

## SPECIAL NOTICE

Public Participation Accessibility for the City Council and Successor Agency for the Paramount Redevelopment Agency meetings scheduled for August 18, 2020.

Pursuant to Executive Order N-29-20, executed by the Governor of California on March 17, 2020, and as a response to mitigating the spread of Coronavirus known as COVID-19, the regular meeting of the City Council scheduled for Tuesday, August 18, 2020 at 5:00 p.m. will allow members of the public to participate and address the City Council during the open session of the meeting via live stream and/or teleconference only. Below are the ways to participate:

### **View the City Council meeting live stream:**

- YouTube Channel <https://www.youtube.com/user/cityofparamount>
- Spectrum Cable TV Channel 36

### **Listen to the City Council meeting (audio only):**

- Call (503) 300-6827 Conference Code: 986492

**Members of the public wanting to address the City Council, either during public comments or for a specific agenda item, or both, may do so by the following methods:**

- E-mail: [crequest@paramountcity.com](mailto:crequest@paramountcity.com)
- Teleconference: (562) 220-2225

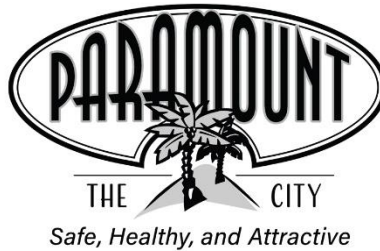
In order to effectively accommodate public participation, participants are encouraged to provide their public comments via e-mail before 5:00 p.m. on Tuesday, August 18, 2020. The e-mail must specify the following information: 1) Full Name; 2) City of Residence; 3) Phone Number; 4) Public Comment or Agenda Item No; 5) Subject; 6) Written Comments. Comments related to a specific agenda item must be received before the item is considered and will be provided to the City Council accordingly as they are received.

Participants wishing to address the City Council by teleconference should call City Hall at **(562) 220-2225** and provide the following information: 1) Full Name; 2) City of Residence; 3) Phone Number; 4) Public Comment or Agenda Item No; 5) Subject.

Teleconference participants will be logged in, placed in a queue and called back during the City Council meeting on speaker phone to provide their comments. Persons speaking are limited to a maximum of three minutes unless an extension is granted. Please be mindful that the teleconference will be recorded as any other person is recorded when appearing before the City Council, and all other rules of procedure and decorum will apply when addressing the City Council by teleconference.

# AGENDA

Paramount City Council  
August 18, 2020



Adjourned Meeting  
City Hall Council Chambers  
5:00 p.m.

City of Paramount

16400 Colorado Avenue ♦ Paramount, CA 90723 ♦ (562) 220-2000 ♦ [www.paramountcity.com](http://www.paramountcity.com)

**Public Comments:** See Special Notice. Persons are limited to a maximum of 3 minutes unless an extension of time is granted. No action may be taken on items not on the agenda except as provided by law.

**Americans with Disabilities Act:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (562) 220-2027 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**Note:** Agenda items are on file in the City Clerk's office and are available for public inspection during normal business hours. Materials related to an item on this Agenda submitted after distribution of the agenda packet are also available for public inspection during normal business hours in the City Clerk's office. The office of the City Clerk is located at City Hall, 16400 Colorado Avenue, Paramount.

## Notes

CALL TO ORDER:

Mayor Peggy Lemons

ROLL CALL OF  
COUNCILMEMBERS:

Councilmember Isabel Aguayo  
Councilmember Laurie Guillen  
Councilmember Vilma Cuellar Stallings  
Vice Mayor Brenda Olmos  
Mayor Peggy Lemons

## CITY COUNCIL PUBLIC COMMENT UPDATES

## PUBLIC COMMENTS

## PRESENTATIONS

1. [PROCLAMATION](#)

National Senior Citizens Day – August 21,  
2020

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## CONSENT CALENDAR

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All items under the Consent Calendar may be enacted by one motion. Any item may be removed from the Consent Calendar and acted upon separately by the City Council.

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|----|--|--|
| 2. | <a href="#"><u>ORDINANCE NO. 1134 (Adoption)</u></a> | Adding Article XI to Chapter 29 of the Paramount Municipal Code Establishing the Forfeiture of Nuisance Vehicles Engaged in Motor Vehicle Speed Contests or Exhibitions of Speed |
| 3. | <a href="#"><u>ORDINANCE NO. 1135 (Adoption)</u></a> | Adding Article XII to Chapter 29 of the Paramount Municipal Code Prohibiting Spectators at Illegal Motor Vehicle Speed Contests and Exhibitions of Speed                         |

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## NEW BUSINESS

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- |    |                                       |   |
|----|---------------------------------------|---|
| 4. | <a href="#"><u>ORAL REPORT</u></a>    | Metro Update Regarding West Santa Ana Branch Light Rail Project   |
| 5. | <a href="#"><u>REPORT</u></a>         | Proposed Mini-Pitch Soccer Court at Dills Park  |
|    | a) APPROVAL                           | Allocation of Capital Improvement Program Reserve Funds for Construction of a Concrete Pad for the Development of a Mini-Pitch Soccer Court at Dills Park   |
|    | b) APPROVAL                           | Agreement for Acceptance of Grant Funds from the U.S. Soccer Foundation for the Development of a Mini-Pitch Soccer Court at Dills Park                      |
| 6. | <a href="#"><u>ORAL REPORT</u></a>    | 2020 Fourth of July After-Action Report   |
| 7. | <a href="#"><u>PUBLIC HEARING</u></a> | Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funding Fiscal Year 2020   |
| 8. | <a href="#"><u>APPROVAL</u></a>       | Agreement with the Los Angeles County Registrar-Recorder/County Clerk for Placement of a 24-Hour Vote-by-Mail Ballot Drop Box at Paramount Community Center |

## **COMMENTS/COMMITTEE REPORTS**

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- Councilmembers
- Staff

## **ADJOURNMENT**

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To a meeting on September 1, 2020 at 6:00 p.m.

# City Council Public Comment Updates

August 18, 2020

From the August 4, 2020 City Council Meeting:

Resident	Request/Issue/Concern	Action/Comment
Raquel De Casas	Did not receive email that the City reported it sent on July 21.	At the August 4 <sup>th</sup> City Council meeting, staff reported one of two erroneous dates (June 23 <sup>rd</sup> & July 21 <sup>st</sup> ) of emails sent from the Mayor to Ms. De Casas. The Mayor actually responded to Ms. De Casas on three occasions: June 5, June 9, and June 23, 2020.
	Requesting copies of polls/surveys the City uses to determine that public safety is the highest priority in the City.	The City Clerk has processed Ms. De Casas' request for copies of the community survey as a Public Records Act Request and provided her with responsive records.
Gerald Cerda	Wants the City to ensure that internet service can be provided for all students and families given that schools will start the fall schoolyear under virtual learning.	Staff discussed the issue with the members of the City/PUSD Ad Hoc Committee on August 8 <sup>th</sup> . PUSD Superintendent Dr. Ruth Perez indicated that PUSD is in communication with the State Superintendent about funding that will help bridge the digital divide for students and their families. Staff expressed this concern to State Senator Gonzalez's Office and is researching different governmental programs, legislation, and grants offered by the State for this purpose.
	Would like information on workshops for tenants on their eviction rights under the County Eviction Moratorium.	Staff emailed Mr. Cerda on August 7 <sup>th</sup> to share workshops and resources provided by the City in partnership with the Fair Housing Foundation of Long Beach. The City will continue to promote these workshops on the City's website and Social Media.

Resident	Request/Issue/Concern	Action/Comment
<p>Rodolfo Cortes Barragan (via email)</p>	<p>Requesting all Cease &amp; Desist letters sent by the City since 2000 in response to a Cease &amp; Desist order sent to Mr. Cortes-Barragan last year.</p> <p>Concerned that clean water is the people's right and wants "the City to acknowledge the true scope of the problem."</p>	<p>Staff is processing the request for documents and will send these to Mr. Cortes Barragan.</p> <p>The City's water system is safe and meets all State and Federal standards. Staff performs regular water testing as required by law and reports these results to the State. If any negative results occur, the City is required by law to inform the community. The City is transparent with this information, as it is publicly available. Furthermore, the State monitors the quality of Paramount's water. If unsafe levels of any chemical are found, the State could shut down the system. That has never happened in Paramount. One of the City's most significant services is providing safe, clean water to the community.</p> <p>In 2019, Mr. Cortes Barragan produced and posted online a video which made a series of false claims about the City including false allegations about the City's water quality. One such false claim made in the video was that Water Well 13 was contaminated with cyanide. Water Well 13 has never been contaminated with cyanide.</p> <p>In the public interest for the well-being and safety of the community and in an attempt to have Mr. Cortes Barragan correct the facts, the City (through Special Counsel) issued a Cease &amp; Desist order to Mr. Cortes Barragan to remove the video and to stop the dissemination of misinformation. Once the letters were delivered, the City chose not to pursue further legal action.</p>

AUGUST 18, 2020

PROCLAMATION

NATIONAL SENIOR CITIZENS DAY – AUGUST 21, 2020

AUGUST 18, 2020

ORDINANCE NO. 1134

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT  
ADDING ARTICLE XI TO CHAPTER 29 OF THE PARAMOUNT MUNICIPAL  
CODE ESTABLISHING THE FORFEITURE OF NUISANCE VEHICLES  
ENGAGED IN MOTOR VEHICLE SPEED CONTESTS OR EXHIBITIONS OF  
SPEED”

MOTION IN ORDER:

READ BY TITLE ONLY, WAIVE FURTHER READING, AND ADOPT  
ORDINANCE NO. 1134.

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_





**To:** Honorable City Council  
**From:** John Moreno, City Manager  
**By:** Heidi Luce, City Clerk  
**Date:** August 18, 2020

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**Subject: ORDINANCE NO. 1134**

The City Council, at its regularly scheduled meeting on August 4, 2020, introduced Ordinance No. 1134 with the amendments listed below and placed it on the next agenda for adoption.

**ORDINANCE NO. 1134**

**"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT ADDING ARTICLE XI TO CHAPTER 29 OF THE PARAMOUNT MUNICIPAL CODE ESTABLISHING THE FORFEITURE OF NUISANCE VEHICLES ENGAGED IN MOTOR VEHICLE SPEED CONTESTS OR EXHIBITIONS OF SPEED"**

**AMENDMENTS:**

**Section 29-51(c) – Change forfeiture proceeding notification period from three (3) days to two (2) days:**

*"...the Public Safety Director shall, within two (2) days of the vehicle's seizure, send a notice of seizure to the legal owner at his or her address appearing on the records of the Department of Motor Vehicles of this or any other state or any appropriate federal agency"*

**Section 29-51(d) – Change timing requirement for post-seizure hearing from three (3) days to two (2) days:**

*"The post-seizure hearing shall be conducted within two (2) days of the request."*

**Section 29-64(a)(3) - Add to the following language at the end of the sentence:**

*"; provided, however, that any overtime costs incurred by local law enforcement resulting from such enforcement of this Article will be reimbursed to the City,"*

Attached is the amended ordinance as well as the agenda report from the August 4, 2020 meeting.

**RECOMMENDED ACTION**

It is recommended that the City Council read by title only, waive further reading, and adopt Ordinance No. 1134.

CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**ORDINANCE NO. 1134**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
PARAMOUNT ADDING ARTICLE XI TO CHAPTER 29 OF THE  
PARAMOUNT MUNICIPAL CODE ESTABLISHING THE FORFEITURE  
OF NUISANCE VEHICLES ENGAGED IN MOTOR VEHICLE SPEED  
CONTESTS OR EXHIBITIONS OF SPEED

WHEREAS, the City Council of the City of Paramount finds and declares that pursuant to California Vehicle Code Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Streets, highways and street intersections within the City of Paramount have been the site of continuing and escalating illegal street racing and exhibitions of speed over the past several years and are commonly referred to as "street racing/intersection takeovers". Street racers accelerate to extremely high speeds without regard to oncoming traffic, pedestrians, or vehicles parked and moving nearby. The racers move quickly from street to street; intersection to intersection, racing for several heats and then often move onto another street or intersection upon the arrival of a police unit. Such street racing and exhibitions of speed threaten the health and safety of the public, interfere with pedestrian and vehicular traffic, create a public nuisance, and interfere with the right of private business owners to enjoy the use of their property within the City of Paramount. Calls for police service have increased dramatically; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed are planned and coordinated by participants and spectators through the use of the Internet, cell phones, police scanners and other electronic devices that allows them to move in their vehicles spontaneously from one (1) location to another to avoid detection and prosecution by local law enforcement agencies; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed cause considerable damage to the street intersections within the City; consequently, the expenditure of public funds is necessary to repair these damaged intersections; and

WHEREAS, the City Council of the City of Paramount finds it is necessary and appropriate to take steps to protect public health and safety. This Article is adopted to declare that vehicles used in violation of California Vehicle Code Sections 23109(a) and (c) are a nuisance and will be forfeited to the City. The civil forfeiture of these nuisance vehicles will prevent the needless loss of life and property damage associated with illegal motor vehicle speed contests and exhibitions of speed.

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

**SECTION 1.** Article XI of Chapter 29 of the Paramount Municipal Code is hereby added as follows:

Article XI. Forfeiture of Nuisance Vehicles Engaged in Motor Vehicle Speed Contests or Exhibitions of Speed.

Sec. 29-47. Findings and Purpose.

Certain streets and intersections within the City have been subject to continuing nighttime illegal motor vehicle speed contests and exhibitions of speed over the past several years. Such illegal motor vehicle speed contests and exhibitions of speed constitute a nuisance, create potential hazards to the health and safety of the public, and interfere with pedestrian and vehicular traffic within the City.

These illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement.

These illegal motor vehicle speed contests and exhibitions of speed cause considerable damage to the street intersections within the City; consequently, the expenditure of public funds is necessary to repair these damaged intersections.

This Article is adopted as means to reduce illegal street racing and exhibitions of speed in the City by declaring the vehicles that are used in street racing activities and exhibitions of speed as nuisances and authorizing their seizure and forfeiture.

Sec. 29-48. Definitions.

- (a) "City" means the City of Paramount.
- (b) "Days" means workdays not including weekends and holidays.
- (c) "Director of Public Safety" means the Director of Public Safety for the City of Paramount or her/his designee.
- (d) "Driver" means any person who drives a motor vehicle.
- (e) "Exhibition of Speed" means any unlawful motor vehicle exhibition of speed as defined by California Vehicle Code Section 23109(c), whether or not the exhibition of speed is attended by persons other than the drivers performing such unlawful activity on City Streets.

- (f) "Immediate family" means father, mother, sister, or brother.
- (g) "Legal owner" means a person holding a security interest in a vehicle referred to in
- (h) California Vehicle Code Section 370.
- (i) "Motor Vehicle Speed Contest" means any unlawful motor vehicle speed contest, as defined by California Vehicle Code Section 23109(a), whether or not the race is attended by persons other than the drivers racing the vehicles on City streets.
- (j) "Registered owner" means a person registered by the Department of Motor Vehicles as the owner of a vehicle referred to in California Vehicle Code Section 505.
- (k) "Motor Vehicle" shall mean a vehicle as defined in California Vehicle Code § 670.

Sec. 29-49. Nonexclusive remedy.

This Article is not the exclusive regulation or penalty for participation in a motor vehicle speed contest or exhibitions of speed. It supplements and is in addition to any other regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the City, the state or any other legal entity or agency having jurisdiction.

Sec. 29-50. Seizure and Forfeiture of Nuisance Vehicles.

A motor vehicle shall be declared a nuisance and shall be seized and subject to forfeiture under this Article if:

- (a) It is used in violation of California Vehicle Code Sections 23109(a) or (c); and
- (b)
  - (1) It is driven by the registered owner of the vehicle at the time of the violation or the registered owner is a passenger in the vehicle at the time of the violation; or
  - (2) It is driven by a member of the registered owner's immediate family at the time of the violation, or a member of the registered owner's immediate family is a passenger in the vehicle at the time of the violation; or
  - (3) The driver or a passenger lives at the same address as the registered owner at the time of the violation; or

- (4) The driver or a passenger in the vehicle at the time of the violation has a prior contact in the vehicle, as determined by law enforcement records.
- (c) Declaration of this nuisance is made in accordance with the authority granted to the City in California Government Code, § 38771, and as amended from time to time.

Sec. 29-51. Seizure of Vehicles Subject to Forfeiture.

- (a) A peace officer may seize a vehicle subject to forfeiture under this Section upon the issuance of an order by a court having jurisdiction of the vehicle. Seizure without court order may be made in any of the following circumstances:
  - (1) The seizure is incident to an arrest or search under a search warrant;
  - (2) There is probable cause to believe the vehicle was used in violation of Section 29-50.
- (b) A peace officer seizing a vehicle under this Section shall complete a receipt in accordance with Penal Code Section 1412 and deliver it to the person from whose possession the vehicle was seized.
- (c) An immediate investigation shall be made by the Director of Public Safety making the seizure as to any potential claimant to a vehicle whose right, title, interest, or lien is of record in the Department of Motor Vehicles of this or any other state or appropriate federal agency. If the Public Safety Director finds that any person, other than the registered owner, is the legal owner, and the ownership did not arise subsequent to the date and time of arrest or seizure of the vehicle or notification of the forfeiture proceedings, the Public Safety Director shall, within two (2) days of the vehicle's seizure, send a notice of seizure to the legal owner at his or her address appearing on the records of the Department of Motor Vehicles of this or any other state or any appropriate federal agency.
- (d) The Director of Public Safety making the seizure of the vehicle shall provide any potential claimants discovered as a result of the investigation set out in Section 29-51(c) with the opportunity for a post-seizure hearing to determine the validity of the seizure. The post-seizure hearing shall be conducted within two (2) days of the request. The Director of Public Safety shall cause an independent hearing officer to hold the post-hearing proceedings. Failure of either a registered or legal owner to request a hearing as provided in Section 29-51 or to attend a scheduled hearing shall satisfy the post-seizure hearing requirement.

Sec. 29-52. Notice of Seizure.

The notice of seizure shall include the following:

- (a) A description of the vehicle.
- (b) The date and place of seizure.
- (c) The violation of law alleged with respect to forfeiture of the vehicle.
- (d) The instructions for filing and serving a claim with the City Attorney pursuant to Section 29-54 and time limits for filing a claim.
- (e) A vehicle seized pursuant to this Article, where appropriate, may be held as evidence in any proceeding brought by the City Attorney or District Attorney.

Sec. 29-53. Forfeiture and Notice of Intended Forfeiture of Vehicle.

- (a) The City Attorney may, pursuant to this Section, order the forfeiture of vehicles seized under this Article.
- (b) If the City Attorney determines that the factual circumstances warrant forfeiture of the vehicle described in Section 29-50, the City Attorney shall serve a notice of intended forfeiture upon any person who has an interest in the seized vehicle. The notice shall be served as soon as practicable, but in any event within 30 days of the seizure of the vehicle subject to forfeiture.
- (c) The notice of intended forfeiture shall be served as follows:
  - (1) The notice of intended forfeiture shall be served by personal delivery or certified mail, return receipt requested, upon any person who has an interest in the seized vehicle as determined pursuant to Section 29-51(c).
  - (2) In the event that the person entitled to service refuses to accept certified return receipt mail or cannot be personally served, service may be made by substituted service. Substituted service may be accomplished by any one of the following methods:
    - a. By leaving a copy during usual business hours at the recipient's business with the person who is apparently in charge, and by thereafter mailing by first class mail a copy to the recipient where the copy was left.

- b. By leaving a copy at the recipient's dwelling or usual place of abode, in the presence of a competent member of the household and thereafter mailing by first class mail a copy to the recipient at the address where the copy was left.
- (3) If the person entitled to service lives out of state and will not accept certified return receipt mail, then service may be made by first class mail.
- (4) If the person entitled to notice cannot be located, or service cannot be made as set forth in this subsection, service may be made by publication in a Los Angeles newspaper of general circulation. Service shall be deemed sufficient when it is accomplished pursuant to Government Code Section 6063.

Sec. 29-54. Claims Opposing Forfeiture.

A person claiming an interest in the vehicle seized pursuant to Section 29-50, must within ten (10) days from the date of the notice of intended forfeiture or within thirty (30) calendar days from the date of first publication of the notice of intended forfeiture, file with the Superior Court of the county in which the vehicle was seized, a Claim Opposing Forfeiture, verified in accordance with Section 446 of the Code of Civil Procedure, stating his or her interest in the vehicle. An endorsed copy of the claim shall be served upon the City Attorney within ten (10) days of the filing of the claim.

Sec. 29-55. Administrative Forfeiture.

If no claims are filed and served within 15 days of the mailing of the notice pursuant to Section 29-53 or within five (5) days of personal service of the notice, the City Attorney shall prepare a written declaration of forfeiture of the vehicle to the City. A written declaration of forfeiture signed by the City Attorney under this Section shall be deemed to provide good and sufficient title to the forfeited vehicle. A copy of the declaration shall be provided on request to any person informed of the pending forfeiture pursuant to Section 29-51. A claim that is filed and later withdrawn by the claimant shall be deemed to not have been filed.

Sec. 29-56. Judicial Forfeiture Proceedings.

- (a) The filing of a claim within the time limit specified in Section 29-54 is considered a jurisdictional prerequisite for initiating a forfeiture proceeding. A proceeding in the civil case is a limited civil case. The burden of proof in the civil case shall be on the City by a preponderance of the evidence. All questions that may arise shall be decided and all other proceedings shall be conducted as in an ordinary civil action.



- (b) Upon proof that the vehicle was used for any of the purposes set forth in Section 29-50, the court shall declare the vehicle a nuisance and order that the vehicle be forfeited and the proceeds upon sale distributed as set forth in Section 29-64. The court may make a different distribution of the proceeds, if the court finds that the claimant did not know that the vehicle was used for a purpose that constitutes a violation of this Section.
- (c) A judgment of forfeiture does not require as a condition precedent the conviction of a defendant for the current violation which gave rise to the nuisance and caused these forfeiture proceedings to be initiated.

Sec. 29-57. Community Property Interest Release.

If at the time of the violation there is a community property interest in the vehicle to be forfeited, and at the time of the violation the vehicle is the only vehicle available to the registered owner's immediate family that may be operated with a class C driver's license, the vehicle shall be released to a registered owner or to the community property interest owner upon compliance with all of the following requirements:

- (a) The registered owner or the community property interest owner requests release of the vehicle and the owner of the community property interest submits proof of that interest; and
- (b) The registered owner or the community property interest owner submits proof that the vehicle is properly registered pursuant to the California Vehicle Code; and
- (c) All towing and storage charges and any administrative charges authorized pursuant to California Vehicle Code Section 22850.5 and the Paramount Municipal Code are paid; and
- (d) The registered owner and the community property interest owner sign a stipulated vehicle release agreement, as described in Section 29-58, in consideration for the nonforfeiture of the vehicle.

Sec. 29-58. Stipulated Vehicle Release Agreement.

- (a) A stipulated vehicle release agreement shall provide for the consent of the signers to the automatic future forfeiture and transfer of title to the City of any vehicle registered to that person, if the vehicle is used in violation of California Vehicle Code Sections 23109(a) or (c). The agreement shall be in effect for five (5) years from the date of signing and shall be maintained by the Director of Public Safety.
- (b) No vehicle shall be released pursuant to Section 29-57 if the Director of Public Safety has on file a prior stipulated vehicle release agreement signed by that person within the previous five (5) years.

Sec. 29-59. Vehicle Title Vesting in the City.

All right, title, and interest in the vehicle shall vest in the City upon commission of the act giving rise to the nuisance under this Article.

Sec. 29-60. Sale of Forfeited Vehicle After Declaration of Forfeiture.

Any vehicle forfeited pursuant to this Article shall be sold once a declaration of forfeiture is issued by the City Attorney or an order of forfeiture is issued by a court, as the case may be, pursuant to Sections 29-55 and 29-56.

Sec. 29-61. Sale of Forfeited Vehicle By Legal Owner.

- (a) Any legal owner who is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state, or the agent of that legal owner, may take possession and conduct the sale of the forfeited vehicle if the legal owner or agent notifies the Director of Public Safety of its intent to conduct the sale within 15 days of either the mailing of the notice or personal service of the notice pursuant to Section 29-53. Sale of the vehicle after forfeiture pursuant to this Article may be conducted at the time, in the manner, and on the notice usually given for the sale of repossessed or surrendered vehicles. The proceeds of any sale conducted by or on behalf of the legal owner shall be disposed of as provided in 29-64. A legal owner's notice to conduct the sale pursuant to Section 29-61(a) may be presented in person, by certified mail, by facsimile transmission, or by electronic mail.
- (b) The agent of a legal owner acting pursuant to Section 29-61 shall be licensed, or exempt from licensure, pursuant to Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code.

Sec. 29-62. Sale of Forfeited Vehicle.

If the legal owner or agent of the owner does not notify the Director of Public Safety of its intent to conduct the sale as provided in Section 29-61, the City shall offer the forfeited vehicle for sale at public auction within sixty (60) days of receiving title to the vehicle. Low value vehicles shall be disposed of pursuant to Section 29-63.

Sec. 29-63. Disposition of Low-Value Vehicles.

If the Director of Public Safety determines that the vehicle to be forfeited and sold pursuant to this Article is of so little value that it cannot readily be sold to the public generally, the vehicle shall be conveyed to a licensed dismantler or donated to a charitable organization. License plates shall be removed from any vehicle conveyed to a dismantler pursuant to this Section.

Sec. 29-64. Distribution of Sale Proceeds.

- (a) The proceeds of a sale of a forfeited vehicle shall be disposed of in the following priority:
- (1) To satisfy the towing, storage and administrative costs following impoundment, the costs of providing notice pursuant to Sections 29-52, the costs of sale, and the unfunded costs of judicial proceedings, if any; then,
  - (2) To the City for all legal expenditures, made or incurred by the City Attorney's office in connection with the enforcement of this Article, including but not limited to, costs for investigation, litigation, and notices resulting from enforcement of this Article; then,
  - (3) To the City for local law enforcement for all expenditures other than personnel costs, made or incurred in connection with enforcement of this Article, including but not limited to, costs for equipment, investigation and supplies related to enforcement of this Article; provided, however, that any overtime costs incurred by local law enforcement resulting from such enforcement of this Article will be reimbursed to the City, then,
  - (4) To the City for all expenditures incurred by the Public Works Department for the necessary repairs to any public streets or intersections damaged as a result of the illegal street racing contest(s) or exhibitions of speed; then
  - (5) Upon satisfactory proof to the Director of Public Safety, to the legal owner in an amount to satisfy the indebtedness owed to the legal owner remaining as of the date of sale, excluding any accrued interest or finance charges and delinquency charges, providing that the principal indebtedness was incurred prior to the date of impoundment; then,
  - (6) To the holder of any subordinate lien or encumbrance on the vehicle, other than a registered or legal owner, to satisfy any indebtedness so secured if written notification of demand is received before distribution of the proceeds is completed. The holder of a subordinate lien or encumbrance, if requested, shall furnish reasonable proof of its interest and, unless it does so upon request, is not entitled to distribution pursuant to Section 29-64; then,

- (7) To any other person, other than a registered or legal owner, who can reasonably establish an interest in the vehicle, including a community property interest, to the extent of his or her provable interest, if written notification is received before distribution of the proceeds is completed; then,
- (8) Of the remaining proceeds, 100 percent shall be transferred to the City via the Finance Director.
- (b) A vehicle may be destroyed only if the condition of the vehicle warrants destruction and there are no lien holders or claimants who did not know that the vehicle was used for a purpose that constitutes a violation of this Article.
- (c) A forfeited vehicle shall not be sold to any person identified under Section 29-50 at the time the vehicle was seized.

Sec. 29-65. Accounting of Sale Proceeds.

The person conducting the sale shall disburse the proceeds of the sale as provided in Section 29-64 and shall provide a written accounting regarding the disposition to the Director of Public Safety and, on request, to any person entitled to a share of the proceeds to any person validly claiming a share of the proceeds, as determined by the Director of Public Safety, within fifteen (15) days after the sale is conducted.

Sec. 29-66. Stolen Vehicles.

No vehicle shall be sold pursuant to this Article if the Director of Public Safety determines the vehicle to have been stolen. In this event, the vehicle may be claimed by the registered owner at any time after impoundment, providing the vehicle registration is current and registered owner has no outstanding traffic violations or parking penalties on his or her driving record or on the registration record of any vehicle registered to the person. If the identity of the legal and registered owners of the vehicle cannot be reasonably ascertained, the vehicle may be sold.

Sec. 29-67. Towing and Storage Fees.

- (a) The City is responsible for the costs incurred for towing and storage if it is determined that the driver at the time of impoundment did not violate California Vehicle Code Section 23109(a) or (c) and did not give rise to the nuisance.
- (b) Charges for towing, storage and administrative for any vehicle impounded pursuant to this Article shall be set forth by Resolution by the City Council.

Sec. 29-68. Recovery of Monetary Loss.

Nothing in this Article shall preclude an owner of a vehicle who suffers a monetary loss from the forfeiture of a vehicle under this section from recovering the amount of the actual monetary loss from the person(s) who committed the act giving rise to forfeiture under this Article.

**SECTION 2.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall be adopted thereby. The City Council hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

**SECTION 4. Effective Date.** This Ordinance shall take effect thirty days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published once in the Paramount Journal within 15 days after its adoption together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Paramount this 18<sup>th</sup> day of August 2020.

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Peggy Lemons, Mayor

ATTEST

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Heidi Luce, City Clerk



**To:** Honorable City Council  
**From:** John Cavanaugh, City Attorney  
**By:**  
**Date:** August 4, 2020

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**Subject: ORDINANCE NO. 1134  
ESTABLISHING THE FORFEITURE OF NUISANCE VEHICLES  
ENGAGED IN MOTOR VEHICLE SPEED CONTESTS OR EXHIBITIONS  
OF SPEED**

At the June 16, 2020 City Council meeting, the City Attorney presented to the City Council a number of legal options to address the growing problem of street racing occurring within the City's street intersections.

Streets, highways and street intersections within the City of Paramount have been the site of continuing and escalating illegal street racing and exhibitions of speed over the past several years and are commonly referred to as "street racing/intersection takeovers". Street racers accelerate to extremely high speeds without regard to oncoming traffic, pedestrians, or vehicles parked and moving nearby. The racers move quickly from street to street; intersection to intersection, racing for several heats and then often move onto another street or intersection upon the arrival of a police unit.

These illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement.

Additionally, these illegal motor vehicle speed contests and exhibitions of speed are planned and coordinated by participants and spectators through the use of the Internet, cell phones, police scanners and other electronic devices that allows them to move in their vehicles spontaneously from one (1) location to another to avoid detection and prosecution by local law enforcement agencies.

Finally, these illegal speed contests and exhibitions of speed damage the City's intersections and streets; consequently, the expenditure of public funds is necessary to repair those damaged streets and intersections.

Although California Vehicle Code Section 23109 makes such street racing and exhibition of speed illegal, there is a certain frustration that the remedies contained in these state statutes do not go far enough to deter both the racing and the attendance of spectators who seem to escalate the desire of the racers to continue the “side show activity”.

In our preliminary review of this problem, the City Attorney’s office coordinated efforts with the Los Angeles County Sheriff’s department and the Deputy District Attorney to implement a strategy that involves several different responses (“Street Racing Task Force”)

One of the responses which the Task Force recommended was to implement a more aggressive regulatory ordinance which would not just impound a vehicle used in violation of Vehicle Code Section 23109, but also to seek a court order to confiscate the vehicle and remove it from play.

The proposed Ordinance before the City Council is a comprehensive regulatory ordinance which both declares a vehicle which is used in violation of Vehicle Code Section 23109 as a nuisance and establishes a legal procedure of forfeiture of such vehicle engaged in speed contests or exhibitions of speed.

A summary of the provisions of the proposed Ordinance is as follows:

1. If a motor vehicle is caught in violation of California Vehicle Code Sections 23109(a) or (c) (Speed contests or Exhibition of speed) that vehicle will be declared a nuisance, seized and impounded, and subject to forfeiture proceedings.
2. An immediate investigation by the Public Safety Department will be conducted to ascertain the registered owner, legal owner or other party with an interest in the vehicle from the Department of Motor Vehicles.
3. After identifying the potential claimants discovered as a result of the investigation with the Department of Motor Vehicles, the Public Safety Department will notify those interested parties and will afford those claimants a due process post-seizure hearing with an independent hearing officer to determine the validity of the seizure of the vehicle.
4. If the hearing officer determines that the vehicle seized was not in violation of either Vehicle Code Sections 23109(a) or (c), the City will release the vehicle, and all impound charges will be paid for by the City.
5. If the hearing officer determines that the seizure was legally valid, the City Attorney will determine that the factual circumstances warrant forfeiture of the vehicle and will serve a notice of intended forfeiture to the identified claimants within 30 days of the seizure.

6. Any person claiming an interest in the vehicle seized must then file a Claim Opposing Forfeiture with the Superior Court with a copy to the City Attorney within certain specified times.
7. If no claims are filed as required under the Ordinance, the City Attorney can prepare an Administrative Forfeiture through a declaration of forfeiture and the vehicle becomes the property of the City.
8. In the event such a Claim Opposing Forfeiture is filed, a Judicial Forfeiture Proceeding will be held in the Los Angeles Superior Court wherein the court will determine whether a seized vehicle was in violation of the state's prohibition of street racing contests or an exhibition of speed. Should a court rule the vehicle was used in violation of state laws, the court will declare the vehicle a nuisance and order that the vehicle be forfeited (sold at auction) and the proceeds distributed in accordance with the City's Ordinance.
9. Finally, the proceeds of a sale of a forfeited vehicle will be disposed in the following priority:
  - (a) To satisfy the towing, storage and administrative costs following impoundment, the costs of providing notice, the costs of sale, and the unfunded costs of judicial proceedings, if any; then,
  - (b) To the City for all legal expenditures, made or incurred by the City Attorney's office in connection with the enforcement of the Ordinance, including but not limited to, costs for investigation, litigation, and notices resulting from enforcement of the Ordinance; then,
  - (c) To the City for local law enforcement for all expenditures other than personnel costs, made or incurred in connection with enforcement of the Ordinance, including but not limited to, costs for equipment, investigation and supplies related to enforcement; then
  - (d) To the City for all expenditures incurred by the Public Works Department for the necessary repairs to any public streets or intersections damaged as a result of the illegal street racing contest(s) or exhibitions of speed; then
  - (e) Upon satisfactory proof to the Director of Public Safety, to the legal owner in an amount to satisfy the indebtedness owed to the legal owner remaining as of the date of sale, excluding any accrued interest or finance charges and delinquency charges, providing that the principal indebtedness was incurred prior to the date of impoundment; then,



- (f) To the holder of any subordinate lien or encumbrance on the vehicle, other than a registered or legal owner, to satisfy any indebtedness so secured if written notification of demand is received before distribution of the proceeds is completed and there is verification of such a legal interest; then,
- (g) To any other person, other than a registered or legal owner, who can reasonably establish an interest in the vehicle, including a community property interest, to the extent of his or her provable interest, if written notification is received before distribution of the proceeds is completed; then,
- (h) Of the remaining proceeds, 100 percent shall be transferred to the City via the Finance Director.

Finally, a forfeited vehicle will not be sold to any person identified as a violator of state law at the time the vehicle was seized.

### **RECOMMENDED ACTION**

It is recommended that the City Council read by title only, waive further reading, introduce Ordinance No. 1134, and place it on the next regular agenda for adoption.

CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**ORDINANCE NO. 1134**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
PARAMOUNT ADDING ARTICLE XI TO CHAPTER 29 OF THE  
PARAMOUNT MUNICIPAL CODE ESTABLISHING THE FORFEITURE  
OF NUISANCE VEHICLES ENGAGED IN MOTOR VEHICLE SPEED  
CONTESTS OR EXHIBITIONS OF SPEED

WHEREAS, the City Council of the City of Paramount finds and declares that pursuant to California Vehicle Code Section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Streets, highways and street intersections within the City of Paramount have been the site of continuing and escalating illegal street racing and exhibitions of speed over the past several years and are commonly referred to as "street racing/intersection takeovers". Street racers accelerate to extremely high speeds without regard to oncoming traffic, pedestrians, or vehicles parked and moving nearby. The racers move quickly from street to street; intersection to intersection, racing for several heats and then often move onto another street or intersection upon the arrival of a police unit. Such street racing and exhibitions of speed threaten the health and safety of the public, interfere with pedestrian and vehicular traffic, create a public nuisance, and interfere with the right of private business owners to enjoy the use of their property within the City of Paramount. Calls for police service have increased dramatically; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed are planned and coordinated by participants and spectators through the use of the Internet, cell phones, police scanners and other electronic devices that allows them to move in their vehicles spontaneously from one (1) location to another to avoid detection and prosecution by local law enforcement agencies; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed cause considerable damage to the street intersections within the City; consequently, the expenditure of public funds is necessary to repair these damaged intersections; and

WHEREAS, the City Council of the City of Paramount finds it is necessary and appropriate to take steps to protect public health and safety. This Article is adopted to declare that vehicles used in violation of California Vehicle Code Sections 23109(a) and (c) are a nuisance and will be forfeited to the City. The civil forfeiture of these nuisance vehicles will prevent the needless loss of life and property damage associated with illegal motor vehicle speed contests and exhibitions of speed.

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

**SECTION 1.** Article XI of Chapter 29 of the Paramount Municipal Code is hereby added as follows:

Article XI. Forfeiture of Nuisance Vehicles Engaged in Motor Vehicle Speed Contests or Exhibitions of Speed.

Sec. 29-47. Findings and Purpose.

Certain streets and intersections within the City have been subject to continuing nighttime illegal motor vehicle speed contests and exhibitions of speed over the past several years. Such illegal motor vehicle speed contests and exhibitions of speed constitute a nuisance, create potential hazards to the health and safety of the public, and interfere with pedestrian and vehicular traffic within the City.

These illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement.

These illegal motor vehicle speed contests and exhibitions of speed cause considerable damage to the street intersections within the City; consequently, the expenditure of public funds is necessary to repair these damaged intersections.

This Article is adopted as means to reduce illegal street racing and exhibitions of speed in the City by declaring the vehicles that are used in street racing activities and exhibitions of speed as nuisances and authorizing their seizure and forfeiture.

Sec. 29-48. Definitions.

- (a) "City" means the City of Paramount.
- (b) "Days" means workdays not including weekends and holidays.
- (c) "Director of Public Safety" means the Director of Public Safety for the City of Paramount or her/his designee.
- (d) "Driver" means any person who drives a motor vehicle.
- (e) "Exhibition of Speed" means any unlawful motor vehicle exhibition of speed as defined by California Vehicle Code Section 23109(c), whether or not the exhibition of speed is attended by persons other than the drivers performing such unlawful activity on City Streets.

- (f) "Immediate family" means father, mother, sister, or brother.
- (g) "Legal owner" means a person holding a security interest in a vehicle referred to in
- (h) California Vehicle Code Section 370.
- (i) "Motor Vehicle Speed Contest" means any unlawful motor vehicle speed contest, as defined by California Vehicle Code Section 23109(a), whether or not the race is attended by persons other than the drivers racing the vehicles on City streets.
- (j) "Registered owner" means a person registered by the Department of Motor Vehicles as the owner of a vehicle referred to in California Vehicle Code Section 505.
- (k) "Motor Vehicle" shall mean a vehicle as defined in California Vehicle Code § 670.

Sec. 29-49. Nonexclusive remedy.

This Article is not the exclusive regulation or penalty for participation in a motor vehicle speed contest or exhibitions of speed. It supplements and is in addition to any other regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the City, the state or any other legal entity or agency having jurisdiction.

Sec. 29-50. Seizure and Forfeiture of Nuisance Vehicles.

A motor vehicle shall be declared a nuisance and shall be seized and subject to forfeiture under this Article if:

- (a) It is used in violation of California Vehicle Code Sections 23109(a) or (c); and
- (b)
  - (1) It is driven by the registered owner of the vehicle at the time of the violation or the registered owner is a passenger in the vehicle at the time of the violation; or
  - (2) It is driven by a member of the registered owner's immediate family at the time of the violation, or a member of the registered owner's immediate family is a passenger in the vehicle at the time of the violation; or
  - (3) The driver or a passenger lives at the same address as the registered owner at the time of the violation; or

- (4) The driver or a passenger in the vehicle at the time of the violation has a prior contact in the vehicle, as determined by law enforcement records.
- (c) Declaration of this nuisance is made in accordance with the authority granted to the City in California Government Code, § 38771, and as amended from time to time.

Sec. 29-51. Seizure of Vehicles Subject to Forfeiture.

- (a) A peace officer may seize a vehicle subject to forfeiture under this Section upon the issuance of an order by a court having jurisdiction of the vehicle. Seizure without court order may be made in any of the following circumstances:
  - (1) The seizure is incident to an arrest or search under a search warrant;
  - (2) There is probable cause to believe the vehicle was used in violation of Section 29-50.
- (b) A peace officer seizing a vehicle under this Section shall complete a receipt in accordance with Penal Code Section 1412 and deliver it to the person from whose possession the vehicle was seized.
- (c) An immediate investigation shall be made by the Director of Public Safety making the seizure as to any potential claimant to a vehicle whose right, title, interest, or lien is of record in the Department of Motor Vehicles of this or any other state or appropriate federal agency. If the Public Safety Director finds that any person, other than the registered owner, is the legal owner, and the ownership did not arise subsequent to the date and time of arrest or seizure of the vehicle or notification of the forfeiture proceedings, the Public Safety Director shall, within three (3) days of the vehicle's seizure, send a notice of seizure to the legal owner at his or her address appearing on the records of the Department of Motor Vehicles of this or any other state or any appropriate federal agency.
- (d) The Director of Public Safety making the seizure of the vehicle shall provide any potential claimants discovered as a result of the investigation set out in Section 29-51(c). with the opportunity for a post-seizure hearing to determine the validity of the seizure. The post-seizure hearing shall be conducted within three (3) days of the request. The Director of Public Safety shall cause an independent hearing officer to hold the post-hearing proceedings. Failure of either a registered or legal owner to request a hearing as provided in Section 29-51 or to attend a scheduled hearing shall satisfy the post-seizure hearing requirement.

Sec. 29-52. Notice of Seizure.

The notice of seizure shall include the following:

- (a) A description of the vehicle.
- (b) The date and place of seizure.
- (c) The violation of law alleged with respect to forfeiture of the vehicle.
- (d) The instructions for filing and serving a claim with the City Attorney pursuant to Section 29-54 and time limits for filing a claim.
- (e) A vehicle seized pursuant to this Article, where appropriate, may be held as evidence in any proceeding brought by the City Attorney or District Attorney.

Sec. 29-53. Forfeiture and Notice of Intended Forfeiture of Vehicle.

- (a) The City Attorney may, pursuant to this Section, order the forfeiture of vehicles seized under this Article.
- (b) If the City Attorney determines that the factual circumstances warrant forfeiture of the vehicle described in Section 29-50, the City Attorney shall serve a notice of intended forfeiture upon any person who has an interest in the seized vehicle. The notice shall be served as soon as practicable, but in any event within 30 days of the seizure of the vehicle subject to forfeiture.
- (c) The notice of intended forfeiture shall be served as follows:
  - (1) The notice of intended forfeiture shall be served by personal delivery or certified mail, return receipt requested, upon any person who has an interest in the seized vehicle as determined pursuant to Section 29-51(c).
  - (2) In the event that the person entitled to service refuses to accept certified return receipt mail or cannot be personally served, service may be made by substituted service. Substituted service may be accomplished by any one of the following methods:
    - a. By leaving a copy during usual business hours at the recipient's business with the person who is apparently in charge, and by thereafter mailing by first class mail a copy to the recipient where the copy was left.

- b. By leaving a copy at the recipient's dwelling or usual place of abode, in the presence of a competent member of the household and thereafter mailing by first class mail a copy to the recipient at the address where the copy was left.
- (3) If the person entitled to service lives out of state and will not accept certified return receipt mail, then service may be made by first class mail.
- (4) If the person entitled to notice cannot be located, or service cannot be made as set forth in this subsection, service may be made by publication in a Los Angeles newspaper of general circulation. Service shall be deemed sufficient when it is accomplished pursuant to Government Code Section 6063.

Sec. 29-54. Claims Opposing Forfeiture.

A person claiming an interest in the vehicle seized pursuant to Section 29-50, must within ten (10) days from the date of the notice of intended forfeiture or within thirty (30) calendar days from the date of first publication of the notice of intended forfeiture, file with the Superior Court of the county in which the vehicle was seized, a Claim Opposing Forfeiture, verified in accordance with Section 446 of the Code of Civil Procedure, stating his or her interest in the vehicle. An endorsed copy of the claim shall be served upon the City Attorney within ten (10) days of the filing of the claim.

Sec. 29-55. Administrative Forfeiture.

If no claims are filed and served within 15 days of the mailing of the notice pursuant to Section 29-53 or within five (5) days of personal service of the notice, the City Attorney shall prepare a written declaration of forfeiture of the vehicle to the City. A written declaration of forfeiture signed by the City Attorney under this Section shall be deemed to provide good and sufficient title to the forfeited vehicle. A copy of the declaration shall be provided on request to any person informed of the pending forfeiture pursuant to Section 29-51. A claim that is filed and later withdrawn by the claimant shall be deemed to not have been filed.

Sec. 29-56. Judicial Forfeiture Proceedings.

- (a) The filing of a claim within the time limit specified in Section 29-54 is considered a jurisdictional prerequisite for initiating a forfeiture proceeding. A proceeding in the civil case is a limited civil case. The burden of proof in the civil case shall be on the City by a preponderance of the evidence. All questions that may arise shall be decided and all other proceedings shall be conducted as in an ordinary civil action.

- (b) Upon proof that the vehicle was used for any of the purposes set forth in Section 29-50, the court shall declare the vehicle a nuisance and order that the vehicle be forfeited and the proceeds upon sale distributed as set forth in Section 29-64. The court may make a different distribution of the proceeds, if the court finds that the claimant did not know that the vehicle was used for a purpose that constitutes a violation of this Section.
- (c) A judgment of forfeiture does not require as a condition precedent the conviction of a defendant for the current violation which gave rise to the nuisance and caused these forfeiture proceedings to be initiated.

Sec. 29-57. Community Property Interest Release.

If at the time of the violation there is a community property interest in the vehicle to be forfeited, and at the time of the violation the vehicle is the only vehicle available to the registered owner's immediate family that may be operated with a class C driver's license, the vehicle shall be released to a registered owner or to the community property interest owner upon compliance with all of the following requirements:

- (a) The registered owner or the community property interest owner requests release of the vehicle and the owner of the community property interest submits proof of that interest; and
- (b) The registered owner or the community property interest owner submits proof that the vehicle is properly registered pursuant to the California Vehicle Code; and
- (c) All towing and storage charges and any administrative charges authorized pursuant to California Vehicle Code Section 22850.5 and the Paramount Municipal Code are paid; and
- (d) The registered owner and the community property interest owner sign a stipulated vehicle release agreement, as described in Section 29-58, in consideration for the nonforfeiture of the vehicle.

Sec. 29-58. Stipulated Vehicle Release Agreement.

- (a) A stipulated vehicle release agreement shall provide for the consent of the signers to the automatic future forfeiture and transfer of title to the City of any vehicle registered to that person, if the vehicle is used in violation of California Vehicle Code Sections 23109(a) or (c). The agreement shall be in effect for five (5) years from the date of signing and shall be maintained by the Director of Public Safety.
- (b) No vehicle shall be released pursuant to Section 29-57 if the Director of Public Safety has on file a prior stipulated vehicle release agreement signed by that person within the previous five (5) years.



Sec. 29-59. Vehicle Title Vesting in the City.

All right, title, and interest in the vehicle shall vest in the City upon commission of the act giving rise to the nuisance under this Article.

Sec. 29-60. Sale of Forfeited Vehicle After Declaration of Forfeiture.

Any vehicle forfeited pursuant to this Article shall be sold once a declaration of forfeiture is issued by the City Attorney or an order of forfeiture is issued by a court, as the case may be, pursuant to Sections 29-55 and 29-56.

Sec. 29-61. Sale of Forfeited Vehicle By Legal Owner.

- (a) Any legal owner who is a motor vehicle dealer, bank, credit union, acceptance corporation, or other licensed financial institution legally operating in this state, or the agent of that legal owner, may take possession and conduct the sale of the forfeited vehicle if the legal owner or agent notifies the Director of Public Safety of its intent to conduct the sale within 15 days of either the mailing of the notice or personal service of the notice pursuant to Section 29-53. Sale of the vehicle after forfeiture pursuant to this Article may be conducted at the time, in the manner, and on the notice usually given for the sale of repossessed or surrendered vehicles. The proceeds of any sale conducted by or on behalf of the legal owner shall be disposed of as provided in 29-64. A legal owner's notice to conduct the sale pursuant to Section 29-61(a) may be presented in person, by certified mail, by facsimile transmission, or by electronic mail.
- (b) The agent of a legal owner acting pursuant to Section 29-61 shall be licensed, or exempt from licensure, pursuant to Chapter 11 (commencing with Section 7500) of Division 3 of the Business and Professions Code.

Sec. 29-62. Sale of Forfeited Vehicle.

If the legal owner or agent of the owner does not notify the Director of Public Safety of its intent to conduct the sale as provided in Section 29-61, the City shall offer the forfeited vehicle for sale at public auction within sixty (60) days of receiving title to the vehicle. Low value vehicles shall be disposed of pursuant to Section 29-63.

Sec. 29-63. Disposition of Low-Value Vehicles.

If the Director of Public Safety determines that the vehicle to be forfeited and sold pursuant to this Article is of so little value that it cannot readily be sold to the public generally, the vehicle shall be conveyed to a licensed dismantler or donated to a charitable organization. License plates shall be removed from any vehicle conveyed to a dismantler pursuant to this Section.

Sec. 29-64. Distribution of Sale Proceeds.

- (a) The proceeds of a sale of a forfeited vehicle shall be disposed of in the following priority:
- (1) To satisfy the towing, storage and administrative costs following impoundment, the costs of providing notice pursuant to Sections 29-52, the costs of sale, and the unfunded costs of judicial proceedings, if any; then,
  - (2) To the City for all legal expenditures, made or incurred by the City Attorney's office in connection with the enforcement of this Article, including but not limited to, costs for investigation, litigation, and notices resulting from enforcement of this Article; then,
  - (3) To the City for local law enforcement for all expenditures other than personnel costs, made or incurred in connection with enforcement of this Article, including but not limited to, costs for equipment, investigation and supplies related to enforcement of this Article; then,
  - (4) To the City for all expenditures incurred by the Public Works Department for the necessary repairs to any public streets or intersections damaged as a result of the illegal street racing contest(s) or exhibitions of speed; then
  - (5) Upon satisfactory proof to the Director of Public Safety, to the legal owner in an amount to satisfy the indebtedness owed to the legal owner remaining as of the date of sale, excluding any accrued interest or finance charges and delinquency charges, providing that the principal indebtedness was incurred prior to the date of impoundment; then,
  - (6) To the holder of any subordinate lien or encumbrance on the vehicle, other than a registered or legal owner, to satisfy any indebtedness so secured if written notification of demand is received before distribution of the proceeds is completed. The holder of a subordinate lien or encumbrance, if requested, shall furnish reasonable proof of its interest and, unless it does so upon request, is not entitled to distribution pursuant to Section 29-64; then,
  - (7) To any other person, other than a registered or legal owner, who can reasonably establish an interest in the vehicle, including a community property interest, to the extent of his or her provable interest, if written notification is received before distribution of the proceeds is completed; then,

- (8) Of the remaining proceeds, 100 percent shall be transferred to the City via the Finance Director.
- (b) A vehicle may be destroyed only if the condition of the vehicle warrants destruction and there are no lien holders or claimants who did not know that the vehicle was used for a purpose that constitutes a violation of this Article.
- (c) A forfeited vehicle shall not be sold to any person identified under Section 29-50 at the time the vehicle was seized.

Sec. 29-65. Accounting of Sale Proceeds.

The person conducting the sale shall disburse the proceeds of the sale as provided in Section 29-64 and shall provide a written accounting regarding the disposition to the Director of Public Safety and, on request, to any person entitled to a share of the proceeds to any person validly claiming a share of the proceeds, as determined by the Director of Public Safety, within fifteen (15) days after the sale is conducted.

Sec. 29-66. Stolen Vehicles.

No vehicle shall be sold pursuant to this Article if the Director of Public Safety determines the vehicle to have been stolen. In this event, the vehicle may be claimed by the registered owner at any time after impoundment, providing the vehicle registration is current and registered owner has no outstanding traffic violations or parking penalties on his or her driving record or on the registration record of any vehicle registered to the person. If the identity of the legal and registered owners of the vehicle cannot be reasonably ascertained, the vehicle may be sold.

Sec. 29-67. Towing and Storage Fees.

- (a) The City is responsible for the costs incurred for towing and storage if it is determined that the driver at the time of impoundment did not violate California Vehicle Code Section 23109(a) or (c), and did not give rise to the nuisance.
- (b) Charges for towing, storage and administrative for any vehicle impounded pursuant to this Article shall be set forth by Resolution by the City Council.

Sec. 29-68. Recovery of Monetary Loss.

Nothing in this Article shall preclude an owner of a vehicle who suffers a monetary loss from the forfeiture of a vehicle under this section from recovering the amount of the actual monetary loss from the person(s) who committed the act giving rise to forfeiture under this Article.

**SECTION 2.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall be adopted thereby. The City Council hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

**SECTION 4. Effective Date.** This Ordinance shall take effect thirty days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published once in the Paramount Journal within 15 days after its adoption together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Paramount this 1<sup>st</sup> day of September 2020.

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Peggy Lemons, Mayor

ATTEST

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Heidi Luce, City Clerk

AUGUST 18, 2020

ORDINANCE NO. 1135

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT  
ADDING ARTICLE XII TO CHAPTER 29 OF THE PARAMOUNT MUNICIPAL  
CODE PROHIBITING SPECTATORS AT ILLEGAL MOTOR VEHICLE SPEED  
CONTESTS AND EXHIBITIONS OF SPEED”

MOTION IN ORDER:

READ BY TITLE ONLY, WAIVE FURTHER READING, AND ADOPT  
ORDINANCE NO. 1135.

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_



**To:** Honorable City Council  
**From:** John Moreno, City Manager  
**By:** Heidi Luce, City Clerk  
**Date:** August 18, 2020

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**Subject: ORDINANCE NO. 1135**

The City Council, at its regularly scheduled meeting on August 4, 2020, introduced Ordinance No. 1135 with the amendments listed below and placed it on the next agenda for adoption.

**ORDINANCE NO. 1135**

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT ADDING ARTICLE XII TO CHAPTER 29 OF THE PARAMOUNT MUNICIPAL CODE PROHIBITING SPECTATORS AT ILLEGAL MOTOR VEHICLE SPEED CONTESTS AND EXHIBITIONS OF SPEED”

**AMENDMENTS:**

**Section 29-82(b) - Add to the following language at the end of the sentence:**

*“; however, a court may determine that the offense is an infraction in which the case shall proceed as if the defendant has been arraigned on an infraction complaint.”*

**Section 29-82(c) – Change to:**

*“Local law enforcement shall also have the authority to cite any spectator in violation of this Article with an administrative citation.”*

**Section 29-82(d) – Change distance in both references to within 500 feet:**

“An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within *five hundred (500) feet* of the location of the event, or within *five hundred (500) feet* of the location where preparations are being made for the event.”

Attached is the amended ordinance as well as the agenda report from the August 4, 2020 meeting.

**RECOMMENDED ACTION**

It is recommended that the City Council read by title only, waive further reading, and adopt Ordinance No. 1135.

CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**ORDINANCE NO. 1135**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
PARAMOUNT ADDING ARTICLE XII TO CHAPTER 29 OF THE  
PARAMOUNT MUNICIPAL CODE PROHIBITING SPECTATORS AT  
ILLEGAL MOTOR VEHICLE SPEED CONTESTS AND EXHIBITIONS OF  
SPEED

WHEREAS, the City Council of the City of Paramount finds and declares that pursuant to California Vehicle Code section 23109, motor vehicle speed contests and exhibitions of speed conducted on public streets and highways are illegal. Streets, highways and street intersections within the City of Paramount have been the site of continuing and escalating illegal street racing and exhibitions of speed over the past several years. Street racers accelerate to extremely high speeds without regard to oncoming traffic, pedestrians, or vehicles parked and moving nearby; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed attract hundreds of juveniles and adults from all areas of southern California on a regular basis to participate or to be a spectator at these events; and

WHEREAS, that the mere presence of spectators at illegal motor vehicle speed contests and exhibitions of speed serves to fuel the occurrence of illegal vehicle speed contests and exhibitions of speed and, thereby, creates an environment for these illegal activities as well as other illegal activities that place the safety and welfare of the public at risk; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed create a dangerous environment, with traffic congestion and risk of serious injury or death for pedestrians, spectators and vehicular traffic on local streets and highways in the City; and

WHEREAS, that by discouraging spectators at illegal motor vehicle speed contests and exhibitions of speed, the act of organizing and participating in these illegal activities will be discouraged; and



WHEREAS, the City Council of the City of Paramount finds it is necessary and appropriate to take steps to protect public health and safety of pedestrians and motorists in, about, or upon public streets and highways so as to minimize any dangerous conditions caused by illegal motor vehicle speed contests and exhibitions of speed.

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

**SECTION 1.** Article XII of Chapter 29 of the Paramount Municipal Code is hereby added as follows:

Article XII. Prohibition of Spectators at Illegal Motor Vehicle Speed Contests and Exhibitions of Speed.

Sec.29-80. Findings and Purpose.

- (a) The streets within the City have been the site of continuing and escalating illegal street races over the past several years despite asserted efforts of local law enforcement agencies to prevent and otherwise abate this illegal activity through the enforcement of existing traffic laws. Illegal motor vehicle speed contests and exhibitions of speed are fueled by the presence of spectators and create an environment in which these, as well as other, illegal activities can flourish. Therefore, the intent and purpose of this Article is to discourage the presence of spectators at illegal vehicle speed contests and exhibitions of speed in the City. The Article targets a very clear, limited population and gives proper notice to citizens as to what activities are lawful and what activities are unlawful. In discouraging spectators, the act of organizing and participating in illegal street races will be discouraged.
- (b) This Article is not intended to preempt state law governing the regulation of speed contests or exhibitions of speed but rather compliment such laws by prohibiting spectators at illegal motor vehicle speed contests and exhibitions of speed events.

Sec. 29-81. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) "City" means the City of Paramount.
- (b) "Illegal motor vehicle speed contest(s) or illegal exhibition of speed(s)" means any speed contest or exhibition of speed referred to in Vehicle Code Sections 23109(a) and 21309(c).

- (c) "Motor vehicle" means a vehicle as defined in Vehicle Code Section 670.
- (d) "Preparations" means those preparations for the illegal motor vehicle speed contest or exhibition of speed, including, but not limited to, situations in which:
  - (1) A group of vehicles or individuals has arrived at a location for the purpose of participating in or being spectators at the event;
  - (2) A group of individuals has lined one or both sides of a public street or highway for the purpose of participating in or being a spectator at the events;
  - (3) A group of individuals has gathered on private property open to the general public without the consent of the owner, operator, or agent thereof for the purpose of participating in or being a spectator at the event;
  - (4) One or more individuals has impeded the free public use of a public street or highway by actions, words, or physical barriers for the purpose of conducting the event;
  - (5) Two (2) or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed;
  - (6) One (1) or more drivers is revving his/her engine or spinning his/her tires in preparation for the event; or
  - (7) An individual is stationed at or near one (1) or more motor vehicles serving as a race starter.
- (e) "Spectator" means any individual who is present at an illegal motor vehicle speed contest or exhibition of speed, or at a location where preparations are being made for such activities, for the purpose of viewing, observing, watching, or witnessing the event as it progresses. The term "spectator" includes any individual at the location of the event without regard to whether the individual arrived at the event by driving a vehicle, riding as a passenger in a vehicle, walking, or arriving by some other means.

Sec. 29-82. Violation; spectator at illegal motor speed contests or exhibitions of speed.

- (a) Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor.

- (b) Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, *where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed* is guilty of a misdemeanor; however, a court may determine that the offense is an infraction in which the case shall proceed as if the defendant has been arraigned on an infraction complaint.
- (c) Local law enforcement shall also have the authority to cite any spectator in violation of this Article with an administrative citation.
- (d) An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within five hundred (500) feet of the location of the event, or within five hundred (500) feet of the location where preparations are being made for the event.
- (e) **Exemption.** Nothing in this Section prohibits law enforcement officers or their agents from being spectators at illegal motor vehicle speed contests or exhibitions of speed in the course of their official duties.

Sec. 29-83. Relevant circumstances to prove a violation.

- (a) Notwithstanding any other provision of law, to prove a violation of Section 29-82, admissible evidence may include, but is not limited to, any of the following:
  - (1) The time of day;
  - (2) The nature and description of the scene;
  - (3) The number of people at the scene;
  - (4) The location of the individual charged in relation to any individual or group present at the scene;
  - (5) The number and description of motor vehicles at the scene;
  - (6) That the individual charged drove or was transported to the scene;
  - (7) That the individual charged has previously participated in an illegal motor vehicle speed contest or exhibition of speed;
  - (8) That the individual charged has previously aided and abetted an illegal motor vehicle speed contest or exhibition of speed;
  - (9) That the individual charged has previously attended an illegal motor vehicle speed contest or exhibition of speed; or

- (10) That the individual charged previously was present at a location where preparations were being made for an illegal speed contest or exhibition of speed or where an exhibition of speed or illegal vehicle speed contest was in progress.
- (b) For purposes subsection A, above, "Scene" refers to the location of the Street Race or Exhibition of Speed or the location of the Preparations for the Street Race or Exhibition of Speed.

Sec. 29-84. Admissibility of prior acts.

The list of circumstances set forth in Section 29-83 is not exclusive. Evidence of prior acts may be admissible to show the propensity of the defendant to be present at or attend an illegal motor vehicle speed contest or exhibition of speed, if the prior act or acts occurred within three (3) years of the presently charged offense. These prior acts may always be admissible to show knowledge on the part of the defendant that a speed contest or exhibition of speed was taking place at the time of the presently charged offense. Prior acts are not limited to those that occurred within the City of Paramount.

**SECTION 2.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall be adopted thereby. The City Council hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

**SECTION 4. Effective Date.** This Ordinance shall take effect thirty days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published once in the Paramount Journal within 15 days after its adoption together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Paramount this 18<sup>th</sup> day of August 2020.

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Peggy Lemons, Mayor

ATTEST

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Heidi Luce, City Clerk



**To:** Honorable City Council  
**From:** John Cavanaugh, City Attorney  
**By:**  
**Date:** August 4, 2020

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**Subject: ORDINANCE NO. 1135  
PROHIBITING SPECTATORS AT ILLEGAL MOTOR VEHICLE SPEED  
CONTESTS AND EXHIBITIONS OF SPEED**

At the June 16, 2020 City Council meeting, the City Attorney presented to the City Council a number of legal options to address the growing problem of street racing occurring within the City's street intersections.

Streets, highways and street intersections within the City of Paramount have been the site of continuing and escalating illegal street racing and exhibitions of speed over the past several years and are commonly referred to as "street racing/intersection takeovers". Street racers accelerate to extremely high speeds without regard to oncoming traffic, pedestrians, or vehicles parked and moving nearby. The racers move quickly from street to street; intersection to intersection, racing for several heats and then often move onto another street or intersection upon the arrival of a police unit.

These illegal motor vehicle speed contests and exhibitions of speed create an environment where persons engage in automobile performance demonstrations and other activities known as "side show" activity, which is described as dangerous driving behavior for the entertainment of participants and spectators, including, "spinning donuts", where vehicles are spun in circles; "peeling out", and reckless driving when fleeing law enforcement.

These illegal motor vehicle speed contests and exhibitions of speed attract hundreds of juveniles and adults from all areas of southern California on a regular basis to participate or to be a spectator at these events.

The mere presence of spectators at illegal motor vehicle speed contests and exhibitions of speed serves to exacerbate the occurrence of illegal vehicle speed contests and exhibitions of speed and, thereby, creates an environment for these illegal activities as well as other illegal activities that place the safety and welfare of the public, as well as the spectators themselves, at risk.

In our preliminary review of this problem, the City Attorney's office coordinated efforts with the Los Angeles County Sheriff's department and the Deputy District Attorney to implement a strategy that involves several different responses ("Street Racing Task Force")

One of the responses which the Task Force recommended was to implement an aggressive regulatory ordinance which would discourage spectators at these events thus discouraging the street racers from engaging in illegal street racing and exhibitions of speed in the City.

The proposed Ordinance before the City Council is a regulatory ordinance which has as its objective, to discourage the presence of spectators at illegal vehicle speed contests and exhibitions of speed in the City. The proposed Ordinance targets a very clear, limited population and gives proper notice to citizens as to what activities are lawful and what activities are unlawful. In discouraging spectators, the act of organizing and participating in illegal street races will be discouraged.

A summary of the provisions of the proposed Ordinance is as follows:

1. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor.
2. Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, **where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed** is guilty of a misdemeanor.
3. The City Attorney, City Prosecutor, or District Attorney shall have the authority to prosecute any violation of the Ordinance as an **infraction** in the interests of justice. Additionally, the court may determine that the offense is an infraction in which the case shall proceed as if the defendant has been arraigned on an infraction complaint.
4. An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within two hundred (200) feet of the location of the event, or within two hundred (200) feet of the location where preparations are being made for the event.

The proposed Ordinance exempts law enforcement officers or their agents from being spectators at illegal motor vehicle speed contests or exhibitions of speed in the course of their official duties.

Finally, the proposed Ordinance contains provisions which give law enforcement latitude in determining relevant circumstances to prove a violation, including (1) the time of day, (2) the number and description of motor vehicles at the scene, and (3) the location of the individual charged in relation to any individual or group at the scene.

**RECOMMENDED ACTION**

It is recommended that the City Council read by title only, waive further reading, introduce Ordinance No. 1135, and place it on the next regular agenda for adoption.

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CITY OF PARAMOUNT  
LOS ANGELES COUNTY, CALIFORNIA

**ORDINANCE NO. 1135**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
PARAMOUNT ADDING ARTICLE XII TO CHAPTER 29 OF THE  
PARAMOUNT MUNICIPAL CODE PROHIBITING SPECTATORS AT  
ILLEGAL MOTOR VEHICLE SPEED CONTESTS AND EXHIBITIONS OF  
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WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed attract hundreds of juveniles and adults from all areas of southern California on a regular basis to participate or to be a spectator at these events; and

WHEREAS, that the mere presence of spectators at illegal motor vehicle speed contests and exhibitions of speed serves to fuel the occurrence of illegal vehicle speed contests and exhibitions of speed and, thereby, creates an environment for these illegal activities as well as other illegal activities that place the safety and welfare of the public at risk; and

WHEREAS, these illegal motor vehicle speed contests and exhibitions of speed create a dangerous environment, with traffic congestion and risk of serious injury or death for pedestrians, spectators and vehicular traffic on local streets and highways in the City; and

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Article XII. Prohibition of Spectators at Illegal Motor Vehicle Speed Contests and Exhibitions of Speed.

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- (a) The streets within the City have been the site of continuing and escalating illegal street races over the past several years despite asserted efforts of local law enforcement agencies to prevent and otherwise abate this illegal activity through the enforcement of existing traffic laws. Illegal motor vehicle speed contests and exhibitions of speed are fueled by the presence of spectators and create an environment in which these, as well as other, illegal activities can flourish. Therefore, the intent and purpose of this Article is to discourage the presence of spectators at illegal vehicle speed contests and exhibitions of speed in the City. The Article targets a very clear, limited population and gives proper notice to citizens as to what activities are lawful and what activities are unlawful. In discouraging spectators, the act of organizing and participating in illegal street races will be discouraged.
- (b) This Article is not intended to preempt state law governing the regulation of speed contests or exhibitions of speed but rather compliment such laws by prohibiting spectators at illegal motor vehicle speed contests and exhibitions of speed events.

Sec. 29-81. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) "City" means the City of Paramount.
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- (c) "Motor vehicle" means a vehicle as defined in Vehicle Code Section 670.
- (d) "Preparations" means those preparations for the illegal motor vehicle speed contest or exhibition of speed, including, but not limited to, situations in which:
  - (1) A group of vehicles or individuals has arrived at a location for the purpose of participating in or being spectators at the event;
  - (2) A group of individuals has lined one or both sides of a public street or highway for the purpose of participating in or being a spectator at the events;
  - (3) A group of individuals has gathered on private property open to the general public without the consent of the owner, operator, or agent thereof for the purpose of participating in or being a spectator at the event;
  - (4) One or more individuals has impeded the free public use of a public street or highway by actions, words, or physical barriers for the purpose of conducting the event;
  - (5) Two (2) or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed;
  - (6) One (1) or more drivers is revving his/her engine or spinning his/her tires in preparation for the event; or
  - (7) An individual is stationed at or near one (1) or more motor vehicles serving as a race starter.
- (e) "Spectator" means any individual who is present at an illegal motor vehicle speed contest or exhibition of speed, or at a location where preparations are being made for such activities, for the purpose of viewing, observing, watching, or witnessing the event as it progresses. The term "spectator" includes any individual at the location of the event without regard to whether the individual arrived at the event by driving a vehicle, riding as a passenger in a vehicle, walking, or arriving by some other means.

Sec. 29-82. Violation; spectator at illegal motor speed contests or exhibitions of speed.

- (a) Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, at an illegal motor vehicle speed contest or exhibition of speed is guilty of a misdemeanor.

- (b) Any individual who is knowingly present as a spectator, either on a public street or highway, or on private property open to the general public without the consent of the owner, operator, or agent thereof, *where preparations are being made for an illegal motor vehicle speed contest or exhibition of speed* is guilty of a misdemeanor.
- (c) The City Attorney, City Prosecutor, or District Attorney shall have the authority to prosecute any violation of this Section as an infraction in the interests of justice. Additionally, the court may determine that the offense is an infraction in which the case shall proceed as if the defendant has been arraigned on an infraction complaint.
- (d) An individual is present at the illegal motor vehicle speed contest or exhibition of speed if that individual is within two hundred (200) feet of the location of the event, or within two hundred (200) feet of the location where preparations are being made for the event.
- (e) **Exemption.** Nothing in this Section prohibits law enforcement officers or their agents from being spectators at illegal motor vehicle speed contests or exhibitions of speed in the course of their official duties.

Sec. 29-83. Relevant circumstances to prove a violation.

- (a) Notwithstanding any other provision of law, to prove a violation of Section 29-82, admissible evidence may include, but is not limited to, any of the following:
  - (1) The time of day;
  - (2) The nature and description of the scene;
  - (3) The number of people at the scene;
  - (4) The location of the individual charged in relation to any individual or group present at the scene;
  - (5) The number and description of motor vehicles at the scene;
  - (6) That the individual charged drove or was transported to the scene;
  - (7) That the individual charged has previously participated in an illegal motor vehicle speed contest or exhibition of speed;
  - (8) That the individual charged has previously aided and abetted an illegal motor vehicle speed contest or exhibition of speed;
  - (9) That the individual charged has previously attended an illegal motor vehicle speed contest or exhibition of speed; or

- (10) That the individual charged previously was present at a location where preparations were being made for an illegal speed contest or exhibition of speed or where an exhibition of speed or illegal vehicle speed contest was in progress.
- (b) For purposes subsection A, above, "Scene" refers to the location of the Street Race or Exhibition of Speed or the location of the Preparations for the Street Race or Exhibition of Speed.

Sec. 29-84. Admissibility of prior acts.

The list of circumstances set forth in Section 29-83 is not exclusive. Evidence of prior acts may be admissible to show the propensity of the defendant to be present at or attend an illegal motor vehicle speed contest or exhibition of speed, if the prior act or acts occurred within three (3) years of the presently charged offense. These prior acts may always be admissible to show knowledge on the part of the defendant that a speed contest or exhibition of speed was taking place at the time of the presently charged offense. Prior acts are not limited to those that occurred within the City of Paramount.

**SECTION 2.** The City Council finds the approval of this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Alternatively, the City Council finds the approval of this ordinance is not a project under CEQA Regulation Section 15061(b)(3) because it has no potential for causing a significant effect on the environment.

**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase in this ordinance or the application thereof to any person or circumstance is for any reason held invalid, the validity of the remainder of the ordinance or the application of such provision to other persons or circumstances shall be adopted thereby. The City Council hereby declares it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

**SECTION 4. Effective Date.** This Ordinance shall take effect thirty days after its adoption, shall be certified as to its adoption by the City Clerk, and shall be published once in the Paramount Journal within 15 days after its adoption together with the names and members of the City Council voting for and against the Ordinance.

PASSED, APPROVED AND ADOPTED by the City Council of the City of  
Paramount this 1<sup>st</sup> day of September 2020.

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Peggy Lemons, Mayor

ATTEST

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Heidi Luce, City Clerk

AUGUST 18, 2020

ORAL REPORT

METRO UPDATE REGARDING WEST SANTA ANA BRANCH LIGHT  
RAIL PROJECT



**To:** Honorable City Council  
**From:** John Moreno, City Manager  
**By:** Adriana Figueroa, Public Works Director  
**Date:** August 18, 2020

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**Subject: METRO UPDATE REGARDING WEST SANTA ANA BRANCH LIGHT RAIL PROJECT**

Metro will provide an oral report on the status of the West Santa Ana Branch (WSAB) light rail project, which will connect southeast Los Angeles County to downtown Los Angeles through a 19-mile light rail corridor with a proposed transit station in the City of Paramount.



AUGUST 18, 2020

ALLOCATION OF CAPITAL IMPROVEMENT PROGRAM RESERVE FUNDS  
FOR CONSTRUCTION OF A CONCRETE PAD AND APPROVAL OF THE  
AGREEMENT FOR ACCEPTANCE OF GRANT FUNDS FROM THE U.S.  
SOCCER FOUNDATION FOR THE DEVELOPMENT OF A MINI-PITCH  
SOCCER COURT AT DILLS PARK

MOTION IN ORDER:

- A. APPROVE THE ALLOCATION OF CAPITAL IMPROVEMENT PROGRAM  
RESERVE FUNDS IN THE AMOUNT OF \$149,240 FOR  
CONSTRUCTION OF A CONCRETE PAD FOR THE DEVELOPMENT  
OF A MINI-PITCH SOCCER COURT AT DILLS PARK.

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

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MOTION IN ORDER:

- B. APPROVE THE AGREEMENT FOR ACCEPTANCE OF GRANT FUNDS FROM THE U.S. SOCCER FOUNDATION FOR THE DEVELOPMENT OF A MINI-PITCH SOCCER COURT AT DILLS PARK

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[ ] APPROVED	ABSENT: _____
[ ] DENIED	ABSTAIN: _____



**To:** Honorable City Council  
**From:** John Moreno, City Manager  
**By:** David Johnson, Community Services & Recreation Director  
**Date:** August 18, 2020

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**Subject: ALLOCATION OF CAPITAL IMPROVEMENT PROGRAM RESERVE FUNDS FOR CONSTRUCTION OF A CONCRETE PAD AND APPROVAL OF THE AGREEMENT FOR ACCEPTANCE OF GRANT FUNDS FROM THE U.S. SOCCER FOUNDATION FOR THE DEVELOPMENT OF A MINI-PITCH SOCCER COURT AT DILLS PARK**

## **BACKGROUND**

The Community Services & Recreation Department was approached by the U.S. Soccer Foundation regarding a grant opportunity to construct a mini-pitch soccer court on either an existing hardscape location (e.g., a parking lot or basketball court) or a new space that would require the City construct a concrete pad. The grant funds are available from the Target Corporation via the U.S. Soccer Foundation. Since parking space at City parks is at a premium and we did not want to reduce the number of existing basketball courts in the City, we instead pursued the grant with the option that the City would construct the concrete pad. The grant would provide the court painting and striping, fencing, soccer goals, and lighting for the mini-pitch soccer court. The value of this work is approximately \$60,000.

## **LOCATION**

The north field at Dills Park is the area of the park that lies between San Carlos St. and the Rio Puente Mobile Home Park. This grass field area is adjacent to the fitness pad and exercise stations at the north loop of the Don Knabe Nature Trail at Dills Park. This location is frequently used by soccer players and the maintenance of the grass field has always been difficult. This location was chosen because this north field is large enough to accommodate a mini-pitch soccer court, still retain a large grass area and is not subject to use restrictions from previous grants (e.g., the south field at Dills Park is restricted to non-active uses per the State Resource Agency grant used to develop it). The desire is to see much of the soccer play move onto the mini-pitch soccer court and provide some relief to the grass area of the field (see attachment for court concept, location, and positioning of the proposed mini-pitch soccer court).

### **CONCRETE PAD CONSTRUCTION**

The concrete pad necessary to support the placement of a mini-pitch soccer court consists of a 60 ft. x 112 ft. poured concrete pad. There is also the option to add a 12 ft. walkway around the soccer court to allow persons to watch the games and be on a stable clean surface. The cost to the City to pour the concrete pad is estimated at \$94,440 and the optional walkway is estimated at \$28,800. Our contracted engineering firm, Willdan & Associates, would provide the construction drawings, project management, and inspection at a cost of \$26,000. Thus, the total City cost to pour the concrete pad without the optional walkway would be \$120,440 and with the optional walkway the total City cost would be \$149,240. The total cost of the project including the U.S. Soccer Foundation grant would be \$180,440 without the optional walkway and \$209,240 with the optional walkway. The final product would provide a new dedicated soccer facility in the City located at Dills Park in the Sans neighborhood of Paramount.

### **NOTICE TO RESIDENTS**

The north field area of Dills Park is currently an actively used space for pick-up soccer games and practice by a variety of park users that create a lot of turf retention and maintenance issues. The park, as originally designed, is primarily intended to be a neighborhood park that provides park amenities in walking distance of the Sans neighborhood. Parking issues along San Juan St. and San Carlos St. have been on-going problems for residents that require an on-going effort by our Public Safety team to monitor and cite as necessary. A notice was sent to 134 homes surrounding this proposed project area. In response to the notice (attached) we received 6 email or phone-in comments. Of those 6 comments, 4 were in favor of the project, 1 was opposed, and 1 did not identify a position. Additionally, from those comments, 3 indicated a concern regarding parking issues, and 2 were concerned about loitering and litter issues. A separate notice was sent out to these same residents informing them that the City Council will be discussing this item at the City Council meeting tonight.

### **AGREEMENT WITH U.S. SOCCER FOUNDATION**

Pending approval by the City Attorney, the agreement with the U.S. Soccer Foundation provides \$60,000 in improvements to the concrete pad to include an acrylic mini-pitch surface with goals, fencing, and court lighting. As part of the agreement with the U.S. Soccer Foundation to provide the \$60,000 grant, the City of Paramount has a non-obligatory opportunity to partner with the U.S. Soccer Foundation to offer their *Soccer for Success* after-school program. This free program is designed to help kids establish healthy eating habits and develop critical life skills through trained coach-mentors and community engagement. Each participant receives 75-90 minutes of play per day, 3 days per week for 20 weeks during the school year. The coordination of the program can operate either through a mutually agreed upon organization or the City can operate it directly. Participation in this program, however, is not required to receive the \$60,000 grant. Additionally, for the first 5 years, the U.S. Soccer Foundation can reserve the court for 1 day per year for a special event which could be a media event, training or

clinic, or tournament. If such an event were to occur, the City would coordinate with U.S. Soccer to provide parking at an off-site location and transit access to the site to avoid any parking issues in the neighborhood.

The agreement also allows the Target Corporation and U.S. Soccer Foundation to have their logos placed on the court alongside the City logo.

### **FUNDING**

We are recommending that the City Council approve funding for the concrete pad, including the 12 ft. walkway around the mini-pitch court, in the amount of \$149,240 from the Capital Improvement Program (CIP) Reserve Fund. This fund was established from surplus General Funds accumulated over multiple years with the purpose of providing unrestricted funds for the development of a variety of capital improvement projects that improve the infrastructure and amenities throughout the City. The estimated fund balance at end of Fiscal Year 2021 for this fund is \$875,737. With the addition of this mini-pitch project as a mid-year budget adjustment, the revised estimated fund balance at the end of Fiscal Year 2021 for the CIP Reserve Fund would be \$726,497.

### **RECOMMENDED ACTION**

It is recommended that the City Council:

- A. Approve the allocation of Capital Improvement Program Reserve Funds in the amount of \$149,240 for construction of a concrete pad for the development of a mini-pitch soccer court at Dills Park;
- B. Approve the agreement for acceptance of grant funds from the U.S. Soccer Foundation for the development of a mini-pitch soccer court at Dills Park

**MINI PITCH PROGRAM**  
**GRANT AGREEMENT – FISCAL YEAR 2021**

Pursuant to this Mini Pitch Program Grant Agreement (“Agreement”), dated as of the **15th of July 2020** (“Effective Date”), the United States Soccer Federation Foundation, Inc. (“Foundation”) agrees to award the Grant (“Grant”) to the **City of Paramount, (“Grantee”)** **FY21-727**, and Grantee accepts such Grant, in accordance with the terms and conditions set forth herein.

1. **Foundation:** **U.S. Soccer Foundation**  
Attn: Grants Department  
1140 Connecticut Ave. NW, Suite 1200  
Washington, DC 20036  
  
**Grantee:** **City of Paramount**  
Attn: David Johnson, Community Services and  
Recreation Director  
16400 Colorado Avenue  
Paramount, CA 90723
2. **Grant:** This Grant, awarded in the form of an acrylic mini pitch surface with goal and lighting installation (“Mini Pitch”), supplied by Zaino Tennis Courts Inc. and Musco Sports Lighting (together “Vendors”), which shall be valued by Foundation, in its sole and absolute discretion, in an amount up to **\$60,000**.
3. **Acrylic Mini Pitch:** Consistent with Foundation’s interests in promoting youth soccer, particularly within vulnerable communities, this Grant will provide the Mini Pitch at the **Dills Park** (the “Grant Project”).
4. **Execution of the Grant Agreement:** Grantee must return an executed copy of this Agreement to the Foundation by the 17<sup>th</sup> of August 2020.
5. **Grantee Covenants:** In order to induce Foundation to enter into this Agreement, and to award the aforementioned Grant, Grantee covenants as follows:
  - (a) The Foundation’s afterschool soccer program, *Soccer for Success*, will receive scheduling priority on the Mini Pitch for a minimum of 20 weeks per year, 3 days per week, should Grantee and the Foundation agree upon a suitable program operator. Should Grantee elect to run the *Soccer for Success* program itself, a separate agreement will be initiated to enumerate Foundation support and Grantee obligations for program operation.
  - (b) Foundation will be granted usage of the Mini Pitch for one (1) day per year over the first five (5) years following its completion, including, without limitation, for Special Events (as defined below) that are organized by Foundation. Foundation will make best efforts to schedule such usage for dates and times mutually agreed upon with the Grantee, and Grantee will not unreasonably withhold play space time for such usage. For purposes of this Agreement, “Special Events” shall be

defined as tournaments, clinics, events, training sessions, media functions and any other similar event the Foundation so determines.

- (c) Upon completion, the Mini Pitch will be maintained in accordance with Vendors' recommendations for user safety. Grantee acknowledges and agrees that it will be responsible for the maintenance and safety of the Mini Pitch following its completion.
- (d) Grantee presently owns, or is currently tenant to an appropriate long-term lease of, the property on which the Mini Pitch will be built. An appropriate long-term lease shall mean a lease of at least ten (10) years in length following the Effective Date.
- (e) Prior to commencing installation of the Mini Pitch, Grantee will obtain, or shall assist (where necessary) in obtaining, all permits, authorizations and consents from third parties, including governmental entities, necessary for the installation of the Mini Pitch.

6. **Facts and Representations True and Correct:** Grantee hereby affirms the representations made in its conversations and communications with Foundation are true and correct and that Foundation may rely upon the truth and correctness of the representations made in all conversations and communications regarding this Grant Project, without further independent investigation. Grantee further affirms that it has not omitted any material facts, the knowledge of which would adversely impact the awarding of the Grant to Grantee. Grantee avows that no adverse events have occurred since the latest communication which have materially and adversely altered the truth or reliability of the Grant Project, including the tax status of Grantee and the Grantee's ability to allow successful completion of the Grant Project. Grantee agrees to immediately inform the Foundation within five (5) business days of any material change, in Grantee or the Grant Project, which might affect any terms of this Agreement.

7. **Grantee Books and Records:** Grantee agrees to maintain sufficient operating and financial books, records and related documentation regarding the activities of Grantee and other evidence sufficient for Foundation to satisfy its fiduciary, public and governmental responsibilities and duties. Foundation shall have reasonable access to the books and records of Grantee for inspection purposes and shall be entitled to copies, as they relate to the Grant Project.

8. **Grantee Reports:**

- (a) **Impact Reports:** Following completion of the Mini Pitch, Grantee shall complete to Foundation a report, provided by the Foundation, describing the impact of the Mini Pitch. Such report shall be submitted to Foundation annually, for five (5) years after completion of the Mini Pitch and shall include photographs of the Mini Pitch in use by youth soccer players and provide information on play space usage rates, stories of impact on the community, and any other information reasonably requested by Foundation.

- (b) **Site Visits:** Grantee will use its best efforts to accommodate any representative of Foundation who requests to conduct a site visit, at the sole cost of Foundation, for the purposes of collecting information about the Grant's impact.
- (c) **Photographs/Videos/Stories/Testimonials:** In addition to submitting digital photographs, videos, stories and testimonials relating to the Grant Project in the aforementioned Impact Reports, the Grantee shall submit the same to the Foundation upon request by the Foundation, including before and after photographs, both in daytime and at night, of the Mini Pitch site area.

**9. Publicity Material and Recognition:**

- (a) Grantee, upon written approval by the Foundation, shall recognize the Foundation and acknowledge the Grant in Grantee's written materials, news releases, website and related marketing or publicity.
- (b) The Foundation shall have the right to publicize, show photographs of, and use the name of the Mini Pitch and otherwise promote its contributions in any and all media, including the Internet. Grantee authorizes the Foundation to utilize those logo or logos, owned or controlled by Grantee and associated with the Grant Project, for related marketing and/or publicity.
- (c) Grantee agrees to fully assist and cooperate in a mutually acceptable dedication event, should the Foundation request such, which may include appearances by athletes affiliated with the Foundation.

**10. Awareness Opportunities:** Grantee grants to Foundation the right to permanently place Foundation's trademark, trade name or any design/logo owned or controlled by Foundation (each, a "Mark" and together, the "Marks"), and/or that of its funding partners, on the surface of the Mini Pitch. Unless Foundation chooses to forego the right, standard Marks will be included during installation of the Mini Pitch, per the rendering found in Attachment A. Foundation may change its Marks at any time in its sole discretion and at its sole cost. Each Mark will remain on the surface of the Mini Pitch for as long as the Mini Pitch is operational, unless removed by Foundation or unless Foundation otherwise gives its written consent to the removal of such Mark.

Additionally, Grantee will allow Foundation to install signs/banners on the premises on which the Mini Pitch is built, per the rendering found in Attachment A, in order to promote and recognize the Foundation and other funders for their contribution to the Mini Pitch.

**11. Grant Not Assignable:** Grant is intended solely for the benefit of Grantee. No benefit of the Grant may be delegated, assigned or otherwise transferred without the advance, written consent of Foundation, which consent shall be in the sole and absolute discretion of Foundation.



12. **Proper Authority:** Each of the parties and its officers represent and warrant that they are authorized to enter into this Agreement and execute the same without further authority.
13. **Absence of Warranties:** FOUNDATION MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, AS TO ANY MATTER INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY OR OTHERWISE RELATING TO THE MINI PITCH OR ANY COMPONENT PART THEREOF, OR ANY OTHER ENTITIES AND THEIR ASSOCIATED SERVICES. IN NO EVENT WILL FOUNDATION BE LIABLE FOR ANY DAMAGES OF ANY KIND INCLUDING, BUT NOT LIMITED TO, PERSONAL INJURY, LOST PROFITS, OR OTHER CONSEQUENTIAL, EXEMPLARY, INCIDENTAL OR PUNITIVE DAMAGES ARISING OUT OF THIS AGREEMENT OR PERFORMANCE OF THE OBLIGATIONS HEREUNDER.
14. **Assumption of Risk:** Grantee hereby agrees to assume all risks and liabilities associated with the use, operation, maintenance, safety and condition of the Mini Pitch.
15. **Indemnification:** Grantee agrees to indemnify, defend and hold harmless Foundation, its parent, subsidiary and affiliated companies, sponsors, benefactors, donors, officers, directors, employees, accountants, attorneys, agents, successors and assigns (“Foundation Parties”) from and against any and all third party claims, demands, losses, damages, liabilities, costs and expenses (including reasonable legal/attorneys’ fees and expenses arising out of or related to any legal proceeding and any legal appeal) (“Claim” or “Claims”) related to the Grant, the Mini Pitch or this Agreement and liabilities of any kind or nature whatsoever, whether in contract, tort, or otherwise, resulting from any claim (including, without limitation, personal injury, death, or property damage) actually or allegedly arising out of or in connection with the maintenance, location, or condition of the Mini Pitch, or any person’s use of the Mini Pitch, whether authorized or unauthorized, proper or improper. Grantee’s indemnification obligation hereunder shall survive the expiration or earlier termination of this Agreement. Without limiting this obligation, Grantee will maintain the insurance described in Section 18 of this Agreement.

Grantee represents to Foundation that the Mini Pitch does not violate any applicable law, regulation, ordinance, lease, or otherwise violate the rights of any person or entity.

16. **Insurance Requirements:**
- (a) **Insurance Requirements of the Mini Pitch.** At all times while the Mini Pitch is in place, Grantee shall provide and maintain, at its expense, the following insurance, or appropriate self-insurance, which shall protect Grantee and the Foundation on a primary basis from any and all Claims arising out of or in connection with the Grant Project and the Mini Pitch pursuant to this Agreement:

- (i) Commercial General Liability insurance with limits not less than \$1,000,000 each occurrence and \$2,000,000 in the aggregate. Such insurance shall include coverage for contractual liability, premises liability, products-completed operations, personal and advertising injury, property damage and bodily injury liability (including death). Said policy shall be endorsed to name the Foundation and Foundation Parties as Additional Insured.
- (ii) Automobile Liability insurance covering liability arising out of the Grantee's use, operation and/or maintenance of any auto (including trucks and other construction vehicles), with limits not less than \$1,000,000 each accident combined single limit for bodily injury and property damage.
- (iii) Workers' Compensation insurance covering employees of Grantee involved with the use and maintenance of the Mini Pitch, with limits as required by statutory law, including Employer's Liability coverage with limits not less than \$1,000,000 each accident, \$1,000,000 disease-each employee and \$1,000,000 disease-policy limit.
- (iv) Umbrella and/or Excess Liability insurance with limits not less than \$2,000,000 each occurrence shall apply in excess of the Commercial General Liability, Automobile Liability and Employer's Liability policy limits.
- (v) Participant Accident insurance covering all Participants and other individuals using the Mini Pitch with limits not less than \$5,000 per participant for Accident Medical coverage and \$1,000 per participant for AD&D coverage.

All such insurance required above shall be (1) considered primary with respect to Claims arising out of the use and maintenance of the Mini Pitch; and (2) shall be written by insurance companies that are satisfactory to Foundation and that are licensed to do business in the state in which the Mini Pitch is located. Grantee shall not allow any of the required policies to be materially changed, reduced or cancelled unless Grantee provides thirty (30) days prior written notice thereof to Foundation.

Upon execution of this Agreement, Grantee shall provide Foundation with a certificate of insurance confirming that the appropriate insurance is in place and that the policies have been properly endorsed to meet the insurance requirements as set forth above.

- 17. **Participant Waiver and Release Forms:** To the extent that Grantee requires Participants in its programs or others who use the Mini Pitch to sign waiver and release forms, Grantee shall include the Foundation and the Foundation Parties as released parties in the form.
- 18. **Use of Mark:** Notwithstanding anything in this Agreement to the contrary, in the event Grantee desires to use a Mark owned or controlled by Foundation in a manner consistent with this Agreement, Grantee shall first submit a sample of the concept of the

proposed use to Foundation for prior written approval, which approval may be withheld in the sole discretion of Foundation. Any such use by Grantee shall create no rights for Grantee in or to the Mark. Each Mark shall remain at all times the sole and exclusive intellectual property of Foundation, and Foundation shall have the right, from time to time, to request samples of use from which it may determine compliance with these terms and conditions. Notwithstanding any provision of this Agreement to the contrary, Foundation reserves, in its sole and absolute discretion, the right to prohibit use of its Marks.

19. **Applicable Law; Jurisdiction:** This Agreement shall be governed by and construed in accordance with the laws of the District of Columbia, without regard to principles of conflict of laws. Each party agrees that any action or proceeding with respect to this Agreement may only be brought in a federal or state court situated in the District of Columbia, and by execution and delivery of this Agreement, such party irrevocably consents to jurisdiction and venue in each such court.
20. **Attorneys' Fees:** Grantee agrees to pay all costs and expenses, including reasonable attorneys' fees, incurred by Foundation in connection with any litigation concerning this Agreement should Foundation prevail against Grantee in such litigation, whether commenced by Foundation or Grantee.
21. **Third Party Beneficiaries:** It is expressly agreed and by this statement specifically intended by the parties that nothing within this Agreement shall be construed as indicating any intent by either party to benefit any other entity or person not a party signatory to this Agreement by any provision or to entitle any such third party to any right of action on account hereof.
22. **Notices:** Any notices or communications given under this Agreement must be made in writing (a) if to Foundation, at the address of Foundation as hereinabove set forth or at such other address as Foundation may designate by notice, or (b) if to Grantee, at the address of Grantee as hereinabove set forth or at such other address as Grantee may designate by notice
23. **Entire Agreement; Modifications:** This Agreement contains the entire agreement between Foundation and Grantee and cannot be changed, modified, amended, waived or canceled except by an agreement in writing and executed by each of the parties hereto.
24. **Counterparts and Facsimile Signatures:** This Agreement may be executed in one or more counterparts each of which shall be deemed an original but all of which together shall constitute one and the same instrument. This Agreement may be executed by facsimile signature by any party and such signature will be deemed binding for all purposes hereof without delivery of an original signature being thereafter required.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized signatories as of the date first above written.

**U.S. Soccer Foundation**

**City of Paramount**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Rob Kaler

Name: \_\_\_\_\_

Title: COO & General Counsel

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# Proposed Dills Park Mini-Pitch Soccer Court Concept & Location





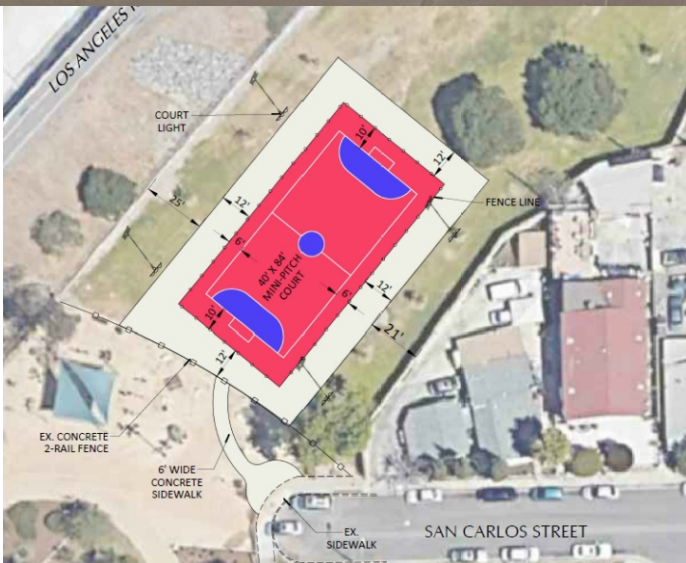
# NOTICE

## Proposed New Dills Park Amenity

- Mini-Pitch Soccer Court (50 ft. x 94 ft.)
- Enclosed court with lighting
- Painted court surface with soccer markings
- Free public use during park hours
- Funded by the City of Paramount, US Soccer Foundation, and Target



Concept Image



**WE WANT TO HEAR FROM YOU!**

Please provide any comments you have regarding this proposed project by August 7 via phone at 220-2121 or email at:

[Recreationonline@paramountcity.com](mailto:Recreationonline@paramountcity.com)



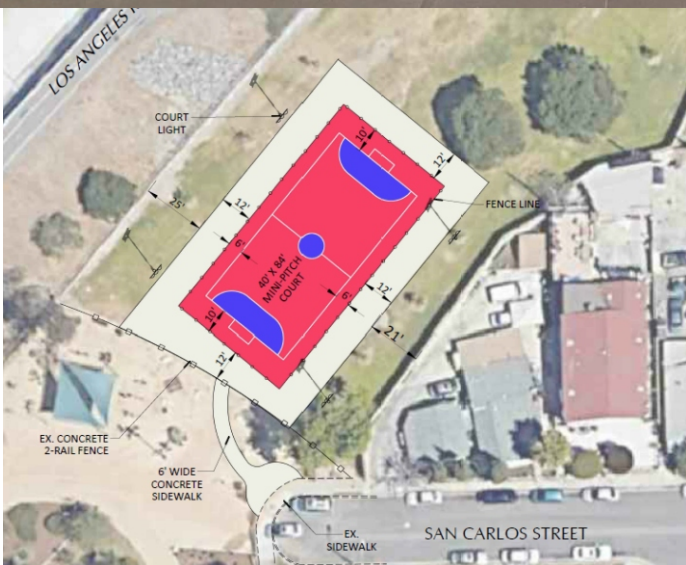
# AVISO

## Propuesta Nueva de Instalacion en Dills Park

- Cancha pequena de futbol (50 ft. x 94 ft.)
- Cancha cerrada con iluminacion
- Superficie de cancha con marcas de futbol
- Uso publico gratuito durante las horas del parque
- Financiado por la ciudad de Paramount, la fundacion de US Soccer, y Target



Imagen de concepto



**Queremos su opinion!**

Porfavor mandenos cualquier comentario que tenga con respeto a este proyecto antes del 7 de Agosto por telefono al (562) 220-2121 o por correo electronico a: [Recreationonline@paramountcity.com](mailto:Recreationonline@paramountcity.com)

AUGUST 18, 2020

ORAL REPORT

2020 FOURTH OF JULY AFTER-ACTION REPORT





**To:** Honorable City Council

**From:** John Moreno, City Manager

**By:** Adriana Lopez, Public Safety Director  
Anthony Martinez, Management Analyst II

**Date:** August 18, 2020

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**Subject: 2020 FOURTH OF JULY AFTER-ACTION REPORT**

Every year the City and the Los Angeles County Sheriff's Department deploy an extensive Fourth of July education and enforcement campaign. The campaign includes public education efforts and enforcement strategies geared toward combating illegal fireworks. From June 12 to July 5, the fireworks suppression units actively patrolled the City to enforce the City's fireworks ordinance. Tonight's presentation will provide a comprehensive analysis of this year's Fourth of July deployment.

\\DCS1\DEPT\MANAGEMENT\WP\COUNCIL REPORTS\2020 FOURTH OF JULY AFTER ACTION REPORT.DOCX

AUGUST 18, 2020

PUBLIC HEARING

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)  
PROGRAM FUNDING FOR FISCAL YEAR 2020

- A. HEAR STAFF REPORT.
- B. OPEN THE PUBLIC HEARING.
- C. HEAR TESTIMONY IN THE FOLLOWING ORDER:
  - (1) THOSE IN FAVOR
  - (2) THOSE OPPOSED
- D. MOTION TO CLOSE THE PUBLIC HEARING.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[ ] APPROVED	ABSENT: _____
[ ] DENIED	ABSTAIN: _____

- E. MOTION IN ORDER:  
AUTHORIZE THE USE OF THE GRANT FUNDS TO PAY FOR THE  
PROGRAMS SPECIFIED IN THIS REPORT.

<u>MOTION:</u>	<u>ROLL CALL VOTE:</u>
MOVED BY: _____	AYES: _____
SECONDED BY: _____	NOES: _____
[ ] APPROVED	ABSENT: _____
[ ] DENIED	ABSTAIN: _____



**To:** Honorable City Council  
**From:** John Moreno, City Manager  
**By:** Adriana Lopez, Public Safety Director  
Anthony Martinez, Management Analyst II  
**Date:** August 18, 2020

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**Subject: PUBLIC HEARING - EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDING FISCAL YEAR 2020**

### **Background**

Since 1997, the City of Paramount has been a grant recipient of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in support of crime-fighting efforts through federal funding. The United States Department of Justice, Bureau of Justice Assistance funds the JAG program to support state, local, and tribal law enforcement efforts to prevent or reduce crime.

### **Discussion**

The Bureau of Justice Assistance recognizes that many state and local agencies face challenging fiscal environments and that a cost-effective way to relieve those challenges is to share resources through cooperation among federal, state, and local law enforcement agencies. For JAG fiscal year 2020, the Bureau of Justice Assistance allocates **\$20,732** to the City of Paramount.

The City seeks to purchase equipment to enhance its law enforcement operations in making Paramount safe. The grant allocation amounts vary among cities each year and are determined based off a crime statistics and population formula. The JAG program does not require a local fund match; however, the JAG program does require the following actions:

1. Develop a grant project
2. Conduct a public hearing to discuss the proposed funds
3. Prepare quarterly financial and progress reports

On August 6, 2020, the Paramount Journal published a public hearing notice at the request of the Public Safety Department in accordance with the JAG program's requirements.

### **Proposal**

The Public Safety Department seeks federal funding from the Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2020 to purchase one License Plate Reader (LPR) XL Premium Speed Trailer.

The LPR speed trailer compares captured license plates to onboard county and state databases of stolen vehicles, stolen plates, warrant vehicles, and vehicles of interest and notifies deputies when a license plate of interest matches against county or state databases. The LPR speed trailer is also equipped with an electronic message board to advise speeding motorists to slow down.

The Paramount Special Assignment Team will deploy the LPR speed trailer to major streets across the City to decrease auto theft, recover vehicles of interest, deter speeding and reckless driving, and increase Automated License Plate Recognition technology for law enforcement operations in Paramount.

### **RECOMMENDED ACTION**

It is recommended that the City Council conduct a public hearing and authorize the use of the grant funds to pay for the equipment specified in this report.

AUGUST 18, 2020

AGREEMENT WITH THE LOS ANGELES COUNTY REGISTRAR-  
RECORDER/COUNTY CLERK FOR PLACEMENT OF A 24-HOUR VOTE-  
BY-MAIL BALLOT DROP BOX AT PARAMOUNT COMMUNITY CENTER

MOTION IN ORDER:

APPROVE THE VOTE CENTER FACILITY DROP BOX USE AGREEMENT  
WITH THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY  
CLERK FOR PLACEMENT OF A 24-HOUR VOTE-BY-MAIL BALLOT  
DROP BOX AT PARAMOUNT COMMUNITY CENTER AND AUTHORIZE  
THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE  
AGREEMENT.

MOTION:

MOVED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

[ ] APPROVED

[ ] DENIED

ROLL CALL VOTE:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_



**To:** Honorable City Council  
**From:** John Moreno, City Manager  
**By:** Heidi Luce, City Clerk  
**Date:** August 18, 2020

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**Subject: AGREEMENT WITH THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR PLACEMENT OF A 24-HOUR VOTE-BY-MAIL BALLOT DROP BOX AT PARAMOUNT COMMUNITY CENTER**

In response to the COVID-19 pandemic, voters will see a slightly different voting process beginning with the November 2020 General Election. The primary objective of the new voting process is to provide voters with a multitude of options to safely cast their ballots including Vote-By-Mail (VBM) and multiple-day, safe, in-person voting options. Additionally, for the first time in California history, all registered voters will be mailed a VBM ballot.

To accommodate this change, the Los Angeles County Registrar Recorder/County Clerk's (RR/CC) office is making more VBM drop boxes available throughout the County to provide voters with additional contact-free options to cast their ballot. The County's VBM Drop-Off Program provides voters with additional options to safely drop off their VBM ballots at familiar and convenient locations in their communities.

As such, the County is expanding the number of 24-Hour VBM Ballot Drop Boxes, which allow voters to drop off their ballots at any time and without having in-person contact. The Paramount Library and Paramount Community Center were identified by the Los Angeles County Registrar Recorder/County Clerk's office as ideal locations to serve as a 24-Hour VBM drop-off locations in our City and the County is requesting the City's approval for the Paramount Community Center location.

Below are a few highlights of the 24-Hour Ballot Drop Box program/agreement, as well as a graphic showing what the standard box looks like:

1. A safe and secure ballot drop box that will be installed in an accessible and convenient external location.
2. Available to voters 24-hours a day during the voting period.
3. Ensures that employees and voters comply with COVID-19 social distancing regulations
4. Does not require City employees physically handle or monitor the ballot drop box.
5. RR/CC will facilitate and coordinate pickup of ballots throughout the voting period.

6. RR/CC is responsible for all costs associated with the installation of the secure ballot drop box.
7. RR/CC is 100% responsible for the monitoring and maintenance of the permanent drop box.
8. RR/CC will remove the box upon termination of the agreement and will return the designated space to the condition it was in at the time of installation.



The Community Services Director, Senior Services Coordinator, Public Works Director and City Clerk conducted a site visit with RR/CC staff on July 30, 2020, and confirmed that the location selected would not present a problem for the City and would also meet ADA requirements if installed. The attached agreement includes a diagram showing the location and placement of the dropbox which is proposed to be located just south of the flagpole in front of the Community Center. Additionally, the City Attorney has reviewed the agreement and approved as to form. If approved, the Agreement will allow the Los Angeles County Registrar-Recorder/County Clerk to place 24-Hour Vote-By-Mail Ballot Drop Box at Paramount Community Center at no cost to the City for a period of five years, extending through the next Presidential Election cycle.

### **RECOMMENDED ACTION**

It is recommended that the City Council approve the Vote Center Facility Drop Box Use Agreement with the Los Angeles County Registrar-Recorder/County Clerk for Placement of a 24-Hour Vote-by-Mail Ballot Drop Box at Paramount Community Center and authorize the City Manager or his designee to execute the agreement.

#### **Attachments:**

1. Vote Center Facility Drop Box Use Agreement
2. VBM Drop Off Program Flyer
3. VBM Drop Off Program FAQ's



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

## ATTACHMENT XVI VOTE CENTER FACILITY DROP BOX USE AGREEMENT (PUBLIC)

Agreement and authorization is granted by City of Paramount ('Host') and the Los Angeles County Registrar-Recorder/County Clerk ('RR/CC') for the use of the designated facility space specified below:

Paramount Park

14400 Paramount Blvd., Paramount, CA 90723

For and in consideration of the following conditions, both parties hereby agree as follows:

**Term:** This Agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ upon the execution hereof by the Parties and shall expire five (5) years thereafter (Initial Term), unless sooner terminated or extended, in whole or in part, as provided in this agreement. Upon expiration of the initial term, and upon mutual agreement executed by the RR/CC and Host, parties may renew this Agreement for an additional\_-year period ("Extended Term").

**Use of the Facility:** Upon receiving notice from RR/CC no later than <sup>45</sup>\_\_\_\_ days prior to an Election or no later than <sup>45</sup>\_\_\_\_ days prior to an odd-year or special, unscheduled election, Host permits access to the agreed upon designated space/drop box location as stated in the 24-Hour Drop Box Plan (Attachment A).

### Facility Requirements:

Host permits access to the agreed upon designated space for the installation of the 24-Hour Drop Box as depicted in the Designated Space Schematic (Attachment B).

Host will ensure access to the designated space and the 24-Hour Drop Box to the public.

Host will permit access to RR/CC staff and vehicles to take all actions necessary to install, uninstall and/or modify drop box, open/close drop box, retrieve ballots, perform maintenance, and comply with applicable laws and regulations governing drop boxes.



In the event there is an issue related to the drop box, host will contact RR/CC at the contacts listed in the 24-Hour Drop Box Plan to report the issue.

RR/CC will be responsible for all costs associated with the purchase and installation of the 24-Hour Drop Box. The 24-Hour Drop Box will be removed following the completion of the initial term of this agreement, at the completion of the extended term, as otherwise provided herein or as mutually agreed upon in writing by the parties. RR/CC will be responsible for all costs associated with the removal of the 24-Hour Drop Box. Upon removal, the RR/CC will return the designated space to the condition it was in at the time of installation, or as close as possible to the condition it was in at the time of installation.

**Parking Requirements:** Host agrees to provide sufficient parking, including accessible spaces, and a waiver of any parking fees for RR/CC staff and voters where possible.

**Public Voting Period:** Host agrees to provide RR/CC staff access to the designated space twenty-four (24) hours a day beginning thirty-one (31) days before an election.

**Promotions and Political Material:** Host agrees to remove any political campaign signage or literature and not engage in audible dissemination of electioneering information within 100 feet of the designated space and not conduct any promotional activity tied to the public voting period without prior authorization from RR/CC.

**Termination of the Agreement:** Except for the occurrence of a natural disaster causing damage or otherwise adversely affecting the designated space/drop off location, or unforeseen building/structural damage to the designated space/drop off location, which shall be solely determined by the RR/CC, Host shall not cancel or change the location and this Agreement shall remain in effect, with all conditions set forth. RR/CC may at any time and without reason, revoke its request to use the designated facility space/drop box location. In the event any provision of this Agreement contradicts County of Los Angeles Board policies or any applicable laws, rules, and regulations, RR/CC may terminate this Agreement, effective immediately upon written notice.

**Amendment of the Agreement:** No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by both parties. This Agreement may be modified or amended only upon the mutual written consent of both the Host and the RR/CC. Any amendment shall become effective upon the mutual written consent of both the Host and the RR/CC.

**Certificate of Self-Insurance:** RR/CC will provide a certificate of self-insurance.

**Indemnity Agreement:** Agency shall indemnify, defend and hold harmless County, its trustees, elected and appointed officers, agents, employees, and volunteers from and against any and all liability, including, but not limited to, claims for injury or damages, demands, actions, fees, loss, costs and expenses (including reasonable attorney and expert witness fees) arising out of or incurred in connection with the performance of this agreement, but only in proportion to and to the extent such liability, loss, demands, actions, fees, costs and expenses are caused by or result from the negligent or intentional acts or omissions of the Agency, its trustees, officers, agents, employees, or volunteers.

County shall indemnify, defend and hold harmless Agency, its trustees, officers, agents, employees, and volunteers from and against any and all liability, including, but not limited to, claims for injury or damages, demands, actions, fees, loss, costs and expenses (including reasonable attorney and expert witness fees) arising out of or incurred in connection with the performance of this agreement, but only in proportion to and to the extent such liability, loss, demands, actions, fees, costs and expenses are caused by or result from the negligent or intentional acts or omissions of the County, its trustees, officers, agents, employees, or volunteers.

**Electronic Signatures:** The Host and RR/CC agree to facsimile and electronic scanned versions of original signatures of authorized signatures of each party have the same force and effect as original signatures such that the parties need not follow up facsimile or electronic transmissions of executed documents with original wet-signature versions.

THE ABOVE SITE INDEMNITY AGREEMENT APPLIES TO ONLY ELECTIONS CONDUCTED BY LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK

**IN WITNESS WHEREOF, and executed as the date first above written above, the Parties to this agreement do hereby agree and consent to all terms and conditions provided herein.**

Los Angeles County  
Registrar-Recorder/County Clerk

Facility Name

\_\_\_\_\_  
Signature & Date

\_\_\_\_\_  
Signature & Date

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Printed Name and Title



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

## 24-HOUR DROP BOX PLAN November 3, 2020 Primary Election

The following constitutes the mutually agreed upon 24-Hour Drop Box Plan for the  
**November 3, 2020 Primary Election** by City of Paramount ('Host') and the  
Los Angeles County Registrar-Recorder/County Clerk ('RR/CC') for the use of the facility space  
specified below:

Paramount Park

14400 Paramount Blvd., Paramount, CA 90723

### Contact List – Host

<b>Primary Contact Name</b>		<b>Phone #</b>	
<b>Email Address</b>		<b>Alternate Phone #</b>	
<b>Secondary Contact Name</b>		<b>Phone #</b>	
<b>Email Address</b>		<b>Alternate Phone #</b>	
<b>After Hours Emergency Contact Name</b>		<b>Phone #</b>	
<b>Email Address</b>		<b>Alternate Phone #</b>	

### Contact List – RR/CC

<b>Primary Contact Name</b>	Adrian Avelar or Laura Herrera	<b>Phone #</b>	562-462-2835
<b>Email Address</b>	VBMDropOff@rrcc.lacounty.gov	<b>Alternate Phone #</b>	562-345-8372
<b>After Hours Emergency Contact Name</b>		<b>Phone #</b>	
<b>Email Address</b>		<b>Alternate Phone #</b>	

### **Access Schedule**

Host has agreed to grant access to the public and RR/CC to the designated space and drop box for the following dates:

Start Date	End Date
October 5, 2020	November 3, 2020

During the above period, the public and RR/CC shall have access to the designated space twenty-fours (24) a day for the entirety of the voting period.

### **Designated Space, Parking, and Public Access**

RR/CC agrees to make best efforts to limit signage and vehicle traffic to the mutually agreed upon areas depicted in Attachment 'B'.

### **Additional Access Considerations**

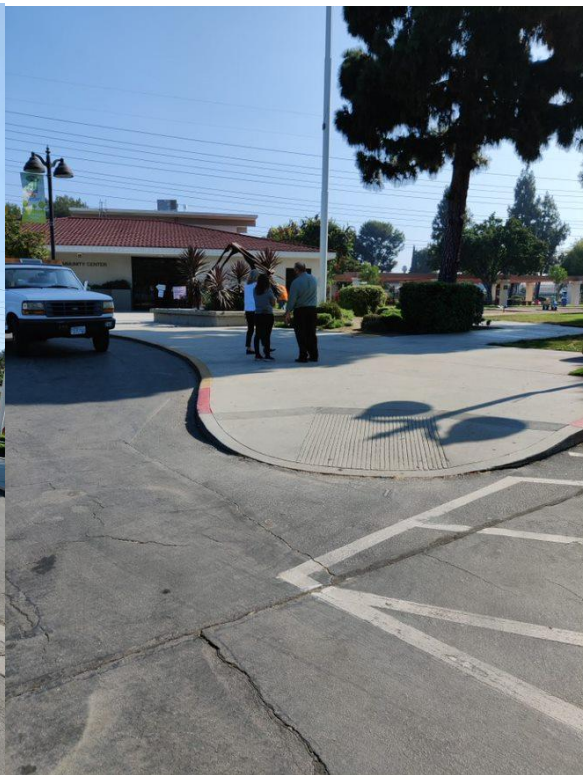
Please specify any additional considerations necessary in providing RR/CC access to the designated space (Alarm Codes, Gate keys, Access Badges, Parking Passes, etc.):

## Designated Space Schematic (Attachment B)

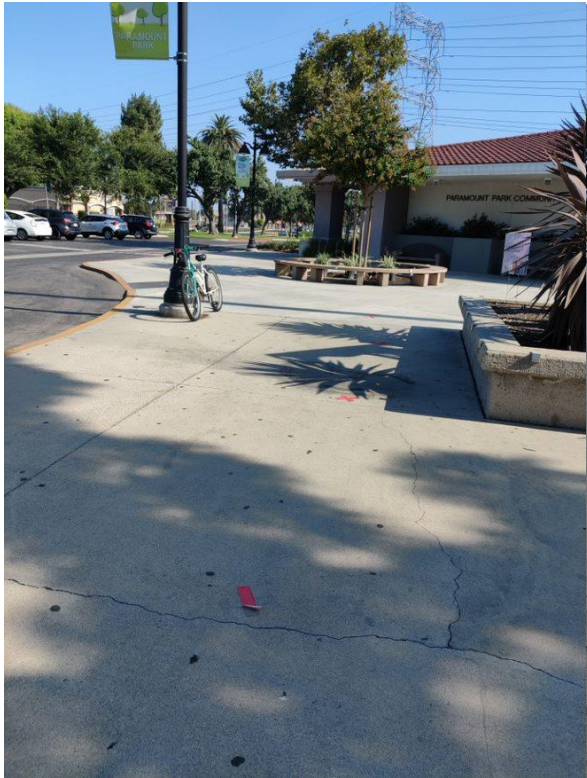
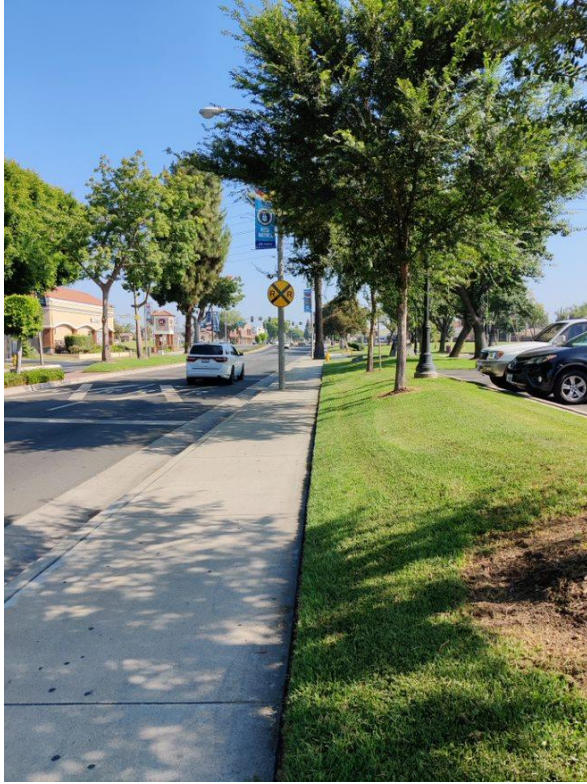
Box shall be installed in the space marked below. In the event an alternative location is identified and agreed upon by both parties, this agreement can be amended with a revised Attachment B.













# VOTING SOLUTIONS FOR ALL PEOPLE

## VOTE BY MAIL DROP-OFF PROGRAM

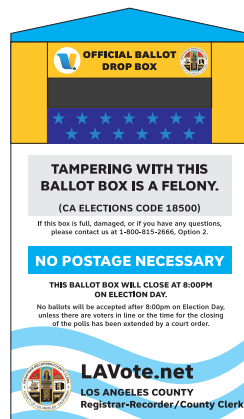
For November 3, 2020 General Election, we are expanding the number of drop-off locations for voter accessibility and convenience. In addition, voters will now have access to:

**24-Hour Drop Boxes** at participating locations across the County!

**Vote by Mail Drop-Off Program will begin October 5, 2020**

### 24-Hour Drop Box

- Available to voters 24 hours a day during the voting period
- Drop Boxes will be installed and maintained by the RR/CC at no cost
- RR/CC will coordinate all ballot pickups, box opening and box closing



### Staffed Drop Box

- Continuation of existing VBM Drop-Off program
- Site staff will place drop box in view and store away at the end of each business day
- Site staff will coordinate ballot pickups with RR/CC



**Contact Information**  
**[vbmdropoff@rrcc.lacounty.gov](mailto:vbmdropoff@rrcc.lacounty.gov)**







Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

## 2020 Presidential General Election Vote by Mail Drop-Off Program – 24 Hour Drop Box

### Frequently Asked Questions

**1. What are the operating hours of the program?**

The Vote by Mail (VBM) Drop-Off Program runs from October 24 – November 3. During the Election, the public will have access to the box 24-hours a day whenever possible.

**2. Where will the ballot box be placed?**

The ballot box will be placed in a location that is agreeable to all parties. We will work with you to find a location that is visible and accessible to the public via public transit or accessible parking, and available 24-hours a day.

**3. How will the ballot box location be decided?**

Your RR/CC account manager will email you a proposed location and the initial draft of the agreement(s) for review. Next, your RR/CC Account Manager will schedule a field assessment with the onsite coordinator you designate.

**4. What does the assessment and installation entail?**

The RR/CC Field Assessment Team will meet with your onsite coordinator go over a few placement options and take pictures of the best location for the contracts and installation plans. . Next, we will schedule and installation date and time. Our install team will meet with you, install the box according to the installation plan, and take photos. An updated contract will be sent to you following the installation.

**5. Is the ballot box secure?**

The 24-hour ballot drop box is a full stainless-steel construction with many security features. The box is secured to the ground using concrete fasteners on the inside of the box so that no bolts are exposed. The slot is small enough for only a ballot to get through and has protections against liquid and graffiti.

**6. Are there costs associated with the box?**

The RR/CC is responsible for all costs associated with the box, including installation and removal.

**7. How long will the box stay for? Is it permanent?**

The box is not permanent. Our goal is to have these boxes in place for 5 years, which carries us through a full election cycle. If you would like to extend the box's installation period, we can discuss that at the end of the initial term.

**8. What happens during non-election periods?**

The ballot boxes will stay in place between elections. They will be locked to prevent voters from inserting ballots or other materials.

**9. Does on-site staff need to do anything once the box is installed? Do staff need to clean and upkeep the box?**

Not at all! The ballot box is designed to be used by voters with little to no face-to-face interaction, so social distancing while voting will not be an issue.

The RR/CC is responsible for opening the box, retrieving ballots and closing the box at the end of the program. We do ask that your site keeps an eye on the box when possible, and to report any issues to us immediately so that we can take care of any issues promptly.

**10. When will the ballots be retrieved?**

Ballots will be retrieved at least twice a week during the first 20 days of the voting period. For the last 10 days, ballots will be picked up at least every other day and potentially daily. All boxes will be secured at 8:00pm on Election Day

**11. How will Vote by Mail drop-off locations be communicated to voters?**

Our goal is to have nearest VBM Drop-off locations included in the Sample Ballot. In addition, voters can use our Vote by Mail Drop-off Locator Tool on the RR/CC website at [www.lavote.net](http://www.lavote.net).

**12. What do we need to do to get started?**

An RR/CC Account Manager will reach out to you to provide information and materials. Please review the information and reply back to your account manager to let them know you're interested. They can help answer any questions you may have and will guide you through this process of being an invaluable resource to our community!

**13. Who should we call if there are any issues?**

Please email [vbmdropoff@rrcc.lacounty.gov](mailto:vbmdropoff@rrcc.lacounty.gov) or contact Laura Herrera.

Laura Herrera

Email: [lherrera@rrcc.lacounty.gov](mailto:lherrera@rrcc.lacounty.gov)

Phone: 562-462-2835