



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
PUBLIC INTEGRITY DIVISION

JACKIE LACEY o District Attorney
JOHN K. SPILLANE o Chief Deputy District Attorney
JOSEPH P. ESPOSITO o Assistant District Attorney

SCOTT K. GOODWIN o Director

July 17, 2015

City Attorney Craig J. Cornwell
Office of the City Attorney
City of Compton
205 South Willowbrook Avenue
Compton, California 90220

Re: City of Compton Housing Development, Gaming, Public Finance Authority and Urban
Community Development Commissions

Dear City Attorney Cornwell,

The Los Angeles County District Attorney's Office has received multiple complaints regarding the City of Compton Housing Development, Gaming, Public Finance Authority and Urban Community Development commissions. Accordingly, we have reviewed the city council resolutions creating these commissions, and the minutes of all commission meetings from 2008 through 2014. We note that the mayor and each council member is also a member of each of these commissions, solely by virtue of their being elected to office.

The City of Compton is a charter city. Unlike general law cities, charter cities are authorized by the California Constitution to govern themselves as to those matters deemed municipal affairs. California Constitution, article XI, section 5, subdivision (a) sets forth the "home rule doctrine," which allows charter cities the power to adopt and enforce all ordinances and regulations with respect to the governance of their own municipal affairs, subject to the restrictions and limitations provided within their charters. The salaries of the mayor and council members are municipal affairs. Article 5, Section 504 of the Compton City Charter states the mayor and members of the city council shall receive a salary of \$600 per month. There is no legal authority in the Compton City Charter that allows the mayor or council members to pay themselves money over and above this \$600 salary. Any increase in salary must be specifically stated within, and authorized by, the Compton City Charter.

Article 10, sections 1000 and 1001, allow the city council to create by ordinance advisory boards or commissions that in its judgment are "**required**," and to include in its annual budget "**sufficient appropriations of funds for their efficient and proper function**" (emphasis added). This does not include the payment of a salary to the mayor or any council member for being a

Hall of Justice
211 West Temple Street, Suite 1000
Los Angeles, CA 90012
(213) 257-2475
Fax: (213) 633-0985

member of any commission. Compton City Charter Article 5, Section 504 is controlling as to the compensation of these individuals. Consequently, “sufficient appropriations of funds for the efficient and proper function” of the commissions does not provide the legal justification for payment of a salary to the mayor and city council members for their membership on these commissions. Contrary to this clear salary limitation, a review of city council agendas and attendance records from 2008 through 2014, shows that the Compton City Council has authorized additional salary to be paid to the mayor and council members for each commission meeting held, regardless of whether or not the commission member attended the meeting.¹

Additionally, the commission meetings are held immediately preceding the city council meetings and are often of very short duration. Many Housing commission meetings last only one minute, with an average throughout the years of eight to fifteen minutes. Agendas contain little to no business and there is limited input from Compton citizens. The Gaming commission meetings are also exceptionally brief. Some of these meetings last only one minute, and average between seven to ten minutes. These meetings largely consist of the review and receipt of gaming revenue with limited discussion. No representative from the Crystal Casino ever appeared before the commission. The Housing and Gaming commissions serve no obvious purpose other than providing additional compensation to the commission members in contravention of the explicit limitation of Article 5, Section 504 of the city charter.

California Penal Code section 424 states that any officer of this state, or any county, city, town, or district of this state, and every other person charged with the receipt, safekeeping, transfer or disbursement of public moneys, who without authority of law, appropriates the same, or any portion thereof, to his or her own use, or to the use of another is guilty of a felony. City salaries are public money. There is no authority of law for the City of Compton to pay public officials money from the public coffers outside the parameters of the city charter. The practice of the mayor and council members to financially compensate themselves to serve on all of these commissions is a violation of the law which could result in prosecution for these public offenses if the practice continues.

¹ Housing Development Commission – board members receive \$1,000 per month since July 6, 1999.

Gaming Commission – board members received \$250 for each meeting not to exceed four meetings per month from September 28, 1993 to November 12, 1996. As of 1996 they receive \$1,000 per month.

Urban Community Development Commission – board members received \$600 per month on November 4, 1975. **That amount was supposed to be reduced on July 7, 2009, to \$75 not to exceed \$150 a month, in accordance with California Assembly Bill 11 (AB11). However, we are in possession of a memorandum from the city controller to the city attorney dated July 23, 2009, which documents the mayor and city council members receiving \$300 per month as board members for this commission.** It is also our understanding that this is the only commission where board members are required to attend in order to receive compensation.

Compton Public Finance Authority – board members received \$400 per month from November 17, 1987 to July 7, 2009. In July 2009, their compensation was increased; the mayor began receiving \$1,700 per month and each council member began receiving \$1,100 per month.

Therefore, the Public Integrity Division of the Los Angeles County District Attorney's Office will be providing the mayor and each council member with a signed copy of this letter. We are also willing to meet with you, and to answer any questions that you may have, should you so desire.

Very truly yours,

JACKIE LACEY
District Attorney of Los Angeles County

By 

Sean Hassett
Assistant Head Deputy

c: Mayor Aja Brown
District 1 Councilmember Janna Zurita
District 2 Councilmember Isaac Galvan
District 3 Councilmember Yvonne Arceneaux
District 4 Councilmember Emma Sharif