



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

**5:00 P.M.**

**THE CARSON CITY COUNCIL REGULAR MEETINGS ARE BROADCAST LIVE VIA TIME WARNER CABLE CHANNEL 35 AND AT&T U-VERSE CHANNEL 99 AS WELL AS VIA THE INTERNET AT: [HTTP://CI.CARSON.CA.US](http://ci.carson.ca.us)**

**AGENDA POSTED: JULY 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 meetings of the Successor Agency and City Council meeting were called to order at 5:19 P.M. by Mayor/Agency Chairman Dear.

**ROLL CALL:** City Clerk/Agency Secretary Gause noted the following:

Council/Agency Members Present:

Mayor/Agency Chairman Jim Dear; Mayor Pro Tem/Agency 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 5:22 P.M.)

Other Elected Officials Present: Donesia Gause, City Clerk/Agency Secretary

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

Also Present:

David Biggs, City Manager/Executive Director (Entered at 5:22 P.M.); William Wynder, City/Agency Attorney; and staff:

Clifford Graves, Economic Development General Manager; Duane Munson, Human Resources Officer; Glenn Turner, Computer Systems Support Technician; and Joy Simarago, Deputy City Clerk/Deputy Agency Secretary

**CLOSED SESSION (Items 1-2) 5:00 P.M. – 5:45 P.M.**

City/Agency Attorney Wynder presented the Successor Agency and Council Closed Session items.

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

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code § 54956.9(a), to confer with legal counsel regarding pending litigation to which the City is a party. The title of such litigation is as follows: Los Angeles Unified School District v. County of Los Angeles, et. al., County of Los Angeles Superior Court Case No. BS108180

ACTION: This item was scheduled for Closed Session.

**ITEM NO. (2) CONFERENCE WITH LABOR NEGOTIATOR**

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code § 54957.6, with City Manager and Administrative Services General Manager, regarding labor negotiations with AFSCME.

ACTION: This item was scheduled for Closed Session.

**RECESS:** The City Council and Successor Agency were Recessed at 5:22 P.M. by Mayor/Agency Chairman Dear to a Closed Session to discuss the items described on this evening's agenda.

**RECONVENE:** The City Council and Successor Agency were Reconvened at 6:26 P.M. by Mayor/Agency Chairman Dear with all members previously noted present.

**ROLL CALL:** City Clerk/Agency Secretary Gause noted the following:

Council/Agency Members Present:

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

Council/Agency Members Absent: None

Other Elected Officials Present: Donesia Gause, City Clerk/Agency Secretary and Karen Avilla, City/Agency Treasurer

Other Elected Officials Absent: None

Also Present:

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

Clifford Graves, Economic Development General Manager; Jackie Acosta, Administrative Services General Manager (Entered at 5:24 P.M. during Closed Session); Ray Cruz, Public Services General Manager; Farrokh Abolfathi, Acting Development Services General Manager; Lisa Berglund, Principal Administrative Analyst; Glenn Turner, Computer Systems Support Technician; and Joy Simarago, Deputy City Clerk/Deputy Agency Secretary

#### **REPORT ON CLOSED SESSION**

City/Agency Attorney Wynder provided the Successor Agency and Council Closed Session report as follows:

##### **Successor Agency Closed Session Item No. 1**

Provided a privileged and confidential briefing; no reportable action was taken nor was any solicited.

##### **Council Closed Session Item No. 1**

Provided a privileged and confidential briefing on recent rulings made by the trial court following remand from the Court of Appeals; did not solicit any reportable action; provided a privileged and confidential status briefing; no action was taken.

##### **Council Closed Session Item No. 2**

City Council considered an alternative counter proposal to the city's last proposal that was discussed; questions were asked and answered; Council unanimously gave its negotiators further negotiating direction.

##### **Successor Agency Closed Session Item No. 1**

Mayor/Agency Chairman Dear thanked Economic Development General Manager Graves, Redevelopment Manager Westbrook and staff on a job well done for doing the necessary research.

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

**FLAG SALUTE:** RAY KING, LOMITA MAGNET ELEMENTARY SCHOOL

**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 BUGGS, CENTRAL BAPTIST CHURCH**

## **APPROVAL OF MINUTES:**

**TUESDAY, DECEMBER 20, 2011 ( REGULAR)**  
**MONDAY, JANUARY 9, 2012 (SPECIAL JOINT)**

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

Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber introduced Felicitas Somera who will be celebrating her 100<sup>th</sup> birthday and sang the Happy Birthday song along with the Mayor, City Council, and the audience. She read and presented a proclamation to Ms. Somera and invited the Mayor, City Council, City Clerk and City Treasurer for a photo opportunity.

Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber and Council/Agency Member Davis-Holmes presented a bouquet of flowers to Ms. Somera.

Ms. Somera offered words of gratitude in Spanish and Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber introduced her family members who were present.

## **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 (None)**

Captain Rivero, Carson Sheriff Station, wished Ms. Somera Happy Birthday. He provided flyers to the City Clerk for the Mayor and City Council for the National Night Out and invited everyone to the event to be held on Wednesday, August 1, 2012, 6:00 P.M., and stated that more flyers would be available at the Carson Sheriff Station.

(Council/Agency Member Davis-Holmes exited and reentered the meeting at 6:52 P.M.)

Mayor/Agency Chairman Dear advanced Item No. 22, at the request of Captain Rivero, and to be followed by Item No. 21 at the request of Council/Agency Member Davis-Holmes, with no objections heard.

Council/Agency Member Davis-Holmes requested that Captain Rivero also announce to the community that there would be a Community Meeting at Mills Park, 6:15 P.M. to be held on Wednesday, July 25, 2012, located at 1340 E. Dimondale Drive, Carson, in which there will be a discussion of concerns with Captain Rivero.

Captain Rivero discussed the importance of the Town Hall meetings which was an opportunity for residents to address their concerns in their respective communities and to see the resources that were available to them at the Carson Sheriff Station.

Council/Agency Member Santarina acknowledged Captain Rivero for sending his representative to the Public Forums at Sea Country Village and to the residents of Sun Ray Manor at Veterans Park.

Item No. 22 was heard at 6:56 P.M.

#### **ORAL COMMUNICATIONS – MEMBERS OF THE PUBLIC**

This is the appropriate time for members of the general public to address the **Council on items not on the posted Agenda but are items of interest that are within the subject matter jurisdiction of the Council.** 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 other than to place it on the Agenda for a future meeting if appropriate.**

This item was heard after Item No. 21 at 7:56 P.M.

#### **City/Agency Attorney Wynder**

Announced the importance of the Court of Appeals opinion that was issued today in the County of Santa Cruz case which was another mobilehome park rent control conversion piece of litigation in which the County of Santa Cruz denied a mobilehome park conversion based on the fact that the survey of resident support did not show or evidence support for the conversion on the part of the residents. The issue before the court was what weight, if any, does the legislative body, in that case the county and this case the city give to that lack of resident support. This was an extremely important case to the City of Carson important enough to the point that we came to the City Council and asked for financial support from the City of Carson and the City of Chino jointly both of whom we represent on mobilehome park conversions to file a Friend of the Court brief on the side of the County of Santa Cruz and our position was that the resident survey of support does have meaning; it does not require denial if there was a lack of support but it grants a

basis for denial that was important because we were concerned that the resident group in the County of Santa Cruz case took the position that the lack of resident support meant that the county had no alternative but to deny the conversion and we felt that it was unlikely that the court would accord the survey of support in affect that the facto veto over the Council's discretion and so we argued on behalf of both Carson and City of Chino for the position that we initially took on your behalf on the Colony Cove case. Today, in a published opinion, the Court of Appeals agreed with our position and concluded that the resident survey of support meant something and that it would be a basis upon which the legislative body considering a conversion application could grant or deny the application;

Read a portion of the language from the opinion which was important and helpful and further stated that he believed that the ruling was absolutely critical to the following: 1) Carson Harbor Village rehearing case that is pending; 2) Colony Cove damages case which is now pending before the Court of Appeals; and 3) reversing the decision of the trial court in Imperial Avalon and Park Granada which goes a long way in upholding the decision that the Council made recently on all three cases;

Stated that he would send a copy of the opinion and provide a detailed briefing to the Mayor and City Council and to all the mobilehome park homeowner associations which was another positive step forward and was the second court to agree with Colony Cove and would significantly improve chances on appeal and significantly reduce the city's exposure to any damages claimed.

Mayor/Chairman Dear thanked City/Agency Attorney Wynder and his staff for providing excellent legal representation in defense of the people of Carson.

Council/Agency Member Gipson thanked City/Agency Attorney Wynder and his entire firm.

City/Agency Attorney Wynder credited Assistant City/Agency Attorney Soltani and Assistant City/Agency Attorney Malawy.

### **Request to Add Urgency Item**

Mayor/Chairman Dear stated that he sent an email to City Manager/Executive Director Biggs and City/Agency Attorney Wynder requesting an urgency item this evening due to the increase of coyote attacks which was a terrible threat to residents of Carson; the city allocated \$10,000 for trapping with a company and found that the property owner was not cooperating and that there were more risks for immediate action.

City/Agency Attorney Wynder felt that he could not add the urgency item to the agenda this evening but would be prepared to add the item to the following agenda for the following reasons: 1) was not familiar at this point with the statutory basis that would permit him to unilaterally in affect trespass on private property over the objections of a landlord absent a finding; 2) was directed by City Manager/Executive Director Biggs and Public Services General Manager Cruz to do a legal analysis to see if the City Council could make such a finding and would be prepared to advise the City whether and how you would go about doing that at the next City Council meeting. He reported that he contacted Tom Casparian late this afternoon that there was a serious coyote problem and asked if his client would be willing to let the City come on the property and engage in trapping if he were appropriately indemnified from any harm or danger that would occur to his property or residence. Mr. Casparian contacted him back if he could make a case that there was a significant increase in coyote activity and a real bona fide threat then Mr. Casparian's Senior Attorney, Mr. Close, would seriously consider entering into an appropriate agreement to authorize trapping. Therefore, staff directed the City/Agency Attorney to look at legal authority to mandate trapping with or

without the property owner's permission and would meet with residents for their documentation and that if there was a problem would be willing to work with the City to help resolve the problem.

Additionally, he informed Mr. Casparian that they expected a large number of people to speak to the issue this evening and requested dates, times, witnesses, photographs that were date stamped, and any other independent evidence from the residents that he could assemble and would meet with Mr. Casparian and Mr. Close.

City/Agency Attorney Wynder further stated that he would do another good faith effort to get the permission from the landlord to proceed with trapping.

City Manager/Executive Director reported on the following: 1) that Council/Agency Member Santarina notified him last Saturday who had been in contact with some of the residents; 2) based on the report of the increase of coyote activity, provided direction for Public Services General Manager Cruz and City/Agency Attorney Wynder to work together; 3) did outreach with State Department of Fish and Game; 4) that a resident of the Carson Harbor Village Mobilehome Park submitted a copy of an incident report on behalf of a resident who recently suffered a loss of a beloved pet; report was also filed with the Property Manager; 5) provided a copy of the incident report to Public Services General Manager Cruz and would also provide a copy to the City/Agency Attorney; and 6) provided an update on the coyote trapping.

Mayor/Agency Chairman Dear thanked Council/Agency Member Santarina for taking the initiative on behalf of the Mayor and City Council for a concerted effort. He reported that the coyotes were sited in Rancho Dominguez, Victoria Park, and the natural wetlands within Carson Harbor Village, and throughout areas of Carson;

Requested that City Manager/Executive Director Biggs contact the L.A. County again and submit a letter to L.A. County Supervisor Mark Ridley-Thomas and the Board of Supervisors if they could address the issue on their agenda to allow coyote trapping in the Rancho Dominguez area if deemed an effective means of reducing the coyote population;

Thanked the Home Depot Center for allowing trapping on the grounds of the Home Depot Center Sports Complex which was a regular trail for coyotes behind the University Heights neighborhood.

City/Agency Attorney Wynder reminded everyone that this item was not on the agenda and to entertain Oral Communications at this time and that he would bring all of the issues back to the City Council in a full, complete and detailed report.

Council/Agency Member Davis-Holmes requested that Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber translate the coyote issue discussions for a couple who lost their dog at the Recess.

The following persons offered comments regarding the ongoing coyote issue and requested immediate action from the City:

**Luris Bell, Carson Harbor Village, Carson, California 90746**

**Irene Spikol, 17701 Avalon Boulevard, No. 261, Carson, California 90746**

**Angie Rios, 17701 S. Avalon Boulevard, No. 372, Carson, California 90746**

Reported that on Friday, July 13, 2012, her dog was taken by a coyote.

**Monica Rollins, 17701 S. Avalon, No. 372, Carson, California 90746**

Mayor/Agency Chairman Dear inquired if he requested a Special Meeting to be held sooner than three weeks or could the City Manager take an administrative action and direct the Sheriff Captain and any other protective services that the Public Safety Department could render at the invitation of the residents of the park and could the City/Agency Attorney issue of sending armed protection into the park at the invitation of the homeowners association of Carson Harbor Village and Colony Cove to protect the residents in this crisis; whereupon, City/Agency Attorney Wynder stated that it would depend on the source of the city authority to act and if have under general police powers authority to effectively abate a public nuisance and that the City/Agency Attorney could make the necessary findings of abatement that could be done administratively. The State Department of Fish and Game provided code sections for him to review and if conclude that authority rests with the legislative body then could call a special meeting to authorize that but was unfamiliar of city administratively ordering someone on to a property to engage trapping of a wild animal and was unaware of city scope of police powers.

City/Agency Attorney Wynder stated that he would make it a priority item and added that nothing would prevent the residents from asking the Sheriff's department for assistance because the City does not direct the Sheriff Department and that it would be the County Counsel who would opine their legal authority, whereupon, Mayor/Agency Chairman Dear recommended that the residents contact the Sheriff Department with the support of the Mayor and City Council.

**Doreen Ritschel, 17701 S. Avalon, No. 411, Carson, California 90746**

**Joseph Zimmerman, 17701 Avalon Boulevard, Carson, California 90746**

**Jesus Torres, 17701 S. Avalon Boulevard, Carson, California 90746**

Mr. William Davis requested that Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber translate Mr. Torres' comments, whereupon, she translated for Mr. Torres regarding the coyote issue.

Mayor/Agency Chairman Dear requested that Council/Agency Member Santarina translate his comments to Mr. Torres.

**Aimee Moriarty, 17701 S. Avalon, No. 280, Carson, California 90746**

**Gabriela Holtz, 17701 Avalon Boulevard, No. 368, Carson, California 90746**

**Bernice Davis, 17701 Avalon Boulevard, No. 359, Carson, California 90746**

**Andrew De La Fuente, 17701 Avalon Boulevard, No. 204, Carson, California 90746**

**Tiny Cook, 17701 S. Avalon, No. 197, Carson, California 90746**

**Rick Hernandez, 17701 S. Avalon Boulevard, Carson, California 90746**

Expressed his concern about the marsh in the middle of their mobilehome park and if it could be removed and be made useful.



Mayor/Agency Chairman Dear informed Mr. Hernandez that the marsh was a private property and that the City had no jurisdiction and that the Federal and State Government had jurisdiction which were protected natural wetlands.

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

**Tommie Williams, 1886 Kamm Street, Carson, California 90746**

Offered the following comments: 1) inquired why the Senior Citizen Community Center Building was named after Kay Calas when she was opposed to the building being built and that the people in the community were upset and that it was disrespectful and that the Mayor and Council reconsider their vote; 2) inquired why the fence was still on Del Amo Boulevard; 3) trees needed trimming along Del Amo, Wilmington, and Avalon; 4) weeds were growing on sidewalks; and 5) urged the Mayor and Council to pay attention to all areas of Carson.

Council/Agency Member Davis-Holmes addressed Ms. Williams' concern of the fence that was still on Del Amo Boulevard and that it would soon be removed and requested that City Manager/Executive Director Biggs provide her with the tree trimming schedule.

**Joanne Swan, 17701 S. Avalon, No. 80, Carson, California 90746**

Stated that there were too many incidents of difficulty with coyotes throughout the City and would try to provide more factual information from the residents to the City/Agency Attorney.

(Council/Agency Member Santarina exited the meeting at 9:00 P.M.)

**Blanca E. Hernandez, 17701 S. Avalon Boulevard, No. 267, Carson, California 90746**

Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber translated Ms. Hernandez' comments that her dog was attacked by a coyote on June 26, 2012.

(Council/Agency Member Santarina reentered the meeting at 9:01 P.M.)

**Marvin J. Stovall, Andmark, Carson, California**

Requested that the Mayor and Council proceed with the remainder of the items on the agenda and urged the City Council to help the residents with the coyote issue.

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

Suggested that the residents of the Carson Harbor Village organize a public demonstration on Avalon Boulevard between Victoria and Albertoni to show everyone what a true threat that the coyotes present to the community and that he would provide assistance.

**RECESS:** The meeting was Recessed at 9:10 P.M. by Mayor/Chairman Dear for staff.

**RECONVENE:** The meeting was Reconvened at 9:56 P.M. by Mayor/Chairman Dear with all members previously noted present.

**NEW BUSINESS CONSENT (Items 3-7)**

**These items are considered to be routine items of COUNCIL business and have, therefore, been placed on the CONSENT CALENDAR. If 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.

**Mayor/Chairman Dear**

Continued Council Item No. 19, CONSIDERATION OF A REQUEST FOR PROPOSAL FOR A THIRD COMMERCIAL/INDUSTRIAL SOLID WASTE SERVICE PROVIDER (DEVELOPMENT SERVICES), indefinitely, at the request of staff, with no objections heard.

**Public Comments**

**Council Item No. 4**

The following persons offered comments in support of staff's recommendation:

**Wen Chen, 1007 E. Orange Grove Boulevard, Pasadena, California 91104**

**Albert Roman, 1727 Carver Street, Redondo Beach, California 90278**

Provided the Special Edition Minghui International-Falun Gong, and Why it Matters to the City Clerk who distributed to the Mayor, City Council, and staff and Book entitled, Bloody Harvest The killing of Falun Gong for their organs.

**Ke Ye, 2828 W. Lincoln Avenue, No. 122, Anaheim, California**

**Council Item No. 6**

**Joanne Swan, 17701 S. Avalon, No. 80, Carson, California 90746**

Inquired into the following: 1) what department was the truck going to; 2) is this a truck to replace an existing truck that is not operating any longer; and 3) if not, is it a brand new truck that is really needed and if so can you get a truck that is less expensive.

Upon inquiry, City Manager/Executive Director Biggs stated that the super cab allows for rear seating of the truck to carry additional employees; vehicle to be used in the Transportation operation in Development Services and was funded out of the Transportation Prop A funds that could only be used for transportation related activities.

Acting Development Services General Manager Abolfathi stated that it was a brand new truck not replacing an existing truck for the Transportation Division which were from the Prop A funds and not from the General Fund; also used for taking the drivers in emergency cases to respond to situations in the field and that currently employees borrow trucks from City Hall which has become an inconvenience.

A discussion ensued regarding use of Prop A and Prop C funds.

**Paul Randall, 17701 S. Avalon, No. 318, Carson, California 90746**

Inquired why the need for a new truck and thanked City Manager/Executive Director Biggs for the clarification.

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

Requested that the Mayor and City Council reconsider purchase of the new truck at this time.

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

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

**Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber**

**Council Item No. 3: CONSIDERATION OF RESOLUTION NO. 12-073 ENFORCING THE CLEAN AIR ACT (CITY MANAGER)**

**Council Item No. 4: CONSIDERATION OF RESOLUTION NO. 12-076 CONCERNING THE HUMAN RIGHTS VIOLATIONS RELATED TO PRACTICING FALUN GONG IN CHINA (CITY MANAGER)**

**Council/Agency Member Davis-Holmes**

**Council Item No. 6: CONSIDER AN AWARD OF A PURCHASE CONTRACT FOR ONE 2012 FORD F150 PICKUP TRUCK (ADMINISTRATIVE SERVICES)**

**Council Item No. 7: APPROVAL OF RESOLUTION NO. 12-072, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERHSIPS PROGRAM (ECONOMIC DEVELOPMENT)**

Successor Agency New Business Consent Calendar Item No. 2 and Council New Business Consent Calendar Item No. 5 were unanimously approved by the following vote:

Ayes: Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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 RESOLUTION NO. 12-073 ENFORCING THE CLEAN AIR ACT (CITY MANAGER)**

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

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-073, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA SUPPORTING ENFORCEMENT OF THE CLEAN AIR ACT AND OPPOSING ALL EFFORTS OF OTHERS TO BLOCK OR DELAY THE MISSION OF THE ENVIRONMENTAL PROTECTION AGENCY."

**ACTION:** It was moved to 1) Waive further reading and Adopt Resolution No. 12-073, as read by title only, and 2) send a copy of the resolution to the EPA, Congresswoman Janice Hahn and Congresswoman Laura Richardson on motion of Ruiz-Raber, seconded by Santarina and unanimously carried by the following vote:

**Ayes:** Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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. 12-076 CONCERNING THE HUMAN RIGHTS VIOLATIONS RELATED TO PRACTICING FALUN GONG IN CHINA (CITY MANAGER)**

**RECOMMENDATION** for the City Council:

**TAKE** the following actions:

1. WAIVE further reading and ADOPT Resolution No. 12-076, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA OPPOSING THE PERSECUTION OF INDIVIDUALS PRACTICING FALUN GONG IN THE PEOPLE'S REPUBLIC OF CHINA"
2. DIRECT staff to transmit an executed copy of the resolution to Wen Chen of the U.S. Southwest Falun Dafa Association, 1007 E. Orange Grove Blvd, Pasadena, CA 91104, Congresswoman Richardson and Amnesty International USA, 350 Sansome Street, Suite 210, San Francisco, CA 94104

**ACTION:** It was moved to 1) Waive further reading and Adopt Resolution No. 12-076, as read by title only, and 2) Direct staff to transmit an executed copy of the resolution to Wen Chen of the U.S. Southwest Falun Dafa Association, 1007 E. Orange Grove Boulevard, Pasadena, CA 91104, and also a copy to Congresswoman Richardson and Amnesty International USA, 350 Sansome Street, Suite 210, San Francisco, CA 94104, and also to Congresswoman Janice Hahn on motion of Ruiz-Raber and seconded by Gipson.

During discussion of the motion, Mayor/Agency Chairman Dear offered a friendly amendment to the motion to also send a copy to Congresswoman Maxine Waters, which was accepted by the maker and second of the motion.

The motion, as amended, was unanimously carried by the following vote:

**Ayes:** Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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 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 May 2012 in the amount of \$15,802.00.
2. APPROVE an increase in the FY 2011/12 General Fund revenue budget by \$15,802.00, in the revenue account numbers listed in Exhibit No. 1.
3. APPROPRIATE the \$15,802.00 to the FY 2011/12 expenditure budget in the expenditure account numbers listed in Exhibit No. 1.

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

Ayes: Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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) CONSIDER AN AWARD OF A PURCHASE CONTRACT FOR ONE 2012 FORD F150 PICKUP TRUCK (ADMINISTRATIVE SERVICES)**

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

RECOMMENDATION for the City Council:

1. AWARD a purchase contract in the amount of \$25,411.66 to Frontier Ford for the purchase of one 2012 4X2 Ford F150 pickup truck with supercrew cab.

ACTION: It was moved to bring back this item with a recommendation, all inclusive, with a complete analysis of the entire division by the new Superintendent and a recommendation with options on motion of Davis-Holmes and seconded by Santarina.

During discussion of the motion and upon inquiry, City Manager/Executive Director Biggs stated that the plan was to move the Transportation Division to the Public Services Work Group.

Acting Transportation Services Supervisor Meni offered comments in support of this item.

A discussion ensued regarding vehicle use and overall review.

The motion was carried by the following vote:

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

**ITEM NO. (7) APPROVAL OF RESOLUTION NO. 12-072, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM (ECONOMIC DEVELOPMENT)**

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

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 12-072. "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM."
2. AUTHORIZE the Mayor or his designee, to sign the grant agreement, any subsequent amendments thereto, and all other documents with the State of California for the purposes of this program.

ACTION: It was moved to approve staff recommendation nos. 1 and 2 on motion of Davis-Holmes, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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 8)**

**ITEM NO. (8) RESOLUTION NO. 12-074 RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$1,796,513.98, DEMAND CHECK NUMBERS 105333 THROUGH 105606**

**ACTION:** WITH FURTHER READING WAIVED, Resolution No. 12-074 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/Agency Chairman Dear, Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber, Council/Agency Member Davis-Holmes, Council/Agency Member Gipson, and Council/Agency Member Santarina  
Noes: None  
Abstain: None  
Absent: None

**SPECIAL ORDERS OF THE DAY (Items 9-12)**

**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 Council are requested to select three speakers to represent your opinion.**

**ITEM NO. (9) CONTINUED PUBLIC HEARING REGARDING FISCAL YEAR 2012/13 CITY MANAGER'S PROPOSED GENERAL FUND BUDGET (CITY MANAGER)**

Item No. 9 was heard at 11:00 P.M.

**Public Hearing**

Mayor/Agency Chairman Dear declared the Public Hearing reopen concerning the **CONTINUED PUBLIC HEARING REGARDING FISCAL YEAR 2012/13 CITY MANAGER'S PROPOSED GENERAL FUND BUDGET.**

**City Clerk's Report**

City Clerk/Agency Secretary Gause reported that notice of the Public Hearing had been given pursuant to applicable law, including but not limited to the timely publication and such copy of proof received by the City Clerk; postings as required by law and other mailings as requested by individuals and organizations. The affidavits attesting to mailing and publishing such notice were on file in the City Clerk's Office. No written communications were received.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. CONDUCT a Continued Public Hearing on the proposed FY 2012/13 General Fund Budget;
2. APPROVE the FY 2012/13 General Fund Budget incorporating the Decision Packages, Budget Referrals and Use of Fund Balance as determined by the City Council;
3. ADOPT Resolution No. 12-068 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ADOPTING THE FISCAL YEAR 2012/13

GENERAL FUND BUDGET AND APPROVING APPROPRIATIONS FOR THE 2012/13  
FISCAL YEAR."

ACTION: Mayor/Agency Chairman Dear ordered Item No. 9 recessed at 11:03 P.M., with no objections heard.

At 12:05 A.M., on Wednesday, July 18, 2012, Mayor/Agency Chairman Dear declared the continued Public Hearing open.

**Staff Report**

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

(Council/Agency Member Gipson exited the meeting at 12:06 A.M., on Wednesday, July 18, 2012.)

City Manager/Executive Director Biggs referred to the following:

- Additional Budget Referral No. 36 - Alternate proposal from Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber to reduce the total number of commissioners through attrition and reduction in size.
- Additional Budget Referral No. 37 - question from Council/Agency Member Gipson which City positions were provided with an auto allowance.
- Exhibit No. 5 Updated Decision Packages and Budget Referrals, Triangle Page Nos. 6-82
- Exhibit No. 7 Consensus Worksheet, Triangle Page Nos. 85 and 86.
- Decision Package No. 22 - related to Transportation provided updated budget referral and that most of the money reflected there could be a savings and would not impact the City's General Fund because it was funded out of Prop A and Prop C funds; therefore, recommend to remove off the table because it would not provide benefit to the General Fund and that there was a need to look into the Transportation Services Division operations as discussed earlier during the course of the current fiscal year.
- Decision Package No. 13 – would be worth exploring to incorporate the Light Vehicle Fleet Maintenance and Update and do on an attrition basis or by reassigning employees which addresses a longer term problem as well as funding vehicle replacement willfully underfunding on an ongoing basis.

(Mayor/Agency Chairman Dear exited and reentered the meeting at 12:10 A.M., on Wednesday, July 18, 2012.)

(Council/Agency Member Gipson reentered the meeting at 12:11 A.M., on Wednesday, July 18, 2012.)

Upon request, City Manager/Executive Director Biggs elaborated on Budget Referral No. 30, Triangle Page No. 85.



Mayor/Agency Chairman Dear emphasized to City Manager/Executive Director Biggs to avoid any layoff of employees and to minimize any type of shifting around or disruption of staff.

Council/Agency Member Santarina referred to Decision Package No. 8 and that he was not in favor of elimination of a position.

(Council/Agency Member Gipson exited the meeting at 12:24 P.M., on Wednesday, July 18, 2012 and reentered the meeting at 12:25 A.M., on Wednesday, July 18, 2012.)

Council/Agency Member Davis-Holmes referred to Decision Package No. 25, Triangle Page No. 85, to make sure to assign a 30-hour per week person and not place two 15-hour week persons; whereupon, City Manager/Executive Director Biggs stated that he would look into before filling the Kids Club Site Director position.

Upon inquiry, Administrative Services General Manager Acosta stated that she would research and follow up on the number of positions allocated for 30 hours a week that the previous City Council approved.

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

Council/Agency Member Gipson referred to Triangle Page No. 80 asked his colleagues to have parity in the travel budget based on ongoing activities in Sacramento and Washington D.C.

#### **Administration of Oath**

Mayor/Agency Chairman Dear requested that all persons wishing to testify to stand and take the Oath, which was administered by City Clerk/Agency Secretary Gause.

#### **Public Testimony**

#### **Vera Robles Dewitt, 21316 Avalon, Carson, California 90745**

Referred to the following:

- Triangle Page No. 56 – urged the City Council to relook into the annual unrealized revenues for the Community Center due to free use or reduced fees;
- City buses – stated that it was very clear that the City could not compete with private sectors in chartering buses and felt that there was overstaffing of bus drivers;
- Triangle Page No. 17 – suggested to eliminate all the vacant positions this fiscal year for realized savings instead of making transfers; and
- Reported on an allegation that occurred at the Community Center that a former city employee prepared letters and used city equipment to address the African American employees to complain or to ask the NAACP to get involved with City personnel actions and requested that the City investigate whether or not former employees could have access to City equipment and that advocating this was out of line.

City Manager/Executive Director Biggs stated that he was unaware of the situation and requested any evidence be provided to him and would undertake an investigation; he further stated that if a non

employee engaged in activities not directly related to their work that they should not be using City equipment or supplies and if someone who was an existing employee who was allowing someone to do that that they were also in dereliction of their duties.

Mayor/Agency Member Dear requested that Ms. DeWitt meet with City Manager/Executive Director Biggs to provide him with the necessary evidence.

Upon inquiry, City Manager/Executive Director Biggs discussed the use of city buses.

Mayor/Agency Chairman Dear requested to explore the possibility of utilizing the bus more for senior citizens, youth, and other groups for city sanction events, whereupon, City Manager/Executive Director Biggs stated that he would look into during the review process of the Transportation Division.

Upon inquiry, City Manager/Executive Director Biggs discussed staffing levels.

(Council/Agency Member Davis-Holmes exited the meeting at 1:05 A.M., on Wednesday, July 18, 2012.)

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

Offered comments in support of Choura events who he felt would do a good job in upgrading the Community Center.

**Frank Zerillo, 244 W. Carriagedale Drive, Carson, California 90745**

Offered comments in support of the city graffiti crew who do an excellent job and did not support contract out for graffiti removal services.

(Council/Agency Member Davis-Holmes reentered the meeting at 1:13 A.M., on Wednesday, July 18, 2012.)

**Acting Transportation Services Supervisor Meni**

Requested that the City Council do the following:

- Consider foregoing all the transfers and focus on the vacant and funded positions as listed on Triangle Page No. 17 to avoid disruption in the workforce;
- Referred to Triangle Page No. 85, Decision Package No. 16 - rescind the vote and if not going to transfer any individuals then rescind any actions taken previously to eliminate the Division Secretary position in Landscape and Building Maintenance in essence would become an Account Clerk for less pay with same amount of work;
- Reconsider any moves that were made prior to this evening's meeting and any decisions made this evening; and
- Keep the two Kids Club Site Directors full-time individuals based on the Los Angeles Unified School District no longer offering after school day care programs in the elementary schools in Carson.

(Council/Agency Member Davis-Holmes exited the meeting at 1:16 A.M., on Wednesday, July 18, 2012 and reentered the meeting at 1:17 A.M., on Wednesday, July 18, 2012.)

At 1:18 A.M., on Wednesday, July 18, 2012, there being no further persons wishing to testify, Mayor/Agency Chairman Dear declared the Public Hearing closed.

City Manager/Executive Director Biggs referred to Decision Package No. 16 on Triangle Page No. 17 and clarified Council's action.

It was moved to not put the Human Services under the control of the Parks and Recreation Department on motion of Dear and seconded by Santarina.

During discussion of the motion and upon inquiry, City Manager/Executive Director Biggs stated that it would require reinstatement of the Human Services Manager position which would add \$158,000 in the wrong direction and if going to remain a separate division would need to add cost back into the budget then would maintain a Division Secretary instead of a Senior Clerk.

### **Substitute Motion**

Council/Agency Member Davis-Holmes offered a substitute motion that everything that was voted on at the last meeting stay the same and move through the items that were pending and seconded by Ruiz-Raber.

During discussion of the substitute motion and upon inquiry, City Manager/Executive Director Biggs clarified that the merger of the Human Services with Parks and Recreation was understood to keep the Community Services Manager position in Parks and Recreation but the elimination of the Human Services Manager, the Division Head, and one Division Secretary becoming a Senior Clerk was to include in the motion.

### **Vote on Substitute Motion**

The substitute motion was carried by the following vote:

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

### **Decision Package No. 8**

It was moved to approve Decision Package No. 8, Triangle Page No. 86, but to transfer to a vacant position as listed on Triangle Page No. 17 (Senior Clerk, Typist Clerk II or Account Clerk vacancies) and keep the person at their current salary as chosen by the City Manager on motion of Davis-Holmes and seconded by Gipson.

During the discussion of the motion and upon inquiry, City Manager/Executive Director Biggs discussed his support staffing.

The motion was carried by the following vote:

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

**Decision Package No. 9**

It was moved to continue the Graphic Artist position in the budget to be eliminated through attrition and transfer the Division Secretary to any of the vacant clerical positions as listed on Triangle Page No. 17 on motion of Davis-Holmes and seconded by Ruiz-Raber.

During discussion of the motion and upon inquiry, City Manager/Executive Director Biggs discussed the three vacant clerical positions, pending vacancies through retirement, and the Senior Clerk position coming over with the Human Services operation.

The motion was carried by the following vote:

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

**Decision Package No 13**

It was moved to keep the two mechanics and eliminate them through attrition on motion of Davis-Holmes, seconded by Dear and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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/Agency Member Gipson exited the meeting at 1:41 A.M., on Wednesday, July 18, 2012.)

**Decision Package No. 15**

City Manager/Executive Director Biggs stated that he misspoke earlier that Decision Package No. 15 was not incorporated in the overall reorganization which was a separate decision package regarding the Division Secretary becoming a Senior Clerk.

(Council/Agency Member Gipson reentered the meeting at 1:43 A.M., on Wednesday, July 18, 2012.)

It was moved to keep the support staffing position at the Division Secretary level in the Human Services Division when and if the incumbent either goes to a different position or retires then it would become a Senior Clerk on motion of Davis-Holmes, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

**Decision Package No. 16**

Council/Agency Member Davis-Holmes requested to revisit Decision Package No. 16 to be consistent with Decision Package No. 15.

It was moved to rescind previous action on Decision Package No. 16 only on motion of Davis-Holmes, seconded by Gipson and unanimously carried by the following vote:

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

It was moved to transfer the staff and change the level of staff and once that person promotes or retires to Senior Clerk on motion of Davis-Holmes, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

**Decision Package No. 22**

Council/Agency Member Davis-Holmes requested that Decision Package No. 22 be pulled off the table.

City Manager/Executive Director Biggs stated that Decision Package No. 22 did not benefit the General Fund and would revisit during the course of the current fiscal year.

**Decision Package No. 27**

It was moved to say no because the person is on disability and if and when that person returns they would need a place to go to on motion of Davis-Holmes, seconded by Dear and unanimously carried by the following vote:

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

**Budget Referral No. 35**

It was moved to approve Budget Referral No. 35 on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

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

**Decision Package No. 14**

It was moved to approve Decision Package No. 14 to leave as is on motion of Dear and seconded by Santarina.

Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber offered a substitute motion to approve Triangle Page No. 81 as recommended and requested that any commissions that do not need staffing to honor that and go ahead and staff the ones that were necessary to be staffed and seconded by Davis-Holmes.

During discussion of the substitute motion and upon inquiry, City Manager/Executive Director Biggs stated that some commissions may only need one staff member who would take action minutes instead of a recording secretary or some commissions may have a secretary and would evaluate with the City Clerk on a foregoing basis.

Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber stated that she felt that the decrease in membership would increase productivity and efficiency and would be less people to have a quorum which would be a savings for those staffing not needed.

Upon inquiry, Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber stated that as of now everything would stay until terms expire on 3/31/13 and through attrition; if position becomes vacant then would not fill it.

A discussion ensued regarding commission stipends.

Council/Agency Member Santarina offered a friendly amendment to the substitute motion that the number of members on the Human Relations Commission to remain at nine members which includes the two youth members which was accepted by the maker and the second of the motion.

The substitute motion, as amended, was carried by the following vote:

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

### **Fund Balance Decision Package No. 2**

It was moved to not create a capital projects fund at this time on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

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

### **Budget Referral No. 35**

It was moved to create parity of the elected officials travel to be consistent with the Mayor at \$7,500 on motion of Gipson and seconded by Santarina.

Mayor Dear offered a substitute motion to reduce travel and create parity at \$6,000 for each elected official which was not considered due to lack of a second.

Upon inquiry, Administrative Services General Manager presented the following amounts that were spent for travel last year by the elected officials:

Mayor Dear	\$ 875.49
Mayor Pro Tem Ruiz-Raber	\$6,447.79
Council Member Santarina	\$1,319.98
Council Member Gipson	\$7,809.00
Council Member Davis-Holmes	\$4,785.56
City Clerk Gause	\$4,600.00
City Treasurer Avilla	\$5,933.00

The motion was carried by the following vote:

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

(Mayor/Agency Chairman Dear exited and reentered the meeting at 2:35 A.M., on Wednesday, July 18, 2012.)

Council/Agency Member Santarina referred to Alternate Decision Package No. 4, Triangle Page No. 86, and requested to revisit for the opportunity to serve as the need arises.

Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber inquired into the procedure on how to handle her 5% reduction of pay, whereupon, Administrative Services General Manager Acosta stated that she would provide her the information.

#### **Alternate Decision Package No. 1**

Mayor/Agency Chairman Dear stated that he was opposed to Alternate Decision Package No. 1 with Ruiz-Raber, Davis-Holmes, Gipson and Santarina concurring.

(Council/Agency Member Gipson exited and reentered the meeting at 2:40 A.M., on Wednesday, July 18, 2012.)

#### **Alternate Decision Package No. 2**

Mayor/Agency Chairman Dear stated that he was opposed to Alternate Decision Package No. 2 with Ruiz-Raber, Davis-Holmes, Gipson and Santarina concurring.

#### **Alternate Decision Package No. 3**

Mayor/Agency Chairman Dear stated that he was opposed to Alternate Decision Package No. 3 with Ruiz-Raber, Davis-Holmes, Gipson and Santarina concurring.

#### **Alternate Decision Package No. 8**

It was moved to move forward with Alternate Decision Package No. 8 to see if the city could get 24/7 service at a huge savings over the City's current costs utilizing just and fair assignment of the City's current employees and if the RFP process was successful on motion of Santarina and seconded by Dear.

Upon inquiry, City Manager/Executive Director Biggs stated that for all the contract out estimates it would be between 25% and 50% of the cost of doing in-house and would have to develop an RFP, do the solicitation, obtain the actual responses then determine the amounts.



Council/Agency Member Davis-Holmes offered a substitute motion to not consider the request to move forward with Alternate Decision Package No. 8 and seconded by Ruiz-Raber.

During discussion of the motion, Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber stated that the gentleman who spoke earlier regarding this item articulated very well and could not get the same level of excellent service with the city if contract out.

The substitute motion was carried by the following vote:

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

City Manager/Executive Director Biggs stated that based on the action taken at the last City Council meeting and this evening that there was a small shortfall of \$169,338 so would show that as being funded out of the Fund Balance unless any other decisions were made this evening. The shortfall would be addressed the next fiscal year through use of Fund Balance and would still show the estimated Fund Balance at \$22,429,000 at the end of the new fiscal year 2012/13, therefore, was still above the Fund Balance reserve goal.

It was moved to approve the budget incorporating the decision packages, budget referrals and use of Fund Balance as outlined, adopt the resolution and populate that with the numbers based on the actions this evening on motion of Gipson, seconded by Santarina and unanimously carried by the following vote:

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

At 2:50 A.M., on Wednesday, July 18, 2012, Council/Agency Member Gipson requested that Item No. 16 be heard at this time, whereupon, Mayor/Agency Chairman Dear ordered that Item No. 16 be taken up at this time, with no objections heard.

**ITEM NO. (10) CONTINUED PUBLIC HEARING TO CONSIDER RESOLUTION NO. 12-069 FORMING COMMUNITY FACILITIES DISTRICT NO. 2012-1, RESOLUTION NO. 12-070 CALLING A SPECIAL ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 2012-1 AND RESOLUTION NO. 12-071 DECLARING THE RESULTS OF A SPECIAL ELECTION, AND AN ORDINANCE NO. 12-1492 LEVYING TAXES RELATING TO THE CREATION OF COMMUNITY FACILITIES DISTRICT 2012-1 (THE BOULEVARDS AT SOUTH BAY-REMEDIAL SYSTEMS-OPERATIONS, MAINTENANCE AND MONITORING) (ECONOMIC DEVELOPMENT)**

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the continued public hearing, TAKE public testimony, and CLOSE the continued public hearing.
2. WAIVE further reading and ADOPT Resolution No. 12-069, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, FOR THE FORMATION OF THE COMMUNITY FACILITIES DISTRICT NO. 2012-1 OF THE CITY OF CARSON (THE BOULEVARDS AT SOUTH BAY - REMEDIAL SYSTEMS - OPERATIONS, MAINTENANCE AND MONITORING), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT."
3. WAIVE further reading and ADOPT Resolution No. 12-070, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CALLING FOR A SPECIAL ELECTION FOR THE COMMUNITY FACILITIES DISTRICT NO. 2012-1 OF THE CITY OF CARSON (THE BOULEVARDS AT SOUTH BAY - REMEDIAL SYSTEMS-OPERATIONS MAINTENANCE AND MONITORING)."
4. CONDUCT ELECTION by opening ballots, WAIVE further reading and ADOPT Resolution No. 12-071, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE COMMUNITY FACILITIES DISTRICT NO. 2012-1 OF THE CITY OF CARSON (THE BOULEVARDS AT SOUTH BAY - REMEDIAL SYSTEMS - OPERATIONS, MAINTENANCE AND MONITORING), DECLARING THE RESULTS OF A SPECIAL ELECTION RELATING TO THE CREATION OF A COMMUNITY FACILITIES DISTRICT."
5. WAIVE further reading and ADOPT Ordinance No. 12-1492, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2012-1 OF THE CITY OF CARSON (THE BOULEVARDS AT SOUTH BAY - REMEDIAL SYSTEMS - OPERATIONS, MAINTENANCE AND MONITORING) AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN SAID DISTRICT."

ACTION: It was moved to continue Item No. 10 to August 7, 2012, at 6:00 P.M., or as soon thereafter as the matter may be heard, due to the complexity of the proposed district and the need for public participation; additional time would be required to complete the report and prepare it adequately for a public hearing on motion of Dear and seconded by Santarina, with no objections heard.

**ITEM NO. (11) CONTINUED PUBLIC HEARING TO CONSIDER ESTABLISHMENT OF COMMUNITY FACILITIES DISTRICT NO. 2012-2 OF THE CITY OF CARSON (THE BOULEVARDS AT SOUTH BAY-CAPITAL IMPROVEMENTS), FINANCING OF SPECIFIED FACILITIES AND INCIDENTAL EXPENSES AND LEVYING OF SPECIAL TAXES AND PUBLIC HEARING TO CONSIDER INCURRING BONDED**

**INDEBTEDNESS WITHIN THE PROPOSED DISTRICT IN AN AMOUNT  
NOT TO EXCEED \$30,000,000.00 (ECONOMIC DEVELOPMENT)**

RECOMMENDATION for the City Council:

1. OPEN the continued Public Hearing, TAKE public testimony, and CONTINUE the Public Hearing to September 18, 2012, at 6:00 p.m., upon finding that the complexity of the proposed District and the need for public participation require the additional time.

ACTION: Item No. 11 was opened and continued to September 18, 2012, 6:00 P.M., by Mayor/Agency Chairman Dear, with no objections heard.

**ITEM NO. (12) PUBLIC HEARING TO CONSIDER AN APPEAL OF PLANNING  
COMMISSION APPROVAL OF CONDITIONAL USE PERMIT NO. 898-12  
FOR A SECOND DWELLING UNIT ON A SITE ZONED RS (RESIDENTIAL,  
SINGLE FAMILY) LOCATED AT 2712 AND 2714 E. ADAMS STREET  
(ECONOMIC DEVELOPMENT)**

**Public Hearing**

Mayor/Agency Chairman Dear declared the Public Hearing open **TO CONSIDER AN APPEAL OF PLANNING COMMISSION APPROVAL OF CONDITIONAL USE PERMIT NO. 898-12 FOR A SECOND DWELLING UNIT ON A SITE ZONED RS (RESIDENTIAL, SINGLE FAMILY) LOCATED AT 2712 AND 2714 E. ADAMS STREET.**

**City Clerk's Report**

City Clerk/Agency Secretary Gause reported that notice of the Public Hearing had been given pursuant to applicable law, including but not limited to the postings as required by law and other mailings as requested by individuals and organizations. The affidavits attesting to mailing such notice were on file in the City Clerk's Office. One written communication was received from Raymond L. Park, President of the Dominguez Area Property Owner's Association, requesting denial of the appeal.

Mayor/Agency Chairman Dear directed that all affidavits of notice be made part of the record.

**Staff Report**

Planning Officer Repp-Loadsman summarized the staff report and recommendation.

**Administration of Oath**

Mayor/Agency Chairman Dear requested that all persons wishing to testify to stand and take the Oath, which was administered by City Clerk/Agency Secretary Gause.

**Public Testimony**

**Jim Marquez, 796 W. 27<sup>th</sup> Street, San Pedro, California 90731, representing applicant Lloyd Anastasi**

Requested that the City Council lend serious consideration to the property owner's request for relief from the literal interpretation of the code specifically to Section 9125.6.A.3 which disallows accessory living quarters and expansion of existing houses in the RS zone in conjunction with a second dwelling unit approved by a CUP. The property owner acknowledged the CUP was a tool to the Planning Commission decision makers and to the property owner to relieve literal interpretation

and that it was a policy decision for a unique case to maintain status quo; there would be a significant impact on the family living on the property.

There being no further persons wishing to testify, Mayor/Agency Chairman Dear declared the Public Hearing closed.

Mayor/Agency Chairman Dear declared the public hearing reopen to hear further public testimony.

**Public Testimony**

Upon inquiry, Mr. Marquez discussed the steps taken to legalize existing storage room with the building department and to use it as one additional bedroom, therefore, it was a policy decision to protect the citizens and the quality of shelter in the city.

(Mayor/Agency Chairman Dear exited and reentered the meeting at 11:36 P.M.)

At 11:43 P.M., Mayor/Agency Chairman Dear inquired whether there were any objections to continuing with this evening's meeting, with no objections heard.

**Lloyd Anastasi, 1250 8<sup>th</sup> Street, Manhattan Beach, California**

Upon inquiry, stated the makeup of the family members residing at the property.

There being no further persons wishing to testify, Mayor/Agency Chairman Dear declared the Public Hearing closed.

Upon inquiry, City/Agency Attorney Wynder stated that the best thing to do to assist the family was to enforce the code and make the structure legally appropriate for its use.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the Public Hearing, TAKE public testimony, and CLOSE the Public Hearing.
2. WAIVE further reading and ADOPT Resolution No. 12-075, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AFFIRMING THE DECISION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 898-12 AND DENYING THE APPEAL TO RETAIN AN UNAUTHORIZED ACCESSORY LIVING QUARTER."

ACTION: It was moved to extend the transition period from 90 days to 180 days to make transition to the home and vacate the unit on motion of Santarina and seconded by Davis-Holmes.

During discussion of the motion, Council/Agency Member Gipson inquired about what could be done to address in the near future for other properties and to modify the code so that other families would not have to go through as in this case, whereupon, City Manager/Executive Director Biggs stated that he would look into as an option to apply to future cases with Council to provide direction.

Mayor/Agency Chairman Dear declared the Public Hearing reopen to hear public testimony.

## **Public Testimony**

### **Jim Marquez, 769 W. 27<sup>th</sup> Street, San Pedro, California 90731**

Stated that the appeal process was to deal with policy and the code CUP was a tool to deal with when there were conflicts within the code itself; nothing improper in the appeal and agreed with Mayor/Agency Chairman Dear that they did not waste their money by filing the appeal because they came to the body for a policy decision based on the acknowledgment by everyone that this was a one of a kind land use and not considered in the code and that was what the state legislatures put the conditional use permit process in the hands of cities for and would like to see a decision rendered.

Upon inquiry, City/Agency Attorney Wynder stated that the substitute motion would be to grant the appeal and to allow the unit to remain in its current condition provided a covenant is entered into with the city by the applicant that the property would never be rented out to a third party.

## **Substitute Motion**

Council/Agency Member Gipson offered a substitute motion to grant the appeal and to allow the unit to remain in its current condition provided a covenant is entered into with the city by the applicant that the property would never be rented out to a third party and seconded by Santarina.

During discussion of the substitute motion, Council/Agency Member Davis-Holmes and Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber offered comments in support of the staff recommendation.

There being no further persons wishing to testify, Mayor/Agency Chairman Dear declared the Public Hearing closed.

## **Vote on Substitute Motion**

The substitute motion failed to carry by the following vote:

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

Council/Agency Member Santarina requested a revote since he seconded the substitute motion.

## **Revote on Substitute Motion**

The substitute motion was carried by the following vote:

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

## **UNFINISHED BUSINESS (Items 13-14)**

### **ITEM NO. (13) CONSIDER REQUEST FROM MAYOR DEAR TO REMOVE FROM THE TABLE COMMISSION, COMMITTEE AND BOARD APPOINTMENTS (CITY CLERK)**

Item No. 13 was heard after Item No. 16 at 3:33 A.M., on Wednesday, July 18, 2012.

RECOMMENDATION for the City Council:

1. CONSIDER the request from Mayor Dear and PROVIDE direction.

ACTION: Mayor/Agency Chairman Dear continued this item to the next regular meeting of August 7, 2012, with no objections heard.

### **ITEM NO. (14) CONSIDER FILLING VACANCIES ON THE MOBILEHOME PARK RENTAL REVIEW BOARD AND THE CARSON HISTORICAL COMMITTEE BY MAYOR DEAR (CITY CLERK)**

RECOMMENDATION for the City Council:

RECOMMENDATION for the Mayor:

1. CONSIDER or APPOINT members to the Mobilehome Park Rental Review Board and the Carson Historical Committee, with the approval of a majority of the entire City Council present, including the Mayor, as listed on Exhibit No. 1.

ACTION: Mayor/Agency Chairman Dear continued this item to the next regular meeting of August 7, 2012, with no objections heard.

## **NEW BUSINESS DISCUSSION (Items 15-22)**

### **ITEM NO. (15) CONSIDERATION OF THE STATUS OF THE ENVIRONMENTAL INVESTIGATION OF THE REGIONAL WATER QUALITY CONTROL BOARD IN THE CAROUSEL TRACT (CITY MANAGER)**

City Manager Biggs summarized the staff report.

(Council Member Gipson exited the meeting at 3:35 A.M., on Wednesday, July 18, 2012 and reentered the meeting at 3:36 A.M., on Wednesday, July 18, 2012.)

#### **Public Comments**

#### **Vera Robles Dewitt, 21316 S. Avalon, Carson, California 90745**

Stated that the Regional Water Quality Control Board prepared a report on a monthly basis and was wondering why the City Council was not receiving the report and making it available to the members of the Carousel Tract.

(Council Member Santarina exited the meeting at 3:38 A.M., on Wednesday, July 18, 2012 and reentered the meeting at 3:40 A.M., on Wednesday, July 18, 2012.)

Mayor/Agency Chairman Dear concurred with Ms. DeWitt that the reports should be made available as often as they were published. He directed that the City Manager/Executive Director ensure that the City received their copy.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. RECEIVE and FILE the memo dated June 14, 2012, on the status of the Carousel Environmental Investigation.
2. APPROVE the sending of a letter on behalf of the City Council to the Regional Water Quality Control Board requesting that this matter be placed on their agenda in order to give the residents of the Carousel Tract an opportunity to engage in discussion.

ACTION: It was moved to provide bus transportation for members of the Carousel Tract when traveling for Environmental Regional Water Quality Control Board issues on motion of Davis-Holmes and seconded by Dear.

During discussion of the motion, Council/Agency Member Gipson stated that the City Council cared and should do whatever was done for other communities in the City.

The motion was carried by the following vote:

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

Mayor/Agency Chairman Dear offered a friendly amendment that the letter be modified and sent on behalf of the City Council to the Regional Water Quality Control Board.

**ITEM NO. (16)      CONSIDER A REPORT ON THE STATUS OF THE CITY'S ADJUDICATED NEWSPAPER, OUR WEEKLY (CITY MANAGER)**

Item No. 16 was heard after Item No. 9 at 2:51 A.M., on Wednesday, July 18, 2012.

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

City/Agency Attorney Wynder clarified that the criteria to be an adjudicated newspaper under the law has not changed but the question was have the facts and circumstances of the operation of the *Our Weekly* newspaper changed and that it was reported that they were not doing business as required for adjudication. Analyses could be done whether or not the paper was currently meeting the criteria.

Upon inquiry, Administrative Services General Manager Acosta stated that it was approximately \$55,000 that was budgeted to advertise in the *Our Weekly* newspaper.

### **Public Comments**

#### **Dr. Rita Boggs**

Offered the following comments: 1) concerned that the *Our Weekly* newspaper adjudication was not being continued, 2) that the *Our Weekly* newspaper was only circulated in the North part of Carson and was not delivered throughout the City; 3) inquired if they were still manufacturing in the City and if so where; 4) concurred with Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber to find out how many Carson residents were paid subscribers to the *Daily Breeze*; and 5) inquired if there were any changes.

#### **Vera Robles DeWitt**

Offered the following comments: 1) Referred to Triangle Page No. 4, Item No. 3, and that the *Our Weekly* newspaper would need to both be printed and published in Carson which was not the case any longer; 2) does not have a business license in the City of Carson; 3) had a problem of their distribution of 5,000 circulations and does not receive in her area of Carson; 4) Referred to Triangle Page No. 4, Item No. 7, why the city has to publish its legal notices; and 5) urged the city to investigate the issues raised and that she felt it was a serious issue on legal notices.

#### **Natalie Cole, 8732 S. Western Avenue, Los Angeles, California 90047, Publisher and CEO, *Our Weekly Newspaper***

Offered the following comments: 1) Expressed her concern regarding the relationship with the City as relates to their adjudication; 2) stated that she repeatedly had struggle with representatives of the City to have conversations and that the City historically had no strong understanding of their adjudication as to how they qualify and meet the criteria; 3) they were the official adjudicated paper for the City of Carson for a number of years; 4) explained that their circulation was 7,500 versus 5,000 that the previous speaker mentioned; 5) prepared to provide documents related to the adjudications; and 6) asked what can be done to open up dialogue between City staff to reach an admirable partnership and reach the City's needs.

#### **David Miller, 8732 S. Western Avenue, Los Angeles, California 90047, representing *Our Weekly Newspaper***

Offered comments in support of the *Our Weekly* newspaper.

City/Agency Treasurer Avilla encouraged the City Attorney to investigate the matter based on the fact that it's a once a week publication and inquired how the adjudication was valid if representatives from *Our Weekly* stated that they were not printing in the City of Carson.

### **RECOMMENDATION for the City Council:**

1. CONSIDER requesting the City Attorney investigate if the criteria required for adjudication has been altered since 2008 and report back to the City Council if the City could challenge the adjudicated status of *Our Weekly* in light of changed circumstances.

ACTION: It was moved 1) that the City Manager and *Our Weekly* staff work together to establish a strategic plan to expand the *Our Weekly* circulation and cover areas important in the City;



2) bring back a report within 60 days what accomplished; and 3) identify printer in Carson and print publication on motion of Gipson, seconded by Dear and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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. (17) CONSIDER RESOLUTION NO. 12-078 CALLING UPON THE STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION, TO PLACE A BAN ON HYDRAULIC FRACTURING (CITY MANAGER)**

Item No. 17 was heard after Item No. 15 at 3:48 A.M., on Wednesday, July 18, 2012.

City Manager/Executive Director Biggs summarized the staff report.

**Public Comments**

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

Stated that he was opposed to a ban on hydraulic fracturing in the State of California based on data obtained from "oil shale" states.

**Dave Quast, Glendale, California 91208, representing Independent Petroleum Association of America**

Offered comments to let DOGGR do its job; suggested no local resolutions until the State has examined the best science.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: It was moved to Waive further reading and Adopt Resolution No. 12-078, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, URGING THE STATE OF CALIFORNIA, DEPARTMENT OF CONSERVATION, DIVISION OF OIL, GAS & GEOTHERMAL RESOURCES (DOGGR) TO PLACE A BAN ON HYDRAULIC FRACTURING" on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman Dear, Mayor Pro Tem/Agency 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. (18) CONSIDERATION OF A REPORT FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S NEW NATIONAL FLOOD INSURANCE REQUIREMENTS, AND LOS ANGELES COUNTY FLOOD CONTROL**

**DISTRICT FLOOD RISK MITIGATION ALTERNATIVE STUDY -  
PROJECT UPDATE (DEVELOPMENT SERVICES)**

City Manager/Executive Director Biggs summarized the staff report.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor/Agency Chairman Dear ordered the report received and filed with a caveat that the document be readily available to anyone.

Acting Development Services General Manager Abolfathi stated that he would make the report available in the Carson Report and City website.

Council/Agency Member Davis-Holmes requested to send a letter to follow up with the U.S. Senators, Congresswoman Janice Hahn, Congresswoman Maxine Waters, and Congresswoman Linda Sanchez.

Council/Agency Member Gipson requested to include all of the L.A. Delegation.

**ITEM NO. (19) CONSIDERATION OF A REQUEST FOR PROPOSAL FOR A THIRD  
COMMERCIAL/INDUSTRIAL SOLID WASTE SERVICE PROVIDER  
(DEVELOPMENT SERVICES)**

Item No. 19 was heard after the break at 9:56 P.M.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: Mayor/Agency Chairman Dear previously ordered this item continued indefinitely, with no objections heard.

**ITEM NO. (20) CONSIDER THE STATUS OF ABX1 26 IMPLEMENTATION (ECONOMIC  
DEVELOPMENT)**

Item No. 20 was heard after Item No. 18 at 4:02 A.M., on Wednesday, July 18, 2012.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor/Agency Chairman Dear ordered the report received and filed with no objections heard.

**ITEM NO. (21) CONSIDER A FEE WAIVER EXTENSION FOR USE OF THE CARSON  
DOMINGUEZ ROOM AT THE CONGRESSWOMAN JUANITA  
MILLENDER-MCDONALD COMMUNITY CENTER FOR DR. JENNY  
BATONGMALAQUE'S TOWN HALL MEETINGS FOR SENIOR CITIZENS  
(PUBLIC SERVICES)**

Item No. 21 was heard after Item No. 22 at 7:09 P.M.

City Manager Biggs summarized the staff report.

**Public Comments**

The following persons offered comments in support of a Fee Waiver Extension for Use of the Carson Dominguez Room at the Congresswoman Juanita Millender-McDonald Community Center for Dr. Jenny Batongmalaque's Town Hall Meetings for Senior Citizens:

**Romeo Bejo, 109 Pismo Drive, Carson, California 90745**

Mayor/Agency Chairman Dear reported that Mr. Bejo submitted a letter and a petition in support of this item and ordered that the letter and petition be made part of the record, with no objections heard.

**Mila Boyer, 520 E. Carson Street, No. 40, Carson, California 90745**

**Myrna Ronquillo, 126 W. 222<sup>nd</sup> Street, Carson, California 90745**

**Marciano Pascua, 172 E. Javelin Street, Carson, California 90745**

**Dr. Jenny Batongmalaque, 23247 S. Main Street, Carson, California 90745, Executive Director, Erasto R. Batongmalaque Foundation, and Facilitator, Senior Coalition of Carson**

Provided a copy of her letter dated July 17, 2012 to the Mayor and Council Members regarding the Annual Report on the Senior Coalition of Carson Program

**Miriam Vazquez**

Felt that other ethnic groups also have the same right to use the Carson Dominguez Room at the Congresswoman Juanita Millender-McDonald Community Center.

Mayor/Agency Chairman Dear clarified the purpose of Dr. Batongmalaque's, E.R.B Foundation, use of the Carson Dominguez Room at the Congresswoman Juanita Millender-McDonald Community Center.

Upon request, Dr. Batongmalaque briefly discussed the foundation's program services and activities.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction to staff.

ACTION: It was moved to approve alternative staff recommendation No. 1 to approve the fee waiver request for the use of the Carson Dominguez Room for all twelve town hall meetings that will take place monthly from September 2012 through August 2013 and seconded by Santarina.

During discussion of the motion, Council/Agency Member Santarina discussed the ethnic diversity of the attendees.

Mayor/Agency Chairman Dear offered a friendly amendment to the motion to extend the allowance of use for the next two years instead of one year which was accepted by the maker and the second.

Council/Agency Member Davis-Holmes stated that the motion that was approved two years ago with a caveat that Mayor/Agency Chairman Dear and Council/Agency Member Santarina would raise money to pay for the hard costs which Mayor/Agency Chairman Dear agreed to and if it would still apply.

Mayor/Agency Chairman Dear stated that what has since transpired was that the hard costs were eliminated due to the foundation declining the \$75.00 for linen costs and that the hard costs were not utilized but if any hard costs would occur in the next two years, he requested that City Manager Biggs notify the Mayor and City Council of any hard costs and that he would raise money from the business community.

A discussion ensued regarding labor costs and hard costs.

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

**ITEM NO. (22)      CONSIDER RESOLUTION NO. 12-077 ESTABLISHING A REWARD FUND AT \$25,000.00 FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF THE PERSON(S) RESPONSIBLE FOR THE MURDER OF DORIAN HOLT (PUBLIC SERVICES)**

Item No. 22 was heard after the Introductions at 6:56 P.M.

City Manager Biggs summarized the staff report and recommendation.

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-077, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, PROVIDING FOR THE ESTABLISHMENT AND DISTRIBUTION OF A REWARD FUND OF \$25,000.00 FOR THE PERSON OR PERSONS WHO FURNISH INFORMATION LEADING TO THE ARREST AND CONVICTION OF THE PERSON OR PERSONS WHO CAUSED THE DEATH OF DORIAN HOLT.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 12-077 was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Davis-Holmes and seconded by Ruiz-Raber.

During discussion of the motion, the Mayor and Council Members offered their condolences to the family of Dorian Holt and offered comments in support of this item.

Council Member Davis-Holmes offered an amendment to her motion that a floral arrangement be sent on behalf of the entire City Council, which was accepted with no objections heard.

Upon inquiry, Captain Rivero briefly discussed the importance and usefulness of the reward fund.

The motion, as amended, was unanimously carried by the following vote:

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

### **ORAL COMMUNICATIONS I (STAFF)**

City Clerk/Agency Secretary Gause requested that this evening's meetings be adjourned in memory of the following persons:

**Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber**  
Erika Shrone Latreice Watson-Mills

**Council/Agency Member Davis-Holmes**  
Virgie Lee Stewart  
Dorian Holt  
Jacki Thornton  
Dr. Patricia H. Luce  
Minerva Johnson  
Dave Rodriguez

**Council/Agency Member Gipson**  
Alicia Salazar  
Reatha Mayfield  
Willis Franklin Earl Edwards  
Kelly Robin Hill-Greenwade  
Derrick Watson  
Tejiri Ojose

**Mayor/Agency Chairman Dear**  
Metters Charles Fulbright  
Willis Edwards

She offered the following oral communications:

- Wished her great grandmother, 90 years old, a Happy Birthday

### **ORAL COMMUNICATIONS II (COUNCIL/AGENCY)**

**Mayor Pro Tem/Agency Vice Chairman Ruiz-Raber**

- Wished Felicitas Somera a Happy Birthday

- Sang the Happy Birthday song to Council/Agency Member Gipson

**Council/Agency Member Gipson**

- Invited everyone to the following:
  - Town Hall Meeting with Captain Rivero, on Wednesday, July 25, 2012, at Mills Park.
  - Let's Talk-Break the Silence Suicide Prevention Symposium, on Saturday, July 28, 2012, 2:00 P.M. to 6:00 P.M., Victoria Community Regional Park, 419 E. 192<sup>nd</sup> Street, Carson, California 90746

**Council/Agency Member Davis-Holmes**

- Requested to revisit the fee waiver to the Soccer League at Calas Park.

**Council/Agency Member Gipson**

- Announced the Kay Calas Memorial Service, on Wednesday, July 18, 2012, 11:00 A.M., and stated that he would be late attending due to a funeral.

**Mayor/Agency Chairman Dear**

- Invited everyone to the Kay Calas Memorial Service, on Wednesday, July 18, 2012, 11:00 A.M.
- Reported on events attended.

**Council/Agency Member Santarina**

- Invited everyone to the Kay Calas Memorial Service, on Wednesday, July 18, 2012, 11:00 A.M.
- Thanked Ron Shimokaji.
- Invited everyone to an event at the South Bay Pavilion, on Thursday, July 26, 2012, 10:00 A.M. to 1:00 P.M.

**Council/Agency Member Davis-Holmes**

- Expressed her concern of the behavior of some of the City commissioners and reminded them that disrespect to others would not be tolerated and that they represent the City and requested a revisit of the Code of Ethics.

**Mayor/Agency Chairman Dear**

- Thanked staff for staying late

**COUNCIL MEMBERS PRESENT REQUESTS TO ADD ITEMS TO FUTURE AGENDAS (None)**

**UNFINISHED/CONTINUED CLOSED SESSION ITEMS (None)**

**ADJOURNMENT**

The meeting was Adjourned at 4:20 A.M., on Wednesday, July 18, 2012, by Mayor/Agency Chairman Dear and in memory of those requested this evening.

ATTEST:

\_\_\_\_\_  
Mayor Jim Dear

\_\_\_\_\_  
City Clerk Donesia Gause