fiscal year period.

RECOMMENDATION

Staff recommends adoption of the attached Resolution.

**GLEN KAU, P.E., INTERIM DIRECTOR
MUNICIPAL UTILITIES/PUBLIC WORKS**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE
AGREEMENT WITH THE NORWALK-LA MIRADA UNIFIED SCHOOL
DISTRICT FOR GROUNDWATER PUMPING RIGHTS FOR FISCAL YEARS
2013-2014 THROUGH 2017-2018.**

WHEREAS, one of the priorities of the Compton Municipal Water Department is leverage all avenues possible to effectively manage the resources it is entrusted with; and

WHEREAS, the Water Department produces ground water which is augmented by purchasing finished water supplied by the Metropolitan Water District ("MWD") at a proportion of 75% to 25%. This augmented water supply by MWD is necessary to meet the required demand by the residents; and

WHEREAS, the Norwalk-La Mirada Unified School District is willing to License to the City of Compton up to 378 acre-feet of their allowable pumping allocation of groundwater per Fiscal Year 2013-14 through 2017-18 at a unit cost of \$134.00 per acre-foot of water; and

WHEREAS, the City can utilize this licensed allocation to offset the required amount of imported water through Metropolitan Water District connections; and

WHEREAS, the production cost associated with groundwater pumping has historically been more cost effective than purchasing imported water from other sources; and

WHEREAS, funds shall be made available in the Municipal Water Department's 2013-2014 fiscal year budget in Account No. 5000 850 000 4252, and funding for the remaining term of the agreement will be allocated in future City budgets.

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

Section 1. That the City Manager, upon the advice and consent of the City Attorney, is hereby authorized to enter into license agreement with the Norwalk-La Mirada Unified School District to purchase up to 378 acre-feet of the School District's groundwater pumping rights for each Fiscal Years 2013-2014, 2014-2015, 2015-2016, 2016-2017 and 2017-2018 at a unit cost of \$134.00 per acre-foot.

Section 2. That the anticipated cost for the purchase of the groundwater pumping rights for each fiscal year is \$50,652.00 (\$253,260.00 for the combined five fiscal years).

Section 3. That funds for the purchase of the groundwater pumping rights for Fiscal Year 2013-2014 are available in Account No. 5000 850 000 4252.

Section 4. That funds for the remainder of the term of the agreement shall be allocated in future City budgets.

Section 5. That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and Municipal Water Department.

Resolution No. _____
Page 2

Section 6. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2013.

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 a regular meeting thereof held on the ____ day of _____, 2013.

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

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

**GROUNDWATER PUMPING RIGHTS LICENSE AGREEMENT
BETWEEN
NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT
AND
CITY OF COMPTON**

For a valuable consideration, the **NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT ("Licensor")** hereby grants to the **CITY OF COMPTON (Licensee)**; a License to extract 378 acre-feet each fiscal year for Fiscal years 2013-2014 through 2017-2018 of Licensor's Allowed Pumping Allocation allocated to Licensor (or predecessors in interest) under and pursuant to Judgment dated October 11, 1965, and entered in Los Angeles Superior Court Case No. 786656 entitled "*Central and West Basin Water Replenishment District vs. Charles E. Adams, et al.*" ("Judgment") during the period commencing July 1, 2013 and continuing to and including June 30, 2018. Said License is granted subject to the following conditions:

- (1) Licensee shall pay to Licensor a fee of One Hundred Thirty Five Dollars (\$135.00) per acre-feet for each acre-feet of groundwater that Licensee extracts of Licensor's Allowed Pumping Allocation pursuant to this License Agreement.
- (2) Licensee shall exercise said right and extract the same on behalf of Licensor during the period above specified and put the same to beneficial use and Licensee shall not by the exercise hereunder of said right acquire any right to extract water independent of the rights of Licensor.
- (3) Licensee shall pay assessments levied on the pumping of said ground water by the Water Replenishment District of Southern California.
- (4) Licensee shall pay fees imposed on the amount of water production that is leased incurred by the State of California Department of Water Resources for the years 2013 through 2018.
- (4) Licensee shall notify the District and the Watermaster that said pumping was done pursuant to this License and provide the Watermaster with a copy of this document.
- (5) Licensee shall note, in any recording of water production for the period of agreement that said pumping was done pursuant to this License.
- (6) Licensee's Allowed Pumping Allocation shall be increased by the amount hereby Licensed when computing carryover or allowable overextraction as provided by Part III, Subpart A and B in said Judgment.
- (8) Licensor and Licensee represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this License Agreement.

#8.

(9) Licensors and Licensees shall each indemnify, defend and hold the other harmless from and against all claims, losses, liabilities, damages, costs, and expenses (including reasonable attorneys' and consultants' fees, costs and expenses) (collectively "Losses") arising from the indemnifying party's breach of any term or condition of this Agreement or from the negligence or willful misconduct of the indemnifying party or its agents or employees.

The NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT warrants that it has 378 acre-feet per fiscal year of Allowed Pumping Allocation and that it has not pumped and will not pump or permit Licensee of any other person to pump any part of said 378 acre-feet per fiscal year during the period of July 1, 2013 through June 30, 2018.

Dated:
NORWALK-LA MIRADA (Licensor)
UNIFIED SCHOOL DISTRICT

Dated:
CITY OF COMPTON (Licensee)

By _____
Name: Estuardo Santillan
Title: Assistant Superintendent

By _____
Name: G. Harold Duffey
Title: City Manager

Dated:

By _____
Name: Craig J. Cornwell
Title: City Attorney

Dated:

By _____
Name: Alita Godwin
Title: City Clerk

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Water Department

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT FOR GROUNDWATER PUMPING RIGHTS FOR FISCAL YEARS 2013-2014 THROUGH 2017-2018.

Tana McCoy
DEPARTMENT MANAGER’S SIGNATURE

5/23/2013 2:44:28 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/6/2013 4:05:00 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 5:58:06 PM
DATE

G. Harold Duffey
CITY MANAGER

6/4/2013 12:18:06 PM
DATE

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

June 11, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: GLEN W. C. KAU, P.E. INTERIM DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE
AGREEMENT WITH THE CITY OF NORWALK FOR GROUNDWATER
PUMPING RIGHTS FOR FISCAL YEARS 2012-2013, 2013-2014, 2014-
2015**

SUMMARY

The City Council will consider adopting a resolution that will authorize the City Manager to enter into an agreement with the City of Norwalk whereby the City of Compton will be able to lease up to 3,000 acre-feet of Norwalk's ground water pumping allocation rights over the period of fiscal years 2012-2013 through 2014-2015 to offset the amount of imported water the City would need to purchase from other sources.

BACKGROUND

Water rights are required to pump groundwater from the Central Basin. These rights are valuable and there is a sizable surcharge for pumping more than the rights holder's allocated amount of water. Each year holders of groundwater rights solicit request for proposals to lease their water rights. This is the amount of water they are not able to carry over into the next fiscal year. This creates an opportunity for other parties to leverage, thereby reducing their supply cost because pumping groundwater is less expensive than purchasing imported water from the Metropolitan Water District ("MWD").

The Compton Water Department produces ground water which is augmented by purchasing finished water supplied by the MWD at a proportion of 75% to 25%. This augmented water supply by MWD is necessary to meet the required demand by the City's residents. The Water Department will be able to produce more water from the aquifer thereby reducing the amount supplied by MWD if these leased rights are realized. The production cost associated with ground water pumping has historically been more cost effective than purchasing imported water from other sources.

STATEMENT OF THE ISSUE

The City of Norwalk is willing to lease up to 3,000 acre-feet of their allowable pumping allocation of ground water to the City of Compton for Fiscal Years 2012-13, 2013-14 and 2014-15 at a unit cost of \$125.00 per acre-foot of water. The anticipated yearly use by the City of Compton is 1,100 acre-feet during fiscal year 2012-2013; 1,400 acre-feet during fiscal year 2013-2014; and, 500 acre-feet during fiscal year 2014-2015. The City

#9.

Staff Report – Agreement with City of Norwalk
Lease Ground Water Pumping Rights
June 11, 2013, page 2

can utilize this leased allocation to offset the required amount of imported water through Metropolitan Water District connections.

ALTERNATIVE

No alternatives are necessary for review.

FISCAL IMPACT

The funds for this expenditure are and will be available in the Compton Municipal Utilities Department's FY 2012-13, FY 2013-14, and FY 2014-15 Fiscal Years Budget in Source of Supply, Account No. 5000 850 000 4252. The associated unit cost with this is \$125 per acre-foot of water, with a total not-to-exceed cost of \$375,000 over the next two fiscal year period.

RECOMMENDATION

Staff recommends adoption of the attached Resolution.

**GLEN KAU, P.E., INTERIM DIRECTOR
MUNICIPAL UTILITIES/PUBLIC WORKS**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE
AGREEMENT WITH THE CITY OF NORWALK FOR GROUNDWATER
PUMPING RIGHTS FOR FISCAL YEARS 2012-2013, 2013-2014, 2014-2015**

WHEREAS, one of the priorities of the Compton Municipal Water Department is leverage all avenues possible to effectively manage the resources it is entrusted with; and

WHEREAS, the Water Department produces ground water which is augmented by purchasing finished water supplied by the Metropolitan Water District ("MWD") at a proportion of 75% to 25%. This augmented water supply by MWD is necessary to meet the required demand by the residents; and

WHEREAS, the City of Norwalk is willing to License to the City of Compton up to 3,000 acre-feet of their allowable pumping allocation of groundwater for Fiscal Years 2012-13, 2013-14 and 2014-15 at a unit cost of \$125.00 per acre-foot of water; and

WHEREAS, the anticipated yearly use by the City of Compton is 1,100 acre-feet during Fiscal Year 2012-2013, 1,400 acre-feet during Fiscal Year 2013-2014 and 500 acre-feet during Fiscal Year 2014-2015; and

WHEREAS, the City can utilize this licensed allocation to offset the required amount of imported water through Metropolitan Water District connections; and

WHEREAS, the production cost associated with groundwater pumping has historically been more cost effective than purchasing imported water from other sources; and

WHEREAS, funds are available in the Municipal Water Department's 2012-2013 fiscal year budget in Account No. 5000 850 000 4252, and funding for the remaining term of the agreement will be allocated in future City budgets.

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

Section 1. That the City Manager, upon the advice and consent of the City Attorney, is hereby authorized to enter into license agreement with the City of Norwalk to purchase up to 3,000 acre-feet of Norwalk's groundwater pumping rights during Fiscal Years 2012-2013, 2013-2014, and 2014-2015 at a unit cost of \$125.00 per acre-foot.

Section 2. That the anticipated cost for the purchase of the groundwater pumping rights for each fiscal year is as follows: 1,100 acre-feet during Fiscal Year 2012-2013 for \$137,500; 1,400 acre-feet during Fiscal Year 2013-2014 for \$175,000; and 500 acre-feet during Fiscal Year 2014-2015 for \$62,500 (\$375,000.00 for the combined three fiscal years).

Section 3. That funds for the purchase of the groundwater pumping rights for Fiscal Year 2012-2013 are available in Account No. 5000 850 000 4252.

Section 4. That funds for the remainder of the term of the agreement shall be allocated in future City budgets.

Section 5. That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and Municipal Water Department.

Resolution No. _____
Page 2

Section 6. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2013.

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 a regular meeting thereof held on the ____ day of _____, 2013.

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

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABENT: COUNCIL MEMBERS-
ABSTAIN: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

**GROUNDWATER PUMPING RIGHTS LICENSE AGREEMENT
BETWEEN
CITY OF NORWALK, CALIFORNIA
AND
CITY OF COMPTON, CALIFORNIA**

For a valuable consideration, the **CITY OF NORWALK ("Licensor")** hereby grants to the **CITY OF COMPTON (Licensee)**; a License to extract 1,100 acre-feet in Fiscal year 2012-2013, 1,400 acre- feet in Fiscal year 2013-2014, and 500 acre feet in Fiscal year 2014-2015 of Licensor's Allowed Pumping Allocation allocated to Licensor (or predecessors in interest) under and pursuant to Judgment dated October 11, 1965, and entered in Los Angeles Superior Court Case No. 786,656 entitled "*Central and West Basin Water Replenishment District vs. Charles E. Adams, et al.*" ("Judgment") during the period commencing July 1, 2012 and continuing to and including June 30, 2015. Said License is granted subject to the following conditions:

- (1) Licensee shall pay to Licensor a fee of One Hundred Twenty Five Dollars (\$125.00) per acre-feet for each acre-feet of groundwater that Licensee extracts of Licensor's Allowed Pumping Allocation pursuant to this License Agreement.
- (2) Licensee shall exercise said right and extract the same on behalf of Licensor during the period above specified and put the same to beneficial use and Licensee shall not by the exercise hereunder of said right acquire any right to extract water independent of the rights of Licensor.
- (3) Licensee shall pay assessments levied on the pumping of said ground water by the Water Replenishment District of Southern California.
- (4) Licensee shall notify the District and the Watermaster that said pumping was done pursuant to this License and provide the Watermaster with a copy of this document.
- (5) Licensee shall note, in any recording of water production for the period of agreement that said pumping was done pursuant to this License.
- (6) Licensee's Allowed Pumping Allocation shall be increased by the amount hereby Licensed when computing carryover or allowable overextraction as provided by Part III, Subpart A and B in said Judgment.
- (8) Licensor and Licensee represent and warrant that they have the right, power, legal capacity and authority to enter into and perform their respective obligations under this License Agreement.

Groundwater Pumping Rights License Agreement
City of Norwalk (Licensor)/City of Compton (Licensee)
Resolution No. _____

#9.

(9) Licensor and Licensee shall each indemnify, defend and hold the other harmless from and against all claims, losses, liabilities, damages, costs, and expenses (including reasonable attorneys' and consultants' fees, costs and expenses) (collectively "Losses") arising from the indemnifying party's breach of any term or condition of this Agreement or from the negligence or willful misconduct of the indemnifying party or its agents or employees.

The CITY OF NORWALK warrants that it has 1,100 acre-feet of Allowed Pumping Allocation and that it has not pumped and will not pump or permit License of any other person to pump any part of said 1,100 acre-feet during the period of July 1, 2012 through June 30, 2013.

The CITY OF NORWALK warrants that it has 1,400 acre-feet of Allowed Pumping Allocation and that it has not pumped and will not pump or permit License of any other person to pump any part of said 1,400 acre-feet during the period of July 1, 2013 through June 30, 2014.

The CITY OF NORWALK warrants that it has 500 acre-feet of Allowed Pumping Allocation and that it has not pumped and will not pump or permit License of any other person to pump any part of said 500 acre-feet during the period of July 1, 2014 through June 30, 2015.

Dated:

CITY OF NORWALK (Licensor)

By_____

Name:

Title: City Manager

Dated:

CITY OF COMPTON (Licensee)

By_____

Name: G. Harold Duffey

Title: City Manager

Dated:

By_____

Name: Craig J. Cornwell

Title: City Attorney

Groundwater Pumping Rights License Agreement
City of Norwalk (Licensor)/City of Compton (Licensee)
Resolution No. _____

Dated:

By_____

Name: Alita Godwin

Title: City Clerk

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH THE CITY OF NORWALK FOR GROUNDWATER PUMPING RIGHTS FOR FISCAL YEARS 2012-2013, 2013-2014, 2014-2015

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

6/3/2013 8:30:53 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/5/2013 9:05:14 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 6:03:19 PM
DATE

G. Harold Duffey
CITY MANAGER

6/4/2013 12:21:26 PM
DATE

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

June 11, 2013

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING A PURCHASE ORDER WITH THE
CITY OF DOWNEY FOR FIRE AND EMERGENCY MEDICAL
DISPATCHING SERVICES**

SUMMARY

This resolution authorizes a purchase order with the City of Downey for emergency dispatching services as per the current contract.

BACKGROUND

The cities of Compton, Downey, Santa Fe Springs and Vernon fire departments currently utilize fire communications services from the Joint Powers Communications Center (JPCC), located at Downey Fire Headquarters. By sharing the JPCC with neighboring fire departments, it has allowed effective emergency radio and dispatching services at reduced costs.

SITUATION

On June 8, 2011 Resolution #23,332 was adopted by Council approving an agreement to continue as a member of the JPCC. This request is to pay for the cost of service for Fiscal Year 2012/13 at an amount of \$586,214.88. This is a reduction of approximately \$23,897.22 from the previous year cost.

FISCAL IMPACT

There is no further impact to the 2012/13 fiscal year budget. Sufficient funds have been budgeted in Account No. 1001 690 000 4269 of the Fire Department's budget.

RECOMMENDATION

That the City Council approves the attached Resolution.

**JON THOMPSON, CHIEF
COMPTON FIRE DEPARTMENT**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON AUTHORIZING A PURCHASE ORDER WITH THE CITY
OF DOWNEY FOR FIRE AND EMERGENCY MEDICAL
DISPATCHING SERVICES**

WHEREAS, the City of Compton is a member of the Joint Powers of Authority (JPA) for the Joint Powers Communications Center (JPCC) with three other cities for Fire and Emergency Medical dispatching; and

WHEREAS, the aforesaid dispatching services are provided by the Downey Communications Center; and

WHEREAS, each member of the JPA share in the cost of providing this service; and

WHEREAS, Resolution No. 23,332, adopted by City Council on June 8, 2011, approved an agreement which authorizes this payment for said services; and

WHEREAS, funds for this payment have been allocated in the Fire Department's 2012/13 Fiscal Year budget.

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

Section 1. That the City Manager is authorized to issue a purchase order to the City of Downey in an amount not to exceed \$586,214.88, the City of Compton's share of the costs for provision of Fire and Emergency Medical Dispatching Services for Fiscal Year 2012-2013.

Section 2. The funds for said services are appropriated in Account No. 1001 690 000 4269 of the Fire Department's budget for Fiscal Year 2012/13.

Section 3. That a certified copy of this Resolution shall remain on file in the offices of the City Manager, City Clerk, City Controller and the Fire Department.

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

ADOPTED this ____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE TWO

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON:ss

I, Alita Godwin, City Clerk of the City of Compton, do hereby certify that the forgoing 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 ____ day of _____, 2013.

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

AYES: Council Members-
NOES: Council Members-
ABSTAINS: Council Members-
ABSENT: Council Members-

CITY CLERK OF THE CITY OF COMPTON

DISPATCH SERVICES JOINT POWERS AGREEMENT

This Dispatch Services Joint Powers Agreement ("Agreement") is hereby made and entered into this 12th day of April, 2011, by and between the CITY OF DOWNEY, a California municipal corporation ("Downey"), CITY OF COMPTON, a California municipal corporation ("Compton"), CITY OF SANTA FE SPRINGS, a California municipal corporation ("Santa Fe Springs"), CITY OF VERNON, a California municipal corporation ("Vernon") (collectively, the "Parties" and each of whom is a party ("Party") to this Agreement).

WITNESSETH:

WHEREAS, Government Code Sections 53100 et seq. require California cities to implement local emergency telephone systems through which citizens can request and receive emergency aid; and

WHEREAS, Government Code Section 53109 provides that such a system may include the territory of more than one public agency; and

WHEREAS, In 1978 Downey implemented a Joint Powers Communication Center to provide services to other similar-sized fire departments; and

WHEREAS, Downey has developed an efficient fire dispatch and alarm system ("the System") with the capacity to meet the requirements of Government Code Sections 53100 et seq. for the Parties; and

WHEREAS, it is more economical and efficient for Downey to dispatch emergency fire equipment for the Parties; and

WHEREAS, Government Code Sections 6500, et seq. provide that one or more public agencies may contract for the joint exercise of any power common to the contracting parties; and

WHEREAS, Downey has provided emergency fire equipment dispatch services to various cities. Pursuant to that certain agreement entitled "Agreement", dated October, 2009, ("the 2009 Agreement") and the Parties desire to continue using the services of Downey for dispatching emergency fire equipment and to contribute to the development, operation, use and maintenance of the System in order to reduce capital and operational costs.

NOW, THEREFORE, in consideration of their mutual covenants and conditions, receipt of which is hereby acknowledged, the Parties agree as follows:

Purpose. The 2009 Agreement is hereby terminated. The purpose of this adopted Agreement is to improve coordination at an emergency scene of fire apparatus used by the Parties and to consolidate fire reporting and dispatching into one facility along with a centralization of a dispatching system for fire and other emergencies, thereby meeting the requirements imposed on the Parties by Government Code Sections

53100 et seq. Said purpose shall be accomplished by Downey's exercise of the powers specified in Government Code Sections 53100 et seq. (*i.e.*, the provision of emergency dispatch services as further delineated herein) on behalf of the Parties. Pursuant to Government Code Sections 6500 et seq., Downey shall provide fire reporting and dispatching services to the Parties through the System and communication facility located in and operated by Downey (the "Joint Powers Communications Center" or "JPCC"), all under direct control and supervision of Downey.

Cost of the System. The cost of maintaining and operating the System and JPCC will be paid by the Parties in accordance with the following formula:

2.1. Total operating costs (called "Total Costs") shall be apportioned to each Party according to the following four factors:

2.1.1 Costs for supplies and services, other than direct charges, shall be divided equally among the Parties. Supplies and services shall not include City of Downey building rental charges.

2.1.2 Costs for personnel shall be divided among the Parties in proportion to the Recorded Incidents of each Member City.

2.1.3 Equipment costs (non-operating costs) will be charged to each Party on an equal basis. For example, if there are four Parties, each Party will be charged for 25% of the cost of equipment.

2.1.4 The cost for direct telephone line charges will be charged to each Party based on their individual telephone line charge.

2.2 See Appendix for an example of how the calculations are made in accordance with Sections 2.1.

3. Commencement and Termination. This Agreement shall commence April 12, 2011, and shall continue in effect until terminated by unanimous consent of all Parties to the Agreement that have not withdrawn as provided in Section 8, provided, however, that this Agreement shall terminate upon withdrawal of Downey. Upon termination, (1) surplus money contributed pursuant to this Agreement shall be returned to the Parties in proportion to the contributions made, and (2) Downey shall retain any property acquired for use in the JPCC during the term of this Agreement and, if such property is sold, shall pay to each Party then participating in the Agreement that Party's proportional share of the depreciated value of such property and shall not include any value in the real property owned by Downey.

4. A proposed budget for the fiscal year will be forwarded to all Parties by March 1st prior to said fiscal year.

5. Downey shall provide an accounting of funds and shall provide an annual report of all receipts and disbursements made pursuant to this Agreement. Downey shall calculate each Party's shared cost as of December 31st for each fiscal year based on the adopted budget for the JPCC and the most current annual data available for the number of incidents. These calculations will be prepared by Downey and shared with each Party as of January 15th of each year. Downey will invoice each Party for their share of the JPCC cost. Each Party will pay Downey within 30 days of receipt of invoice. In the event any Party signs the agreement and commences participation in the use of the facility at a time other than as of July 1st of any year, percentages shall be adjusted on a pro rata basis depending upon the portion of the year remaining at the time any such new Party commences participation.
6. For each fiscal year, Downey will calculate the difference between each Party's payment and the actual cost for each Party based on actual fiscal year end expenditures. These calculations of actual costs will use the same apportionment formula when each Party's shared costs were originally calculated and billed. If there is a surplus, then each Party's surplus amount will be identified and held in a special reserve. The maximum held in any individual Parties reserve account will be \$50,000. Any surplus in excess of the \$50,000 maximum will be returned or deducted from the following year's payment. This reserve shall be used as determined by the majority of Parties then participating in this Agreement. If there is a deficit, each Party will be immediately invoiced for their respective amount due. Any available surplus held from previous fiscal years, once the \$50,000 is reached, may be used to pay the deficit amount as directed by the Party in writing to the Downey Fire Chief.
7. Determination of the Total Costs of the JPCC, including equipment, shall be limited to the following items:
 - (a) Telephone Service Fees at the JPCC
 - (1) Two (2) fire-reporting trunk lines from each Party.
 - (2) One (1) station telephone plus line charges of each fire station which is part of the system.
 - (3) Rental of emergency telephone reporting system and equipment directly related to its function.
 - (b) Vocal Alarm System:

One (1) vocal-alarm speaker plus line charges to each fire station.
 - (c) Personnel:

Two (2) qualified fire dispatchers continuously on duty at the communications center plus one (1) Supervisor (40 hour week) and (1) Network Administrator (40 hour week).

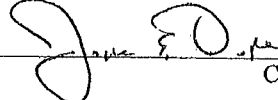
- (d) Other components or equipment agreed to be installed by the Parties.
8. Any Party may withdraw from this Agreement at any time upon One Hundred and Twenty (120) days written notice to all of the other Parties, provided, however, that withdrawal by Downey shall require 365 days written notice. In the event that a Party other than Downey withdraws pursuant to this Section, the percentage cost share of each remaining Party shall be readjusted upon the effective date of withdrawal so that the amount to be paid by each remaining Party shall be pro-rated and shall equal the percentage that each remaining Party bears of the accumulated total as calculated in the manner set out in Section 2 of this Agreement.
 9. Each Party shall install the following minimum communication equipment for each fire station:
 - (a) Direct telephone line with handset terminating at the communication center in Downey.
 - (b) Vocal or paging line and speaker terminating at the communication center in Downey.
 - (c) Two (2) emergency reporting trunk lines terminating at the communication center in Downey.
 10. Parties may install special or extra telephone equipment or electronic equipment in addition to the standard equipment required by this Agreement, provided that the installing Party shall pay, as its sole cost, for all such special or extra equipment.
 11. All installation, maintenance and repair orders for any communication equipment used in the performance of the obligations imposed by this Agreement shall be directed through Downey.
 12. The staff members in charge of implementing this Agreement shall be the City Manager or City Administrator of each Party and the Fire Chief of each Party. Operational procedure shall be agreed upon by a majority of the Fire Chiefs of the Parties and the Fire Chiefs of the Parties shall meet not less than quarterly to consider revisions to operational procedure or other matters regarding the JPCC. Each Party shall be responsible for the proper disposition of its business telephone calls. In the event that it is necessary in an emergency to change operational procedure, or in the event operational procedure cannot be agreed upon by a majority, then the procedure shall be determined by the Fire Chief of Downey.

13. Each Party shall provide and maintain accurate mapping and related fire protection information necessary for efficient fire dispatching and each Party shall be responsible for all such information and for maintaining such mapping and shall cause changes therein to be sent to the JPCC, and in the event any damage is caused or delay in responding to any emergency is caused by the inaccuracy of such information so supplied, or the failure to supply changes therein, the Party whose responsibility it is to provide such information shall be responsible for any damage or delay caused thereby and shall indemnify Downey and each other Party from any claim of damage, or damages, or cause of action arising there from.
14. Except as stated otherwise specifically herein, it is the intent of the Parties that each Party indemnify the other Parties with respect to liability resulting from each Party's conduct. Accordingly, each Party shall defend, indemnify and hold harmless the other Parties, their officers, employees and agents, against any claims, actions, losses, damages, liability, costs, attorney's fees and litigation expenses that result from any actions or inactions of such indemnifying Party, its officers, employees or agents, taken pursuant to the Agreement.
15. Subject to the continual approval by Downey, which may use its sole discretion without limitation, any Party may assign any qualified person, who is an employee of the Party, to the JPCC to perform the duties and functions of a dispatcher. Such person shall be under the supervision and control of Downey while performing such services but such person shall remain an employee of the assigning Party. At any time and without cause, Downey may decide to cancel the assignment after giving ten days written notice to the Fire Chief of the respective Party. The cost of maintaining such a person so assigned may be credited by the assigning Party against its pro rata share of costs to be paid to Downey hereunder, provided, however, that such costs shall not exceed the compensation level of such Party for a dispatcher unless such person is qualified as, and is assigned as, a communications supervisor by Downey.
16. Amendment. This Agreement represents the entire agreement among the Parties. This Agreement shall not be amended, except by written agreement of all Parties that have not withdrawn pursuant to Section 8.
17. Prior Agreements. This Agreement supersedes all prior agreements among the Parties for the maintenance and operation of the System and the JPCC.
18. Governing Law/Venue. This Agreement shall be construed and interpreted in accordance with the laws of the State of California. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Los Angeles, State of California, or any other appropriate court in such county.
19. Counterparts. This document may be executed in multiple counterparts, each of which shall be an original and all of which shall constitute one Agreement.

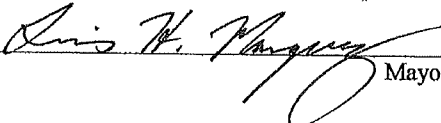
20. Authority. The persons signing below represent and warrant that all hearings have been conducted and findings made to enter into this Agreement and that they have authority to enter into this Agreement on behalf of the entities for which they are signing this Agreement.
21. Law and Arbitration. This Agreement shall be governed by the laws of the State of California. The parties agree that any and all disputes arising out of or in relation to this Agreement, including without limitation any action in tort, shall be resolved exclusively, finally and conclusively by arbitration in Los Angeles County, California under the auspices of and pursuant to the rules of the Judicial Arbitration & Mediation Services Inc. (JAMS). The arbitrator shall be a retired judge. The decision of the arbitrator shall be in writing, and the arbitrator shall provide written reasons for their decision. The arbitration decision shall be final and binding on the parties. Notwithstanding the foregoing, the parties shall be permitted to access the court system to enforce any arbitration award or to obtain injunctive relief. The exclusive jurisdiction and venue for any such action shall be the Superior Court of California, Los Angeles County. If any of the Parties commences arbitration to enforce their respective rights and/or obligations under this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees, costs, and expenses.

IN WITNESS WHEREOF, the Parties hereto have caused this agreement to be executed the day and year opposite each of their respective signatures.

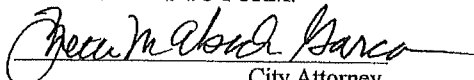
ATTEST:


City Clerk
05-18-11

CITY OF DOWNEY, a municipal corporation


Mayor

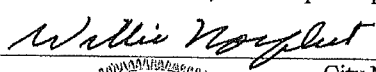
APPROVED AS TO FORM:


City Attorney

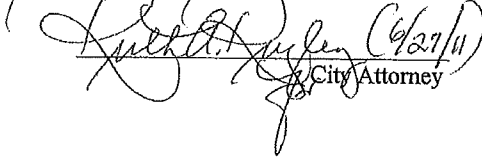
ATTEST:

 6-30-11
City Clerk

CITY OF COMPTON, a municipal corporation


City Manager

APPROVED AS TO FORM:

 (6/27/11)
City Attorney



ATTEST:

Arute Gomez
City Clerk

CITY OF SANTA FE SPRINGS, a municipal corporation

Joseph J. Adams
Mayor

APPROVED AS TO FORM:

JE
City Attorney

ATTEST:

Walter J. Pappalardo
City Clerk

CITY OF VERNON, a municipal corporation

Nelson Mangel
Mayor

APPROVED AS TO FORM:

Walter J. Pappalardo
City Attorney

RESOLUTION NO. 23,332RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING AN AGREEMENT AND PURCHASE ORDER WITH THE
CITY OF DOWNEY FOR FIRE AND EMERGENCY MEDICAL
DISPATCHING SERVICES

WHEREAS, the City of Compton has been a member of the Joint Powers of Authority (JPA) with three other cities for Fire and Emergency Medical dispatching; and

WHEREAS, the city of Vernon is a member of Area E and has requested to join the Joint Powers Communication Center (JPCC)

WHEREAS, the aforesaid dispatching services are provided by the Downey Communications Center; and

WHEREAS, each member of the JPA share in the cost of providing this service; and

WHEREAS, the addition of Vernon will reduce cost to all current members of the JPA; and

WHEREAS, funds for this payment have been allocated in the Fire Department's 2011/12 Fiscal Year budget; and

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

Section 1. That the City Manager is authorized to execute a new or amended Dispatch Services Joint Powers Agreement (JPA) with the cities of Downey, Santa Fe Springs and Vernon for the City of Downey to provide emergency fire communication services.

Section 2. That the new or amended Agreement is anticipated to become effective July 1, 2011, and the City of Compton may terminate it's participation in the Joint Powers Agreement with 120 days written notice.

Section 3. That the City Manager is authorized to issue a purchase order in an amount not to exceed \$610,112.10 as the City of Compton's share of expenses for the Joint Powers Agreement.

Section 4. That the funds for said services are appropriated in account 1001-69-0000-4269 of the Fire Department's budget for fiscal year 2011/12.

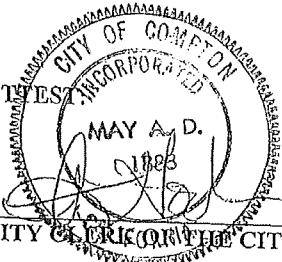
Section 5. That a certified copy of this resolution shall remain on file in the offices of the City Manager, City Clerk, City Controller and the Fire Department.

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

ADOPTED this 8th day of June, 2011.


MAYOR OF THE CITY OF COMPTON

RESOLUTION NO. 23,332
Page 2

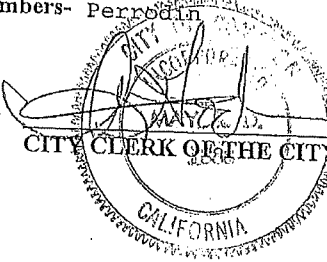
ATTEST

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, do hereby certify that the forgoing 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 8th day of June 2011.

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

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


CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT:

Fire Department

RESOLUTION TITLE:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING A PURCHASE ORDER WITH THE CITY OF DOWNEY FOR FIRE AND EMERGENCY MEDICAL DISPATCHING SERVICES

Jon Thompson

DEPARTMENT MANAGER’S SIGNATURE

6/4/2013 12:30:57 PM

DATE

REVIEW / APPROVAL

Ruth Rugley

CITY ATTORNEY

6/6/2013 4:51:22 PM

DATE

Stephen Ajobiewe

CITY CONTROLLER

6/5/2013 6:13:29 PM

DATE

G. Harold Duffey

CITY MANAGER

6/4/2013 6:31:26 PM

DATE

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

June 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO AMEND THE FISCAL YEAR
2012-2013 BUDGET AND TO ENTER INTO AN AGREEMENT WITH
COMPTON CHAMBER OF COMMERCE**

SUMMARY

Consistent with City Council's directions on March 26, 2013, the City Council will consider adopting a resolution that will authorize a Memorandum of Agreement between the City and the Compton Chamber of Commerce ("Chamber") and provide for a financial stipend for the remainder of Fiscal Year 2012-2013, commencing March 1, 2013 through June 30, 2013.

BACKGROUND

The Compton Chamber of Commerce is a private business organization with non-profit 501(c)(6) status dedicated to improving the economic environment of the City of Compton. Through the dissemination of business information and sponsorship of events, the Compton Chamber has historically collaborated with the City of Compton in fostering commercial and industrial development growth in the City.

In support of the Chamber's efforts, the City has historically entered into a memorandum of understanding with the Chamber and provided a \$4,000 per month stipend for the promotion of City economic incentive programs, which was viewed as an investment in business development for the City of Compton.

STATEMENT OF THE ISSUE

On March 26, 2013, the City Council directed staff to provide pro-rated funding for Fiscal Year 2012-2013 in the amount of \$16,000, effective March 1, 2013, thru June 30, 2013 in the form of a \$4,000 monthly stipend. This action would require staff to renew a memorandum of understanding with the Chamber of Commerce and return with a resolution authorizing amendment of the Fiscal Year 2012-2013 budget to appropriate funds for this expenditure in the City Manager's budget.

#16.

Staff Report – Resolution Authorizing MOA with
Compton Chamber of Commerce (4 months)
June 11, 2013, page 2

FISCAL IMPACT

The 2012-2013 Fiscal Year budget shall be amended to appropriate funds to pay the amount of the stipend as follows:

Decrease (From):

\$16,000.00 in Account No. 1001-510-000-4101 (Permanent Salaries)

Increase (To):

\$16,000.00 in Account No. 1001-510-000-4262 (Other Professional Services)

ALTERNATIVES

Alternatives were discussed in detailed during the March 26, 2013 Council meeting, which resulted in Council's direction to staff to submit this current resolution.

RECOMMENDATION

The City Council has requested that this proposed Resolution be presented for consideration and action.

G. HAROLD DUFFEY
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE FISCAL YEAR 2012- 2013 BUDGET AND TO ENTER INTO AN AGREEMENT WITH COMPTON CHAMBER OF COMMERCE

WHEREAS, the Mayor and City Council of the City of Compton are authorized by the laws of the State of California to appropriate and expend funds for the promotion of the intent and goodwill of the City of Compton; and

WHEREAS, the City desires to partner with the Compton Chamber of Commerce as a commercial and industrial information center, to disseminate information relating to these advantages and provide assistance to established commercial and industrial enterprises as to their growth and expansion plans; and

WHEREAS, the commercial and industrial expansion of Compton may benefit the residents and taxpayers of the City by generating additional revenues for the City and by providing commercial and industrial growth; and

WHEREAS, the promotion of industrial and commercial growth may generate new jobs for Compton residents; and

WHEREAS, the Compton Chamber of Commerce agrees to partner with the City to foster commercial and industrial growth and disseminate information, solicit commercial and industrial prospects, service both established and prospective commercial and industrial enterprises and sponsor special events that promote the commercial areas of the City; and

WHEREAS, the City has previously authorized stipends for the purpose of funding the Chamber's activities and operations and the parties desire to set forth their understanding and agreement with regard to further funding from the City.

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

Section 1. That the City Manager, on the advice and approval of the City Attorney, is hereby authorized to enter into a Memorandum of Agreement with the Compton Chamber of Commerce for the remainder of Fiscal Year 2012-2013 (i.e. March 2013 through June 2013).

Section 2. That the City shall pay a stipend to the Compton Chamber of Commerce in the amount of \$16,000.00, payable in the amount of \$4,000.00 per month for the months of March 2013 through June 2013.

Section 3. That the 2012-2013 Fiscal Year budget is amended to appropriate funds to pay the amount of the stipend as follows:

Decrease (From):

\$16,000.00 in Account No. 1001-510-000-4101 (Permanent Salaries)

Increase (To):

\$16,000.00 in Account No. 1001-510-000-4262 (Other Professional Services)

Section 4. That a copy of this Resolution shall be filed in the offices of the City Clerk, City Manager, City Controller and City Attorney.

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

ADOPTED this ____ day of _____, 2013.

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 _____, 2013.

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

**MEMORANDUM OF AGREEMENT
BETWEEN
THE CITY OF COMPTON
AND
COMPTON CHAMBER OF COMMERCE**

This **AGREEMENT** is made by and between the **CITY OF COMPTON**, a municipal corporation of the State of California (hereinafter referred to as "**CITY**") located at 205 South Willowbrook Avenue, Compton, California 90220, and **COMPTON CHAMBER OF COMMERCE**, (hereinafter referred to as "**CHAMBER**") located at 700 North Bullis Road, Room 10A, Compton, California 90221.

RECITALS:

WHEREAS, the **CITY** desires to collaborate with the **CHAMBER** in disseminating information regarding locational advantages of the City of Compton and in providing assistance to established commercial and industrial enterprises in their growth and expansion plans; and

WHEREAS, the commercial and industrial expansion of Compton will benefit the residents and taxpayers of the **CITY** by generating additional revenues for the **CITY**, and by providing commercial and industrial centers conveniently located for Compton residents, employees and consumers; and

WHEREAS, the promotion of industrial and commercial growth will generate new jobs for Compton residents; and

WHEREAS, the **CHAMBER** has collaborated with the **CITY** to foster commercial and industrial growth and disseminate information, solicit commercial and industrial prospects, service both established and prospective commercial and industrial enterprises, and sponsor special events that promote the commercial areas of the City; and

WHEREAS, by Resolution No. _____ adopted on the ____ day of _____, 2013, the City Council gave approval to enter into an agreement of understanding with the **CHAMBER**; and

WHEREAS, **CHAMBER** warrants that it is trained, experienced, competent, and has the resources to provide such services which will be required by this Agreement.

NOW, THEREFORE, the **CITY** and the **CHAMBER**, for the consideration, terms and conditions herein described, mutually agree as follows:

AGREEMENT:

1. SERVICES TO BE RENDERED BY CHAMBERS

It is the mutual understanding of the parties that the **CHAMBER** shall perform those services as described in the **CHAMBERS “Scope of Services”** attached hereto and incorporated hereby.

It is understood and agreed that **CHAMBER’s** has the professional skills, experience and knowledge necessary to perform the services agreed to be performed under this Agreement and that **CITY** relies upon the professional skills of **CHAMBER** to do and perform **CHAMBER’s** work in a skillful and professional manner.

CHAMBER agree to perform all the said services and furnish all the necessary materials at its own cost and expense necessary to complete said services in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances and to the reasonable satisfaction of the **CITY**.

CHAMBER services hereunder shall be performed in good, workmanlike and professional manner. **CHAMBER** shall be responsible for correcting and completing all errors and omissions related to the services provided by the **CHAMBER** for this Agreement at no additional cost to the **CITY**. “Errors” and “Omissions” for purposes of this paragraph are defined to mean a failure by the **CHAMBER** to meet the standards of its profession as set forth in the preceding paragraph.

2. DURATION OF AGREEMENT

This effective date of this Agreement is March 1, 2013 and it shall continue in effect until June 30, 2013, unless this Agreement is terminated as provided herein.

3. ASSIGNMENT OF PERSONNEL

CHAMBER has, or will secure, all personnel required to perform the services under this Agreement. The **CITY** and **CHAMBER** agree such personnel are employees, agents and volunteers only of **CHAMBER** and shall not be considered to be employees of the **CITY** in any way whatsoever.

4. STIPEND

For services performed pursuant to this Agreement, **CITY** and **CHAMBER** agree that the **CITY** shall pay, and **CHAMBER** agrees to accept a stipend of monthly installments of **Four Thousand Dollars (\$4,000.00)** for the period of March 1, 2013 through June 30, 2013 for a total compensation of **Sixteen Thousand Dollars (\$16,000.00)**. The total stipend paid the **CHAMBER** includes compensation for all services, including travel, materials, supplies, vendor services and expenses incurred in the performance of the services agreed to by the parties hereto. No additional compensation will be paid to the **CHAMBER**, unless there is a change in the scope of the work or the scope of the project. In the instance of a change in the scope of work or scope of the project, adjustment to the total compensation will be negotiated between the **CHAMBER** and the

Memorandum of Agreement – Compton Chamber of Commerce
Resolution No. _____

CITY. Adjustment in the total compensation will not be effective until authorized and approved by the **CITY**.

CHAMBER shall be paid the stipend on a monthly basis upon receipt by the **CITY** of itemized invoices for services completed and monthly reports of all services performed during the preceding month. Invoices and reports shall be mailed or delivered to the City Manager at the following address: **City of Compton, 205 South Willowbrook Avenue, Compton, California 90220.**

5. OWNERSHIP OF MATERIALS

All electronic and hardcopy drawings, designs, data, reports, documents, discs, diskettes or other material ("Documents") prepared, developed or discovered by or provided to **CHAMBER** during the course of providing services pursuant to this Agreement shall be the property of the **CITY**, whether or not the services are completed, and all common law and statutory copyrights now held or acquired in the future by the **CHAMBER** in the documents are hereby assigned to the **CITY**. **CHAMBER** shall deliver all Documents to the **CITY** no later than the earlier of: (a) the date of final completion of the services, or (b) the date this Agreement is terminated for any reason prior to final completion of the services. If this Agreement is terminated for any reason, the **CITY** and its agents, employees, representatives and/or assigns may use the Documents, in whole or in part, or in modified form, at **CITY's** sole discretion.

6. INDEPENDENT CONTRACTOR STATUS

CHAMBER, its officers, employees, subconsultants, agents and volunteers (collectively hereinafter the "Chamber"), is a wholly independent entity and not an officer, employee, subcontractor or agent of the **CITY**. Neither the **CITY** nor any of its officers, employees, agents or volunteers shall have any control over the conduct of the **CHAMBER**, except as expressly set forth in this Agreement. **CHAMBER** expressly warrants that while engaged in carrying out and complying with any terms and conditions of this Agreement that **CHAMBER** shall not at any time or in any manner, represent that **CHAMBER** is in any manner officers, employees, agents or volunteers of the **CITY**. **CHAMBER** shall obtain no rights to retirement, health care or any other benefit that accrue to **CITY** officials, officers, or employees. **CHAMBER** expressly waives any claim to such rights.

7. SUCCESSORS, ASSIGNMENT AND DELEGATION

The **CITY** and the **CHAMBER** each binds themselves, their partners, successors, assigns and legal representatives to the other party hereto and to partners, successors, assigns and legal representatives of such other party in respect to all covenants, agreements and obligations contained in this Agreement.

The expertise and experience of **CHAMBER** are material considerations for this Agreement. **CHAMBER** shall not assign or transfer any interest in this Agreement or the performance of any of **CHAMBER's** obligations under this Agreement without the prior written consent of the **CITY**. Any attempted assignment or transfer of any of **CHAMBER's** rights, duties or obligations arising under this Agreement shall be null and void.

8. NONDISCRIMINATORY EMPLOYMENT PRACTICES

During the performance of this Agreement, the **CHAMBER** agrees not to discriminate against any employee or applicant for employment because of race, sex, creed, color, religion, age, sexual orientation, marital status, national origin, or handicap in accordance with requirements of City, State or Federal laws and regulations. The **CHAMBER** will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, sex, creed, color, religion, age, sexual orientation, marital status, national origin, or handicap in accordance with requirements of City, State or Federal laws and regulations. Such actions shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoffs or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The **CHAMBER** agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause.

In the event of the **CHAMBER's** non-compliance with the non-discrimination clause of this Agreement, notwithstanding any other provision of this Agreement, the **CITY** may immediately cancel, terminate or suspend this Agreement in whole or in part.

9. INDEMNIFICATION

CHAMBER shall indemnify and save harmless the **CITY**, its officials, officers, employees, agents and volunteers (collectively hereafter the "City"), against any and all damages to property or injuries to or death of any person or persons, including property and employees or agents of the **CITY** and shall defend, indemnify and save the **CITY** from any and all liability and expense, including defense costs, legal fees, fines, penalties, expenses, and claims, demands, suits, actions or proceedings of any kind or nature, including Workers' Compensation claims, of or by anyone whomsoever in any way resulting from or arising out of the negligent, reckless, wrongful or intentional acts or omissions of **CHAMBER**, its employees, subconsultants or agents in the performance of the duties undertaken by **CHAMBER** pursuant to this Agreement.

This indemnification and hold harmless obligation does not extend to claims arising out of the sole negligence or willful misconduct of the **CITY**.

10. INSURANCE

Without limiting the **CHAMBER's** indemnification of the **CITY**, **CHAMBER** shall provide and maintain, at its own expense, and require any of its subconsultant's to maintain, during the term of this Agreement the following program(s) of insurance covering its operations as applicable hereunder in this Agreement.

All insurance required hereunder shall be primary with respect to any insurance maintained by the **CITY** and shall not call on the **CITY's** program for contributions. Program(s) of insurance shall include:

a. **General Liability:** **CHAMBER** shall provide and maintain at its own expense during the term of this Agreement a program, including but not limited to

Memorandum of Agreement – Compton Chamber of Commerce
Resolution No. _____

commercial general liability, inclusive of contractual liability, personal injury liability, broad form property damage and Errors and Omissions (Professional Liability) with a combined single limit of not less than **One Million Dollars (\$1,000,000.00)** per occurrence. The coverage shall be written on an occurrence basis. Claims made coverage is not acceptable.

b. Workers' Compensation Insurance: **CONSULTANT** if necessary, shall provide and maintain at its own expense during the term of this Agreement a program of Workers' Compensation Insurance and Employer's Liability Insurance in an amount and form to meet all applicable requirements of the State Labor Code and which specifically covers all persons providing services by or on behalf of the **CONSULTANT** and all risks to such persons under the Agreement.

c. Insurance Endorsements. The general liability insurance policy shall be endorsed with the following language:

(1) The City of Compton and its respective elected and appointed officers, officials, employees, agents and volunteers are to be named, covered and endorsed as "**additional insureds**" with respect to liability arising out of the activities of the **CONSULTANT**.

(2) The insurer waives all rights of subrogation against the **CITY**.

(3) Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the **CITY**.

(4) Identity of the insured(s) and the project subject to this Agreement.

Insurance coverage specified herein constitutes the minimum requirements and said requirements shall in no way lessen or limit the liability of the **CONSULTANT** under the terms of the Agreement. **CONSULTANT** shall procure and maintain, at its own costs and expense, any additional kinds and amounts of insurance that, in its own judgment, may be necessary for its proper protection of the **CONSULTANT's** work.

CONSULTANT shall ensure any and all subconsultants performing services under this Agreement meet the insurance requirements of this Agreement.

11. PERMITS AND LICENSES

CHAMBER, at its own expense, during the term of this Agreement shall obtain and maintain all appropriate business and professional permits, licenses and certificates that may be required in connection with the performance of services by **CHAMBER**.

Upon execution of this Agreement the **CHAMBER** shall show evidence of a business license permit in conformance with *Section 9-1.2 of the Compton Municipal Code*.

12. WARRANTIES

CHAMBER warrants that it has not employed or retained any company or persons, other than a bona fide employee working solely for the **CHAMBER**, to solicit or secure this Agreement and that it has not paid or agreed to pay any company or person other than a bona fide employee working solely for the **CHAMBER**, any fee, commission, percentage, brokerage fee, gift, or contingent fee.

Each of the undersigned signatories for the parties hereby warrant and guarantee that each of them, jointly and severally, have the power and authority to execute this Agreement upon the terms and conditions stated herein and each agrees to indemnify and hold harmless the other from all damages, costs and expenses which result from a breach of this material representation.

13. CHAMBER's RESPONSIBILITIES

a. All work required under this Agreement as reflected in **CHAMBERS "Scope of Services"** incorporated herein will be performed by **CHAMBER**, or under **CHAMBER's** direct supervision, and all personnel shall possess the qualifications, permits and licenses required by state and local law to perform such services.

b. **CHAMBER** shall be solely responsible for the satisfactory work performance of all personnel engaged in performing services required by this Agreement and compliance with performance standards established by **CITY**.

c. **CHAMBER** shall be responsible for payment of all employees' and subcontractor's wages and benefits, and shall comply with all requirements pertaining to employer's liability, workers' compensation, unemployment insurance and social security.

d. **CHAMBER** shall indemnify and hold harmless the **CITY** from any liability, damages, claims, costs and expenses of any nature arising from alleged violations of **CHAMBER's** personnel practices.

e. By accepting the terms of this Agreement, **CHAMBER** and the **CITY** agrees to operate in a manner that demonstrates a collaborative relationship. In the event the **CHAMBER** defames the **CITY** or its officials, either in print or verbally, grounds for immediate termination shall exist.

14. COMPLIANCE WITH LAW

All services rendered hereunder shall be provided in accordance with the requirements of relevant local, State and Federal laws.

15. MATERIALS PROVIDED

a. **CITY** shall provide to **CHAMBER**, demographic data and maps now in their possession, and other information to facilitate the efficient performance of this Agreement, free of charge, without restriction or limitation on their use.

Memorandum of Agreement – Compton Chamber of Commerce
Resolution No. _____

b. All data, including reports, records, maps and other information prepared or obtained by **CHAMBER** in the course of performing the work required by this Agreement shall, upon request, be made available to **CITY** free of charge, without restriction or limitation on their use.

16. CHAMBER's BOOKS AND RECORDS

CHAMBER shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to work, services, expenditures and disbursements charges to the **CITY** for the period and to the extent required by laws relating to audits of public agencies and their expenditures.

CHAMBER shall maintain all documents and records which demonstrate performance under this Agreement for the period and to the extent required by laws relating to audits of public agencies and their expenditures.

Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during regular business hours, upon written request by the **CITY** or a designated representative. Copies of such documents shall be provided to the **CITY** for inspection when it is practical to do so. Otherwise, unless an alternative is mutually agreed upon, the records shall be available at **CHAMBER's** address indicated for receipt of notices in this Agreement.

17. EXAMINATION AND AUDIT

This Agreement shall be subject to examination and audit of the State Auditor of the State of California and any duly authorized representative of the federal government, at the request of the **CITY**, or as part of any audit of the **CITY**, for a period of three (3) years, or longer if required by law, after final payment under this Agreement.

18. DEFAULT AND TERMINATION

Notwithstanding any other provisions of this Agreement, this Agreement may be terminated as follows:

a. Either party may terminate this Agreement at any time by giving ten (10) days written notice of termination to other party. If the **CITY** gives such notice of termination, **CHAMBER** shall cease immediately all work in progress, unless otherwise directed by the **CITY**.

b. The **CITY's** obligation is payable only from funds appropriated for the purpose of this Agreement. All funds for payments after the end of the current fiscal year are subject to the **CITY's** legislative appropriation for this purpose. In the event this Agreement extends into succeeding fiscal year periods and the City Council does not allocate sufficient funds for the next succeeding fiscal year payments, this Agreement shall terminate immediately upon written notice from the **CITY**.

c. Upon termination by either party, **CHAMBER** shall furnish to the **CITY** a final invoice for services performed. **CHAMBER** shall deliver to the **CITY** all property of

**Memorandum of Agreement – Compton Chamber of Commerce
Resolution No. _____**

the **CITY** in **CHAMBER's** possession and copies of all reports, documents and other work prepared by **CHAMBER** pursuant to this Agreement.

19. WAIVERS

A waiver by either party to this Agreement of any breach of any terms, covenants or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant or condition contained herein, whether of the same or a different character.

20. AMENDMENTS

This Agreement may be modified or amended only by a written document executed by both **CHAMBER** and **CITY's** City Manager and approved as to form by the City Attorney. Such document shall expressly state that it is intended by the parties to amend the terms and conditions of this Agreement.

21. GOVERNING LAW AND SEVERABILITY

This Agreement shall be governed by and construed under the laws of the State of California. Should any part of this Agreement be declared by a final decision by a court or tribunal of competent jurisdiction to be unconstitutional, invalid, or beyond the authority of either party to enter into or carry out, such decision shall not affect the validity of the remainder of this Agreement, which shall continue in full force and effect, provided that the remainder of this Agreement, absent the unexcised portion, can be reasonably interpreted to give effect to the intentions of the parties.

22. EXTENT OF AGREEMENT

This Agreement, and any attachments hereto, constitute the entire understanding and agreement of the parties. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the parties with respect to all and any part of the subject matter hereof. Neither party has been induced to make or enter into this Agreement by reason of promise, agreement, representation, statement or warranty other than as herein contained. Nothing in this Agreement shall create any contractual relations between any subconsultant or subcontractor and the **CITY**.

23. NOTICES

All notices, demands or requests to be given under this Agreement shall be given in writing and conclusively shall be deemed received when: (a) delivered personally, or (b) on the fifth business day after the deposit thereof in the United States mail, postage prepaid, and addressed as hereinafter provided, or (c) one business day after send by facsimile transmission.

TO CHAMBER:

**COMPTON CHAMBER OF COMMERCE
700 North Bullis Road, Suite 10A
Compton, California 90221
Attn: President/Director
()**

**Memorandum of Agreement – Compton Chamber of Commerce
Resolution No. _____**

() - fax.

TO CITY:

**CITY OF COMPTON
205 South Willowbrook Avenue
Compton, California 90220
Attn: City Manager
(310) 605-5585
(310) 761-1429 - fax.**

IN WITNESS WHEREOF, CHAMBER has executed this Agreement, and the **CITY**, by its City Manager, who is authorized to do so, has executed this Agreement.

COMPTON CHAMBER OF COMMERCE

Dated: _____

By _____
Lestean M. Johnson, President

**CITY OF COMPTON
Approved by:**

Dated: _____

By _____
G. Harold Duffey, City Manager

Approved as to form:

Dated: _____

By _____
Craig J. Cornwell, City Attorney

ATTEST:

Dated: _____

By _____
Alita Godwin, City Clerk

Exhibit A

Scope of Service

Compton Chamber-acting by and through its Executive Board and Board of Directors, will, in a manner commensurate with available funding perform the following functions during the contract period of March 1, 2013 thru June 30, 2013.

1. Maintain an office within the City of Compton-which is accessible to the public and fully equipped for the purpose of disseminating information, answering correspondences, and inquiries regarding the City of Compton.
2. Assist the City of Compton in conducting surveys and other primary research on the Compton market. Surveys include (but are not limited to):
 - a. Commercial insurance needs
 - b. Need for new products and services
 - c. Determination of the quality of customer service that they are receiving from Compton businesses
3. Serve as an information bureau for the benefit of the local public; collecting and maintaining data and statistics of general interests. Retrieve and collect information on commercial, industrial, residential advantages and opportunities that will benefit the City and local residents and taxpayers.
4. Conduct a minimum of four (4) business specific workshops.
5. Publicize, upon request, City-sponsored activities and functions and to assist and coordinate with respect to such activities and functions.
6. Upon request of the City, publicize any sponsored activities and events.
7. Assist the City with any coordination and/or function associate with City sponsored event.
8. Chamber will agree to advertise and promote the commercial and industrial expansion/development of the City of Compton and to cooperate with all agencies and individuals; whether governmental or private in achieving such expansion and development. In this regard, the Chamber shall do the following:

#16.

**Compton Chamber of Commerce
Scope of Services for FY 2012-13
(3/1/13 – 6/30/13), Page 2**

- a. Collaborate with the City of Compton to obtain appropriate information and services regarding prospective businesses
 - b. The Chamber shall help the City of Compton compile and maintain pertinent information on community characteristics as may be of value and interest for the location of new businesses and shall disseminate such information through appropriate organizations and agencies. This shall include, but not be limited to, demographics, lease rates, city history, community maps, and City resources.
 - c. The Chamber shall encourage residents and businesses with a 'Buy in Compton' campaign to purchase goods and services within the City of Compton in associate with the Office of the City Manager-Economic Development Division. Promotional activities may include, but not be limited to the following:
 - i. Mixers
 - ii. Business referrals
 - iii. Business directory
 - iv. City Maps
 - v. Ribbon cuttings
 - vi. Business profiles
 - d. Direct inquiries relating to potential commercial or industrial locations or development within the City to the Office of the City Manager-Economic Development Division.
 - e. Work closely in conjunction with the Office of the City Manager-Economic Development Division in providing services and/or obtaining information from the business community.
9. The Chamber will agree to provide the City with monthly progress reports indicating the status of its community promotions and the activities describe in the Scope of Work section of this attachment. All reports are submitted to the Office of the City Manager for distribution to appropriate City Officials and personnel.

**Compton Chamber of Commerce
Scope of Services for FY 2012-13
(3/1/13 – 6/30/13), Page 3**

10. The Chamber shall describe in the report activities undertaken and accomplished of each task during the reporting period.
11. Additionally, the Chamber agrees to fully cooperate and participate in other mutually agreed upon tasks, projects and responsibilities as required by the City.

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE FISCAL YEAR 2012-2013 BUDGET AND TO ENTER INTO AN AGREEMENT WITH COMPTON CHAMBER OF COMMERCE

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

5/16/2013 10:35:32 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/5/2013 8:56:31 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 6:00:39 PM
DATE

G. Harold Duffey
CITY MANAGER

5/22/2013 1:26:53 PM
DATE

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

June 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON SUPPORTING THE ADOPTION OF CALIFORNIA ASSEMBLY BILL (AB) 28 TO REFORM THE STATE'S ENTERPRISE ZONE (EZ) PROGRAM.

SUMMARY

The City Council will consider adopting a Resolution supporting the adoption of California Assembly Bill (AB) 28 to reform the State's Enterprise Zone (EZ) Program.

BACKGROUND

Since 1984 the California Enterprise Zone (EZ) Program has provided businesses hiring credits, sales and use credits, and other tax incentives to stimulate business growth, attraction, and employment within economically distressed areas of the State. The EZ Program has been particularly important to urban communities whose diverse populations face daunting challenges to their economic progress. Areas designated as Enterprise Zones entice business development and investment in economically distressed areas of the State by offering tax deductions and credits for creating jobs and hiring local workers.

The City of Compton has been designated an Enterprise Zone since August 1, 2007 that is valid until July 31, 2022. As a result of the City's EZ designation, businesses are now encouraged to operate within the City's boundaries to provide job opportunities to people with significant barriers to employment and promote the hiring of local residents from economically distressed communities. Recently, the State's EZ Program has been under constant attack for substantial reforms by California Governor Jerry Brown who, for all intents and purposes, wants to essentially eliminate the EZ Program.

STATEMENT OF ISSUE

The City of Compton believes that the EZ Program can and should be improved with appropriate reforms through the development of thoughtful improvements that preserve the Program's essential economic and community development benefits. California Assembly Bill (AB) 28 proposes reforms that will improve the EZ Program to better serve its core purpose and resolve some of the problems that have been identified and targeted by Governor Brown.

#17.

Staff Report Re Resolution Supporting the
Adoption of California Assembly Bill 28 to
Reform the State's Enterprise Zone Program
June 11, 2013

AB 28 proposes reforms that will improve policy and fiscal improvements to the EZ Program. Such reforms include restricting eligible areas for new EZ designations to low-income census tracts, limiting the size of a new EZ that includes an area from an existing or previous EZ, improved tracking of local financial and non-financial contributions to an EZ, and linking each EZ's required biennial progress report to the Department of Housing and Community Development (HCD) to the de-designation process. The reforms proposed by AB 28 ensure that the EZ Program is targeting those communities that reap the greatest benefit from an EZ. For example, AB 28 improves data tracking which would allow poor-performing Enterprise Zones to be identified and, if necessary, to be de-designated. This type of reform preserves the Program for areas and communities where an EZ designation works while identifying other EZ areas for potential de-designation due to poor-performance or Program abuse.

This Resolution will increase support for the adoption of AB 28 by the Legislature to help preserve Enterprise Zones and reflects the City's strong belief that Enterprise Zones are an integral part of the State's economy as well as the local community.

FISCAL IMPACT

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

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution supporting the adoption of California Assembly Bill (AB) 28 to reform the California Enterprise Zone Program.

G. HAROLD DUFFEY
CITY MANAGER

Attachment: Proposed Resolution

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON SUPPORTING THE ADOPTION OF CALIFORNIA ASSEMBLY BILL (AB) 28 TO REFORM THE STATE'S ENTERPRISE ZONE (EZ) PROGRAM.**

WHEREAS, since 1984 the California Enterprise Zone (EZ) Program has provided businesses hiring credits, sales and use credits, and other tax incentives to stimulate business growth, attraction, and employment within economically distressed areas of the State; and

WHEREAS, the State's EZ Program has particular importance to urban communities whose diverse populations face daunting challenges to their economic progress; and

WHEREAS, since August 2007, the City of Compton has been designated an Enterprise Zone (EZ) valid until July 2022; and

WHEREAS, an EZ designation encourages business development and investment in economically distressed areas of the City by offering tax deductions and credits for creating jobs and hiring local workers; and

WHEREAS, despite the progress gained by areas designated as an Enterprise Zone, the State's EZ Program has been under constant attack by Governor Jerry Brown's proposed reforms to essentially eliminate the EZ Program; and

WHEREAS, the City of Compton believes that the EZ Program can and should be improved with appropriate reforms through the development of thoughtful improvements that preserve the Program's essential economic and community development benefits; and

WHEREAS, California Assembly Bill (AB) 28 proposes reforms that will improve the EZ Program to better serve its core purpose and resolve some of the problems identified and targeted by Governor Brown; and

WHEREAS, some of the proposed reforms in AB 28 that address policy and fiscal improvements to the EZ Program include: restricting eligible areas for new EZ designations to low-income census tracts; limiting the size of a new EZ that includes an area from an existing or previous EZ; improved tracking of local financial and non-financial contributions to an EZ; and linking each EZ's required biennial progress report to the Department of Housing and Community Development (HCD) to the de-designation process; and

WHEREAS, the proposed reforms in AB 28 ensure that the EZ Program is targeting those communities that reap the greatest benefit from an EZ designation through improved data tracking which would allow poor-performing EZs to be identified and, if necessary, to be de-designated; and

WHEREAS, this Resolution will increase support for the adoption of AB 28 by the Legislature to help preserve Enterprise Zones and reflects the City of Compton's strong belief that Enterprise Zones are an integral part of the State's economy as well as the local community.

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

Section 1. That the City of Compton supports the adoption of California Assembly Bill (AB) 28 to reform the California Enterprise Zone Program.

Section 2. That the City Council encourages its businesses and citizens to communicate its support of AB 28 to the Governor and our State's legislature.

Section 3. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

Section 4. That a certified copy of this Resolution shall be filed in the offices of the City Clerk, City Manager, City Attorney, City Controller and City Treasurer.

ADOPTED this _____ day of _____, 2013.

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 this _____ day of _____, 2013.

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

June 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON OPPOSING THE GOVERNOR'S MAY BUDGET REVISE OF THE 2013-2014 STATE BUDGET PROPOSING SUBSTANTIAL REFORMS TO THE CALIFORNIA ENTERPRISE ZONE (EZ) PROGRAM.

SUMMARY

The City Council will consider adopting a Resolution opposing California Governor Jerry Brown's May Revision, 2013-2014, which proposes substantial reforms to the California Enterprise Zone (EZ) Program.

BACKGROUND

The California Enterprise Zone Program

California's Enterprise Zone (EZ) Program was established in 1984 by the Department of Housing and Community Development (HCD) to stimulate business investment in certain areas of the State, create job opportunities for Californians, and encourage economic development in economically disadvantaged areas. The HCD may designate a geographic area, if all requirements are satisfied, as an Enterprise Zone (EZ) for a period of fifteen (15) years. Geographic areas are eligible based on certain criteria such as unemployment rates, median income, plant closures, or history of gang-related activity. HCD may designate up to forty-two (42) Enterprise Zones statewide, however, currently there are only forty (40) Enterprise Zones in the state.¹ To be eligible for an EZ designation, cities and counties must submit an application to the HCD for consideration. HCD reviews the application and, if all requirements are satisfied, may designate a geographic area as an Enterprise Zone. The City of Compton was awarded a California EZ designation with a designation date retroactive to August 1, 2007.²

Within Enterprise Zones, businesses are encouraged to operate through the application of various tax deductions and credits for creating jobs and hiring local workers. Businesses inside a designated EZ may qualify for a hiring tax credit for qualified employees, a sales and use tax credit on qualified equipment purchases, and

¹ In 2012, two Enterprise Zones (Watsonville and Antelope Valley) were allowed to expire. According to HCD, the agency would not renew Enterprise Zone participants until changes to the program were made.

² Resolution No. 22,473, adopted November 20, 2007, by the City Council of the City of Compton.

#18.

Staff Report Re Resolution Opposing the
Governor's May Budget Revise to Reform
The California Enterprise Zone Program
June 11, 2013

retroactive application of tax credits for qualified employees. Other benefits include increased expense deductions, accelerated depreciation of qualified equipment, and State preference points for certain contract procurements if the business work site is located in an Enterprise Zone. Lenders can also take a deduction for the amount of net interest received on loans made to businesses located in Enterprise Zones, thus creating an incentive for lenders to provide loans to these businesses. A few of the significant benefits that will most likely be affected by the Governor's proposal are discussed in greater detail below.

The Hiring Tax Credit

A significant benefit to a business entity operating in an Enterprise Zone is the *hiring tax credit*. The hiring tax credit is available to entities in Enterprise Zones for each *qualified employee*³ hired to work for those entities. The entity is allowed to claim a tax credit equal to fifty percent (50%) of an employee's wages for the first year of employment. The tax credit, however, decreases by ten percent (10%) for each subsequent year and is available for a total of five (5) years⁴.

Businesses may also claim the hiring tax credit for residents of Targeted Employment Areas (TEA). Cities and counties managing Enterprise Zones may draw TEAs to contain communities where fifty-one percent (51%) or more of the individuals are low or moderate income, but any individual residing in a TEA qualifies his or her employer for the hiring credit regardless of the individual's economic status or employability.

The Sales or Use Tax Credit

Businesses operating in an Enterprise Zone can also claim a tax credit equal to the *sales or use tax*⁵ on qualified equipment that is purchased or used within the boundaries of an Enterprise Zone, such as equipment for manufacturing, renewable energy, data processing and communications, and motion picture production. The May Revise proposes to expand this credit for manufacturing and biotech research and development (R&D) equipment purchases on a statewide basis. Also, the proposed reform to this exemption appears to be more narrowly defined than the existing exemption.

Retroactive Vouchering

Businesses in a EZ designated area that are allowed the hiring tax credit for qualified employees must apply to the local EZ for a voucher certificate as evidence for utilization of the hiring tax credit on a state tax return. As currently administered, the EZ Program

³ *Qualified employees* include individuals who are: (1) eligible for job training programs; (2) eligible for most social welfare programs; (3) economically disadvantaged; (4) a "dislocated worker", as defined; (5) a disabled individual eligible or enrolled in a state rehabilitation plan; (6) a service connected veteran; (7) an ex-offender; and (8) a member of a federally-recognized Indian tribe.

⁴ Businesses may receive up to \$37,440 tax credit per eligible employee for the five (5) year period.

⁵ In order to deduct the use tax, property purchased must be manufactured in the state of California, unless such property of a comparable quality and price was not available from a California manufacturer.

permits businesses to use the voucher in years other than those in which an employee is hired, i.e. retroactive vouchering. Since approximately thirty percent (30%) of all vouchers are retroactive, the Governor's Revise proposes to limit voucher applications to within one (1) year of an employee's date of hire, thus limiting the current retroactive application of eligible tax years.

Compton Enterprise Zone

On or about September 6, 2006, the City of Compton submitted its application to the HCD in order to secure an EZ designation. Subsequently, the City was awarded in October 2007 a California EZ designation with a designation date retroactive to August 1, 2007⁶. On November 20, 2007, the City Council adopted a resolution⁷ authorizing the establishment of boundaries for the Compton Enterprise Zone Program Targeted Employment Areas (TEA).

In census year 2010, Enterprise Zones created or retained more than 118,000 jobs in California.⁸ Locally, in the same year, the Compton EZ Program successfully achieved the following results⁹:

- Number of businesses utilizing EZ benefits: 139
- New jobs created: 131
- Jobs retained: 872
- Employees off public assistance: 135

As a result of the City's EZ designation, businesses are now encouraged to operate within the City's boundaries to provide job opportunities to people with significant barriers to employment and promote the hiring of local residents from economically distressed communities. Although California continues to grapple with high unemployment levels, the Enterprise Zone Program is one of the few remaining tools at the State's disposal to stimulate business investment and create jobs, especially in some of California's most distressed communities.

STATEMENT OF ISSUE

Governor Jerry Brown's May Revise proposes a series of reforms to California's (EZ) Program that significantly reduce the Program's effectiveness. Although many of the Governor's past proposed reforms concerning the State's EZ Program have been previously rejected by the Legislature, the Governor's May Budget Revise again calls for

⁶ The duration of Compton's Enterprise Zone is fifteen (15) years and will expire July 31, 2022.

⁷ Resolution No. 22,473.

⁸ [http:// www.jobsandsafecommunities.com](http://www.jobsandsafecommunities.com)

⁹ Id. Information provided from calendar year 2010 voucher information.

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proposing regulatory changes to the EZ Program. Some of these proposed regulatory changes include: (1) repealing eligibility requirements that must be satisfied to realize current EZ tax benefits; (2) requiring all voucher applications to be submitted within one (1) year of an employee's hire date to limit retroactive hiring credits; (3) requiring third-party verification of employee residency within a Targeted Employment Area (TEA); and (4) streamlining the vouchering process for hiring veterans and recipients of public assistance.

California's EZ Program was specifically designed to provide incentives for retention, attraction and expansion of business in economically distressed communities. The Governor's proposal, in essence, ignores the State's current economic climate and fails to recognize the need for job retention or replacement. One of the initial purposes of the EZ Program was to focus on hiring disadvantaged individuals from low-income communities and individuals who frequently encounter barriers to gainful employment (e.g. economically disadvantaged, ex-offenders, veterans etc.). The Governor's proposed reforms severely reduces the incentives provided by the EZ Program by limiting application of the Program's tax benefits and retaining some of the past barriers to employment the EZ Program was designed to eliminate.

For example, the Governor's Budget Revise proposes to permit tax credits for businesses anywhere in the State who hire people living in neighborhoods with high unemployment and poverty rates with limited applicability to only three (3) targeted groups --- specifically veterans, people unemployed for lengthy periods, and individuals collecting public assistance. It also proposes other limitations and requirements, such as retroactive vouchering and third-party verification of residency. By limiting retroactive vouchering to within one (1) year of an employee's date of hire, the proposed reform essentially eliminates the ability of small businesses to amend tax returns for prior years and claim those credits for qualified employees. The requirement of third-party verification for employee residency may also increase the burden of the administrative process by requiring more cooperation of employees before a business can claim the applicable tax credits.

Overall, the Governor's proposal decreases the incentives of the EZ Program for entities to build a successful and thriving business that employs disadvantaged individuals in distressed communities. By essentially eliminating some of the significant incentives of the EZ Program, the Governor's proposal increases the difficulties of small and medium sized businesses to expand or attract new business in these economically distressed areas. If cost efficiency is the goal, other alternatives should be considered to attain this goal while limiting potential disruptions to the State's EZ program.

This Resolution will increase support and provide additional encouragement to other local jurisdictions that manage an Enterprise Zone to take meaningful steps towards driving economic development in California's economically disadvantaged and distressed communities. It is important for local governments to understand that Enterprise Zones, and its many tax benefits, are designed to encourage businesses to

Staff Report Re Resolution Opposing the
Governor's May Budget Revise to Reform
The California Enterprise Zone Program
June 11, 2013

hire individuals who are in disadvantaged areas, receiving unemployment or government assistance, or veterans entering the workforce. Notwithstanding job creation, California's EZ Program potentially saves the State millions of dollars by removing people off of government assistance and turning them into taxpayers.

FISCAL IMPACT

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

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution opposing the Governor's May Budget Revise of the 2013-2014 State Budget proposing substantial reforms to the current California Enterprise Zone Program.

G. HAROLD DUFFEY
CITY MANAGER

Attachment: Proposed Resolution

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON OPPOSING THE GOVERNOR'S MAY BUDGET REVISE OF THE 2013-2014 STATE BUDGET PROPOSING SUBSTANTIAL REFORMS TO THE CALIFORNIA ENTERPRISE ZONE (EZ) PROGRAM.**

WHEREAS, California's Enterprise Zone Program was established in 1984 by the Department of Housing and Community Development (HCD) to stimulate business investment in certain areas of the State, create job opportunities for Californians, and encourage economic development in economically disadvantaged areas; and

WHEREAS, the HCD may designate a geographic area, if all requirements are satisfied, as an Enterprise Zone (EZ) for a period of fifteen (15) years; and

WHEREAS, businesses are encouraged to operate within Enterprise Zones through the application of various tax credits and other benefits, such as a hiring tax credit for qualified employees, a sales or use tax credit for qualified equipment purchases, and retroactive tax credits for qualified employees; and

WHEREAS, on or about September 6, 2006, the City of Compton submitted an application to the HCD in order to secure an EZ designation and subsequently, was awarded in October 2007 a California EZ designation with a designation date retroactive to August 1, 2007; and

WHEREAS, in the census year 2010, Enterprise Zones created or retained more than 118,000 jobs in California; and locally, the City of Compton's EZ Program successfully resulted in: 139 businesses utilizing EZ benefits; 131 new jobs created; 872 jobs retained; and 135 employees coming off public assistance; and

WHEREAS, since its designation as an Enterprise Zone, the City of Compton's EZ Program has provided job opportunities to people with significant barriers to employment by encouraging businesses to locate, or in some cases expand, to economically distressed areas and to hire local residents; and

WHEREAS, California Governor Jerry Brown's May Budget Revise of the 2013-2014 State Budget proposes a series of reforms to the State's EZ Program that significantly reduce the Program's effectiveness, such as repealing eligibility requirements for EZ tax benefits, eliminating retroactive tax credits for qualified employees, requiring third-party verification of employee residency, and limiting applicability of the EZ hiring tax credit to specific groups; and

WHEREAS, California's EZ Program was specifically designed to provide incentives for retention, attraction and expansion of businesses in economically distressed communities; and

WHEREAS, the Governor's proposal, in essence, ignores the State's current economic climate and fails to recognize the need for job retention or replacement, a basis for which the EZ Program was created to address; and

WHEREAS, the Governor's proposal also burdens the administrative process of the State's EZ Program with additional mandates and decreases the incentive for businesses to build a successful and thriving business that employs disadvantaged individuals in distressed communities; and

WHEREAS, this Resolution will increase support and provide additional encouragement to other local jurisdictions that manage an Enterprise Zone to take meaningful steps towards driving economic development in California's economically disadvantaged and distressed communities.

RESOLUTON NO. _____
Page 2

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

Section 1. That the City of Compton opposes the Governor's May Budget
Revise of the 2013-2014 State Budget to reform the California Enterprise Zone
Program.

Section 2. That the City Council encourages its businesses and citizens to
communicate its opposition to the May 2013 Budget Revise to the Governor and our
State's legislature.

Section 3. That the Mayor shall sign and the City Clerk shall attest to the
adoption of this Resolution.

Section 4. That a certified copy of this Resolution shall be filed in the offices
of the City Clerk, City Manager, City Attorney, City Controller and City Treasurer.

ADOPTED this _____ day of _____, 2013.

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 this
_____ day of _____, 2013.

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

June 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON OPPOSING THE ADOPTION OF CALIFORNIA SENATE BILL (SB) 434 TO SIGNIFICANTLY REFORM THE STATE'S ENTERPRISE ZONE (EZ) PROGRAM.

SUMMARY

The City Council will consider adopting a Resolution opposing the adoption of California Senate Bill (SB) 434 to significantly reform the State's Enterprise Zone (EZ) Program.

BACKGROUND

The California Enterprise Zone (EZ) Program, since its establishment in 1984, has provided businesses with tax incentives and other benefits to stimulate business investment and job creation in economically depressed areas of the State. The EZ Program is one of the few remaining economic development programs at the State's disposal that was created to impact communities whose diverse populations face significant barriers to employment and daunting challenges to their economic development. An EZ designation encourages business development and investment in economically distressed areas of the State by offering tax deductions and credits for creating jobs and hiring local workers.

The City of Compton, a designated Enterprise Zone (EZ) since August 2007, has experienced economic gains as a result of its EZ designation. As a result of the City's EZ designation, businesses are now encouraged to operate within the City's boundaries to provide job opportunities to people with significant barriers to employment and promote the hiring of local residents from economically distressed communities. The economic progress gained by the City's EZ Program, however, is being threatened by significant reforms proposed by California Governor Jerry Brown and other critics of the EZ Program who essentially want to eliminate the EZ Program

STATEMENT OF ISSUE

The City of Compton believes that the EZ Program can and should be improved with appropriate reforms through the development of thoughtful improvements that preserve the Program's essential economic and community development benefits. California Senate Bill (SB) 434, however, proposes several significant changes to the EZ Program that essentially decimates the existing EZ Program and harms local agencies and

#19.

Staff Report Re Resolution Opposing the Adoption
Of California Senate Bill 434 to Significantly
Reform the State's Enterprise Zone Program
June 11, 2013

businesses that have made decisions and investments based upon the State's commitments as provided for by the EZ Program.

The City finds several of the proposed reforms by SB 434 objectionable and harmful to the existing EZ Program. Some these proposed reforms include: elimination of retroactive vouchers (i.e. tax credits); requiring net increase in employee headcount; reforming the hiring credit cap and structure; eliminating the hiring credit for temporary jobs; capping the cost of the Program, setting a sunset date of the Program in 2019 and requiring a legislative review; increasing transparency to expose businesses who claim tax credits; and regulating tax consultants.

Although the City understands there are criticisms of the EZ Program and its incentives, the City supports efforts to make legitimate improvements through thoughtful reforms that preserve the Program's essential economic and community development benefits and do not harm the businesses and individuals the Program was intended to benefit. This Resolution reflects the City's position to respectfully oppose the adoption of SB 434 by the Legislature because such reforms would seriously harm one of California's few remaining economic development programs and negatively impact small businesses, economically depressed areas of the State, and especially low-income and minority communities

FISCAL IMPACT

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

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution opposing the adoption of California Senate Bill (SB) 434 to significantly reform the State's Enterprise Zone Program.

G. HAROLD DUFFEY
CITY MANAGER

Attachment: Proposed Resolution

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON OPPOSING THE ADOPTION OF CALIFORNIA SENATE BILL (SB) 434 TO SIGNIFICANTLY REFORM THE STATE'S ENTERPRISE ZONE (EZ) PROGRAM.**

WHEREAS, the California Enterprise Zone (EZ) Program, since its establishment in 1984, has provided businesses with tax incentives and other benefits to stimulate business investment and job creation in economically depressed areas of the State; and

WHEREAS, the EZ Program is one of the few remaining economic development programs at the State's disposal that was created to impact communities whose diverse populations face significant barriers to employment and daunting challenges to their economic development; and

WHEREAS, an EZ designation encourages business development and investment in economically distressed areas of the State by offering tax deductions and credits for creating jobs and hiring local workers; and

WHEREAS, the City of Compton, a designated an Enterprise Zone (EZ) since August 2007, has experienced economic gains as a result of its EZ designation; and

WHEREAS, the economic progress gained by the City's EZ Program is being threatened by significant reforms proposed California Governor Jerry Brown and other critics of the EZ Program who essentially want to eliminate the EZ Program; and

WHEREAS, the City of Compton believes that the EZ Program can and should be improved with appropriate reforms through the development of thoughtful improvements that preserve the Program's essential economic and community development benefits; and

WHEREAS, California Senate Bill (SB) 434 proposes several significant changes to the EZ Program that essentially decimates the existing EZ Program and harms local agencies and businesses that have made decisions and investments based upon the State's commitments as provided for by the EZ Program; and

WHEREAS, some of the proposed reforms by SB 434 that the City finds objectionable include: elimination of retroactive vouchers (i.e. tax credits); requiring net increase in employee headcount; reforming the hiring credit cap and structure; eliminating the hiring credit for temporary jobs; capping the cost of the Program, setting a sunset date of the Program in 2019 and requiring a legislative review; increasing transparency to expose businesses who claim tax credits; and regulating tax consultants; and

WHEREAS, the City understands there are criticisms of the EZ Program and its incentives, and supports the efforts to make legitimate improvements through thoughtful reforms that preserve the Program's essential economic and community development benefits and do not harm the businesses and individuals the Program was intended to benefit; and

WHEREAS, this Resolution reflects the City's position to respectfully oppose the adoption of SB 434 by the Legislature because such reforms would seriously harm one of California's few remaining economic development programs and negatively impact small businesses, economically depressed areas of the State, and especially low-income and minority communities.

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

Section 1. That the City of Compton respectfully opposes the adoption of California Senate Bill (SB) 434 to significantly reform the California Enterprise Zone Program.

Section 2. That the City Council encourages its businesses and citizens to communicate its opposition of SB 434 to the Governor and our State's legislature.

Section 3. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

Section 4. That a certified copy of this Resolution shall be filed in the offices of the City Clerk, City Manager, City Attorney, City Controller and City Treasurer.

ADOPTED this _____ day of _____, 2013.

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 this _____ day of _____, 2013.

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

June 11, 2013

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: GLEN W. KAU, P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/
MUNICIPAL UTILITIES**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON APPROVING THE ENGINEER'S REPORT
OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF
COMPTON'S LIGHTING AND LANDSCAPE ASSESSMENTS
DISTRICT NO. 1 CHARGES FOR FISCAL YEAR 2013/2014**

SUMMARY

This resolution will approve the Engineer's Report for the Lighting and Landscape Assessment District No. 1 Charges for Fiscal Year 2013/2014.

BACKGROUND

At the City Council meeting held on May 21, 2013, the City Council adopted resolutions Initiating Proceedings, Preliminarily Accepting the Engineer's report Declaring its Intention to Levy and Collect Assessments and Charges, and appoint a time and place for hearing protests for the Lighting and Landscape District Charge for fiscal year 2013/2014.

The time for the hearing of protests is set for June 11, 2013 at 5:55 P.M. to be held in the City Council Chambers, 205 South Willowbrook Avenue, Compton, California.

STATEMENT OF THE ISSUE

These funds are required to operate the street lighting and landscaping in the City of Compton for fiscal year 2013/2014.

RECOMMENDATION

Staff recommends approval of the attached resolution.

**GLEN W. C. KAU, P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/ MUNICIPAL UTILITIES**

APPROVED FOR FORWARDING:

**G. HAROLD DUFFEY
CITY MANAGER**

GHD/GK/daj

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COMPTON APPROVING THE ENGINEER'S REPORT OF
WILLDAN FINANCIAL SERVICES FOR THE CITY OF
COMPTON'S LIGHTING AND LANDSCAPE ASSESSMENTS
DISTRICT NO. 1 CHARGES FOR FISCAL YEAR 2013/2014**

WHEREAS, the City Council pursuant to provisions of the *Landscaping and Lighting Act of 1972 (commencing with Section 22500) Part 2, Division 15 of the California Streets and Highways Code* (hereinafter referred to as the "Act") and provisions of the City of Compton Municipal Code (hereinafter referred to as the "Municipal Code") did by previous Resolution, order the preparation of the fiscal year 2013/2014 Engineer's Report for the Lighting and Landscape District No. 1 Charge (hereinafter referred to collectively as the "Districts"), and

WHEREAS, the City Council pursuant to applicable provisions of the Act or Municipal Code proposes to levy and collect assessments and charges against lots and parcels of land within the Districts for the fiscal year 2013/2014, to pay the maintenance, servicing and operation of the improvements related thereto, and

WHEREAS, Willdan Financial Services (The designated Engineer) in accordance with *Section 22623* of the Act and provisions of the Municipal Code, has prepared and filed with the City Clerk an Engineer's Report for fiscal year 2013/2014 and said report has been presented to the City Council and is incorporated herein by reference, and

WHEREAS, this City Council has examined and reviewed the Engineer's Report as presented, and is preliminarily satisfied with the description of the Districts, the improvements identified therein, each of the budget items and documents as set forth, and is satisfied that the proposed assessments and charges have been spread proportionately in accordance with the special benefit each property receives from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report or as modified by Council action and incorporated herein.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer's Report as presented is hereby approved pursuant to *Section 22623* of the Act and provisions of the Municipal Code, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. Copies of this resolution shall be filed in the offices of the City Manager, City Controller and Public Works Departments.

RESOLUTION NO. _____
PAGE 2

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

ADOPTED this ____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

**STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON**

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council of the City of Compton, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ENGINEER’S REPORT OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF COMPTON’S LIGHTING AND LANDSCAPE ASSESSMENTS DISTRICT NO. 1 CHARGES FOR FISCAL YEAR 2013/2014

<ManagersName>
DEPARTMENT MANAGER’S SIGNATURE

<ManagersDate>
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

June 11, 2013

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: GLEN W. C. KAU, P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/MUNICIPAL UTILITIES

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON APPROVING THE ENGINEER'S REPORT
OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF
COMPTON'S SEWER SERVICE CHARGE FOR FISCAL
YEAR 2013/2014**

SUMMARY

This resolution will approve the Engineer's Report for the Sewer Service Charge for fiscal year 2013/2014.

BACKGROUND

At the City Council meeting held on May 21, 2013, the City Council adopted resolutions Initiating Proceedings, Preliminarily Accepting the Engineer's Report, Declaring its Intention to Levy and Collect Assessments and Charges, and appoint a time and place for hearing protests for the Sewer Service Charge for fiscal year 2013/2014.

The time for the hearing of protests is set for June 11 at 6:00 P.M. to be held in the City Council Chambers, 205 South Willowbrook Avenue, Compton, California.

STATEMENT OF THE ISSUE

These funds are required to operate the sewer collection system in the City of Compton for fiscal year 2013/2014.

RECOMMENDATION

Staff recommends approval of the attached resolution.

GLEN W. C. KAU, P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/MUNICIPAL UTILITIES

APPROVED FOR FORWARDING:

G. HAROLD DUFFEY
CITY MANAGER

GHD/GK/daj

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ENGINEER'S REPORT OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF COMPTON'S SEWER SERVICE CHARGE FOR FISCAL YEAR 2013/2014

WHEREAS, the City Council pursuant to provisions of the California Constitution and provisions of the City of Compton Municipal Code (hereinafter referred to as the "Municipal Code") did by previous Resolution, order the preparation of the fiscal year 2013/2014 Engineer's Report for the Sewer Service Charge (hereinafter referred to collectively as the "Districts"), and

WHEREAS, the City Council pursuant to applicable provisions of the Act or Municipal Code proposes to levy and collect assessments and charges against lots and parcels of land within the Districts for the fiscal year 2013/2014, to pay the maintenance, servicing and operation of the improvements related thereto, and

WHEREAS, Willdan Financial Services (The designated Engineer) in accordance with *Section 22623* of the Act and provisions of the Municipal Code, has prepared and filed with the City Clerk an Engineer's Report for fiscal year 2013/2014, and said report has been presented to the City Council and is incorporated herein by reference, and

WHEREAS, this City Council has examined and reviewed the Engineer's Report as presented, and is preliminarily satisfied with the description of the Districts, the improvements identified therein, each of the budget items and documents as set forth, and is satisfied that the proposed assessments and charges have been spread proportionately in accordance with the special benefit each property receives from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report or as modified by Council action and incorporated herein.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer's Report as presented is hereby approved pursuant to *Section 22623* of the Act and provisions of the Municipal Code, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. Copies of this resolution shall be filed in the offices of the City Manager, City Controller and Public Works Departments.

RESOLUTION NO. _____
PAGE 2

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

ADOPTED this _____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

**STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON**

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING THE ENGINEER’S REPORT OF WILLDAN FINANCIAL SERVICES FOR THE CITY OF COMPTON’S SEWER SERVICE CHARGE FOR FISCAL YEAR 2013/2014

Glen Kau
DEPARTMENT MANAGER’S SIGNATURE

6/6/2013 6:32:05 PM
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

June 11, 2013

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: GLEN W.C. KAU, P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/MUNICIPAL UTILITIES

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON ORDERING THE LEVY AND COLLECTION
OF ASSESSMENTS WITHIN THE LIGHTING AND LANDSCAPE
DISTRICT NO. 1 FISCAL YEAR 2013/2014

SUMMARY

This resolution will approve the Ordering of the Levy and Collection of Assessments Charges on the Lighting and Landscape District No.1 for Fiscal Year 2013/2014.

BACKGROUND

At the City Council meetings held on May 21, 2013, the City Council adopted resolutions Initiating Proceedings, Preliminarily Accepting the Engineering Report, Declaring its Intention to Levy and Collect Assessments and Charges, and appoint a time and place for hearing protests for the Lighting and Landscape District No. 1 for fiscal year 2013/2014.

The time for the hearing of protests is set for June 11, 2013 at 5:55 P.M. to be held in the City Council Chambers, 205 South Willowbrook Avenue, Compton, California.

STATEMENT OF THE ISSUE

These funds are required to operate the street lighting and landscaping in the City of Compton for fiscal year 2013/2014. The action of this meeting is to hold the noticed public hearing. The City Council will receive public comments and makes any revisions deemed essential.

RECOMMENDATION

Staff recommends approval of the attached resolution.

GLEN W. C. KAU, P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/MUNICIPAL UTILITIES

APPROVED FOR FORWARDING:

G. HAROLD DUFFEY'
CITY MANAGER

GHD/GK/daj

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON ORDERING THE LEVY AND COLLECTION
OF ASSESSMENTS WITHIN THE LIGHTING AND
LANDSCAPE DISTRICT NO. 1 FOR FISCAL YEAR
2013/2014**

WHEREAS, the City Council of the City of Compton has by previous resolution initiated proceedings and declared its intention to levy and collect assessments against lots and parcels of land within the Landscape and Lighting District No.1 (hereinafter referred to as the "District") for fiscal year 2013/2014, pursuant to the provisions of the Landscaping and Lighting Act of 1972. Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereinafter referred to as the "Act"); and

WHEREAS, the designated Assessment Engineer, Willdan Financial Services has prepared and filed with the City Clerk of the City of Compton and the City Clerk has presented to the City Council the Engineer's Report (hereinafter referred to as the "Report") in connection with the proposed levy and collection of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution approve such Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2013 and ending June 30, 2014, to pay the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within the District; and

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

SECTION 1. The above recitals are true and correct.

SECTION 2. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving or amending the Report prepared in connection herewith; the levy and collection of assessments, and considered all oral and written statements, protests and communications made or filed by interested persons.

SECTION 3. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within the District will receive special benefit by the operation, maintenance and servicing of landscaping, lighting and appurtenant facilities within the boundaries of the District.
- b) The District includes all of the land receiving such benefit.
- c) The net amount to be assessed upon the lands within the District has been apportioned by a formula and method, which fairly distributes the net amount among the eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July1, 2013 and ending June 30, 2014.

- d) The proposed special benefit assessment calculated and apportioned for fiscal year 2013/2014 are consistent with the previously adopted Rate and Method and constitute a continuation of existing assessments. That the assessments are imposed exclusively to finance the maintenance, operation and servicing expenses for streets.

SECTION 4. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements including streetlights, traffic signals, landscaping including turf, ground cover, shrubs and trees, irrigation systems, drainage systems, and all appurtenant facilities related thereto or that may be authorized pursuant to the provisions of the Act.

SECTION 5. The County Auditor of Los Angeles County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer and placed in a fund for the District.

SECTION 6. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the City of Compton Lighting and Landscape District No.1, and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in the Report.

SECTION 7. The adoption of this Resolution constitutes the District annual levy for the fiscal year commencing July 1, 2013 and ending June 30, 2014.

SECTION 8. The Assessment Engineer selected by the City Council is hereby authorized and directed to file a copy of this Resolution and the assessments with the County Auditor of the County of Los Angeles no later than August 8, 2013.

SECTION 9. Copies of this resolution shall be filed in the offices of the City Manager, City Controller, and Public Works Engineering Departments.

SECTION 10. The Mayor shall sign and the City Clerk shall attest to the adoption of this resolution.

ADOPTED this _____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION NO. _____
PAGE 3

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council of the City of Compton, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the ____ day of _____, 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE LIGHTING AND LANDSCAPE DISTRICT NO. 1 FISCAL YEAR 2013/2014

Glen Kau
DEPARTMENT MANAGER’S SIGNATURE

6/6/2013 6:29:06 PM
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

June 11, 2013

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY MANAGER

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON ORDERING THE LEVY AND COLLECTION
OF ASSESSMENTS OF SEWER SERVICE CHARGE FOR
FISCAL YEAR 2013/2014**

SUMMARY

This resolution will approve Ordering the Levy and Collection of Assessments of Sewer Service Charge for fiscal year 2013/2014.

BACKGROUND

At the City Council meeting held on May 21, 2013, the City Council adopted resolutions Initiating Proceedings, Preliminarily Accepting the Engineer's Report, Declaring its Intention to Levy and Collect Assessments and Charges, and appoint a time and place for hearing protests for the Sewer Service Charge for fiscal year 2013/2014.

The time for the hearing of protests is set for June 11, 2012 at 6:00 P.M. to be held in the City Council Chambers, 205 South Willowbrook Avenue, Compton, California.

STATEMENT OF THE ISSUE

These funds are required to operate the sewer collection system in the City of Compton for fiscal year 2013/2014. The action of this meeting is to hold the noticed public hearing. The City Council receives public comment and makes any revisions deemed essential.

RECOMMENDATION

Staff recommends approval of the attached resolution.

GLEN W. C. KAU. P.E.
INTERIM DIRECTOR OF PUBLIC WORKS/MUNICIPAL UTILITIES

APPROVED FOR FORWARDING:

G HAROLD DUFFEY
CITY MANAGER

GHD/GK/daj

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COMPTON ORDERING THE LEVY AND COLLECTION
OF ASSESSMENTS OF SEWER SERVICE CHARGE FOR
FISCAL YEAR 2013/2014**

WHEREAS, the City Council of the City of Compton has by previous resolution initiated proceedings and declared its intention to levy and collect sewer service charges against lots and parcels of land within the City of Compton (hereinafter referred to as the "City") for fiscal year 2013/2014; and

WHEREAS, the designated Assessment Engineer, Willdan Financial Services has prepared and filed with the City Clerk of the City of Compton and the City Clerk has presented to the City Council the Engineer's Report (hereinafter referred to as the "Report") in connection with the proposed levy and collection of sewer service charges upon eligible parcels of land within the City, and the City Council did by previous Resolution approve such Report; and

WHEREAS, the City Council desires to levy and collect service charges against parcels of land within the City for the fiscal year commencing July 1, 2013 and ending June 30, 2014, to pay the costs and expenses of operating, maintaining and servicing sewer facilities located within the City; and

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

SECTION 1. The above recitals are true and correct.

SECTION 2. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving or amending the Report prepared in connection herewith; the levy and collection of service charges, and considered all oral and written statements, protests and communications made or filed by interested persons.

SECTION 3. Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within the City will be benefited by the operation, maintenance and servicing of the sewer facilities within the boundaries of the City.
- b) The City includes all of the land receiving such benefit.
- c) The net amount to be charged upon the lands has been apportioned by a formula and method, which fairly distributes the net amount among chargeable parcels in proportion to the estimated benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2013 and ending June 30, 2014.
- d) The proposed charges for fiscal year 2013/2014 constitute a continuation of existing charges. That the charges are imposed exclusively to finance the maintenance, operation and servicing expenses for sewer facilities.

SECTION 4. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the sanitary sewer system and repayment of a portion of the annual payment on the sewer bonds previously issued for the reconstruction of the sewer system and all appurtenant facilities related thereto.

SECTION 5. The County Auditor of Los Angeles County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer and placed in a special fund.

SECTION 6. The City Treasurer shall deposit all money representing charges collected by the County to the credit of a fund for the City of Compton Sewer Service Charge, and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in the Report.

SECTION 7. The adoption of this Resolution constitutes the annual levy of the sewer service charge for the fiscal year commencing July 1, 2013 and ending June 30, 2014.

SECTION 8. The Assessment Engineer selected by the City Council is hereby authorized and directed to file a copy of the Resolutions and charges with the County Auditor of the County of Los Angeles no later than August 10, 2012.

SECTION 9. Copies of this resolution shall be filed in the offices of the City Manager, City Controller, and Public Works Departments.

SECTION 10. The Mayor shall sign and the City Clerk shall attest to the adoption of this resolution.

ADOPTED this _____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

**STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON**

RESOLUTION NO. _____
PAGE 3

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 _____, 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: Public Works-Engineering

RESOLUTION TITLE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS OF SEWER SERVICE CHARGE FOR FISCAL YEAR 2013/2014

Glen Kau
DEPARTMENT MANAGER’S SIGNATURE

6/6/2013 6:29:56 PM
DATE

REVIEW / APPROVAL

<LegalName>
CITY ATTORNEY

<LegalDate>
DATE

<ControllerName>
CITY CONTROLLER

<ControllerDate>
DATE

<CityManager>
CITY MANAGER

<CityManagerDate>
DATE

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

June 11, 2013

TO: MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING CHANGES TO THE DEFINITION OF "2008 PROJECT" UNDER THE FACILITY LEASE AND THE TRUST AGREEMENT RELATING TO THE COMPTON PUBLIC FINANCE AUTHORITY LEASE REVENUE BONDS (REFUNDING AND VARIOUS CAPITAL PROJECTS), SERIES 2008, AND REALLOCATING MONEYS IN THE 2008 PROJECT FUND THEREFOR AND AMENDING THE FISCAL YEAR 2012-2013 BUDGET

SUMMARY

The City desires to make changes to the definition of the projects described in the Compton Public Finance Authority Lease Revenue Bonds, Series 2008 and to reallocate certain funds remaining on deposit in the Project Fund.

BACKGROUND

On September 11, 2007, the City Council approved a resolution to provide for the issuance of a lease revenue bond to refinance outstanding certificates of participation issued in 1997, and to finance various additional projects. On March 11, 2008, the City Council and the Board of Directors of the Compton Public Finance Authority authorized the issuance of the Compton Public Finance Authority Lease Revenue Bonds, Series 2008, "Series 2008".

The Facility Lease and the Trust Agreement provide the definition of the "2008 projects" to be financed by the bonds. The City desires to make further changes to the definition of the 2008 projects and reallocate certain funds remaining on deposit in the 2008 Project Fund.

Section 6586.5 of the California Government Code provides for public input through a public hearing to solicit comments regarding the desired changes to the definition of the 2008 projects. The City Council held a public hearing with respect to the proposed changes and received evidence concerning the public benefits of the changes to the 2008 projects.

STATEMENT OF THE ISSUE

The City desires to make the following changes to the definition of the “2008 Projects” in the Facility Lease and in the Trust Agreement:

- Include the financing of improvements to the Martin Luther King Multimodal Transit Center in an additional amount not to exceed \$665,000.00
- That funds received from BASE Architecture in the amount of \$260,000.00 be deposited into the legal recovery fund account number 3030-000-000-3571 and then transferred to the City of Compton’s Bond Trustee at US Bank.
- That the 2012-2013 FY Budget be amended as follows:

Increase Revenue: 3030-000-000-3970.....\$665,000.00
Increase Expenditure: 3030-420-000-4295.....\$665,000.00

ALTERNATIVE

FISCAL IMPACT

Expenditures of the bond for the amount requested. There is no General Fund Impact.

RECOMMENDATIONS

Staff recommends that the City Council adopt the attached Resolution.

CRAIG J. CORNWELL
CITY ATTORNEY

APPROVED FOR FORWARDING

G. HAROLD DUFFEY
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING CHANGES TO THE DEFINITION OF “2008 PROJECT” UNDER THE FACILITY LEASE AND THE TRUST AGREEMENT RELATING TO THE COMPTON PUBLIC FINANCE AUTHORITY LEASE REVENUE BONDS (REFUNDING AND VARIOUS CAPITAL PROJECTS), SERIES 2008, AND REALLOCATING MONEYS IN THE 2008 PROJECT FUND THEREFOR AND AMENDING THE FISCAL YEAR 2012-2013 BUDGET

WHEREAS, on September 11, 2007, the City Council approved a resolution directing City Staff to move forward with a plan to provide for the issuance of lease revenue bonds to refinance outstanding certificates of participation issued in 1997, and to finance various additional projects; and

WHEREAS, on March 11, 2008, the City Council and the Board of Directors of the Compton Public Finance Authority (the “Authority”) adopted two companion resolutions, Resolutions No. 22,536 of the City Council and Resolution No. 24 of the Board of Directors of the Authority, authorizing the issuance of the Compton Public Finance Authority Lease Revenue Bonds (Refunding and Various Capital Projects), Series 2008 (the “Bonds”) for the purpose of (i) refinancing all of the outstanding 1997 certificates of participation and (ii) financing various additional projects; and

WHEREAS, the Facility Lease related to the Bonds (the “Facility Lease”) and the Trust Agreement relating to the Bonds (the “Trust Agreement”) provide the definition of the “2008 Project” to be financed by the Bonds as follows:

““2008 Project” means the financing of various capital projects of the City, and payment of any costs associated with the financing of said projects, including, but not limited to, improvements to Compton City Hall, design, construction and equipping a senior citizen support center, various improvements to the City’s parks, construction of a transit center parking structure, purchase and installation of police surveillance cameras throughout the City and various other capital improvements and equipment within the City, as the same may be changed from time to time by the City by filing a Certificate of the City with the Trustee, together with an approving resolution of the City Council.”

WHEREAS, under such definition of the “2008 Project”, the City Council has the flexibility to change the projects as described therein; and

WHEREAS, Section 6586.5 of the Government Code provides for public input through a public hearing to solicit comments regarding changes to the definition of the “2008 Project”; and

WHEREAS, pursuant to its Resolution No. 22,901, in 2009, the City Council made certain changes to the definition of “2008 Project” and reallocated moneys in the 2008 Project Fund established under the Trust Agreement for the purpose of financing those changes; and

WHEREAS, on November 8, 2011, the City Council adopted Resolution 23,422 making additional modifications to the 2008 Project Fund including an allocation for the financing of improvements to the Martin Luther King Multimodal Transit Center.

WHEREAS, the City Council desires to make further changes to the definition of “2008 Project” and reallocate certain funds remaining on deposit in the 2008 Project Fund established under the Trust Agreement to accomplish those further changes; and

WHEREAS, after notice duly published in accordance with law, this City Council held a public hearing on this date with respect to the proposed changes to the definition of “2008 Project” described herein and received evidence concerning the public benefits therefrom.

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

SECTION 1. That the above recitals, and each of them, are true and correct. The City Council hereby finds that the changes to the definition described in the Recitals hereof from monies on deposit in the 2008 Project Fund established under the Trust Agreement will result in significant public benefits to the constituents of the City, including employment benefits from undertaking the projects in a timely fashion and more efficient delivery of City services funded by the City’s General Fund to residential and commercial development within the City.

SECTION 2. That the City Council of the City of Compton hereby changes the definition of “2008 Project” in the Facility Lease and in the Trust Agreement to include the following:

The financing of improvements to the Martin Luther King Multimodal Transit Center in an additional amount not-to-exceed \$665,000.00.

SECTION 3. That the funds in the amount of \$260,000.00 from BASE Architecture be deposited into the legal recovery fund account number 3030-000-000-3571 and then transferred to the City of Compton’s Bond Trustee at US Bank.

SECTION 4. That the 2012-2013 FY Budget be amended as follows:

INCREASE REVENUE

3030 -000-000-3970 \$665,000.00

INCREASE EXPENDITURE

3030-420-000-4295..... \$665,000.00

SECTION 5. The City Manager is hereby authorized and directed to execute, deliver, and file with the Trustee under the Trust Agreement a Certificate of the City regarding the changes of the definition of “2008 Project” approved hereby, together with a copy of this Resolution, all as described in Exhibit C to the Facility Lease and in Section 1.01 of the Trust Agreement.

SECTION 6. At such time or times as he deems appropriate, the City Manager is hereby authorized and directed to execute and deliver to the Trustee, one or more Written Requests of the City as described in Section 3.02 of the Trust Agreement, that the City Manager may deem necessary or advisable in connection with disbursements for the item listed in Section 2 hereof, subject to and in accordance with the terms and provisions of this Resolution, the Trust Agreement, and the Facility Lease and in order to effectuate the purposes of this Resolution.

SECTION 7. That a copy of this Resolution shall be filed with the Offices of the City Clerk, City Controller, City Attorney and City Manager.

SECTION 8. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this ____ day of _____, 2013.

RESOLUTION NO. _____
Page 3

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY CLERK OF THE CITY OF COMPTON

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing resolution was adopted by the City Council, signed by the Mayor, and attested by the city Clerk at a regular meeting thereof held on the _____ day of _____, 2013.

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

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAINS: COUNCIL MEMBERS –

CITY CLERK OF THE CITY OF COMPTON

June 11, 2013

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

RE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE TO DELETE SECTION 2-1.12 (ADJOURNMENT OF CITY COUNCIL MEETINGS IN AUGUST) IN ITS ENTIRETY

SUMMARY

A member of the City Council has requested that an ordinance be brought forth for the Council to consider for adoption that will re-establish regular meetings of the City's legislative bodies during the month of August.

BACKGROUND

Section 603 of the Compton City Charter provides that the City Council shall hold at least four (4) regular meetings each month at such times as it shall fix by ordinance or resolution. Toward that end, the City Council adopted an ordinance which added Section 2-1.2 (Regular Meetings; Adjournment) to the Compton Municipal Code, establishing that regular meetings of the City Council shall be held on the first (1st) four (4) Tuesdays of each month. This Section further provides that regular meetings may be adjourned or re-adjourned to a date certain as specified in the order of adjournment.

In July 1990 and July 1991, the City Council adopted Ordinance Nos. 1,836 and 1,857, respectively, which added Section 2-1.12 (Adjournment of City Council Meetings in August) to the Compton Municipal Code, declaring that regular meetings shall be adjourned during the month of August until the first regularly scheduled meeting in September of each year.

STATEMENT OF ISSUE

Currently, pursuant to Section 2-1.12 of the Compton Municipal Code, regular meetings of the legislative bodies of the City of Compton are not conducted during the month of August each year. This adjournment of the meetings occurs early in the City's fiscal year, thus unless a special meeting is called by the Presiding Officer or a majority of the members of the legislative bodies, the conduct of the City's business does not occur until the first adjourned meeting in September. If approved, absences by City Council members will be at the

**Staff Report – Ordinance Deleting Section 2-1.12
CMC/ Adjournment of Council Meeting in August
June 11, 2013, page 2**

discretion of individual council members subject to Compton City Charter Section 505.

FISCAL IMPACT

The fiscal impact of the deletion of CMC Section 2.1-12 is too speculative to estimate this time.

RECOMMENDATION

The City Council has requested that this proposed Ordinance be presented for consideration and action.

**CRAIG J. CORNWELL
CITY ATTORNEY**

CJC:RAR:rar

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE TO
DELETE SECTION 2-1.12 (ADJOURNMENT OF CITY COUNCIL MEETINGS
IN AUGUST) IN ITS ENTIRETY**

WHEREAS, Section 603 of the Compton City Charter provides that the City Council shall hold at least four (4) regular meetings each month at such times as it shall fix by ordinance or resolution; and

WHEREAS, the City Council adopted an ordinance which added Section 2-1.2 (Regular Meetings; Adjournment) to the Compton Municipal Code, establishing that regular meetings of the City Council shall be held on the first (1st) four (4) Tuesdays of each month; and

WHEREAS, in July 1990 and July 1991, the City Council adopted Ordinance Nos. 1,836 and 1,857, respectively, which added Section 2-1.12 (Adjournment of City Council Meetings in August) to the Compton Municipal Code, declaring that regular meetings shall be adjourned during the month of August; and

WHEREAS, the City Council declares that there is a need to delete Section 2-1.12 of the Compton Municipal Code and hold regular meetings during the month of August to order to effectively and efficiently handle the business of the City.

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

Section 1. That Section 2-1.12 (Adjournment of City Council Meetings in August) of Chapter II of the Compton Municipal Code is hereby deleted in its entirety.

Section 2. 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 3. That a copy of this Ordinance shall be filed in the offices of the City Clerk and all City departments and agencies.

Section 4. That this Ordinance shall take effect thirty (30) days after its adoption.

Section 5. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED this ____ day of _____, 2013.

MAYOR OF THE CITY OF COMPTON

Ordinance No. _____
Page 2

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 _____, 2013.

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

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

CITY CLERK OF THE CITY OF COMPTON

RESOLUTION SIGN-OFF FORM

DEPARTMENT: City Attorney

RESOLUTION TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING CHAPTER II OF THE COMPTON MUNICIPAL CODE TO DELETE SECTION 2-1.12 (ADJOURNMENT OF CITY COUNCIL MEETINGS IN AUGUST) IN ITS ENTIRETY (FIRST READING)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

5/30/2013 10:42:06 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

6/5/2013 8:57:56 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

6/5/2013 6:01:36 PM
DATE

G. Harold Duffey
CITY MANAGER

6/4/2013 12:21:09 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.



RON CHAPMAN, MD, MPH
Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

Tana McCoy
Compton-City, Water Dept.
205 S Willowbrook Avenue
Compton, CA 90220

Paid By	JN
W#	10001832
P.O. #	C01326
AC #	5000-90-0000-4249 (E)

March 21, 2013

System No. : 1910026

Invoice No. : 1350154

WATER SYSTEM FEES: JULY 1, 2012 THROUGH DECEMBER 31, 2012

Payment must be postmarked 90 days from the date of this invoice, or a 10% penalty will be assessed

LINE ITEMS	HOURS	FEES
PERMITTING ACTIVITIES	1.00	\$ 126.00
INSPECTIONS & INVESTIGATIONS	29.50	\$ 3,717.00
COMPLIANCE TRACKING	17.40	\$ 2,192.40
MONITORING DATA REVIEW	3.20	\$ 403.20
VAR. / EXEMP. / WAIVERS / PLAN CHK	.00	\$.00
TOTAL	51.10	\$ 6,438.60

THE HOURLY RATE FOR ESTIMATED BILLING IS *\$126.00 PER HOUR

* This estimated billing uses the 2011/12 FY hourly rate of \$126.00. The end-of-year billing for your system will be calculated on the actual hourly cost for 2012/13 FY.

NOTE:

Pursuant to section 116577 of the Health & Safety code, if enforcement activities were incurred during 2012/13 FY, a separate invoice will be sent in August 2013 requiring payment prior to September 1, 2013.

BE SURE TO WRITE YOUR SYSTEM # 1910026 ON THE CHECK

WATER SYSTEM FEES: FUND #306

FY 2012-13, JULY 1, 2012 THROUGH DECEMBER 31, 2012

(For Federal system use only: DUNS # 799150615 – CAGE: 4SMM7)

REMIT PAYMENT TO:

Department of Public Health
Drinking Water Program
P.O. Box 997379 MS 7406
Sacramento, CA 95899-7379

Compton-City, Water Dept.
205 S Willowbrook Avenue
Compton, CA 90220

Invoice Date: March 21, 2013

WATER DEPARTMENT
I've Reviewed This Invoice
and Approve for Processing.

SIGNATURE
DATE 3/21/2013

SYSTEM NO.	INVOICE NO.	DISTRICT	TOTAL AMOUNT DUE
1910026	1350154	22	\$ 6,438.60

(TOTAL DUE IF POSTMARKED AFTER June 19, 2013 - \$ 7,082.46)

