



**MINUTES
CARSON CITY COUNCIL
REGULAR MEETING
JANUARY 17, 2012**

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: JANUARY 12, 2012

"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 5:19 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, and Council/Agency Member Elito Santarina
---------------------------------	---

Council/Agency Members Absent:	Council/Agency Member Mike Gipson (Entered at 5:25 P.M.)
--------------------------------	---

Other Elected Officials Present:	None
----------------------------------	------

Other Elected Officials Absent:	Karen Avilla, City/Agency Treasurer
---------------------------------	-------------------------------------

Also Present:

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

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 items only.

CLOSED SESSION (Items 1-2) 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 one case.

ACTION: This item was scheduled for Closed Session.

ITEM NO. (2) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code § 54957, to conduct an Employee Evaluation for the position of City Manager.

ACTION: This item was scheduled for Closed Session.

RECESS: The City Council and Redevelopment Agency were Recessed at 5:20 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 6:39 P.M. by Mayor/Chairman Dear with all members previously noted present, including Gipson.

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:

None

Also Present:

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

Jackie Acosta, Administrative Services 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; Cedric Hicks, Recreation Superintendent; Duane Munson, Human Resources Officer; Sheri Repp-Loadsman, Planning Officer; Glenn Turner, Computer Systems Support Technician; Sharon Song, Associate Planner; Gilbert Marquez, Senior Civil Engineer; Dani Cook, Community Services Coordinator; 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 one case; provided information on the need to address multiple representations and the issues relating to prosecution of the action; responded to questions asked by the Council; No reportable action was taken. All members of the Council were present and participated in this Closed Session item.

Council Closed Session Item No. 2

City Manager's evaluation commenced under the terms of his employment agreement with the City; City Manager submitted annual goals and objectives as the first step toward his work performance; Council unanimously received and accepted the same. All members of the Council participated in this Closed Session.

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

FLAG SALUTE: **JORDAN GIPSON**

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 J. A. BOYD, CHRIST CHRISTIAN CENTER**

RECESS: The Redevelopment Agency was Recessed at 6:45 P.M. by Mayor/Chairman Dear to the City Council.

RECONVENE: The City Council was Reconvened at 6:46 P.M. by Mayor Dear with all members previously noted present.

APPROVAL OF MINUTES:

TUESDAY, OCTOBER 4, 2011 (REGULAR)

The Minutes, as listed on this evening's agenda, were Approved as Submitted 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

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 on crime statistics and reported that a new website would be up and running by February, 2012. He thanked the Council and the community for their assistance.

(Council/Agency Member Davis-Holmes exited the meeting at 6:49 P.M. and reentered the meeting at 6:50 P.M.)

B. A PRESENTATION ON EARTHQUAKE PREPAREDNESS BY DR NANCY KING, U.S. GEOLOGICAL SURVEY

Mayor/Chairman Dear introduced Dr. Nancy King and thanked Mayor Pro Tem Ruiz-Raber/Vice Chairman for inviting Dr. King to this evening's meeting, which was echoed by Council Members Davis-Holmes and Gipson.

Dr. Nancy King, Scientist, U.S. Geological Survey Center, gave a PowerPoint presentation to the Council and provided copies of the brochure entitled, "Putting Down Roots in Earthquake Country."

Mayor Pro Tem/Vice Chairman Ruiz-Raber

Inquired whether the same rules of getting out of buildings would apply to high-rise buildings.

Council/Agency Member Gipson

Thanked Dr. King for her presentation and requested if she would accept an invitation to come back and speak with the community.

Council/Agency Member Santarina

Thanked Dr. King for her presentation and questioned staff whether the City of Carson was prepared in the event of an earthquake. Whereupon, staff reported that the City participates in training and exercises and offers presentations to the community.

Council/Agency Member Davis-Holmes

Requested additional brochures for the community and requested that staff distribute copies to residents who may not have on-line access.

Mayor Dear

Continued Item No. 21, **CONSIDER ENTERING INTO A RETAINER AGREEMENT WITH GIRARDI AND KEESE TO BRING A PUBLIC NUISANCE ACTION ON BEHALF OF THE CITY OF CARSON INVOLVING THE CAROUSEL TRACT PROPERTIES (CITY MANAGER)**, to February 7, 2012, with no objections heard.

Advanced Item No. 22, **CONSIDER FILLING THE VACANCY IN THE OFFICE OF THE CITY CLERK EITHER THROUGH APPOINTMENT OR THE CALLING OF A SPECIAL ELECTION (CITY MANAGER)**, to be heard at this time, with no objections heard.

Council Member Davis-Holmes

Advanced joint Council Item No. 15/Agency Item No. 12, **CONSIDERATION OF CARSON STREET IMPROVEMENT PROJECT BETWEEN I-405 AND I-110 FREEWAYS**, and was so ordered by Mayor Dear with no objections heard.

Item No. 22 was heard at 7:12 P.M.

RECONVENE: The Redevelopment Agency was Reconvened at 8:16 P.M. for a joint session with the City Council by Mayor/Chairman Dear, with all members previously noted present, for Oral Communications – Members of the Public to hear from the Haitian children only.

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.

The Children's choir from Haiti, ages 8-12 years, sang two songs to the Council/Agency, and Mayor/Chairman Dear thanked them for their visit tonight.

RECESS: The Redevelopment Agency was Recessed at 8:26 P.M. by Mayor/Chairman to the City Council for Item No. 18.

Item No. 18 was heard at 8:26 P.M. after the Oral Communications from the Haitian children.

RECESS: After Item No. 18, the City Council was Recessed at 11:20 P.M. for staff.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 11:34 P.M. for a joint session by Mayor/Chairman Dear, with all members previously noted present, for continued Oral Communications – Members of the Public.

Pilar Hoyos, Watson Land Company

As a personal tribute to Helen Kawagoe, announced that Watson Land Company will establish a \$10,000 scholarship over five years for the Student Exchange Program of the Sister Cities Association in honor of Helen's service to the community and presented a check to Tom Houston, President of the Carson Sister Cities Exchange Program.

Tom Houston, President, Carson Sister Cities Association, accepted the check of \$10,000 from Watson Land Company with gratitude and on behalf of the Association.

Tommie Williams, 1886 E. Cam Street, Carson, California 90745

Offered the following comments: 1) defended the decision of Council Member Gipson to change his vote; 2) reported that there was no telecast on Channel 35 about Dr. Martin Luther King, Jr.; and 3) disapproved that the Haitian children were not recognized sooner and that no pictures were taken.

Paul Randall, 17701 South Avalon Blvd., Sp #318, Carson, California

Thanked Mayor Dear for the time spent with Carson Harbor Village residents on January 8, 2012 so that he could witness how staff treated the residents.

Mary Anne O'Neal, 16211 Visalia Avenue, Carson, California

Reported that the Fine Arts & Historical Committee was directed by Council to name a facility in the City of Carson in honor of Dr. Martin Luther King Jr.; and requested Mayor Dear to pursue having a facility being named in honor of Dr. King. Whereupon, Mayor/Chairman Dear reported that citizens of Carson were working on a public sculpture in honor of Dr. King and requested the assistance of Mrs. O'Neal to move this effort forward.

Olivia Verrett, 17525 Buttonwood Avenue, Carson, California 90746

Referred to the NAACP and stated that she was appalled that a citizen would bash the NAACP and accuse Mayor Dear of being racist.

Ronald Shimokaji, 150 E. Carson Street, No. 135, Carson, California 90745

Referred to and discussed the recent Empowerment Congress Summit.

Barbara Breiter, 9050 LaCelono Avenue, Fountain Valley, California 92708

Referred to and discussed the RFP process for the catering contract. Whereupon, Mayor Pro Tem/Vice Chairman Ruiz-Raber offered brief responses to inquiries raised by Ms. Breiter.

City/Agency Attorney Wynder reminded the public that defamatory statements were actionable.

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

Referred to and discussed his support and non-support for particular council members.

Louis Cogut, 17701 South Avalon, Sp 50, Carson, California 90745

Expressed his concern over a violation of the Brown Act when members of the Council state how they are going to vote on a particular issue. Upon inquiry City Attorney Wynder clarified that Council Members were able to publicly state how they plan to vote on an issue.

Del Huff, 868 E. Meadbrook, Carson, California 90746

Offered the following comments: 1) spoke on behalf of Larry Grant, founder of the Los Angeles and San Diego Martin Luther King, Jr. Parades and 2) thanked the Council for allowing the Haitian children to be a part of the Council meeting this evening.

Pastor Vera Little, International Faith Based Chamber

Discussed unity in the City of Carson and honoring Helen Kawagoe with the naming of the Council Chamber in her name.

Marvin Clayton, 426 W. Carson Street, No. 6, Carson, California 90745, Executive Director, Apollo West Carson Players

Announced that the annual Martin Luther King Jr. Celebration would be held at the South Bay Pavilion on Saturday from 3:00 - 4:00 p.m. and reported that the Martin Luther King Jr. Democratic Club was working on efforts to have something named in honor of Dr. King.

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

Offered the following comments: 1) reported that she had a private conversation with Council Member Davis-Holmes; 2) discussed the comments by Mayor Pro Tem Ruiz-Raber in an article published in the Daily Breeze; and 3) discussed the decision process of Council Member Gipson to reconsider an item. Whereupon, a dialogue ensued among Mayor/Chairman Dear, Mayor Pro Tem/Vice Chairman Ruiz-Raber, and Council/Agency Member Davis-Holmes.

City/Agency Attorney Wynder advised the City Council that comments during Oral Communications should be brief.

Rosa Banuelos, 17700 Avalon Boulevard, No. 66, Carson, California 90746

Offered the following comments: 1) that Mayor Pro Tem Ruiz-Raber does not support the Latino community; 2) that Council Member Davis-Holmes always tells people how to vote; and 3) that Council Member Gipson voted one way and then changed his mind.

Ricardo Pulido, 22106 Gulf Avenue, Carson, California 90745

Offered the following comments: 1) referred to the Sculpture Garden and that it should be multi-cultural to beautify the City and cautioned Council Members about violating the Brown Act and getting back on track with handling the City's business.

NEW BUSINESS CONSENT (Items 3-13)

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.

The City Council and Redevelopment Agency New Business Consent Calendar items were heard at 12:29 A.M., on Wednesday, January 18, 2012.

Public Comments

The following persons offered comments:

Council Item No. 5

Upon request, City Manager/Executive Director Biggs summarized the staff report and recommendation.

(Council/Agency Member Gipson exited the meeting at 12:35 A.M., on Wednesday, January 18, 2012.)

Ronald Shimokaji, 152 E. Carson Street, Carson, California 90745

Offered the following comments: 1) that the City Council consider adding a resolve clause to the resolution directing staff to send copies of this resolution to elected representatives in Sacramento and Washington; 2) to make the resolution widely available to members of the media; and 3) that the City Council include a copy of this resolution with a letter addressed to the Special Agent at the Secret Service Office urging them to expedite the investigation and request a report with any information they can divulge legally.

(Council/Agency Member Gipson reentered the meeting at 12:36 A.M., on Wednesday, January 18, 2012.)

David Noflin, 19309 Tillman Avenue, Carson, California 90746

Offered the following comments: 1) informed the City Council that on January 5, 2012, a group of Carson citizens and community organizations met and formed the Coalition to deal with this matter; 2) the Coalition sent a letter to Secret Service requesting information on the Manson case as to what was being done and to give a public statement after the results of their investigation; and 3) announced that the Coalition would be meeting tomorrow at the Carson Resource Center, located at 18507 Avalon Boulevard at 7:00 P.M., for a planned rally and press conference and was asking for the involvement and support of the Mayor and City Council.

Mayor/Chairman Dear requested that City Council support the approval of the resolution and that the resolution be provided to other government agencies and cities with the request that they pass a like resolution.

Agency Item No. 10

City Manager/Executive Director Biggs reported that this item was previously summarized to a date not specified at the request of staff.

The following items were removed for discussion:

Council/Agency Member Gipson

Removed City Council Consent Calendar Item No. 7, **CONSIDERATION OF ADOPTION OF RESOLUTION NO. 12-006 TO AMEND THE CITY'S PERSONNEL RULES TO ADD A Y-RATING POLICY (ADMINISTRATIVE SERVICES)**, and subsequently withdrew his request.

Council/Agency Member Davis Holmes

Removed Council Item No. 7: **CONSIDERATION OF ADOPTION OF RESOLUTION NO. 12-006 TO AMEND THE CITY'S PERSONNEL RULES TO ADD A Y-RATING POLICY (ADMINISTRATIVE SERVICES)**; Council Item No. 9, **CONSIDER THE AWARD OF A PURCHASE CONTRACT FOR THE REPLACEMENT OF PLAYGROUND EQUIPMENT AT CARRIAGE CREST AND STEVENSON PARKS (ADMINISTRATIVE SERVICES)**; and Council Item No. 12: **CONSIDER REDUCTIONS TO COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE FUNDING FOR PROGRAM YEAR 2012 (ECONOMIC DEVELOPMENT)**.

Council/Agency Member Santarina

Removed Agency Item No. 9, **CONSIDERATION OF RESOLUTION NO. 12-08 APPROVING DESIGN OVERLAY REVIEW NO. 1401-11 TO CONSTRUCT A NEW 3,825-SQUARE-FOOT AUXILIARY BUILDING TO BE USED FOR A PROPOSED TRUCK WASH AND LUBE FACILITY LOCATED AT 1202 EAST CARSON STREET (ECONOMIC DEVELOPMENT)**.

The motion to approve Council New Business Consent Calendar Item Nos. 3, 4, 5, 6, 8, 10, 11, and 13, and Agency New Business Consent Calendar Item Nos. 1, 2, 3, 4, 5, 6, 7, and 8 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) CONSIDERATION OF MONTHLY TREASURER'S REPORT (CITY TREASURER) THIS IS A JOINT AGENDA ITEM

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

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) CONSIDERATION OF RESOLUTION NO. 12-002 ACCEPTING THE ANNUAL REPORT (FISCAL YEAR 2010/11) AND AUDIT OF THE CARSON REDEVELOPMENT AGENCY, AND AUTHORIZING SUBMITTAL TO THE STATE CONTROLLER (CARSON CONSOLIDATED PROJECT AREA) (ECONOMIC DEVELOPMENT) THIS IS A JOINT AGENDA ITEM

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-002, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ACCEPTING THE ANNUAL REPORT AND AUDIT, AND AUTHORIZING SUBMISSION TO THE STATE CONTROLLER."

ACTION: Item No. 4 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. (5) CONSIDERATION OF RESOLUTION NO. 12-013 CONDEMNING THE RACIAL INFLAMMATORY RANT OF MR. JULES MANSON (CITY MANAGER)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-013, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CONDEMNING THE RACIAL INFLAMMATORY RANT OF MR. JULES MANSON."

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 ADOPTION OF RESOLUTION NO. 12-001
AUTHORIZING THE DESTRUCTION OF SPECIFIED CITY RECORDS
(ADMINISTRATIVE SERVICES)**

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-001, "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 ADOPTION OF RESOLUTION NO. 12-006 TO
AMEND THE CITY'S PERSONNEL RULES TO ADD A Y-RATING POLICY
(ADMINISTRATIVE SERVICES)**

Item No. 7 was heard at 2:16 A.M., on Wednesday, January 18, 2012.

Upon inquiry by Council Member Davis-Holmes, City Attorney Wynder referred to Page 4, Section 4, suggested amended language to read as follows and accepted with no objections heard:

"Section 4. Rule XI of the Personnel Rules is hereby amended by adding a Section 6 which shall read as follows:

Y-Rating. Except as specifically prohibited elsewhere, Y-ratings shall be given when persons or positions are reclassified, transferred or demoted downward for the City's convenience without considering an employee's job performance. Employees with Y-ratings shall be frozen at their current pay rate and will not receive a salary range adjustment or cost of living increase until the salary range related to their new position exceeds the Y-rated pay rate. Shift differential shall be paid in addition to the Y-rated pay rate when the employee's new position qualifies for such pay. Other differentials shall be added to the Y-rated pay rate, as applicable. **Except as otherwise provided above, Y-ratings shall be approved or denied at the discretion of the Appointing Authority.**

- (a) The practice of Y-rating is not to be confused with disciplinary involuntary demotion, salary range adjustments, or other normal personnel procedures. Y-ratings are sometimes, but not always associated with a reorganization and redistribution of duties and responsibilities within the City."

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-006, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE PERSONNEL RULES, RESOLUTION NO. 82-008, TO ADD A Y-RATING POLICY."

ACTION: WITH FURTHER READING WAIVED, Resolution No. 12-006, as amended by City Attorney Wynder, was PASSED, APPROVED, and ADOPTED, as read by title only, on motion of Davis-Holmes, seconded by Dear 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. (8) CONSIDERATION OF A REQUEST FOR AUTHORIZATION TO ACCEPT AND APPROPRIATE VARIOUS DONATIONS IN THE GENERAL FUND (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. ACCEPT the donations received in November 2011 in the amount of \$3,210.00.
2. APPROVE an increase in the FY 2011/12 General Fund revenue budget by \$3,210.00, in the revenue account numbers listed in Exhibit No. 1.
3. APPROPRIATE the \$3,210.00 to the FY 2011/12 expenditure budget in the expenditure account numbers listed in Exhibit No. 1.
4. ACCEPT the donations received in December 2011 in the amount of \$2,367.63.
5. APPROVE an increase in the FY 2011/12 General Fund revenue budget by \$2,367.63, in the revenue account numbers listed in Exhibit No. 2.
6. APPROPRIATE the \$2,367.63 to the FY 2011/12 expenditure budget in the expenditure account numbers listed in Exhibit No. 2.

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) CONSIDER THE AWARD OF A PURCHASE CONTRACT FOR THE REPLACEMENT OF PLAYGROUND EQUIPMENT AT CARRIAGE CREST AND STEVENSON PARKS (ADMINISTRATIVE SERVICES)

Item No. 9 was heard at 3:19 A.M., on Wednesday, January 18, 2012.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE the formal bid process defined by the Carson Municipal Code, Section 2607, as allowed by Section 2604 (d).
2. AUTHORIZE the City of Carson to piggy back off a competitively bid contract between the Palm Springs Unified School District and Miracle Playground Sales.
3. APPROVE the award of purchase contract for playground equipment to Miracle Playground Sales, for Carriage Crest Park in the amount of \$62,950.28, and Stevenson Park (south end) in the amount of \$72,584.46, for a combined total of \$135,534.74.

ACTION: It was moved to approve staff recommendation Nos. 1, 2, and 3 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. (10) CONSIDER APPROVAL OF TRACT MAP NO. 70818: SUBDIVISION OF SEVEN EXISTING LOTS INTO TWO GROUND LOTS AND SEVEN AIRSPACE LOTS FOR THE DEVELOPMENT OF A MIXED-USE PROJECT AT 708 - 724 E. CARSON STREET AND 21720 - 21814 S. AVALON BOULEVARD (DEVELOPMENT SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE Tract Map No. 70818, located at 708 - 724 E. Carson Street and 21720 - 21814 S. Avalon Boulevard.
2. MAKE the findings listed in the body of this report.
3. ACCEPT the dedications as indicated on said map.
4. INSTRUCT the City Clerk to endorse the certificate that embodies the approval of said map on the face of Tract Map No. 70818.

ACTION: Item No. 10 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. (11) CONSIDERATION OF RESOLUTION NO. 12-007 REGARDING FORGIVENESS OF LOANS TO THE CARSON REDEVELOPMENT AGENCY AS REQUIRED BY ASSEMBLY BILL 936 (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-007, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, MAKING A DECLARATION UNDER HEALTH AND SAFETY CODE 33354.8 THAT, DURING THE PERIOD FROM JANUARY 1, 2010 TO DECEMBER 31, 2011, THE CITY HAS NOT FORGIVEN THE REPAYMENT, WHOLLY OR PARTIALLY, OF ANY LOAN, ADVANCE, OR INDEBTEDNESS OWED TO THE CITY BY THE CARSON REDEVELOPMENT AGENCY."

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

ITEM NO. (12) CONSIDER REDUCTIONS TO COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE FUNDING FOR PROGRAM YEAR 2012 (ECONOMIC DEVELOPMENT)

Item No. 12 was heard at 3:20 A.M., on Wednesday, January 18, 2012.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. CONSIDER the information on CDBG funding for Program Year 2012 for the city of Carson provided by the U. S. Department of Housing and Urban Development.

2. DIRECT staff and the Citywide Advisory Commission to provide a funding recommendation to the City Council for no more than seven (7) public service programs.

ACTION: It was moved to approve staff recommendation Nos. 1 and 2 on motion of Davis-Holmes, seconded by Dear 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. (13) AUTHORIZATION TO RELEASE A REQUEST FOR PROPOSAL FOR PROFESSIONAL CROSSING GUARD SERVICES (PUBLIC SERVICES)

RECOMMENDATION for the City Council:

1. AUTHORIZE staff to release an RFP for professional crossing guard services.

ACTION: Item No. 13 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

Council Item No. 15/Agency Item No. 12 were heard at 12:51 A.M., on Wednesday, January 18, 2012.

DEMANDS (Item No. 14)

ITEM NO. (14) RESOLUTION NO. 12-008 ALLOWING CLAIMS AND DEMANDS IN THE AMOUNT OF \$3,943,386.15, DEMAND CHECK NUMBERS 102369 THROUGH 102758

Item No. 14 was heard at 1:20 A.M., on Wednesday, January 18, 2012. on Wednesday, January 18, 2012.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 12-008 was PASSED, APPROVED, and ADOPTED, as read by title only, 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

UNFINISHED BUSINESS (Items 15-19)

**ITEM NO. (15) CONSIDERATION OF CARSON STREET IMPROVEMENT PROJECT
BETWEEN I-405 AND I-110 FREEWAYS (ECONOMIC DEVELOPMENT)
THIS IS A JOINT AGENDA ITEM**

THIS IS A JOINT AGENDA ITEM WITH AGENCY ITEM NO. 12

Council Item No. 15/Agency Item No. 12 were heard at 12:51 A.M., on Wednesday, January 18, 2012.

City Manager/Executive Director Biggs presented the staff report.

Economic Development General Manager Graves summarized the staff report and recommendation.

Public Comments

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

Requested that the Council/Agency consider referring the streetscape elements to the Cultural Arts Commission for further discussion.

George Lopez, 437 W. Carson Street, Carson, California

Referred to the impact upon the residents of Carson and inquired into the reduction of on-street parking, median closures, and funding to maintain the project.

A discussion ensued regarding the following issues:

Mayor/Chairman Dear

Suggested that the two pylons located near Figueroa Street not be included in the design plan.

Discussed the proposed mid-block median closures. Whereupon, Economic Development General Manager Graves suggested that this portion of the design project be brought back for further review, which was accepted without objection.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the Carson Street improvement project.
2. AUTHORIZE staff to proceed with completion of plans, specifications and estimates for the Carson Street improvement project.

ACTION: It was moved to approve staff recommendation Nos. 1 and 2 on motion of Dear, seconded by Gipson 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

RECESS: After Council Item No. 15/Agency Item No. 12, the Redevelopment Agency was Recessed at 1:20 A.M. by Mayor/Chairman Dear to the City Council for Council Item No. 14.

ITEM NO. (16) COMMISSION, COMMITTEE, AND BOARD APPOINTMENTS BY MAYOR DEAR (CITY CLERK)

Item No. 16 was heard at 1:22 A.M., on Wednesday, January 18, 2012.

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 and continued the balance to the next meeting:

Community Civic Engagement Board

Mayor Dear appointed Jesus-Alex Cainglet as an ex-officio Board Member.

Veterans Affairs Commission

Mayor Dear appointed William Davis as an ex-officio Board Member.

ITEM NO. (17) FURTHER CONSIDERATION OF A LIST OF EVENTS REQUESTING FEE WAIVERS FOR CALENDAR YEAR 2012 (CITY MANAGER)

Item No. 17 was heard at 1:25 A.M., on Wednesday, January 18, 2012.

City Manager Biggs summarized the staff report and recommendation.

Public Comments

Summer Hanson, 3636 Olive Avenue, Long Beach, California 90807

Requested that the City Council consider the inclusion of the Children's Day event to be held on April 25, 2012, for a fee waiver. Whereupon, Mayor Dear reported that the Executive Director of the Gardena YMCA wanted to meet with Ms. Hanson discuss event sponsorship.

Jim Oberst, 9871 Alondra Boulevard, Bellflower, California 90706

Offered the following comments: 1) extended an invitation to the City Council to become Board Members; 2) announced that they would be hosting an E-waste fund-raising event; and 3) expressed his willingness to be part of the Children's Day Team to assist in creating a custom.

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

Suggested the inclusion of the following events to the fee waiver list: Children's Day, Early Childhood Ecology Fair, Asian Pacific Islander Celebration, Mariachi Festival, and Unity Day. Whereupon, City Manager Biggs recommended that the City Council not expand the list.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE this report on the status and soft costs, facilities and equipment for Cinco de Mayo, Cesar Chavez, Filipino Independence Day, Juneteenth, Jazz Festival, Black History Month/Martin Luther King, Jr. Day and Samoan Flag Day.

ACTION: It was moved to approve soft costs only for Cinco de Mayo, Cesar Chavez Day, Philippine Independence Day, Juneteenth, Jazz Festival, Children's Day, Black History Month/Martin Luther King, Jr. Day, and Samoan Flag Day on motion of Dear and seconded by Santarina.

Amended Motion

Friendly amendments to the motion were offered as follows:

Council Member Davis-Holmes

Added the Youth Conference, Veterans Day Celebration, Memorial Day, Senior Christmas Party, and Breast Cancer Awareness.

Mayor Pro Tem Ruiz-Raber

Added Independence Day; and

Council Member Santarina

Added Larry Itliong Day/Philippine History Month.

Mayor Dear clarified that the waiver of fees for soft costs only for the following activities and that the committees raise their own money, not taxpayer money, for hard costs: Cinco de Mayo Day, Cesar Chavez Day, Philippine Independence Day, Juneteenth, Jazz Festival, Children's Day, Black History Month/Martin Luther King, Jr. Day, Samoan Flag Day, Youth Conference, Veterans Day, Memorial Day, Senior Christmas Party, Breast Cancer Awareness Event and, most likely, in conjunction with the Jazz Festival, Independence Day, Larry Itliong Day/Philippine History Month; and added the Prostate Cancer event at CSUDH, with no objections heard.

A discussion ensued regarding staff time, fee waivers, and the use of City equipment at a City facility.

The motion, as amended, 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

City Manager Biggs clarified that since many of the events do not take place at City facilities, no fee waivers would be necessary and briefly discussed the following scenarios for activities: 1) in the event that a City facility was used, the rental fee might be waived so long as there was not a fee-paying event; 2) did not include staff time; 3) City equipment did not have to be rented from an outside source; and 4) City equipment would not be delivered to off-site venues. He added that hard costs and staff costs would be recovered if events require that level of support.

Council Member Davis-Holmes further reported that the committees would pay for City equipment used offsite and be responsible for any damages along with City staff for delivery, set-up and return.

ITEM NO. (18) FURTHER CONSIDERATION TO NAME THE CARSON CITY COUNCIL CHAMBERS IN HONOR OF CITY CLERK HELEN KAWAGOE (CITY MANAGER)

City Manager Biggs summarized the staff report and recommendation.

Upon advice from City Attorney Wynder, Mayor Pro Tem Ruiz-Raber moved to remove this item from the table and was so ordered by Mayor Dear with no objections heard.

Public Comments

The following persons offered comments in support of naming the Council Chamber in honor of Helen Kawagoe:

Kenneth Inouye, 23041 Avenida de la Carlota, No. 310, Laguna Hills, California 92653, District Governor, Pacific Southwest Japanese American Citizen League

Adelina B. Willis, 21207 South Avalon Boulevard, Sp. 113, Carson, California 90745

Raymond Shibata, 451 N. Prospect Avenue, Redondo Beach, California, 90277, Board Member, Gardena Valley Japanese Cultural Institute

Janet Okubo, 21207 Avalon Boulevard, Sp. 156, Carson, California 90745, Imperial Avalon Mobile Estates, representing Japanese American Citizen League

Kent Kawai, 4045 W. 173rd Place, Torrance, California 90504, President, Southbay Japanese American Citizen League

Amador Saenz, 148 W. 231st Street, Carson, California 90745

Colleen Miyano, 1518 W. 152nd Street, Gardena, California 90247, representing Manzanar Committee

Ronald Shimokaji, 1502 E. Carson Street, Sp. 135, Carson, California 90745

Dan Medina, 13517 Van Buren Avenue, Gardena, California 90247, Gardena City Council Member

David Kawamoto, 6917 Town View Lane, San Diego, California 92120, representing Japanese American Citizen League

Tiny Cook, 17701 South Avalon Boulevard, No. 197, Carson, California 90746

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

Tommie Williams, 1886 Kamm Street, Carson, California 90746

Jan Schaeffer, 21111 Dolores Street, No. 62, Carson, California 90745

Rosa Banuelos, 17700 Avalon Boulevard, Sp. 6, Carson, California 90746

Dianne Thomas, 20219 Nestor Avenue, Carson, California 90746

Dobard, 19312 S. Broadacres Avenue, Carson, California 90746

Mary Anne O'Neal, 16211 Visalia Avenue, Carson, California 90746

Kathie Okamoto, 21111 Dolores Street, No. 137, Carson, California 90745

Wilma Wilson, 19306 Harlan Avenue, Carson, California 90746

Raul Murga, 21111 Dolores Street, No. 189, Carson, California 90745

Presented approximately 1400 signatures to Mayor Dear in support of naming the Council Chamber in honor of Helen Kawagoe

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

Tommy Faavae, 605 E. 221st Street, Carson, California 90745

Paul Randall, 17701 South Avalon Blvd, Sp. 318, Carson, California 90745, President, Carson Harbor Village Homeowner's Association

Presented 160+ signatures to the Council in favor of naming the Council Chambers in honor of Helen Kawagoe.

Dorothy Dominguez, 1818 E. 214th Street, Carson, California 90745

Kanji Sahara, 2419 W. 232nd Street, Torrance, California 90501, representing Gardena Valley Democratic Club

Ricardo Pulido, 22106 Gulf Avenue, Carson, California 90745

Marvin Clayton, 416 W. Carson Street, No. 6, Carson, California 90745

Harold Williams, 20113 Belshaw, Carson, California 90746

Louis Joseph Cogut, 17701 S. Avalon Blvd., #50, Carson, California 90746

Sheryl Miyamoto, 2906 W. 226th Street, Torrance, California 90505

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

Presented more than 1800 signatures to Council in support of naming the Council Chambers in honor of Helen Kawagoe.

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

RECOMMENDATION for the City Council:

1. DISCUSS and PROVIDE direction.

ACTION: It was moved to make--historically--the City of Carson Council Chambers to be named after the Honorable Madam -- "Momma" -- City Clerk Helen Kawagoe on motion of Santarina and seconded by Dear.

Substitute Motion

Mayor Dear offered a substitute motion to direct staff to go forward with an appropriate retirement celebration for Helen Kawagoe, the City Clerk for over 37 years; direct staff to contact the Consul General's Office of Japan to ask them to participate -- although Helen is a multi-generational American, and it would be appropriate to recognize her heritage -- and that the Mayor would contact other organizations; and name the Council Chambers after Helen Kawagoe with the appropriate bronze lettering in Helen's name, which was seconded by Santarina.

Council Member Davis-Holmes urged her colleagues to vote down the previous motions and reported that she would be presenting Resolution No. 12-015 to honor Helen Kawagoe. Upon inquiry, she clarified that her proposed resolution would state that the City Council Chambers would be named in Helen Kawagoe's memory once she has made her transition and that her family would know that would happen. She referred to and briefly discussed long-awaited recognitions for Gil Smith, Clarence Bridgers, Mary Louise Custer, and Dr. Martin Luther King, Jr., and indicated that timing was her concern. She requested that staff bring back an SMP which would outline, based

upon her proposed resolution, how, when, and who would be naming City facilities/parks because without that in place it would open up for other things.

Vote on Substitute Motion

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

Vote on Main Motion

The main 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

Motion

It was moved to 1) WAIVE FURTHER READING and ADOPT Resolution No. 12-015, "A RESOLUTION OF THE CITY COUNCIL PROPOSING THE NAME OF THE CARSON CITY COUNCIL CHAMBERS BE NAMED AFTER HELEN KAWAGOE," within 60 days of her home going celebration; 2) direct staff to bring back to the City Council a future revised SMP governing the naming of public facilities; and 3) that this item not to come back before Council until after 60 days of her home going celebration on motion of Davis-Holmes and seconded by Gipson.

Substitute Motion

Mayor Dear offered a substitute motion to name the Council Chambers and change wording of the Resolution No. 12-015 and direct city staff to bring the resolution back to the City Council at the next council meeting and change wording of the resolution to read, "Whereas, effective immediately, our beloved City Clerk Helen S. Kawagoe be honored with the naming of the Council Chambers Helen Kawagoe," and seconded by Santarina.

During discussion of the substitute motion, the following comments were offered:

Mayor Dear

Reported that Gil Smith had declined to have a facility named after him and subsequently urged his colleagues to send a message to Helen Kawagoe and vote in support the substitute motion.

Council Member Davis-Holmes

Stated that she would not support the substitute motion.

Council Member Gipson

Reported that Helen Kawagoe's name would be carried on the Council Chambers and urged those present to not get side-tracked about when the Chambers would be named after Helen Kawagoe.

Vote on Substitute Motion

The substitute motion was carried by the following vote:

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

RECESS: The meeting was Recessed at 10:04 by Mayor Dear for staff.

RECONVENE: The City Council was Reconvened at 10:24 P.M. Council by Mayor Dear, with all members previously noted present.

Item No. 18 (Reconsideration)

At the request of Council Member Gipson, the substitute motion on Item No. 18, honoring Helen Kawagoe with the naming of the Council Chambers, was read back by Chief Deputy City Clerk Higaki.

Motion to Reconsider

It was moved to reconsider the substitute motion that was just passed on motion of Gipson and seconded by Davis-Holmes.

Upon inquiry, City Attorney Wynder discussed the process of reconsidering the motion that was just passed and should the motion for reconsideration pass, that Resolution No. 12-015 may be amended or adopted or rejected.

Public Comments

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

Olivia Verrett, 17525 Buttonwood Lane, Carson, California 90746

Louis Joseph Cogut, 17701 S. Avalon Boulevard, #50, Carson, California 90746

William Davis, 17701 S. Avalon Blvd, Sp.227, Carson, California 90746

Paul Randall, 17701 S. Avalon Blvd, Sp. 318, President, Carson Harbor Village, Carson, California 90746

Tommie Williams, 1886 Kamm Street, Carson, California 90746

Terri Forsythe, 17701 S. Avalon Boulevard, No. 282, Carson, California 90746

Wilma Wilson, 19306 Harlan Avenue, Carson, California 90746

Ronald Shimokaji, 1502 E. Carson Street, Sp. 135, Carson, California 90745

Jim Boyer, 228 W. Carson Street, No. 42, Carson, California 90745

Rosa Banuelos, 17701 S. Avalon Boulevard, No. 66, Carson, California 90746

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

Barbara Breiter, 9050 LaCelono Avenue, Fountain Valley, California 92708

Mila Boyer, 228 W. Carson Street, No. 42, Carson, California 90745

Raul Murga, 21111 Dolores Street, No. 189, Carson, California 90745

**Kenneth Inouye, 23041 Avenida de la Carlota, No. 310, Laguna Hills, California 92653,
District Governor, Pacific Southwest Japanese American Citizen League**

Ricardo Pulido, 22106 Guld Avenue, Carson, California 90745

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

Sheryl Miyamoto, 2906 W. 226th Street, Torrance, California 90505

The following person agreed with the comments expressed by Council Member Davis-Holmes:

Ramona Pimental, 822 Realty Street, Carson, California 90746

Vote to Reconsider the Substitute Motion

The motion to Reconsider 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

At 11:03 P.M., Mayor Dear inquired whether there were any objections to continuing with this evening's meeting, with no objections heard.

Vote on the Substitute Motion

The vote on the substitute motion to approve Resolution No. 12-015, as amended, 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

Substitute Motion

Council Member Gipson referred to Resolution No. 12-015, and offered a substitute motion to amend the last paragraph to read as follows: "NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Carson, California, hereby declares its intent to name the Carson City Council Chambers in memory of Helen Kawagoe immediately after her passing," and to incorporate the celebration event, and seconded by Davis-Holmes.

Clarification of Substitute Motion by City Attorney Wynder

City Attorney Wynder clarified the substitute motion to provide for the following: 1) to waive further reading and adopt Resolution No. 12-015 that was prepared by Council Member Davis-Holmes and amending it to delete the 60-day delay and to provide for the renaming to occur immediately upon her passing; 2) to direct staff to plan a recognition/retirement/honoring celebration at which the city would both honor and celebrate her life and career and give her formal notice of the Council's intent to name the Chambers after her at her passing; and 3) to provide that this would be the Council's final action, with Council Member Davis-Holmes concurring and accepted by Council Member Gipson.

Motion to Call the Previous Question and End Debate

It was moved to call the previous question and end debate on motion of Dear, seconded by Davis-Holmes 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 Amended Substitute Motion

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

RECESS: The City Council was Recessed at 11:20 P.M. by Mayor Dear.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 11:34 P.M. by Mayor/Chairman Dear, with all members previously noted present, for remaining Oral Communications – Members of the Public.

ITEM NO. (19) CONSIDER A SYSTEMATIC APPROACH TO REQUESTING EVENT SPONSORSHIPS FROM LOCAL BUSINESSES (ECONOMIC DEVELOPMENT)

Item No. 19 was heard at 1:46 A.M., on Wednesday, January 18, 2012.

(Council Member Gipson exited the meeting at 1:46 A.M., on Wednesday, January 18, 2012.)

City Manager Biggs summarized the staff report and recommendation. He referred to the proposed SMP, Section III, Procedure, and corrected Item B to read as follows: "Public Information staff with input from Recreation on their events, will compile the list and prepare a City Council staff report," which was accepted with no objections heard. He subsequently referred to Exhibit 1, Preliminary List of Events, and clarified that the list was for illustration only and would assist businesses to do advance planning for giving purposes.

(Council Member Gipson reentered the meeting at 1:49 A.M., on Wednesday, January 18, 2012.)

Public Comments

Ronald Shimokaji, 1512 E. Carson Street, Sp. 135, Carson, California 90745

Requested that the following events be added to the list to be considered by the Economic Development Commission for funding: Early Childhood Ecology Fair, Asian Pacific Islander Celebration, Mariachi Festival, and Unity Day.

Council Member Santarina

Clarified that the venue for Philippine Independence Day would not be the SouthBay Pavilion, which was accepted without objection, and reported that it was planned that the event would be held at Veterans Park. He subsequently reminded staff about the inclusion of Larry Itilong History Day on the list of events, which was confirmed by City Manager Biggs along with all other approved events.

RECOMMENDATION for the City Council:

1. APPROVE the proposed Council policy.

ACTION: It was moved to approve the staff recommendation on motion of 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

NEW BUSINESS DISCUSSION (Items 20-23)

ITEM NO. (20) ADOPT RESOLUTION NO. 12-014 APPROVING FINANCIAL PRINCIPLES AND GUIDELINES (CITY MANAGER)

City Manager Biggs summarized the staff report and recommendation.

The following issues were discussed:

Council Member Davis-Holmes

Requested that City Manager Biggs discuss no furloughs, but possible lay-offs and demotions.

Council Member Gipson

Referred to non-essential spending and recommended the addition of an item to curtail spending in the event of a catastrophic event, and accepted by City Manager Biggs.

RECOMMENDATION for the City Council:

1. WAIVE further reading and adopt RESOLUTION NO. 12-014 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SETTING FORTH CERTAIN FINANCIAL PRINCIPLES UPON WHICH THE CITY SHALL OPERATE AND ADOPTING CERTAIN IMPLEMENTING GUIDELINES TO ACCOMPLISH THE SAME."

ACTION: WITH FURTHER READING WAIVED, Resolution No. 12-014 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

ITEM NO. (21) CONSIDER ENTERING INTO A RETAINER AGREEMENT WITH GIRARDI AND KEESE TO BRING A PUBLIC NUISANCE ACTION ON BEHALF OF THE CITY OF CARSON INVOLVING THE CAROUSEL TRACT PROPERTIES (CITY MANAGER)

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: After Item No. B, Mayor Dear continued Item No. 21 to February 7, 2012, with no objections heard.

ITEM NO. (22) CONSIDER FILLING THE VACANCY IN THE OFFICE OF THE CITY CLERK EITHER THROUGH APPOINTMENT OR THE CALLING OF A SPECIAL ELECTION (CITY MANAGER)

Item No. 22 was heard at 7:12 P.M.

City Attorney Wynder summarized the staff report and recommendation.

Public Comments

The following persons spoke in support of appointing Wanda Higaki, Chief Deputy City Clerk to the Office of City Clerk:

Paul Randall, 17701 South Avalon Blvd, Sp. 318, President, Carson Harbor Village HOA, Carson, CA 90745

Tiny Cook, 17701 South Avalon Blvd., Sp. 197, Carson, California 90746

Raul Murga, 21111 Dolores Street, Carson, California 90745

Joann Swan, 17701 South Avalon Blvd., Sp. 80, Carson, California 90746

Mary Anne O'Neal, 16211 Visalia Avenue, Carson, California 90745

Amador Saenz, 148 West 231st Street, Carson, California 90745

Harold Williams, 20113 Belshaw Avenue, Carson, California 90746,

Terri Forsythe, President, H.A.R.D., 17700 Avalon Boulevard, Sp. 282, Carson, California

Dorothy Dominguez, 1818 E. 214th Street, Carson, California 90745

Larry Grant, 1823 Denwall Drive, Carson, California 90746

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

Jenny Reddick, 19622 Galway Avenue, Carson, California 90746

Rosa Banuelos, 17701 South Avalon Blvd., Sp 66, Carson, California 90746

Isabella Meni, President, AFSCME, Local 809

Itelia Walker, 20208 S Campaign Drive, Carson California 90746

Wilma Wilson, 19306 Harlan Avenue, Carson, California 90745

Tommie Williams, 1886 E. Kamm Street, Carson, California 90746

Ricardo Pulido, 22106 Gulf Avenue, Carson, California 90745

Bonnie Lu, Carson, California

The following persons spoke in support of the vacancy being filled through an appointment process:

Marvin Stovall, Carson, California

Dr. Rita Boggs, 21328 Island Avenue, Carson, California 90745

Robert Lesley, 19919 Alonda, Carson, California 90746

The following persons spoke in support of the vacancy being filled through the election process:

Dianne Thomas, 20219 Nestor Avenue, Carson, California 90746

Richard Hernandez, 108 W. 226th Pl. Carson, California 90745

Chief Deputy City Clerk Higaki reported that that letters regarding filling the vacant City Clerk position had been received, copies were provided to the Council Members, and were made a part of the record.

Mayor Dear reported that eight (8) letters were received in support of appointing Wanda Higaki to the position of City Clerk, as follows: 1) Economic Development Commissioner Dobard; Ky Truong, President of Association of Management Employees; Colleen Nichols, President, International Institute of Municipal Clerks; Raymond L. Park, President, Dominguez Area Property Owners Association; John Logan, President, Carson Chamber of Commerce; Scott Martin, President, Martin & Chapman Company; Ben Horwich, Elections Consultant, Martin & Chapman Company; and Ken Freschauf, President, Supervisors Association of Carson. One letter was received in support of appointing Vera DeWitt to the position of City Clerk from Vera DeWitt.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: It was moved to appoint Chief Deputy City Clerk Wanda S. Higaki, a Carson resident who is eligible to hold the elective office and to fill the unexpired term of the elective office of the City Clerk position on motion of Santarina and seconded by Dear.

Substitute Motion

Council Member Davis-Holmes offered a substitute motion to make an appointment and go with Option One to include: 1) establish a deadline to give notice (electronically and/or in writing) inviting interested residents to make “application” for the position by a deadline (the application should, at a minimum, include an explanation of the reasons for applying and the qualifications of the applicant to hold the office); 2) establish a deadline to submit for, and a custodian or records to receive, such applications for the position by interested and qualified residents; 3) establish a date, time, and mechanism by which the Council, or a sub-committee of the same, evaluates all applications; 4) establish a date, time, and mechanism by which the full Council would interview all (or recommended) applicants; and 5) select a date for a regular or special Council meeting (occurring on or before February 29, 2012) in which the Council would determine either to make an appointment to fill the office of city clerk and seconded by Ruiz-Raber

Vote on Call for the Previous Question and End Debate

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

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

Substitute Motion

A substitute motion was made to choose Option#1, which will look at other applicants, establish deadlines, give notice, electronically and in writing, inviting interested residents to make an application for the position by the deadline, establish a deadline date to submit and a custodian of records to receive, establish a date, time and mechanism by which the Council or subcommittee of the same evaluates all applications; establish dates and times the candidates by which the full Council will interview and make recommendations; elect a date for Regular or Special Council Meeting occurring on or before February 29, 2012, at which time Council will determine to either make an appointment or call for a Special Election, on motion of Davis-Holmes, seconded by Mayor Pro Tem Ruiz-Raber.

Vote on 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

City Attorney Wynder stated that staff and the City Attorney's Office would come back to the City Council with the process at the next City Council meeting of February 7, 2012.

**ITEM NO. (23) CONSIDERATION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED BNSF SOUTHERN CALIFORNIA INTERNATIONAL
GATEWAY PROJECT (ECONOMIC DEVELOPMENT)**

RECOMMENDATION for the City Council:

Item No. 23 was heard at 2:07 A.M., on Wednesday, January 18, 2012.

City Manager Biggs summarized the staff report and recommendation.

Economic Development General Manager Graves provided additional background information.

Public Comments

Ricardo Pulido, 22106 Gulf Avenue, Carson, California 90745

Due to the absence of Mr. Pulido, Mayor Dear read his comments into the record.

**Jessie N. Marquez, 1601 N. Wilmington Avenue, Wilmington, California 90744. Executive
Director and Founder, Coalition for a Safe Environment**

Distributed the following materials for consideration by the City Council and requested that the Council oppose the EIR:

- Why to Oppose the BNSF SCIG Project!!!
- The Real Facts & Why to Oppose Project!!!
- Is This Your Families Future??? Say No to Port of Los Angeles BNSF Railroad Southern California International Gateway Project Proposal.
- Draft City of Carson Resolution to oppose the BNSF Railway Southern California International Gateway (SCIG) proposed intermodal railyard, and to establish a taskforce to identify alternative locations, healthier, safer and less polluting alternative green technologies to the aforementioned proposed project.
- "Google" map of Port of Los Angeles and POLA Pier 500 Future Expansion Land Fill Project.

**Sofia Carrillo, 1601 N. Wilmington Boulevard, Wilmington, California 90744, representing
Coalition for a Safe Environment**

Offered comments regarding the Port of Los Angeles and request that the Carson community oppose this project.

**Flavio Mercado, 1110 W. Papeete Street, Wilmington, California 90744, representing Coalition
for a Safe Environment**

Offered comments and distributed the following additional materials:

- Listing and Map of Sensitive Receptors Within 1-Mile of Alameda Corridor, City of Carson.
- Let's Connect the Dots – Southern California International Gateway.
- SCIG Truck Route Map

Louis Baglietto, Jr., Ports O' Call, Berth 77, P7-A, San Pedro, California 90731, Partner, Butterfield Communications, on behalf of BSNF Railway,

Assured the City Council that the report was completely in compliance with the Clear Air Action Plan.

Tommy Faavae, 605 E. 221st Street, Carson, California 90745

Requested that Council allow the EIR process to be vetted out and suggested that it would be premature that the Council would oppose the project at this time.

Upon inquiry, City Manager Biggs reported that the City of Los Angeles was the lead agency and clarified that the City of Carson, as a local agency, does not have the luxury to take a position until there has been public comment on the issue.

A discussion ensued regarding the following issues:

Mayor Pro Tem Ruiz-Raber

Impact upon street traffic.

Creation of jobs.

Lead agency to offer training.

Improved air quality.

Construction costs.

Health impact assessments.

Mayor Dear

Pedestrian traffic.

Entrance to the facility.

(Council Member Davis-Holmes exited the meeting at 2:42 A.M., on Wednesday, January 18, 2012.)

TAKE the following actions:

1. PROVIDE comments on the draft EIR for the Southern California International Gateway for inclusion in the city's formal response.
2. RECEIVE and FILE this report.

ACTION: The report was received and filed by Mayor Dear with no objections heard and Davis-Holmes absent.

RECESS: The City Council was Recessed at 2:48 A.M. on Wednesday, January 18, 2012, by Mayor Dear for staff.

RECONVENE: The City Council was Reconvened at 3:16 A.M. on Wednesday, January 18, 2012, by Mayor Dear.

Item No. 7 was heard at 3:16 A.M., on Wednesday, January 18, 2012.

Item No. 9 was heard at 3:19 A.M., on Wednesday, January 18, 2012.

Item No. 12 was heard at 3:30 A.M., on Wednesday, January 18, 2012.

RECESS: The City Council was Recessed at 3:31 A.M., on Wednesday, January 18, 2012, by Mayor Dear to the Redevelopment Agency for Approval of Minutes.

RECONVENE: The City Council was Reconvened at 4:03 A.M., on Wednesday, January 18, 2012, for a joint session with the Redevelopment Agency by Mayor/Chairman Dear with all members previously noted present for remaining Oral Communications.

ORAL COMMUNICATIONS I (STAFF)

This item was heard at 4:03 A.M. on Wednesday, January 18, 2012.

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

Council/Agency Member Davis-Holmes

Charles Backstrom

Mayor/Chairman Dear

Donald Tavie

Ysleta "Buggie" Cockrell, II

Evangeline Seward

Lloyd Olson

Mayor Pro Tem/Vice Chairman Ruiz-Raber

Charles "Chuck" Toney

Jeremy Harrison Evans

Joseph "Joe" Harlow

Council/Agency Member Gipson

Geraldine Washington

Marcella Calderon

Reverend C.A. Ervin

City/Agency Treasurer Avilla

Marcella Calderon

City Manager/Executive Director Biggs

Announced that a dedication of the Reflections Mini Park will be held on Saturday, January 21, 2012, at 10:00 A.M.

ORAL COMMUNICATION II (COUNCIL/AGENCY)

Mayor Pro Tem/Vice Chairman Ruiz-Raber

Offered oral communications and requests as follows:

- That Ordinance No. 10-1445, the two-step item regarding placing items on the agenda, is placed on the agenda for reconsideration at the next meeting.
- That the Human Relations Commission or any other committee place on their agenda the opportunity to speak or participate on an Education Summit regarding consideration of the budget.
- A status report regarding SMP No. 165 as to the timeframe in which it would be brought back for consideration by the City Council.

She addressed comments made or overheard by members of the public by the brothers of the Mayor regarding holding grudges; commented on her decision regarding Jay's Catering; and that the comments expressed by Mr. Pulido were harassment towards her.

Council/Agency Member Gipson

Offered oral communications and requests as follows:

- That he considered the remarks by Terri Forsythe towards him tonight to be offensive and racist and wanted the NAACP to represent him; discussed voting records by the Council Members; that he was an independent thinker; and that he had never said "when," with respect to the naming of the Council Chambers.
- That Michelle Obama celebrated her birthday on Monday, January 17, 2012.
- That his first Pastor, C. A. Irving, a Carson resident, passed away and that he will be funeralized on Saturday, January 21, 2012; therefore, he will not be attending the groundbreaking of Reflections Mini-Park.
- Requested placing on the agenda through the two-step process the option to revisit the town hall meetings, SMP No. 145, for reconsideration.
- That Chairman Jerome Horton, with the Board of Equalization, will be sponsoring a faith-based and non-profit seminar on January 20, 2012, from 9:00 A.M. to 5:00 P.M., at the Juanita Millender-McDonald Community Center.

- Offered his condolences to the Irving and Calderon families.

Council/Agency Member Davis-Holmes

Offered oral communications and requests as follows:

- That in celebration of First Lady Michelle Obama's birthday, she was wearing of pearls in support of the First Lady and that she was appalled that First Lady Obama was called an "angry, Black woman."
- That an SMP should be established in line with the resolution passed regarding the renaming of facilities, bridges, streets, etc., in honor of individuals.
- That SMP No. 167, Fee Waiver for Special Events, should be revisited because it addressed Public Policy Subcommittees, which the City no longer possesses.
- Addressed the comments made by Terri Forsythe as offensive and as an attack.
- Clarified that she had inquired on the floor whether Choura Events would hire employees from Jay's Catering who wanted to move from Jay's Catering to Choura Events.

Council/Agency Member Santarina

Thanked and congratulated the staff on the hard work they have been doing for the City of Carson.

Mayor/Chairman Dear

Offered oral communications and requests as follows:

- Requested a report on the number of employees who were working at the Carson Community Center and are currently working for Choura Events.
- Spoke in defense of his brothers and their right to speak as they pleased.
- Clarified that the comments expressed by Terri Forsythe's comments were not racially based.
- Announced his attendance at community events.
- Thanked staff for their attendance at tonight's meeting.

(Mayor Pro Tem/Vice Chairman Ruiz-Raber and Council/Agency Member Davis-Holmes were excused and exited the meeting at 4:22 A.M., on Wednesday, January 18, 2012.)

UNFINISHED/CONTINUED CLOSED SESSION ITEMS (None)

ADJOURNMENT

The meeting was Adjourned at 4:24 A.M., on Wednesday, January 18, 2012, by Mayor/Chairman Dear and in memory of the individuals requested this evening with Ruiz-Raber and Davis-Holmes absent.

Mayor Jim Dear

ATTEST:

Chief Deputy City Clerk Wanda Higaki