



**MINUTES
CARSON CITY COUNCIL
REGULAR MEETING
DECEMBER 20, 2011**

5:00 P.M.

**THE CARSON CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETINGS ARE
BROADCAST LIVE VIA TIME WARNER CABLE CHANNEL 35 AS WELL AS VIA THE
INTERNET AT: [HTTP://CI.CARSON.CA.US](http://ci.carson.ca.us)**

AGENDA POSTED: DECEMBER 15, 2011

“In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk’s office at 310-952-1720 at least 48 hours prior to the meeting.” (Government Code Section 54954.2)

CALL TO ORDER: The meeting was called to order at 5:11 P.M., by Mayor/Chairman Dear in the Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL: Chief Deputy City Clerk/Chief Deputy Agency Secretary Higaki noted the following:

Council/Agency Members Present: Mayor/Chairman Jim Dear, Mayor Pro Tem/Vice Chairman Julie Ruiz-Raber, Council/Agency Member Lula Davis-Holmes, Council/Agency Member Mike Gipson, and Council/Agency Member Elito Santarina

Council/Agency Members Absent: None

Other Elected Officials Present: None

Other Elected Officials Absent: Helen Kawagoe, City Clerk/Agency Secretary, and Karen Avilla, City/Agency Treasurer

Also Present:

David Biggs, City Manager/Executive Director; William Wynder, City/Agency Attorney, and staff:

Clifford Graves, Economic Development General Manager; Farrokh Abolfathi, Principal Civil Engineer; Robert Eggleston, IT Manager; Glenn Turner, Computer Systems Support Technician; Wanda Higaki, Chief Deputy City Clerk/Chief Deputy Agency Secretary; and Joy Simarago, Deputy City Clerk/Deputy Agency Secretary

City/Agency Attorney Wynder stated that there were no Agency Closed Session items this evening and presented the City Council Closed Session item only.

CLOSED SESSION (Items 1-3) 5:00 P.M. – 5:45 P.M.

ITEM NO. (1) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

RECOMMENDATION for the City Council:

1. A closed session will be held pursuant to Government Code § 54956.9 (e) because the City is considering whether to initiate litigation in three cases.

ACTION: This item was scheduled for Closed Session.

RECESS: The City Council and Redevelopment Agency were Recessed at 5:14 P.M. by Mayor/Chairman Dear to a Closed Session to discuss the item described on this evening's agenda for the City Council only.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 6:17 P.M. by Mayor/Chairman Dear with all members previously noted present.

ROLL CALL: Chief Deputy City Clerk/Chief Deputy Agency Secretary Higaki noted the following:

Council/Agency Members Present:

Mayor/Chairman Jim Dear, Mayor Pro Tem/Vice Chairman Julie Ruiz-Raber, Council/Agency Member Lula Davis-Holmes, Council/Agency Member Mike Gipson, and Council/Agency Member Elito Santarina

Council/Agency Members Absent: None

Other Elected Officials Present: Karen Avilla, City/Agency Treasurer

Other Elected Officials Absent: Helen Kawagoe, City Clerk/Agency Secretary

Also Present: David Biggs, City Manager/Executive Director; William Wynder, City/Agency Attorney; and staff:

Clifford Graves, Economic Development General Manager; Ray Cruz, Public Services General Manager; Victor Rollinger, Development Services General Manager;

Lisa Berglund, Principal Administrative Analyst; Farrokh Abolfathi, Principal Civil Engineer; Zarah Cruz, Public Information Manager; Robert Eggleston, IT Manager; Glenn Turner, Computer Systems Support Technician; Wanda Higaki, Chief Deputy City Clerk/Chief Deputy Agency Secretary; and Joy Simarago, Deputy City Clerk/Deputy Agency Secretary

Eddie Rivero, Interim Captain, Carson Sheriff's Station

REPORT ON CLOSED SESSION

City/Agency Attorney Wynder reported that there were no Agency Closed Session items for consideration this evening and provided the Council Closed Session report as follows:

Council Closed Session Item No. 1

Provided a privileged and confidential briefing on facts and circumstances under which the City might consider initiating litigation in three cases; recommended a litigation avoidance strategy; responded to questions asked by the Council; Council unanimously authorized pursuit of the litigation avoidance strategy recommended by staff and/or the City Attorney in all three cases; City Attorney informed Council that one of the Closed Session items involved the Carousal Tract, which he had hoped to have placed on the Council agenda tonight for possible consideration and action; requested that Council call a Special Council meeting to hear the Carousal Tract item, provided agreement was received on time; requested authorization to

present Carousal Tract item in a Closed and Open Session at the first Council meeting in January 2012. All members of the Council were present and participated in this Closed Session item.

City/Agency Attorney Wynder requested that Council bring their attention to an item either delivered to their office or presented to Council tonight by Council Member Santarina asking to add an urgency item:

REQUEST TO ADD URGENCY ITEM

Council/Agency Members requested support for relief efforts in the Philippines that was recently hit by a typhoon that caused considerable damage. City/Agency Attorney Wynder was satisfied that the need to take action on this item arose subsequent to the posting of the agenda and that the efforts needed to be underway well before the January Council meeting. The request to add the urgency item to the Council agenda as Item 18A which would require a motion, a second and a 2/3 vote of the Council.

It was moved to approve the request to support relief efforts in the Philippines that was recently hit by a typhoon that caused considerable damage to the agenda as Item 18A on motion of Santarina, seconded by Dear and failed to carry by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, and Council/Agency Member Santarina
Noes: Council/Agency Member Davis Holmes and Council/Agency Member Gipson
Abstain: None
Absent: None

City/Agency Member Attorney Wynder stated that he would add this item to the January Council agenda.

**CITY COUNCIL
REGULAR BUSINESS MEETING
6:00 P.M.**

FLAG SALUTE: CITY/AGENCY TREASURER KAREN AVILLA

INVOCATION: On May 16, 2006, the City Council unanimously approved the offering of a brief invocation at the commencement of all meetings of the City Council or Redevelopment Agency. In doing so, the City Council is cognizant of its legal obligation to assure that such invocations are "legislative prayers," and that they do not purport to advance any particular religion or religious denomination.

Consistent with the so-called "Burbank" prayer decision, the City Council hereby admonishes those who offer invocations to do so consistent with the current state of the law – meaning that an invocation must not be used to identify, advance, or urge a

particular religious denomination, or identify a specific religion's deity. This evening we are pleased that our invocation will be offered by: **PASTOR JOEL WOOD, CARSON BIBLE CHURCH. – Not present.**

Mayor/Chairman Dear offered the Invocation.

RECESS (Agency): The Redevelopment Agency was Recessed at 6:24 P.M. by Mayor/Chairman Dear to the City Council for Approval of Minutes.

APPROVAL OF MINUTES:

TUESDAY, SEPTEMBER 20, 2011 (REGULAR)

The Minutes, as listed on this evening's agenda, were Approved as Submitted on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

NOTICE TO THE PUBLIC

Public testimony may be given on any agenda item as it is called and will be LIMITED TO THREE MINUTES PER SPEAKER. Please fill out a Speaker Form in order to be identified correctly in the minutes. The forms are provided on the podium in the Council Chambers. All Speaker Forms must be given to the City Clerk/Agency Secretary at the beginning of the meeting.

INTRODUCTIONS

A. INTRODUCTION OF LOS ANGELES COUNTY SHERIFF'S DEPUTIES

Acting Captain Eddie Rivero, Carson Sheriff's Station, provided a report that Saturday's holiday event was a huge success through the generosity of the City of Carson and surrounding areas; reported on the success of the Community Fair that was scheduled at Stevenson Park but turned out to be a door-to-door event due to the rain; and provided a report on crime statistics.

RECESS: The City Council was Recessed at 6:27 P.M. by Mayor/Chairman Dear to the Redevelopment Agency for Approval of Minutes.

RECONVENE: The City Council was Reconvened at 6:28 P.M., for a joint session with the City Council by Mayor/Chairman Dear, for Oral Communications – Members of the Public.

ORAL COMMUNICATIONS – MEMBERS OF THE PUBLIC

This is the appropriate time for members of the general public to address the Council/Agency on items not on the posted Agenda but are items of interest that are within the subject matter jurisdiction of the Council/Agency. Any person wishing to speak at this time is requested to complete a Speaker Form, available on the podium or by the Public Agenda Binder in the Council Chamber. ORAL COMMENTS WILL BE LIMITED TO THREE (3) MINUTES PER SPEAKER. Under the provisions of the Brown Act, no action can be taken on these items, and there can be no dialogue or discussion of the items with the Council/Agency other than to place it on the Agenda for a future meeting if appropriate.

Mary Anne O’Neal, 16211 Visalia Avenue, Carson, California 90746, former Councilwoman and current Beautification Committee Member

Stated her concern about naming streets, parks, centers and others in honor of Dr. Martin Luther King, Jr.; made reference that this information was brought before the Council and Mayor about two years ago, which directed the Fine Arts Commission to proceed with locating a facility within the city that could be named in honor of Dr. King; the Fine Arts Commission concluded that the Transit Center be named the Dr. Martin Luther King, Jr. Transit Center; thanked Council Member Gipson for meeting with Supervisor Burke regarding the County property located in the City of Carson that was named in honor of Dr. Martin Luther King, Jr; and thanked the City Council for keeping the City solvent.

Ronald Shimokaji, 1502 E. Carson Street, No. 135, Carson, California 90745

Offered an update to the Council on his efforts in creating a suitable tribute for Private First Class James Anderson; and informed the Council that he will keep them abreast of his progress.

Barbara Douglass, 5710 Appian Way, Long Beach, California 90803

Addressed the Council regarding the upcoming Children’s Day event; invited Council and the community to attend the annual Children’s Day event; and asked for support on the statewide resolution in honor of Children’s Day.

Summer Hansen, 3631 Olive, Long Beach, California 90807

Thanked the entire Council for their support; offered the Council Christmas presents; and asked for support on the statewide resolution in honor of Children’s Day.

Ahmed Atahan, Long Beach, California

Thanked the Council for their support in honor of Children’s Day.

Mayor/Chairman Dear thanked City Clerk/Agency Secretary Kawagoe for her annual Christmas gifts.

Agency Item No. 4/Council Item No. 15

Mayor/Chairman Dear continued Agency Item No. 4/Council Item No. 15 at the request of staff.

RECESS (Agency): The Redevelopment Agency was Recessed at 6:42 P.M. by Mayor/Chairman Dear to the City Council for Council Item No. 16.

RECONVENE (Agency): The Redevelopment Agency was Reconvened at 9:52 P.M. by Mayor/Chairman Dear for a joint session, with all members previously noted present, to consider the Agency New Business Consent Calendar and the Council New Business Consent Calendar.

(Council/Agency Member Gipson exited the meeting at 9:53 P.M.)

NEW BUSINESS CONSENT (Items 2-11)

These items are considered to be routine items of AGENCY/COUNCIL business and have, therefore, been placed on the CONSENT CALENDAR. If AGENCY/COUNCIL wishes to discuss any item or items, then such item or items should be removed from the CONSENT CALENDAR. For items remaining on the CONSENT CALENDAR, a single motion to ADOPT the recommended action is in order.

This item was heard in joint session.

Public Comments

Council Item No. 4

Ronald Shimokaji, 1502 E. Carson Street, No. 135, Carson, California 90745

Offered comments in support of the staff recommendation.

(Council/Agency Member Gipson reentered the meeting at 9:55 P.M.)

Council Item No. 10

Ronald Shimokaji, 1502 E. Carson Street, No. 135, Carson, California 90745

Referred to Council Item No. 17 and suggested that the Council vote on Item No. 17 to develop a list of fee waivers then would have some idea on what level of support they would need from sponsors.

It was moved to approve the Council New Business Consent Calendar and the Agency New Business Consent Calendar on motion of Dear and seconded by Santarina.

During discussion of the motion, the following items were removed for discussion:

Council/Agency Member Davis-Holmes

Council Item No. 4: REQUEST FROM THE HUMAN RELATIONS COMMISSION AND WOMEN'S ISSUES COMMISSION TO SOLICIT DONATIONS FOR PROJECTS AND EVENTS (CITY MANAGER)

Council Item No. 10: CONSIDER A SYSTEMATIC APPROACH TO REQUESTING EVENT SPONSORSHIPS FROM LOCAL BUSINESSES (ECONOMIC DEVELOPMENT)

The motion to approve Council New Business Consent Calendar Item Nos. 2, 3, 5, 6, 7, 8, 9, and 11, and Agency New Business Consent Calendar Item Nos. 1 and 2 were unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: None

RECESS (Agency): After the approval of the Council and Agency New Business Consent Calendar, the Redevelopment Agency was Recessed at 10:00 P.M. by Mayor/Chairman Dear to the City Council for Council Item No. 19.

RECONVENE (Agency): The Redevelopment Agency was Reconvened at 10:02 P.M. by Chairman Dear with all members previously noted present for Agency Item No. 3.

ITEM NO. (2) CONSIDERATION FOR THE CITY OF CARSON TO CO-HOST THE CARSON SHERIFF'S STATION SUPPORT FOUNDATION 6TH ANNUAL DISTINGUISHED SERVICE AWARDS (CITY MANAGER)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE co-hosting CSSSF's 6th Annual Distinguished Service Awards on February 29, 2012.
2. AUTHORIZE staff to assist with the preparation and coordination of the event.

ACTION: Item No. 2 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (3) CONSIDER AWARD OF A TWO-YEAR SERVICE CONTRACT FOR AUDIO VISUAL TECHNICAL SUPPORT (CITY MANAGER)

RECOMMENDATION for the City Council:

1. AWARD a two-year service contract, for the period of January 1, 2012 through December 31, 2014, in the amount of \$38,600.00 to Rod Seay Video Services.

ACTION: Item No. 3 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina

Noes: None

Abstain: None

Absent: None

ITEM NO. (4) REQUEST FROM THE HUMAN RELATIONS COMMISSION AND WOMEN'S ISSUES COMMISSION TO SOLICIT DONATIONS FOR PROJECTS AND EVENTS (CITY MANAGER)

Item No. 4 was heard at 10:04 P.M.

City Manager Biggs summarized the staff report and recommendation.

Council Member Davis-Holmes suggested hearing Item Nos. 4 and 10 concurrently.

City Manager Biggs offered comments regarding Item Nos. 4, 10, and 17 and suggested hearing the items separately due to time constraints.

RECOMMENDATION for the City Council:

1. ALLOW these two commissions to solicit donations and fundraise in an effort to financially support and enhance their programs.

ACTION: It was moved to approve the staff recommendation on motion of Davis-Holmes, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina

Noes: None

Abstain: None

Absent: None

ITEM NO. (5) CONSIDERATION OF RESOLUTION NO. 11-141 AMENDING THE EMPLOYER-EMPLOYEE RELATIONS RESOLUTION, RESOLUTION NO. 85-107, AND COMPLYING WITH THE DECISION OF AN ADMINISTRATIVE LAW JUDGE (CITY MANAGER)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-141, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION 85-107, THE CITY'S EMPLOYER-EMPLOYEE RELATIONS RESOLUTION."

ACTION: Item No. 5 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (6) CONSIDERATION OF RESOLUTION NO. 11-140 TO AUTHORIZE DESTRUCTION OF ADMINISTRATIVE SERVICES RECORDS (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-140, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA AUTHORIZING THE DESTRUCTION OF SPECIFIED CITY RECORDS."

ACTION: Item No. 6 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (7) CONSIDERATION OF A REQUEST TO AUTHORIZE THE REAPPROPRIATION OF FUNDS FOR OPEN PURCHASE ORDERS/CONTRACTS AT JUNE 30, 2011 AND ADJUSTMENTS TO PROJECTED REVENUES FOR FY 2011/12 (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AUTHORIZE the reappropriation of funds to the FY 2011/12 budget in the account numbers detailed in Exhibit No. 1.
2. AUTHORIZE the increase in the revenue projections for FY 2011/12 for the funds listed in the "Fiscal Impact" section of this report.

ACTION: Item No. 7 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (8) CONSIDER AN UPDATE ON THE STATUS OF THE IMPLEMENTATION OF THE NEIGHBORHOOD STABILIZATION PROGRAM (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the following property as an acquisition activity:
 - a) 5 Stage Coach Lane, Carson, California 90745
2. AUTHORIZE the Mayor to execute and finalize the purchase agreement for the acquisition of the identified property as it relates to the Neighborhood Stabilization Program, following approval as to form by the City Attorney.
3. APPROVE the sub-agreement with South Los Angeles Development Group, Inc. for residential rehabilitation services at 2601 East Tyler Street, Carson, California 90810 as a part of the Neighborhood Stabilization Program Implementation activities.
4. AUTHORIZE the Mayor to execute and finalize the residential rehabilitation service agreement for the improvement of the identified property as it relates to the Neighborhood Stabilization Program, following approval as to form by the City Attorney.

ACTION: Item No. 8 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina

Noes: None
Abstain: None
Absent: None

**ITEM NO. (9) APPROVAL OF A COST INCREASE FOR PROJECT NO. 992
(DOMINGUEZ PARK POOL PROJECT) ALLOCATABLE TO
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS (ECONOMIC
DEVELOPMENT)**

RECOMMENDATION for the City Council:

1. APPROVE a cost increase for Project No. 992 (Dominguez Park Pool Project) allocatable to Community Development Block Grant funds from \$2,000,000.00 to \$2,083,987.00.

ACTION: Item No. 9 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina

Noes: None
Abstain: None
Absent: None

**ITEM NO. (10) CONSIDER A SYSTEMATIC APPROACH TO REQUESTING EVENT
SPONSORSHIPS FROM LOCAL BUSINESSES (ECONOMIC
DEVELOPMENT)**

Item No. 10 was heard after Item No. 4.

City Manager Biggs summarized the staff report and recommendation.

Council Member Santarina referred to Triangle Page 4 of the staff report regarding the June 11 date for the Philippine Independence Day event and requested that the date be changed to the date of the Saturday closest to June 12 for the celebration and that the location be changed to Veterans Park.

City Manager Biggs stated that the changes would be updated and presented to the City Council Policy Subcommittee for consideration.

Council Member Davis-Holmes stated that she was opposed to the City Council Policy Subcommittee in its entirety due to the manner in which some events were being handled and felt that the items should come before the entire City Council for consideration.

RECOMMENDATION for the City Council:

1. REFER the matter to the City Council Policy Subcommittee.

ACTION: It was moved to not send this item to the City Council Policy Subcommittee and to dissolve the City Council Policy Subcommittee in its entirety on motion of Davis-Holmes and seconded by Gipson.

Upon inquiry during discussion of the motion, City Attorney Wynder stated that he confirmed with Chief Deputy City Clerk Higaki that the City Council Policy Subcommittee was not created by ordinance or resolution and was created by minute action; therefore, the motion made by Council Member Davis-Holmes was appropriate.

A discussion ensued regarding the process of fee waiver requests.

It was moved to call for the previous question on motion of Davis-Holmes, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

Vote on the Main Motion

The main motion was unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (11) CONSIDERATION OF A CONTRACT EXTENSION WITH SIEMENS INDUSTRY, INC. FOR HEATING, VENTILATION, AND AIR CONDITIONING COMPUTER MAINTENANCE SERVICES AT CITY HALL AND THE COMMUNITY CENTER (PUBLIC SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE the proposal process as defined by Carson Municipal Code Section 2610(a).
2. RATIFY a one-year contract extension with Siemens Industry, Inc. for Heating, Ventilation, and Air Conditioning computer maintenance services for City Hall and the Community

Center, in the amount of \$48,240.00, for the period November 1, 2011 through October 31, 2012.

ACTION: Item No. 11 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina

Noes: None

Abstain: None

Absent: None

DEMANDS (Item 12)

ITEM NO. (12) RESOLUTION NO. 11-142 ALLOWING CLAIMS AND DEMANDS IN THE AMOUNT OF \$2,134,332.49, DEMAND CHECK NUMBERS 102078 THROUGH 102368

Item No. 12 was heard after Item No. 14.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 11-142, was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina

Noes: None

Abstain: None

Absent: None

SPECIAL ORDERS OF THE DAY (None)

Any person wishing to testify is requested to complete a speaker card, available on the podium in the Council Chambers. TESTIMONY WILL BE LIMITED TO THREE MINUTES PER PERSON. Any subject of controversy will be limited to a total of fifteen minutes of testimony per side; those wishing to address the Agency/Council are requested to select three speakers to represent your opinion.

UNFINISHED BUSINESS (Items 13-14)

ITEM NO. (13) COMMISSION, COMMITTEE, AND BOARD APPOINTMENTS BY MAYOR DEAR (CITY CLERK)

Item No. 13 was heard after Item No. 18 at 9:23 P.M.

RECOMMENDATION for the Mayor:

1. Mayor Dear to CONSIDER, APPOINT, or REAPPOINT members to the Commissions Committees, and Boards in accordance with Ordinance No. 04-1330, with the approval of a majority of the entire City Council present, including the Mayor, as listed on Exhibit No. 1.

ACTION: Mayor Dear took the following actions:

Utility Users' Tax Citizens Budget Oversight Committee

Mayor Dear appointed Mariza Parra.

It was moved to ratify the Mayor's appointment of Mariza Parra on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

Mayor Dear appointed Pauline Davis.

It was moved to ratify the Mayor's appointment of Pauline Davis on motion of Dear, seconded by Santarina and failed to carry by the following vote:

Ayes: Mayor Dear, and Council Member Santarina
Noes: Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, and Council Member Gipson
Abstain: None
Absent: None

Mayor Dear appointed Harriett Russ to replace Latrice Carter.

It was moved to ratify the Mayor's appointment of Harriett Russ on motion of Dear, seconded by Santarina and failed to carry by the following vote:

Ayes: Mayor Dear and Council Member Santarina
Noes: Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, and Council Member Gipson
Abstain: None
Absent: None

RECONVENE (Agency): After Council Item No. 13, the Redevelopment Agency was Reconvened at 9:52 P.M. by Mayor/Chairman Dear for a joint session, with all members

previously noted present, to consider the Agency New Business Consent Calendar and the Council New Business Consent Calendar.

ITEM NO. (14) CONSIDERATION OF CITY-AFFILIATED ORGANIZATIONS (CITY CLERK)

Item No. 14 was heard after Item No. 10 at 10:23 P.M.

RECOMMENDATION for the City Council:

1. REAFFIRM, RE-DESIGNATE and/or DESIGNATE delegates and alternates to the City-Affiliated Organizations listed on Exhibit No. 1, respectively.

ACTION: Mayor Dear continued this item until further notice.

NEW BUSINESS DISCUSSION (Items 15-18)

ITEM NO. (15) CONSIDERATION OF CARSON STREET IMPROVEMENT PROJECT BETWEEN I-405 AND I-110 FREEWAYS (ECONOMIC DEVELOPMENT)

THIS IS A JOINT AGENDA ITEM WITH AGENCY ITEM NO. 4.

Item No. 15 was heard after Oral Communications – Members of the Public at 6:42 P.M.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the Carson Street improvement project.
2. AUTHORIZE staff to proceed with plans, specifications and estimates for the Carson Street improvement project, advertise the work, and call for bids.

ACTION: Mayor/Chairman Dear previously continued this item at the request of staff.

ITEM NO. (16) CONSIDERATION TO NAME THE CARSON CITY COUNCIL CHAMBERS IN HONOR OF CITY CLERK HELEN KAWAGOE (CITY MANAGER)

Item No. 16 was heard after Agency Item No. 4/Council Item No. 15 at 6:43 P.M.

City Manager Biggs summarized the staff report.

Public Comments

The following persons offered comments in support of naming the Carson City Council Chambers in honor of City Clerk Helen Kawagoe:

Sheryl Miyamoto, daughter of Helen Kawagoe

Introduced family members Judge Tommy Ong, Ben and Solita Ong and thanked everyone for their visits and consideration.

Kanji Sahara, 2419 W. 232nd Street, Torrance, California

Ronald Shimokaji, 1502 E. Carson Street, No. 135, Carson, California 90745

Paul Randall, 17701 South Avalon, No. 318, Carson, California 90745

Richard Vaughn, 415 E. Centerview Drive, Carson, California 90746

Pauline Davis, 17701 South Avalon Boulevard, No. 227, Carson, California 90746

William Davis, 17701 South Avalon Boulevard, No. 227, Carson, California 90746

Terri Forsythe, 17700 Avalon Boulevard, No. 282, Carson, California 90746

Wilma Wilson, 19306 Harlan Avenue, Carson, California 90746, President of the Carson Women's Club and President of the National Congress of Black Women

Olivia Verrett, 17525 Buttonwood Lane, Carson, California 90746

Frances Cottrell, 19302 S. Cliveden Avenue, Carson, California 90746

Chief Deputy City Clerk Higaki offered comments in support of this item and thanked the City for setting up a website for well wishes to Helen.

Letter of Support from Chairman Walter Neil of the Carson Chamber of Commerce

Mayor Dear read the letter in its entirety.

Letter of Support from President Colleen J. Nicol of the International Institute of Municipal Clerks

Mayor Dear read the letter in its entirety.

RECOMMENDATION for the City Council:

1. DISCUSS and PROVIDE direction.

ACTION: The Mayor and Council took the following actions:

Main Motion

It was moved to honor Helen Kawagoe with designating the City of Carson City Council Chambers as the Helen Kawagoe Chambers on motion of Dear and seconded by Santarina.

During discussion of the motion, Council Member Santarina offered comments in support of this item.

Substitute Motion

It was moved to table this item until a decision to name something much bigger in Helen Kawagoe's honor on motion of Ruiz-Raber and seconded by Davis-Holmes.

During discussion of the substitute motion, Council Member Gipson and Council Member Davis-Holmes offered comments in support of Mayor Pro Tem Ruiz-Raber's substitute motion.

Motion to Call for the Previous Question and End Debate

It was moved to call for the previous question and end debate on motion of Davis-Holmes, seconded by Gipson and carried by the following vote:

| | |
|----------|--|
| Ayes: | Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, and Council Member Gipson |
| Noes: | Mayor Dear and Council Member Santarina |
| Abstain: | None |
| Absent: | None |

Upon request, Chief Deputy City Clerk Higaki restated the substitute motion made by Mayor Pro Tem Ruiz-Raber was to table to decide to name something bigger for Helen.

Upon inquiry, City Attorney Wynder stated that a motion to table to do something bigger would be a more artfully worded motion would be a motion to continue this item until something can be brought back for further consideration with Ruiz-Raber and Davis-Holmes concurring.

Vote on the Substitute Motion

The substitute motion was carried by the following vote:

| | |
|----------|--|
| Ayes: | Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, and Council Member Gipson |
| Noes: | Mayor Dear and Council Member Santarina |
| Abstain: | None |
| Absent: | None |

RECESS: The City Council was Recessed at 7:23 P.M. by Mayor Dear.

RECONVENE: The City Council was Reconvened at 7:54 P.M. by Mayor Dear with all members previously noted present.

ITEM NO. (17) A REQUEST TO THE CITY COUNCIL FOR A LIST OF EVENTS REQUESTING FEE WAIVERS FOR CALENDAR YEAR 2012 (CITY MANAGER)

Item No. 17 was heard after Item No. 12.

City Manger Biggs stated that due to the City Council's prior action to dissolve the Policy Subcommittee this evening, requested that the City Council notify his office for a list of special events for their consideration of fee waivers for calendar year 2012 to present at the next City Council meeting on January 17, 2012.

Council Member Santarina requested that the Philippine Independence Day Celebration be added for consideration of fee waivers for calendar year 2012.

Mayor Dear requested to add the Children's Day and Samoan Flag Day event and asked if the Council Members had any events to add now or prior to January 17, 2012.

Council/Agency Member Davis-Holmes offered comments regarding future events.

RECOMMENDATION for the City Council:

1. PROVIDE staff with a list of events to be brought forward to the City Council Policy Subcommittee for the consideration of fee waivers for calendar year 2012

ACTION: It was moved to approve fee waivers for equipment rental fees and facility rental fees for Cinco de Mayo, Cesar Chavez, Juneteenth, Jazz Festival, and Philippine Independence Day on motion of Davis-Holmes and seconded by Ruiz-Raber.

Mayor Dear offered a substitute motion to approve fee waivers for equipment and facility rental fees for Cinco de Mayo, Cesar Chavez, Juneteenth, Jazz Festival, Philippine Independence Day, Children's Day, Samoan Flag Day, and Martin Luther King Black History Month event and seconded by Santarina.

During discussion of the substitute motion, City Manager Biggs clarified that the fee waivers were for facility rental fees and equipment rental fees only and not staff time.

The substitute motion was unanimously carried by the following vote:

| | |
|----------|---|
| Ayes: | Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina. |
| Noes: | None |
| Abstain: | None |
| Absent: | None |

ITEM NO. (18) CONSIDERATION OF WHETHER TO ISSUE A TEMPORARY OVERWEIGHT PERMIT TO CALIFORNIA CARTAGE COMPANY IN CONJUNCTION WITH A CENTRALIZED EXAMINATION STATION REQUIREMENT (DEVELOPMENT SERVICES)

Item No. 18 was heard at 7:56 P.M.

City Manager Biggs summarized the staff report and recommendation.

Public Comments

Bob Curry, 3545 Long Beach Boulevard, Long Beach, California 90801, representing California Cartage Company

Provided a copy of a written communication regarding their Request for Extension of Existing Overweight Corridor Permit on Wilmington Avenue from 223rd Street to their facility at 22351 Wilmington Avenue, Carson.

RECOMMENDATION for the City Council:

1. DO NOT ISSUE an overweight permit to California Cartage Company until City Council officially adopts Assembly Bill No. 1128 and after all City of Carson's conditions and criteria are established for the proposed overweight corridor.

ACTION: It was moved to approve alternative staff recommendation No. 2 to grant Cal Cartage's request and direct staff to issue a temporary overweight permit for six months, subject to review by the City Engineer of the proposed routes, and Cal Cartage's agreement to comply with all mandated requirements and conditions established for the overweight corridor in the future on motion of Santarina and seconded by Dear.

Substitute Motion

Council Member Davis-Holmes offered a substitute motion to approve the staff recommendation and not issue an overweight permit to California Cartage Company until City Council officially adopts Assembly Bill No. 1128 and after all City of Carson's conditions and criteria are established for the overweight corridor in the future, which was seconded by Gipson.

RECESS: The City Council was Recessed at 8:48 P.M. by Mayor Dear.

RECONVENE: The City Council was Reconvened at 8:56 P.M. by Mayor Dear with all members previously noted present, except Davis-Holmes absent.

(Council Member Davis-Holmes entered the meeting at 8:58 P.M.)

Suggested Amendment to Main Motion

Mayor Dear discussed a middle-of-the-road concept and suggested an amendment to the main motion that the permittee indemnify and defend the City from any claim or damage to the roads and/or utilities from oversized vehicles using this route and encouraged his colleagues to vote down the substitute motion and consider a new substitute motion.

During discussion of the substitute motion, the following issues were discussed:

Council Member Davis-Holmes

Suggested the addition of a condition that the permittee indemnify and defend the City from any claim or damage to the roads and/or utilities from oversized vehicles using this route for the life of the permit.

Upon inquiry, City Attorney Wynder opined that conditioning a six-month permit to require that the permittee indemnify and defend the City against claims was legal and would be enforceable.

The substitute motion failed to carry by the following vote:

Ayes: Mayor Dear and Council Member Santarina
Noes: Mayor Pro Tem Ruiz-Raber and Council Member Davis-Holmes
Abstain: Council Member Gipson
Absent: None

Substitute Motion Amendment to the Main Motion

Mayor Dear offered a substitute motion which he characterized as an amendment to the main motion to approve a temporary overweight permit for six months; allow staff to make an administrative determination to extend the permit, if necessary, as determined by staff; and to transfer all risk from the City to Cal Cartage Company, which was seconded by Santarina.

During discussion of the substitute motion, the following issues were discussed:

City Manager Biggs

Offered amended language that Cal Cartage would defend and indemnify the City and was accepted by Mayor Dear and Council Member Santarina to add to the six-month agreement that the permittee would indemnify and defend the City of Carson from any claim or damage to roads and/or utilities from oversized vehicles using the route authorized by the permit.

Council Member Davis-Holmes

To add a condition to require that the permittee use the City's hiring facilities and undertake its best efforts to hire Carson employees or language that was similar to the language for the concept of local hiring, as suggested by City Attorney Wynder, and accepted by Dear and Santarina.

Mayor Pro Tem Ruiz-Raber

To add a condition to ensure that the hiring of union employees would continue after the temporary permit as permanent jobs; ensure that traffic would not increase; and with respect to risk management, to ensure that everything stipulated by the City Council would be abided by the permittee.

Council Member Gipson

Inquired whether a condition could be added that there would be no increase in traffic. Whereupon, Mr. Curry clarified that the number of trips was governed by the nature of the market.

Mayor Dear restated the amended motion to issue an overweight permit to California Cartage Company until City Council officially adopts local legislation implementing Assembly Bill No. 1128 and after all City of Carson's conditions and criteria are established for the overweight corridor in the future; add a condition to require that the permittee use the City's hiring facilities and undertake its best efforts to hire Carson employees or language that was similar to the language for the concept of local hiring; and to add a condition to ensure that the hiring of union employees would continue after the temporary permit as permanent jobs; ensure that traffic would not increase; and with respect to risk management, to ensure that everything stipulated by the City Council would be abided by the permittee, and accepted by Santarina.

The amended motion was unanimously carried by the following vote:

| | |
|----------|--|
| Ayes: | Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina |
| Noes: | None |
| Abstain: | None |
| Absent: | None |

ORDINANCE SECOND READING: (Item 19)

ITEM NO. (19) ORDINANCE NO. 11-1481: AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING MUNICIPAL CODE § 41107 REGULATING SMOKING IN CERTAIN OUTDOOR PLACES (ECONOMIC DEVELOPMENT)

Item No. 19 was heard after approval of the Agency and Council New Business Consent Calendar at 10:00 P.M.

Public Comment

Calvin Chang, 13030 Inglewood Avenue, No. 104, Hawthorne, California 90250

Offered comments in support of the ordinance.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 11-1481 was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

RECESS: The City Council was Recessed at 10:02 P.M. by Mayor Dear to the Redevelopment Agency for Agency Item No. 3.

RECONVENE: The City Council was Reconvened at 10:04 P.M. by Mayor Dear with all members previously noted present for Council Item No. 4.

RECONVENE (Agency): After Council Item No. 17, the Redevelopment Agency was Reconvened at 10:32 P.M. for a joint session by Mayor/Chairman Dear, with all members previously noted present, for remaining Oral Communications.

ORAL COMMUNICATIONS I (STAFF)

This item was heard at 10:32 P.M. in joint session.

Chief Deputy City Clerk/Chief Deputy Agency Secretary Higaki requested that this evening's meeting be adjourned in memory of the following persons:

Lawrence Kenneth Davis
Mary Lou Prior
Holley Watt
Janet Marie Gordon
Betty Cyiark
Lino Vasquez

City/Agency Treasurer Avilla

Wished everyone a Merry Christmas, Happy New Year, and Happy Holidays.

City Manager/Executive Director Biggs

Acknowledged Development Services General Manager Rollinger's retirement date of December 31, 2011; thanked him for all of his assistance; and wished everyone a happy and safe holiday season.

Summarized the Event Calendar requests for Calendar Year 2012.

ORAL COMMUNICATIONS II (COUNCIL/AGENCY)

Council/Agency Member Santarina

Requested to add Unity Day to the Event Calendar; and wished everyone Merry Christmas and a Happy New Year in several languages.

(Mayor/Chairman Dear exited the meeting at 10:37 P.M. and reentered the meeting at 10:38 P.M.)

Council/Agency Member Davis-Holmes

Wished everyone a Merry Christmas; congratulated the City Manager on his 3-month mark; congratulated Development Services General Manager Rollinger on his retirement; and wished all the residents of Carson a Merry Christmas and Happy Holidays.

Mayor Pro Tem/Vice Chairman Ruiz-Raber

Congratulated the City Manager on his tenure; thanked Development Services General Manager Rollinger for his service; thanked City Clerk/Agency Secretary Kawagoe for the Christmas gift; and wished everyone a very Merry Christmas and a Happy New Year.

Council/Agency Member Gipson

Congratulated the City Manager; congratulated Development Services General Manager Rollinger on his retirement and service; offered prayers to those involved in the Edison situation last Friday; informed everyone that the President had announced an initiative for a father who was a "Champion for Change," and asked for names of those who may have influenced the community; thanked the staff for their service; and wished everyone a Merry Christmas, Happy New Year, and Happy Holidays.

Council/Agency Member Santarina

Extended his gratitude to those involved in the relief efforts to the cities in the Philippines recently hit by the recent typhoon; and offered prayers for the people of that country.

Mayor/Chairman Dear

Congratulated Development Services General Manager Rollinger on his retirement; offered a report regarding issues in the City of Carson and recent events attended since the last meeting; thanked the Rand Institute for their contributions; thanked the volunteers for coming together during the fire disaster in the City of Carson; thanked the City Manager for his service and the City's solvency; and wished everyone a Merry Christmas, Happy New Year, and Happy Holidays.

(Mayor Pro Tem/Vice Chairman Ruiz-Raber exited the meeting at 10:52 P.M. and reentered the meeting at 10:53 P.M.)

UNFINISHED/CONTINUED CLOSED SESSION ITEMS (None)

ADJOURNMENT

The meeting was Adjourned at 10:57 P.M. by Mayor/Chairman Dear and in memory of the individuals requested this evening.

Mayor Jim Dear

ATTEST:

City Clerk Helen Kawagoe