



City of Carson Report to Mayor and City Council

June 16, 2013
New Business Discussion

**SUBJECT: CONSIDER REQUESTING REMOVAL OF VECTOR CONTROL TRUSTEE
HAROLD WILLIAMS FOR CAUSE**

Submitted by David C. Biggs
City Manager

Approved by David C. Biggs
City Manager

I. SUMMARY

This item is on the agenda at the request of Councilmember Robles.

At the June 2, 2013, Council meeting, Councilmember Robles requested that this item be added to the agenda for this meeting. Councilmember Robles would like the City Council to consider taking action to request to removal and/or resignation of Vector Control Trustee Harold Williams for cause.

II. RECOMMENDATION

CONSIDER and PROVIDE direction.

III. ALTERNATIVES

1. Make a formal REQUEST on the Greater Los Angeles County Vector Control Board of Trustees that they remove from office Trustee Harold Williams for cause; *and/or*
2. Make a formal REQUEST that Vector Control Trustee Harold Williams resign from office for cause.
3. TAKE such other action as the City Council deems appropriate consistent with the requirements of law.

IV. BACKGROUND

Councilmember Albert Robles requested at the June 2, 2013, meeting that the City Council consider, at a future meeting, removal for cause of the Carson representative on the Greater Los Angeles County Vector Control Trustee Harold Williams. Mr. Williams was initially appointed by the Mayor and ratified by the Council to serve as a Vector Control Trustee as the Carson representative on November 11, 2007, while a member of the City Council.

This initial term expired on December 31, 2011. Mr. Williams commenced a second four year term on January 1, 2012, which will expire on December 31, 2016. An excerpt from the City Affiliated Organizations chart is attached which reflects the information on the agency and the prior service history (Exhibit 1).

In reviewing the options available to the City Council in considering this matter, staff contacted the General Manager of the Vector Control Board regarding possible removal of Trustee Harold Williams. Staff was provided with a copy of an opinion of the Attorney General addressing the question whether the City Council has the authority to remove a Trustee appointed by the Mayor and ratified by the City Council.

The Office of the City Attorney has reviewed that opinion, in which the Attorney General opines as follows: “We are asked whether a city council that has appointed a person to the board of trustees of a mosquito abatement district may later remove that person from the board at the council’s discretion—that is, before the expiration of the appointee’s term and without specific statutory authority for the removal. *We conclude that a city council may not remove its appointee to a mosquito abatement district board of trustees at the council’s will or pleasure.*”

The Attorney General also opined that “[w]e do not suggest that there are no circumstances under which a mosquito abatement district trustee might be removed from, disqualified from, or deemed to forfeit the office. . . . Government Code section 1770 enumerates events that effect a vacancy in an office, including . . . (d), “[h]is or her removal from office.” One reading of the opinion of the Attorney General suggests that the Vector Control Board of Trustees would have the authority to remove one of its members under the circumstances enumerated in this opinion.

Councilmember Robles is requesting that the City Council take such action as is appropriate to effectuate the removal of Trustee Harold Williams for cause. In light of the Attorney General’s opinion, it would seem that the Council could, if it so determined to do so, make a formal written request of the Greater Los Angeles County Vector Control Board of Trustees to remove one of its own for cause.

One alternative course of action would be for the City Council, if it so determined to do so, to make a formal written request on Trustee Harold Williams to resign his position on the Board of Trustees because the Council has lost confidence in his ability to discharge his duties to the Vector Control District and to the community of Carson.

Either or both of these foregoing actions rest within the sound discretion of the City Council.

V. FISCAL IMPACT

None as a result of this item.

VI. EXHIBITS

- 1) Excerpt from City-Affiliated Organizations Listing. (pg. 4)

Document1

Prepared by: Dbiggs

TO: Rev09-04-2012

Reviewed by:

| | |
|-------------------------|--------------------|
| City Clerk | City Treasurer |
| Administrative Services | Public Works |
| Community Development | Community Services |

Action taken by City Council

Date_____ Action_____

CITY-AFFILIATED ORGANIZATIONS

| ORGANIZATION | MEETING SCHEDULE | DELEGATE | ALTERNATE | PRIOR SERVICE HISTORY |
|---|--|---|-----------------|---|
| 1. California Contract Cities Association 11027 Downey Ave. Downey, CA 90241 Sam Olivito, Executive Director Phone: 562-622-5533 Fax: 562-622-9555 E-mail: admin@contractcities.org Website: www.contractcities.org | Board of Directors Meetings: Monthly - 3rd Wednesday, 6:30 - 8:00 pm (No meeting in Jan, May, July, Oct) Hosted by various cities. 2013 Annual Municipal Seminar: May 16-19, 2013 Renaissance Esmeralda Resort Indian Wells, CA 2013 Annual Fall Seminar: October 5-6, 2013 Temecula Creek Inn Temecula, CA | Dear (4/2/13) | Robles (4/2/13) | <i>Delegate</i> Dear (4/21/09), Gipson (3/21/07), Ruiz-Rabert (5/3/05) (12/21/04) (5/18/04), Santarina (8/19/03), Sweeney (4/1/03) (8/6/02) (4/2/02) (4/3/01), Fajardo (4/20/99), Ruiz-Rabert (5/4/10) <i>Alternate</i> Gipson (4/21/09), Williams (10/9/06), All Members (12/21/04) (5/18/04) (8/19/03) (4/1/03) (8/6/02) (4/2/02) (4/3/01) (5/3/05); Dear (5/4/10) |
| OTHER INFORMATION: None | | | | |
| 2. Greater Los Angeles County Vector Control District (Formerly SE Mosquito Abatement) 12345 Florence Avenue Santa Fe Springs, CA 90670 Truc Dever, Director of Community Affairs, Office: 562-944-2648, Cell: 562-244-2648, Fax: 562-944-7976, E-mail: tdever@glacvcd.org Phone: 562-944-9656 Fax: 562-944-7976 E-mail: info@glacvcd.org Website: www.glacvcd.org | Board of Trustees Meetings: Monthly - 2nd Thursday, 7:00 pm District Headquarters Santa Fe Springs, CA | Williams (1/1/2012) (4-Year Term) (Reaffirmed 4/2/13) | Robles (4-2-13) | <i>Delegate</i> Calas (5/3/05) (12/21/04) (5/18/04) (8/19/03) (4/1/03) (8/6/02) (1/4/00) Dear (11/15/05) (2 Year Term); Williams (11/20/07) (4 Year Term) <i>Alternate</i> Davis-Holmes (5/9/11) (8/2/11), As Designated No Voting Power (11/15/05), Gipson (10/9/06), Santarina (4/21/09) (5/3/05) (12/21/04) (5/18/04) (8/19/03) (4/1/03) |
| OTHER INFORMATION: The District's governing power is vested in its 35 members of the Board of Trustees. One trustee is appointed by each of the 34 cities and the County Board of Supervisors appoints one to represent unincorporated areas of Los Angeles County. To be appointed, the member must reside in and be a resident voter of the representative city (or county for county member) in the District. Board member duties and responsibilities include setting policy, establishing the budget, approving expenditures, and retaining legal counsel. The trustees serve a minimum of two or four-year terms without compensation, but do receive an in lieu travel expense of \$100 for attending each regularly scheduled board meeting. The regularly scheduled board meetings are held on the second Thursday of each month, starting at 7:00 p.m., at District headquarters in Santa Fe Springs. All meetings are open to the public. | | | | |

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