

NOTICE

COMPTON CITY COUNCIL AGENDA Tuesday, October 01, 2013 5:45 PM

HEARING(S)

5:50 P.M. - PUBLIC HEARING - ESTABLISHMENT OF A SCHEDULE OF FEES FOR COMMERCIAL VEHICLE AND PUSHCART VENDING PURSUANT TO SECTIONS 9-25 (VENDING FROM COMMERCIAL VEHICLES AND 9-26 (PUSHCART VENDORS) OF THE COMPTON MUNICIPAL CODE (Request to reschedule October 8, 2013 at 5:50 p.m.)

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. SEPTEMBER 17, 2013

REPORTS OF OFFICERS AND COMMISSIONS

END CONSENT AGENDA

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

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

PERSONNEL BOARD

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORTS

CLOSED SESSION

3. CONFERENCE WITH LEGAL COUNSEL - Pending Litigation
City of Agoura Hills, et al v. County of Los Angeles LASC NO. BS140871
Pursuant to California Government Code Section 54956.9 (a)

UNFINISHED BUSINESS

4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTION 1-3 OF CHAPTER I OF THE COMPTON MUNICIPAL CODE TO DEFINE AND DESIGNATE THE CITY OF COMPTON'S LAW ENFORCEMENT AGENCY(S) AUTHORIZED TO ENFORCE APPLICABLE SECTIONS OF THE COMPTON MUNICIPAL CODE **(SECOND READING)**
5. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTION 7-7.2 OF CHAPTER VII OF THE COMPTON MUNICIPAL CODE (PUBLIC LODGINGS) **(SECOND READING)**
6. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON ADDING SECTION 4-15 TO CHAPTER IV OF THE COMPTON MUNICIPAL CODE ESTABLISHING A "FIRST SOURCE HIRING PROGRAM" FOR CITY-WIDE INFRASTRUCTURE IMPROVEMENT PROJECTS **(SECOND READING)**

NEW BUSINESS

APPROVAL OF WARRANTS

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: Tuesday, October 08, 2013 @ 5:45 PM.

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

View Meetings Live at <mms://livemedia.comptoncity.org:8080>

SEPTEMBER 17, 2013

The City Council meeting was called to order at 6:15 p.m. in the Council Chambers of City Hall by Mayor Aja Brown.

ROLL CALL

Council Members Present: Zurita, Galvan, Jones, Brown

Council Members Absent: Arceneaux

Other Officials Present: C. Cornwell, A. Godwin, G. H. Duffey

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

Robert Ray, Compton resident, recognized the Compton paramedics for saving his life two weeks ago and asked that the City Council continue to support them. He requested that representatives from the Health Department be summoned for the food vendors licensing public hearing. He also requested the status of the under-developed property behind the church at 950 West Alondra Boulevard.

Marvin Simms, former employee at Compton Community College, requested an opportunity to host a music workshop for the youth from 4 p.m. to 6 p.m. He also mentioned that he would be performing during Mr. Holifield's event at Parks Banquet Hall.

Mayor Brown notified Mr. Simms that she would give his contact information to other organizations with similar goals.

Deidre Ellison, Compton resident, notified the City Council that her home was recently burglarized and asked that they assist her with the mitigation of a home causing a disturbance on her street.

Brenda Keiros, Compton resident, petitioned the City Council to mitigate the home on Burris and Bennett Street.

Mayor Brown assured Ms. Keiros that the City's code enforcement and Sheriff's Department would address her concerns.

Phyllis Lane, Compton resident, urged the City Council to address the resident's water rates.

Councilperson Jones exited the meeting at 6:30 p.m.

City Manager Duffey indicated that he would have recommendations to relieve the water rate payers on September 24, 2013.

Mayor Brown recognized the 2013 Miss Compton pageant winner Cheyenne Brown in the audience.

Lorraine Cervantes, Compton resident, requested the amount of money paid to employees in overtime costs for last weekend's community event. She also requested an outline of how much it will cost the City in overtime for the event in October.

Maria Villa Real, Compton resident, apologized to Janna Zurita for not attending her event last week and mentioned that she is looking forward to working collaboratively with each member of the City Council. She requested a list of the local businesses participating in the Blue Line Farmer's Market and submitted a budget request on behalf of the Latino Chamber of Commerce.

Carlos Acevedo, representative of the Latino Chamber of Commerce, petitioned the City Council to give the Latino Chamber of Commerce an opportunity to receive funding.

#1.

Joel Serrato, retired labor union organizer and Latino Chamber of Commerce adviser, professed that the Latino Chamber of Commerce has not been treated fairly in the past years. He also recognized Mayor Brown for her participation during the youth rally last Sunday and noted that the youth were impressed with her positive energy and spirit.

Lee Wax, Coalition of Compton Unions, clarified the erroneous statement that was made alleging that the unions were holding up the City Council over furloughs. He indicated that this information was unfounded and went on to request that at least one out of four City Council meetings be held in civility.

Joyce Kelly, Compton resident, asserted that she was not the person responsible for disrupting the meeting last week. She maintained that she was in full agreement with the comments made by Mr. Lee Wax and conceded that when running for office, the elected officials had promised to change things and move the City forward. She went on to question why the City Manager's resolution was not on this agenda and assumed that it was because she had revealed that the City Council had misappropriated City funds.

Michael Turner, Compton resident, asked the City Manager if an allocation for separate water meters for each apartment unit and duplex would be included in his recommendations for relief.

City Manager Duffey replied that the resolution would address capital improvement fees on the water bill.

Lynn Boone, Compton resident, asked the City Treasurer to illustrate to the citizens what account the \$1M trash transfer fee is deposited in. She also asked the City Manager to inform the council members that their travel expense receipts are public documents and should be made available to the citizens in the City Clerk's Office. She further stated that she had no ill will against the City Attorney; she simply wants him to do his job.

Douglas Sanders, City Treasurer, verified that the City received the \$1M trash transfer fee.

CONSENT AGENDA

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

AYES: Council Members - Zurita, Galvan, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux, Jones

APPROVAL OF MINUTES

1. SEPTEMBER 3, 2013

City Clerk Alita Godwin corrected page two of the minutes under the City Manger's comments; the record should reflect the Sheriff's Department and not the Fire Department.

CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS

2. INVESTMENT REPORT JULY 31, 2013 (Received/Filed)

END CONSENT AGENDA

REGULAR AGENDA

REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES

3. APPOINTMENT(S) OF OFFICERS, COUNCIL MEMBERS,
BOARDS/COMMISSIONS AND COMMITTEES **(REMOVED)**

BOARDS AND COMMISSIONS APPOINTMENT(S)/REAPPOINTMENT(S) - VARIOUS
COMMISSIONS **(REMOVED)**

APPOINTMENTS TO MULTI-JURISDICTIONAL ASSOCIATIONS AND COMMITTEES
FOR CITY OF COMPTON REPRESENTATION **(REMOVED)**

CITY MANAGER'S REPORT

4. REQUEST TO SCHEDULE PUBLIC HEARING: ESTABLISHMENT OF A
SCHEDULE OF FEES FOR COMMERCIAL VEHICLE AND PUSHCART VENDING
PURSUANT TO SECTIONS 9-25 (VENDING FROM COMMERCIAL VEHICLES)
AND 9-26 (PUSHCART VENDORS) OF THE COMPTON MUNICIPAL CODE.

On motion by Zurita, seconded by Galvan, the public hearing was scheduled for October 1, 2013
at 5:50 p.m., by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux, Jones

ORAL REPORT - \$42M Deficit In Terms of Budget Revenues, Expenditures, and Projections
(Presentation made)

CITY ATTORNEY'S REPORTS

CLOSED SESSION

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Porter v. City of Compton, et al. - LASC Case No. BC494071
Bradford v. City of Compton, et al. - LASC Case No. TC026769
Pursuant to California Government Code Section 54956.9(a)

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

AYES: Council Members - Zurita, Galvan, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux, Jones

UNFINISHED BUSINESS - There was no Unfinished Business.

NEW BUSINESS - There was no New Business.

COUNCIL COMMENTS

Councilperson Zurita offered the following communications:

- Congratulated Mayor Brown on the success of the Nike We Run Compton Elevated Run Club event last weekend.
- Thanked Randy Hughes for inviting her and other elected officials to his Friends and Neighbors Luncheon in the City of Carson.

Councilperson Galvan offered the following communications:

- Commended Captain McCray for his efforts to eradicate prostitution on Long Beach Boulevard.
- Attended the Mexican Independence Day event at Compton Community College.
- Thanked the City Manager for directing staff to clean the medians on Rosecrans Avenue.
- Clarified that there are numerous local vendors participating in the Blue Line Farmer's Market.
- Announced that he would be the opening speaker for the 10th Annual Homeless Veterans Stand-down event September 21, 2013.

City Attorney Cornwell mentioned that he is looking forward to future events similar to the Nike We Run Compton event.

Mayor Brown offered the following communications/announcements:

- Notified the residents that the Nike We Run Compton Club would be held every week in the City of Compton.
- Thanked Councilpersons Zurita, and Galvan, City Clerk Godwin, and City Attorney Cornwell for their support of the Nike Run Club event. The Mayor also recognized Compton Unified School District Board of Trustees: Emma Shariff, Marjorie Shipp, Micah Ali, Satra Zurita and Mae Thomas for making the event a success.
- Community Policing Taskforce meeting to be held Wednesday, September 25, 2013 from 10 a.m. to 12 p.m. in the Blue Room. For additional information call (310) 605-5597.
- Fourth District Clean-Up will be held Saturday, September 21, 2013 from 7:30 a.m. to 12 p.m. Participants are asked to meet at Wilson Park.
- Small Business Forum will be held Friday, September 27, 2013 in the Council Chambers from 7 a.m. to 2 p.m. To RSVP email ablakely@comptoncity.org or call (310) 605-5662.
- Compton Business Chamber of Commerce will be hosting a "Meet 'N' Greet Luncheon" Thursday, September 26, 2013 at 2201 North Long Beach Boulevard Suite 206 beginning at 12 p.m.
- Optimal Christian Academy will be hosting their "34th Annual Celebration Festival" on Saturday, September 28, 2013 and Sunday, September 29, 2013 from 1 p.m. to 6 p.m. For additional information call (310) 603-0378.

The meeting was recessed to closed session at 7:32 p.m. and reconvened at 8:42 p.m.

REPORT OUT OF CLOSED SESSION

City Attorney Cornwell reported out that council met in closed session regarding conference with legal counsel - existing litigation. Councilpersons in attendance were: Mayor Brown, Councilpersons Zurita and Galvan.

The first matter was Porter v. City of Compton, et al. - LASC Case No. BC494071. The City Council unanimously voted to reject the settlement demand from the plaintiff. No other reportable action was taken in this matter.

The second matter Bradford v. City of Compton, et al. - LASC Case No. TC026769. The City Council unanimously voted in favor of co-counsel for the City Attorney's Office. The firm selected is Richards, Watson & Gershon. There was no other reportable action taken pursuant to California Government Code Section 54956.9(a).

Mayor Brown requested that the meeting be adjourned in memory of long time resident Jack Edward Cody.

ADJOURNMENT

On motion by Zurita, seconded by Galvan, the meeting was adjourned at 8:44 p.m. in memory of **Jack Edward Cody**, by the following vote on roll call:

AYES: Council Members - Zurita, Galvan, Brown

NOES: Council Members - None

ABSENT: Council Members - Arceneaux, Jones

City Clerk of the City of Compton

Mayor of the City of Compton

October 1, 2013

TO: MAYOR AND CITY COUNCIL

FROM: ALITA GODWIN, CITY CLERK

SUBJECT: APPOINTMENT(S)/REAPPOINTMENT(S)

The Personnel Board has three (3) expired terms (Ernest Baker Jr., Barbara Banks and leesha Hayward). Ms. Hayward is requesting to be reappointed, however Mr. Baker and Ms. Banks no longer wish to serve.

The following persons have submitted a application wishing to serving on the Personnel Board:

Hartsell Duhart
LoWanda Green
Tammy Moore

Staff is requesting that appointments/reappointment be made in order to move personnel matters forward.

Alita Godwin, CMC
City Clerk

October 1, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING SECTION 1-3 OF CHAPTER I OF THE COMPTON MUNICIPAL CODE TO DEFINE AND DESIGNATE THE CITY OF COMPTON'S LAW ENFORCEMENT AGENCY(S) AUTHORIZED TO ENFORCE APPLICABLE SECTIONS OF THE COMPTON MUNICIPAL CODE

SUMMARY

The City Council will consider adopting an ordinance amending Section 1-3 ("Definitions") of Chapter I of the Compton Municipal Code to define and designate the City of Compton's local law enforcement agencies authorized to administer and enforce the provisions of applicable sections of the Compton Municipal Code ("CMC").

BACKGROUND

On July 10, 1957, the City Council of the City of Compton adopted Ordinance No. 856, which defines certain words and phrases to be used in the interpretation and application of other ordinances adopted within the Compton Municipal Code, unless otherwise specified.

At the time that Ordinance No. 856 was adopted the law enforcement agency authorized to enforce the local laws of the City of Compton was the then existing Compton Police Department, under the control and direction of the Chief of Police of the Compton Police Department. In or about September 2000, the City dissolved the Compton Police Department and began contracting with the Los Angeles County Sheriff's Department to provide law enforcement services for the City of Compton, including but not limited to enforcement of various local laws and regulations.

STATEMENT OF ISSUE

As indicated above, Section 1-3 (Definitions) was adopted in 1957, more than fifty-six (56) years ago, when the City's local law enforcement agency was the Compton Police Department, and thus, rightfully so identified within applicable sections of the CMC as the agency charged with enforcement of many of its

#4.

Staff Report Re Ordinance Amending
Compton Municipal Code Section 1-3 (Definitions)
October 1, 2013, page 2

provisions, too many to individually amend each Code section wherein the Compton Police Department and/or the Chief of Police is referenced.

Occasionally, concerns arise as to whether the City's current local law enforcement agency (i.e. the Los Angeles County Sheriff's Department) is authorized and required to administer and enforce applicable provisions of the CMC which identify the enforcing agency as the Compton Police Department. Thus, the attached Ordinance is essentially "housekeeping legislation" which amends Section 1-3 to define and designate that references within the CMC to the Compton Police Department shall mean the local law enforcement agency or agencies authorized to enforce the laws of the City of Compton and that references within the CMC to the Police Chief of the Compton Police Department shall mean the qualified designated representative of the local law enforcement agency or agencies authorized to enforce the laws of the City of Compton.

ALTERNATIVE

The City Council may decide not to adopt the proposed amendments to Section 1-3 of the CMC. The alternative would be to amend specific applicable Code section on a one-by-one basis as issues arise and/or due to the lack of sufficient office staffing, assess the financial feasibility of contracting out the project of reviewing the entire Code and present one comprehensive resolution for Council consideration that amends each applicable Code section.

FISCAL IMPACT

No direct fiscal impact is anticipated. However, adoption of the attached ordinance amending the general definitions section of the CMC (i.e. Chapter I) may save City Council and City staff time and resources that would be incurred in amending the multitude of specific applicable sections of the entire Code.

RECOMMEDATION

Staff recommends that the City Council adopt the attached Ordinance.

CRAIG J. CORNWELL
CITY ATTORNEY

CJC:RAR:rar

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING SECTION 1-3 OF CHAPTER I OF THE COMPTON MUNICIPAL
CODE TO DEFINE AND DESIGNATE THE CITY OF COMPTON'S LAW
ENFORCEMENT AGENCY(S) AUTHORIZED TO ENFORCE APPLICABLE
SECTIONS OF THE COMPTON MUNICIPAL CODE**

WHEREAS, on July 10, 1957, the City Council of the City of Compton adopted Ordinance No. 856, which defines certain words and phrases to be used in the interpretation and application of other ordinances adopted within the Compton Municipal Code, unless otherwise specified; and

WHEREAS, at the time that Ordinance No. 856 was adopted the law enforcement agency authorized to enforce the local laws of the City of Compton was the then existing Compton Police Department, under the control and direction of the Chief of Police of the Compton Police Department; and

WHEREAS, in or about September 2000, the City dissolved the Compton Police Department and began contracting with the Los Angeles County Sheriff's Department to provide law enforcement services for the City of Compton, including but not limited to enforcement of certain local laws and regulations; and

WHEREAS, occasionally concerns arise as to whether the City's current local law enforcement agency (i.e. the Los Angeles County Sheriff's Department) is authorized and required to administer and enforce applicable provisions of the Compton Municipal Code because the sections may reference the Compton Police Department, thus the need to amend Section 1-3 to define and designate that references within the Compton Municipal Code to the Compton Police Department shall mean the local law enforcement agency or agencies authorized to enforce the laws of the City of Compton and that reference within the Compton Municipal Code to the Police Chief of the Compton Police Department shall mean the qualified designated representative of the local law enforcement agency or agencies authorized to enforce the laws of the City of Compton.

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

Section 1. That Section 1-3 (Definitions) of the Chapter I of the Compton Municipal Code is hereby amended by adding the following definitions:

Section 1-3. Definitions.

Add:

"Chief of Police" or "Chief of Police of the Compton Police Department" shall mean and include, unless otherwise specified, the qualified designated representative of the law enforcement agency or agencies authorized by the City to enforce the laws of the City of Compton and/or state of California within the jurisdiction of the City of Compton, who is authorized to exercise all the powers that are now, or may hereafter be conferred upon sheriffs and other police officers by the laws of the state of California.

"Compton Police Department" or "Police Department" or "Police Department of the City of Compton" shall mean and include, unless otherwise specified, the law enforcement agency or agencies authorized by the City to enforce the laws of the City of Compton and/or state of California within the jurisdiction of the City of Compton.

Section 2. Severability. That the City Council declares that, should any provision, section, paragraph, sentence or word of this ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance hereby adopted shall remain in full force and effect.

Section 3. That this Ordinance shall take effect thirty (30) days after adoption by the City Council.

Section 4. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, City Attorney, Municipal Law Enforcement Services Department and the Compton Station of the Los Angeles County Sheriff’s Department.

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

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 this _____ 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 SECTION 1-3 OF CHAPTER I OF THE COMPTON MUNICIPAL CODE TO DEFINE AND DESIGNATE THE CITY OF COMPTON’S LAW ENFORCEMENT AGENCY(S) AUTHORIZED TO ENFORCE APPLICABLE SECTIONS OF THE COMPTON MUNICIPAL CODE (FIRST READING)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

9/10/2013 5:45:43 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

9/18/2013 5:25:37 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

9/18/2013 5:07:46 PM
DATE

Terrance C. Davis
CITY MANAGER

9/18/2013 12:17:49 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.

October 1, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

**SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING SECTION 7-7.2 OF CHAPTER VII OF THE COMPTON
MUNICIPAL CODE (PUBLIC LODGINGS)**

SUMMARY:

The City Council will consider adopting of an ordinance that will amend Section 7-7.2 of Chapter VII of the Compton Municipal Code (Public Lodgings), by adding lodging regulations regarding hotel and motel registration log inspections, fictitious name registration, repeated use and subletting restrictions.

BACKGROUND:

City of Compton law enforcement officials have determined that there is a significant increase in prostitution and other criminal activities near some motels and hotels located on Long Beach Boulevard in the City of Compton. There is a growing concern among City officials that hourly and short-term rental of motel and hotel rooms along with lax management foster prostitution and other criminal activities.

STATEMENT OF THE ISSUE:

Prostitution causes blight which affects the quality of life for a community. It also causes or contributes significantly to an increase in other criminal activity thereby taxing crime prevention and undermining the stability of residential neighborhoods, established businesses and commercial uses.

Typically, hotels and motels with poor guest screening and lax management practices are more likely to have adverse impacts resulting from certain criminal activities, including prostitution. In order to reduce prostitution and other criminal activities, and to make it more difficult for prostitutes to operate out of motels and hotels, a number of cities, including Los Angeles, San Diego, and Fresno have passed laws that prohibit hourly or half-night room rentals. Law enforcement officials in those cities indicate that an ordinance prohibiting hourly or half-night room rentals not only curtails prostitution in the neighborhood hotels and motels but also reduces secondary nuisances including drug use, drunkenness, theft, assaults, and excessive loud noise.

The attached ordinance will prohibit hotels and motels from renting by the hour and would also strengthen the City's current hotel and motel registration log regulations.

#5.

**Staff Report – Ordinance Amending Section 7-7.2 of Compton
Municipal Code to Add Hotel/Motel Registration Regulations
October 1, 2013, page 2**

ALTERNATIVE:

The City Council may decide not to adopt the proposed amendments to Section 7-7.2 of the Compton Municipal Code.

FISCAL IMPACT:

There is no anticipated negative fiscal impact, rather the belief that compliance with the proposed amendments may result in saving money that is being allocated to combat the criminal activities that may be the byproduct of lax management and short-term room rentals.

RECOMMENDATION:

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

**CRAIG J. CORNWELL
CITY ATTORNEY**

CJC:RAR:WM:wm

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING SECTION 7-7.2 OF CHAPTER VII OF THE COMPTON MUNICIPAL
CODE (PUBLIC LODGINGS)**

WHEREAS, Article XI, Section 5 of the California Constitution grants a charter city the power to make and enforce all ordinances and regulations with respect to municipal affairs unless preempted by state legislation on matters of statewide concern; and

WHEREAS, Article XI, Section 7 of the California Constitution grants a city the power to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, City of Compton law enforcement officials have determined that there is a significant increase in prostitution activities near some motels and hotels located on Long Beach Boulevard in the City of Compton: and

WHEREAS, there is a growing concern among law enforcement and City officials that hourly and short-term rental of motel and hotel rooms along with lax management foster prostitutes and other criminal activities; and

WHEREAS, prostitution causes blight, and contributes significantly to an increase in other criminal activity thereby taxing crime prevention and undermining the stability of residential neighborhoods, established businesses and commercial uses; and

WHEREAS, typically, hotels and motels with poor guest screening and lax management practices are more likely to have adverse impacts resulting from certain criminal activities, including prostitution; and

WHEREAS, to reduce prostitution and other criminal activities, and to make it more difficult for prostitutes to operate out of motels and hotels, a number of cities have passed laws that prohibit hourly or half-night room rentals; and

WHEREAS, stricter laws on hotel and motel maintenance of registration logs gives law enforcement enhanced ability to investigate possible criminal activity.

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

Section 1. That Section 7-7.2 of Chapter VII of the Compton Municipal Code is hereby amended to add Sections 7-7.2 (b) through 7-7.2 (f) to read as follows:

Section 7-7.2(b) *Alterations, Inspection of Register.* It shall be unlawful to erase a name or names or address or addresses or to permit such an erasure or to otherwise alter any entry on the register required by Compton Municipal Code Section 7-7.2 made for any purpose. Such register shall be at all times open to the inspection of any duly authorized representative of the City.

Section 7-7.2(c) *Registering Under Fictitious Name Prohibited.* No person shall write or cause to be written or knowingly permit to be written in any register in any motel, lodging house or hotel, any name or designation other than the true name of the person registering therein, or the name by which such person is generally known.

Section 7-7.2(d) *Repeated Use Prohibited.* No person conducting any motel, hotel or lodging house shall permit more than one (1) rental or occupancy of any room in said hotel, motel, or lodging house to commence between the hours of 6:00 a.m. of one (1) day and 6:00 a.m. of the following day.

Section 7-7.2(e) *Hourly Rates Prohibited.* No person or agent of such person conducting any hotel, motel or other lodging house shall let any room for sleeping or lodging purposes for hourly or other short-term rates (less that twenty-four (24) hours) or in any way advertise that any room is available at hourly or other short-time rate.

Section 7-7.2(f) *Subletting Prohibited.* No person hiring a room in any hotel, motel, or other lodging house in the City shall rent or sublet said room to any other person.

Section 2. That if any provision of this Ordinance is determined by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such invalidity shall not affect the remaining provision of this Ordinance which can be implemented without the invalid provisions, and, to this end, the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall take effect thirty (30) days after adoption by the City Council.

Section 4. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager , City Attorney, Business Tax and License Division, Code Enforcement Division, Planning and Economic Development Department, Building and Safety Department and the Los Angeles County Sheriff’s Department, Compton Station.

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

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 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.

Ordinance No. _____
Page 3

That said Ordinance was adapted 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 SECTION 7-7.2 OF CHAPTER VII OF THE COMPTON MUNICIPAL CODE (PUBLIC LODGINGS) (FIRST READING

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

9/10/2013 5:46:00 PM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

9/18/2013 5:29:59 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

9/18/2013 5:08:12 PM
DATE

Terrance C. Davis
CITY MANAGER

9/18/2013 12:18:07 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.

October 1, 2013

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON ADDING SECTION 4-15 TO CHAPTER IV OF THE COMPTON MUNICIPAL CODE ESTABLISHING A “FIRST SOURCE HIRING PROGRAM” FOR CITY-WIDE INFRASTRUCTURE IMPROVEMENT PROJECTS

SUMMARY:

The Mayor has requested that an ordinance be brought forth for City Council consideration that will establish a “First Source Hiring Program” for City-funded infrastructure improvement projects that essentially will require contractor to hire, unless justifiably excused, at least 50% of local, qualified residents if awarded the contract. Financial incentives may be available for contractors of privately-funded construction projects within the City that comply with employing at least 50% of local, qualified residents.

BACKGROUND:

According to the California State Employment Development Department (“CSEDD”), the City of Compton’s unemployment rate as of June 2013 is 17.4%. Such a rate is more than double that of the State of California and has decreased the City’s economic vitality, while also threatening the social welfare of the community.

The increasing unemployment rate of the City of Compton (“City”) has both decreased the wealth of the community and hampered local economic growth. In order to combat against the threat of urban blight, the City seeks to decrease its unemployment rate by establishing a “First Source Hiring Program.” In light of the recent proliferation of new construction developments within the community, the “First Source Hiring Program” requires that contractors hired by the City for construction projects funded entirely or partially by the City, employ up to 50% of local residents.

Other contractors that are not required to participate in the “First Source Hiring Program” may volunteer to do so for a construction tax rebate. The implementation of this Program will provide jobs for local residents, decrease the City’s devastating unemployment rate, and contribute to the economic and social welfare of the community.

STATEMENT OF THE ISSUE:

Currently, the City is facilitating various infrastructure improvement developments such as the construction of commercial, retail, and residential developments in certain areas within the community. In consideration of these new projects, concerns have been raised by the community about whether such developments would foster employment opportunities for local residents. The Compton Municipal Code does not establish any type of process or procedure that may be used to decrease the City's unemployment rate. Therefore, the proposed ordinance establishes the "First Source Hiring Program" to increase employment opportunities for local residents. The policies and procedures of the program are to be stated in full in a First Source Hiring Agreement that must be approved by the City Council, signed by both parties, and implemented and enforced by the City Manager or specified City designee through the Local Resource Center.

The "First Source Hiring Program" requires contractors hired by the City for construction projects funded entirely, or partially, by the City to hire up to 50% of local residents. Any contractors that are privately funded, and not receiving any financial assistance from the City, are not required to participate in the program, but may however volunteer to employ up to 50% of local residents for a construction tax rebate.

FISCAL IMPACT:

Anticipated financial impact to City resources is unknown at this time. Anticipated positive impact is possible decrease in unemployment rates for the City residents.

RECOMMENDATION:

It is recommended that the City Council approve the attached Ordinance.

CRAIG J. CORNWELL
CITY ATTORNEY

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMPTON
ADDING SECTION 4-15 TO CHAPTER IV OF THE COMPTON MUNICIPAL
CODE ESTABLISHING A “FIRST SOURCE HIRING PROGRAM” FOR CITY-
WIDE INFRASTRUCTURE IMPROVEMENT PROJECTS.**

WHEREAS, the City of Compton (“the City”) is committed to restoring, increasing, and maintaining the community’s economic wealth and vitality by creating opportunities that allow local residents and businesses to invest in the development of physical and social infrastructures; and

WHEREAS, the lack of such investment opportunities evidenced by increasing rates of unemployment and underemployment does not yield a return in local economic growth and therefore contributes directly to urban blight; and

WHEREAS, according to the June 2013 statistics recorded by the California State Employment Development Department (“CSEDD”), the State of California holds one of the highest unemployment rates in the nation at 8.5%; and

WHEREAS, the City’s unemployment rate for June 2013, according to the CSEDD, is more than double that of the State of California at 17.4%. Consequently, such a devastating unemployment rate has decreased the City’s economic vitality and threatened the social welfare of the community; and

WHEREAS, Article XI, Section 5 of the California Constitution grants a charter city the power to make and enforce all ordinances and regulations with respect to municipal affairs unless preempted by state legislation on matters of statewide concern; and

WHEREAS, Article XI, Section 7 of the California Constitution grants a city the power to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the Compton Municipal Code (“Municipal Code”) is silent with regard to any establishment of any program(s) to address the City’s severe unemployment and underemployment issues; and

WHEREAS, the United States Supreme Court has affirmed in the case of *White v. Massachusetts Council of Const. Emp’rs, Inc.* (1983) 460 U.S. 204, 103 S.Ct. 1042, that municipal ordinances requiring contractors to employ at least 50% of local residents for community infrastructure projects funded entirely by the city are constitutionally permissible; and

WHEREAS, the City is currently facilitating various infrastructure improvement projects such as the construction of commercial, retail, and residential developments in certain areas within the community; and

WHEREAS, concerns have been raised about whether such developments would foster employment opportunities for local residents; and

WHEREAS, the availability of employment opportunities for local residents in these infrastructure improvement projects would generate income for the unemployed/underemployed, resulting in increased consumerism that would expand the City’s tax base and the overall wealth of the community; and

WHEREAS, lowering the City’s unemployment rate enhances the social well-being of local residents and prevents the destabilization of the community at large; and

WHEREAS, it is the intent of this City Council, by adopting this Ordinance, to decrease the City’s extreme unemployment rate by increasing employment opportunities for local residents by establishing a “First Source Hiring Program” that

requires certain contractors hired for city-wide infrastructure projects to employ up to 50% of Compton residents to better increase the City’s economic vitality and to better provide for the public welfare.

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

Section 1. That Chapter IV of the Compton Municipal Code is hereby amended to add Section 4-15 (titled “**First Source Hiring Program**”) to read as follows:

Section 4-15 “First Source Hiring Program.”

Section 4-15.1 Legislative Purpose and Findings. The City Council finds that the City’s unemployment rate of 17.4% has hampered the economic vitality of the community and has decreased the social welfare of local residents. In order to combat the presence of urban blight and prevent the destabilization of the City at large, the declared purpose of this Section is to increase employment opportunities for local residents by establishing a “First Source Hiring Program” that requires certain contractors to employ up to 50% of local residents for eligible infrastructure developments within the City as stated in this Section.

Section 4-15.2 Definitions. The following terms and phrases, whenever used in this Section, shall be construed as defined in this Section:

“**City**” means the City of Compton, California.

“**City-funded Construction Project**” means any construction project in the excess of One Million Dollars (\$1,000,000) that is partially or entirely funded by the City.

“**Construction Project**” means the building, enlargement, expansion, or rehabilitation of any structure, or any portion thereof, and includes, without limitation, alterations of existing structure, where such work both (1) requires a building permit and (2) includes work performed by contractors that are subject to the Contractors State License Law.

“**Contractor**” means a person/entity that proposes to undertake and execute activities as related to a construction project.

“**First Source Hiring Agreement**” means an agreement entered into between a contractor and the City that implements the “First Source Hiring Program” provisions set forth in this Section.

“**First Source Hiring Program**” means the provisions of this Section and any guidelines or policies adopted by the City to implement this Section.

“**Local Resident**” means any person who resides in the City of Compton.

“**Local Resource Center**” means a City department that will facilitate “First Source Hiring Program” procedures and activities for City-funded or private construction projects.

“**Private Construction Project**” means any construction project that is not funded by the City in any form or fashion.

Section 4-15.3 Administration of the “First Source Hiring Program.”

- (a) The “First Source Hiring Program” requires all contractors

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hired by the City for City-funded construction projects to make a good faith effort to employ up to 50% of local residents for available job openings.

(b) Those contractors facilitating private construction projects are not required to comply with the “First Source Hiring Program”. However, they may volunteer to participate and receive construction tax rebates as an incentive to employ local residents for a construction project.

(c) Contractors for City-funded construction projects and contractors for private construction projects that volunteer to participate in the “First Source Hiring Program” shall both enter into a First Source Hiring Agreement for the duration of the proposed construction project. The agreement shall be passed via resolution by the City and implemented by the City Manager or a specified City designee.

(d) Both contractors who are required, or who volunteer to participate in the “First Source Hiring Program”, may achieve their local resident hiring goal by either utilizing the Local Resource Center or their own hiring methodology, providing that such is a reasonable approach.

(e) Failure of all required and participating contractors to adhere to the policies and procedures of the “First Source Hiring Program” set forth in the First Source Hiring Agreement may be considered in breach of contract and subject to the penalties set forth in the relevant Sections of the Compton Municipal Code.

**Section 4-15.4 Applicability of the First Source Hiring Agreement
to Contractors for City-funded Construction Projects.**

(a) Prior to the hiring of employees for City-funded construction projects, the contractor shall notify the Local Resource Center of the following information:

(1) The number of available job openings;

(2) A description of such vacancies including, but not limited to job qualifications and expectations, work salary and schedule, duration of employment, required standards of appearance, and any other special requirements (e.g. language skills, drivers’ license, etc.); and

(3) Whether it is requested that the Local Resource Center provide the contractor with a pool of job applicants who are local residents and qualified to meet the specific needs of contractors for the development project.

(b) Should the contractor opt to use their own hiring processes in order to comply with the program, the Local Resource Center shall not be responsible for the recruitment of targeted local resident applicants. However, the Local Resource Center shall continue to ensure that the contractor is adhering to the policies and procedures of the “First Source Hiring Program” as set forth in the First Source Hiring Agreement.

(c) Once the Local Resource Center has been notified, the contractor and a specified City designee would meet and confer to review the rules and regulations the contractor must follow in order to comply with the First Source Hiring Agreement.

(d) The First Source Hiring Agreement, as it relates to the contractors referred to in this Section, shall at minimum address the following:

(1) The minimum percentage of construction-related payroll that must be accomplished with local resident employee hours;

(2) Definition of “good faith efforts”, compliance and required procedures the contractor must follow in order to fulfill the requirements of the “First Source Hiring Program”;

(3) Required record-keeping, documentation, and reporting frequency for demonstrating a contractor’s compliance with the First Source Hiring Agreement; and

(4) The schedule within which the above referenced procedures must be completed.

(e) In the event that the contractor has not met the hiring goal, as established between City and the contractor, the City may require the contractor to provide reasons why it has not met the goal and the City may determine, considering the totality of the circumstances, whether the contractor has nonetheless breached the agreement.

(f) If it is determined that the contractor has breached the agreement, any funds and other valuable consideration provided to the contractor shall become due and payable according to the guidelines set forth in the First Source Hiring Agreement.

Section 4-15.5 Applicability of the First Source Hiring Agreement to Contractors for Private Construction Projects.

(a) Contractors that are hired for private construction projects are not required to comply with the “First Source Hiring Program” and the guidelines and responsibilities set forth in the First Source Hiring Agreement, unless they volunteer to participate in the program for a construction tax rebate.

(b) Prior to the hiring of employees for private construction projects, the contractor shall notify the Local Resource Center of its desire to participate in the “First Source Hiring Program”, in addition to the information stated in Section 4-15.4, above.

(c) Once the Local Resource Center has been notified, the contractor and a specified City designee would meet and confer to review the rules and regulations the contractor must follow in order to comply with the First Source Hiring Agreement.

(d) The First Source Hiring Agreement, as it relates to the contractors referred to in this Section, shall at minimum address the following:

(1) The tax rebate amount the contractor is eligible for depending on the minimum percentage of construction-related payroll that must be accomplished with local resident employee hours;

(2) Definition of “good faith efforts”, compliance and required procedures the contractor must follow in order to fulfill the requirements of the “First Source Hiring Program”;

(3) Required record-keeping, documentation, and reporting frequency for demonstrating a contractor’s compliance with the First Source Hiring Agreement; and

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(4) The schedule within which the above referenced procedures must be completed.

(e) In the event that the contractor has not met the hiring goal, as established between both the contractor and the City designee, the City may require the contractor to provide reasons why it has not met the goal and the City may determine, considering the totality of the circumstances, whether the contractor has nonetheless breached the agreement.

(f) If it is determined that the contractor has breached the agreement, any funds and other valuable consideration provided to the contractor shall become due and payable according to the guidelines set forth in the First Source Hiring Agreement.

Section 4-15.6 Applicability of the First Source Hiring Agreement to the Local Resource Center.

(a) Once a contractor of either a City-funded construction project or a private construction project has notified the Local Resource Center of the requisite information and has met and conferred with a City designee as stated in Sections 4-15.4 and 4-15.5, above, the Local Resource Center must abide by the rules and regulations as set forth by the First Source Hiring Agreement.

(b) The First Source Hiring Agreement, as it applies to the Local Resource Center, shall address at minimum the following:

(1) Developing effective outreach, education, and recognition of contractors that participate in the “First Source Hiring Program”;

(2) The process of how the targeted local resident hiring applicants that qualify for job openings will be referred to the contractor, and subsequently hired;

(3) Requisite procedures that must be followed in the implementation of a customized job training program that would provide specialized training, requested by the contractor, for applicants they intend to hire tailored to the employer’s particular needs;

(4) How to monitor the progress of local-resident employees in the “First Source Hiring Program”;

(5) The process of assisting contractors with reporting documentation and responsibilities; and

(6) A schedule of when the preparation and submission of compliance reports are due.

(c) Failure of the City to implement any of the activities described in this Section shall not excuse the performance of a contractor of the obligations set forth in the applicable provisions of the First Source Hiring Agreement.

Section 4-15.7. Existing Nonconforming Uses. Any contracts for City-funded construction projects existing with the City prior to the adoption of this Ordinance are not required to comply with the “First Source Hiring Program” and are not subject to the rules and regulations of the First Source Hiring Agreement.

Section 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance, or the application to any person or circumstances, is for any reason held to be invalid or unenforceable, such invalidity or

unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Compton hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespectively of the fact that any one or more other sections, subsections, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 3. Savings Clause. Neither the adoption of this Ordinance nor the repeal of any other ordinance of this City shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license or penalty or the penal provisions applicable to any violation thereof. The provisions of this Ordinance by the City relating to the same subject matter shall be construed as restatements and continuations, and not as new enactments.

Section 4. That a copy of this Ordinance shall be filed in the offices of the City Clerk, City Manager, City Attorney and all other City departments and agencies.

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.

Section 6. That this Ordinance shall take effect thirty (30) days after adoption by the City Council.

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 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 ADDING SECTION 4-15 TO CHAPTER IV OF THE COMPTON MUNICIPAL CODE ESTABLISHING A “FIRST SOURCE HIRING PROGRAM” FOR CITY-WIDE INFRASTRUCTURE IMPROVEMENT PROJECTS (FIRST READING)

Ruth Rugley
DEPARTMENT MANAGER’S SIGNATURE

9/19/2013 11:19:03 AM
DATE

REVIEW / APPROVAL

Ruth Rugley
CITY ATTORNEY

9/19/2013 12:02:25 PM
DATE

Stephen Ajobiewe
CITY CONTROLLER

9/19/2013 11:50:47 AM
DATE

Terrance C. Davis
CITY MANAGER

9/19/2013 11:40:39 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.

