

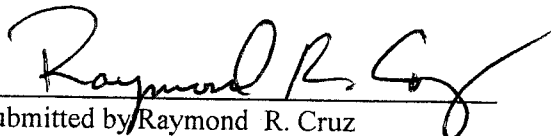


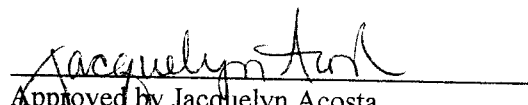
# City of Carson

## Report to Mayor and City Council

July 16, 2013  
New Business Consent

**SUBJECT: STATUS OF THE APPROVED IMPROVEMENTS TO THE CONGRESSWOMAN  
JUANITA MILLENDER-MCDONALD COMMUNITY CENTER AT CARSON**

  
Submitted by Raymond R. Cruz  
Director of Community Services

  
Approved by Jacquelyn Acosta  
Acting City Manager

### **I. SUMMARY**

In December 2011, the City Council approved a five-year contract with Choura Events (Choura) to provide catering services for the Congresswoman Juanita Millender-McDonald Community Center at Carson (Community Center). As part of the contract, Choura was required to make approximately \$113,000.00 of facility improvements to the Community Center. Additionally, associated improvements were identified which staff recommended be financed by the City. The City Council appropriated \$155,000.00 and empowered the Council Community/Senior Center Committee (Committee) to oversee the details of the improvements. This item outlines the progress of the Committee and the status of the improvements.

### **II. RECOMMENDATION**

RECEIVE and FILE.

### **III. ALTERNATIVES**

None.

### **IV. BACKGROUND**

At the December 6, 2011, City Council meeting, the City Council approved a five-year contract with Choura to exclusively provide catering services at the Community Center. Associated with the contract, Choura would be required to make at least \$113,000.00 in facility improvements to the Community Center (Exhibit No. 1). As part of the motion to approve the contract, it was agreed that then Mayor Pro Tem Julie Ruiz-Raber and Councilmember Lula Davis-Holmes would work with City staff and Choura officials to develop a plan of action, and identify enhancements that would not only improve the aesthetics of the facility, but also increase the marketability of and reservation rate at the Community Center. This Committee met regularly to determine what types of improvements Choura should invest in, as well as those the City would be responsible for.

At the January 15, 2013 City Council Meeting, the City Council approved the recommended improvements and appropriated \$155,000.00 for the project (Exhibit No. 2). Since then, the work group transitioned into the

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Community/Senior Center Committee and consists of Mayor Jim Dear and Councilmember Lula Davis-Holmes. This Committee has been very active and has been making decisions about details for the project. The following provides the status of the approved improvements.

#### Outside of the North Entrance

Improvements to the hardscape which included removing concrete and installing sections of brick inserts to enhance the appearance of the front walkway has commenced. It will be finished once the Ocean Friendly Garden is completed to ensure they blend well together. In order to make way for the Ocean Friendly Garden, the removal of existing trees, grass and ivy has been completed by City staff. Construction of the Ocean Friendly Garden (Exhibit No. 3) will start at the end of July and will take approximately six weeks to complete.

Also, a free class will be held at the Community Center on July 27, 2013 from 10:00 a.m. to 1:30 p.m. to teach residents how to create an Ocean Friendly Garden by using the latest sustainable materials and techniques (Exhibit No. 4). As part of the project, community members will be assisting in the planting so they can learn to replicate a similar garden at their homes.

#### North Entrance Breezeway

Removal of the carpet and the installation of brick inserts, similar to the improvement at the north entrance to maintain the same look into the main reception lobby, is complete. The discolored cement will soon be sand blasted and then stained.

#### Main Reception Lobby Within the North Main Entrance

Repainting/improving the walls, ceilings and doors is complete. The granite countertops, lighting, furniture and doors has been selected by the Committee and installation will begin by the beginning of August. The carpet and border has also been selected (Exhibit No. 5) and will go out to bid soon.

#### Atrium Including Area Underneath the Stairway

New soil and foliage was placed in the planter area consistent with the Ocean Friendly Garden landscaping in the front of the Community Center. LED lighting highlights will be installed and new bistro tables and chairs will be placed in the atrium in August.

#### Halls A, B and C and Women's Restroom and Foyer

The stainless steel art piece will be refurbished and protective rope and stanchions will be added in August. Within Halls A, B and C, the walls, ceilings, and doors have been repainted, and the existing fabric wall covering will be removed from the floor up to 36" above the floor and replaced with new stone material with a bull nose top edge. The remaining fabric has been dyed and refurbished.

July 16, 2013

The City is responsible for renovating the entire women's restroom that will include new tile, high-end hardware for sinks and faucets, toilets with shutter stalls, a granite counter top to replace the formica counter top in the powder area, and upgraded lighting and mirrors. Materials have been selected by the Committee and installation should start in September. The carpet in the foyer and powder area will be removed and replaced with new carpet mixed with a hard surface flooring, once the carpet bid is accepted.

#### Carson-Dominguez Room

The roof with the chronic leak has been repaired. Repairs and improvements to the fabric ceiling system, new planter boxes and vegetation, and a water feature for the outside patio will be completed in August. The carpeting in this room will also be replaced when the carpet bidding process is complete. The existing board walls have been patched, primed and painted.

#### Other Improvements Identified

Mayor Pro Tem Santarina suggested that the men's restroom for Halls A, B and C also be refurbished. The Committee investigated that request and directed staff to give them a cost with improvements comparable to the women's restroom. It was estimated that this would cost \$46,000.00.

The Committee identified a few other improvements that were not addressed in January's staff report. The repairing and dying of the sound wall now needs to be reevaluated. Choura completed this task, but due to the extensive wear and damage, the final product is not visually pleasing. Staff has found a product that is more durable and aesthetically pleasing. The estimated cost to replace the existing acoustic wall is \$37,000.00.

Furthermore, the Ocean Friendly Garden has a limited budget. As part of the architect's plans, the walkway was going to be crushed brick. The Committee has recommended it to be the same permeable pavers that are in the seating areas. The extra cost will be approximately \$7,000.00 to accomplish this. The Committee has requested one of the community partners to the project, California Water Service, to consider picking up this new cost. As of the date of this report, the City still has not heard a definitive answer. If they are not able to pick up this cost, an appropriation will be sought by the Committee.

#### **V. FISCAL IMPACT**

City Council approved \$155,000.00 at the January 15, 2013 City Council meeting; however, it is not known until the bids come in if additional funds will be needed. Depending on what additional improvements the Committee identifies and the City Council approves, an appropriation from the City's fund balance will need to be initiated.

**VI. EXHIBITS**

1. Minutes, December 6, 2011, Item No. 12. (pgs. 5-10)
2. Minutes, January 15, 2013, Item No. 19. (pgs. 11-12)
3. Ocean Friendly Garden Rendition. (pgs. 13-14)
4. California Friendly Landscape Training Class Flyer. (pg. 15)
5. Picture of selected carpet and border. (pg. 16)

Prepared by: Raymond R. Cruz, Director of Community Services

TO: Rev06-19-2013

Reviewed by:

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

**Action taken by City Council**

Date \_\_\_\_\_ Action \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**ITEM NO. (12) CONSIDER AWARDING A 5-YEAR CONTRACT SERVICES AGREEMENT TO JAY'S CATERING TO PROVIDE EXCLUSIVE CATERING SERVICE AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONAL COMMUNITY CENTER AT CARSON (PUBLIC SERVICES)**

City Manager Biggs summarized the staff report and recommendation and referred to replacement page 20, Exhibit No. 9, Summary of Catering Proposals, of the staff report which replaced pages 20 and 21 that was previously provided to the Mayor, Council, and staff.

**Public Comments**

**Comments in Support of Jay's Catering**

The following persons offered comments in support of awarding a 5-year contract services agreement to Jay's Catering:

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

**Eulina Morris, 3924 W. 117<sup>th</sup> Street, Hawthorne, California 90250**

**Bob Levenson, 211 E. 222<sup>nd</sup> Street, Carson, California 90745**

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

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

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

**Linda Loaeza, 10581 Garden Grove Boulevard, Garden Grove, California 92843, representing Jay's Catering**

Also presented highlights of the Jay's Catering contract.

**Mary Lallande, 10581 Garden Grove Boulevard, Garden Grove, California 92843, Marketing Director, Jay's Catering**

Also presented the marketing campaign for the wedding venue sites.

**Barbara Breiter, 10581 Gardena Grove Boulevard, Garden Grove, California 92843, Controller, Jay's Catering**

Also presented the financial aspects of the Jay's Catering contract.

**Comments in Opposition of Jay's Catering**

The following persons offered comments in opposition of awarding a 5-year contract services agreement to Jay's Catering:

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

Also stated his concern of the conduct of some members of the City Council and the ethical issues of the integrity of the process and as an appointed official he found it difficult to accept the conduct with the appearance of impropriety; felt that the whole process was tainted.

**Vera Robles DeWitt, 21316 S. Avalon, Carson, California 90745**



Also stated her concern that the RFP process appeared to be tainted and unfair on how the process was handled; allegations of corruption made toward staff and improper activity; referred to the Council's actions on January 18, 2011 and June 15, 2011 and urged the Council to consider the original bid and award the catering services contract to Choura Events Catering.

**Comments in Support of Choura Events Catering**

The following person offered comments in support of Choura Events Catering:

**Ryan Choura, owner, Choura Events Catering**

Also stated that Choura Events was interested in doing business with the city of Carson and that the process was not fair and was not provided their third Last, Best and Final offer like Jay's Catering and requested that the Council reconsider.

(Council Member Gipson exited the meeting at 9:50 P.M.)

The following issues were discussed:

Upon inquiry, Mr. Choura, Choura Events Catering, stated that he would utilize the kitchen by Community Halls A, B, and C for outside caterers which the city would benefit from additional revenue.

(Council Member Gipson reentered the meeting at 9:51 P.M.)

Upon inquiry, Ms. Loaeza, Jay's Catering, discussed the wedding concept to be implemented at the Congresswoman Juanita Millender-McDonald Community Center.

Upon inquiry, City Manager Biggs stated that the negotiating team included Public Services General Manager Cruz, Administrative Services General Manager Acosta, Community Center Supervisor Ramirez, and Public Information Manager Cruz.

Mayor Dear stated for the record that he took great offense from the speaker who discussed the corruption, accusations, tainted process and improper actions and that the four employees involved were above reproach and were great employees who would never be involved in any way of any type of tainted, illegal, and unethical process.

Council Member Davis-Holmes referred to the wedding garden concept and stated her concern as to why the areas were not used in the past when they have always been there.

Upon inquiry, Ms. Loaeza stated that they did not have the ability or authority to rent the areas and spaces; never been a price point established, never been able to sit with the center management to work with concepts; no training to staff that they were available; referred to the Meditation Garden by City Hall that there was not much to do which was smaller of the three sites and that the other two areas would have to sell those areas and that there were many requests for wedding ceremonies; need to invest money for a vision for the spaces; referred to the Courtyard Plaza Garden to make more of a private space and possibly add fountain and pillars; referred to the International Sculpture Garden area to possibly add stone pavers, etc., to make it easier for the brides to walk on.



Council Member Davis-Holmes stated that Jay's Catering would have to negotiate with city staff and come up with a plan to use the areas, whereupon, Ms. Loaeza discussed further their wedding concept proposal.

Council Member Davis-Holmes inquired that in 2003 the food percentage was 22% and that the Last, Best and Final offer went down to 20%, whereupon, Ms. Loaeza, stated that the main point was to look at the overall financial benefit of their plan and that they need the city to work with them to make huge capital investment into the center. There was money to be spent to develop and ask for consideration to do the higher sales than just banquets, projecting revenue, and that the figures were not correct that were presented.

Upon inquiry, City Attorney Wynder discussed the evaluation and negotiation process.

Upon inquiry, Mr. Choura discussed the ethics, staff, modifications to the event space, how much money to be able to invest in property based on how increase revenues by series of different projects, wedding garden events, infrastructure changes to the building, invest in series of changes of the building, upgrading for corporate clients, charities, submitted numbers with expectation that those numbers would be questioned in a negotiation process and never reached that point and was open to do that, and had 13 sales staff who sell weddings.

Council Member Gipson stated his concern with the issue of ethics, staff, elected officials and requested clarification.

Upon inquiry, Ms. Dewitt stated that allegations cast at staff was by Ms. Loaeza and not by her and referred to the January 18, 2011 meeting tape and felt that there was impropriety with elected officials interfering with professional staff in negotiations which was inappropriate, and that it was inappropriate that the vendor prepares the agenda on the negotiations. She also referred to the August 17, 2011 agenda for negotiations and stated that it was not fair and that elected officials should not be involved in the day to day negotiations when you have professional staff and that there was the appearance of tainted.

Upon inquiry, City Manager Biggs referred to Triangle Page 17, Comparison of Catering Contract Proposals, and clarified that both firms were given a chance to present a Last, Best and Final offer and that there was no third Last, Best, and Final offer from Jay's Catering and that staff took their

Last, Best and Final offer and did their best efforts to negotiate from that position to enhance the deal to the extent that they could across the table with the vendor and that there were some changes from that that resulted in what was recommended in the contract. Staff did their best to assess given the facts given.

Administrative Services General Manager Acosta referred to Triangle Pages 17, 18, and 19, Exhibit No. 8, and discussed the Comparison of Catering Contract Proposals.

Council Member Davis-Holmes inquired about the \$18,000 that was reduced because Jay's Catering agreed to provide Council meals, whereupon, Mr. Choura agreed which was not and clarified that the numbers in the Last, Best and Final offer were numbers seen at the time and would not have seen Jay's Catering Last, Best, and Final offer of \$23,000 only per year and the \$18,000 only per year and

that the \$4,800 estimation would be a great partner and would commit. Furthermore, he agreed to local hiring, utilizing parks for additional revenue in which the city would receive 10% of every invoice, marketing efforts in various publications, and include the community evaluation.

Council Member Santarina requested that the community customer evaluation tool be included in the contract and asked Choura Events Catering and Jay's Catering for their suggestions.

Mr. Choura agreed to the community evaluation tool and discussed their email notification, sitting in committee meetings, personal notes from him, direct emails from him, and suggested other means such as workshops.

(Council Member Davis-Holmes exited the meeting at 10:43 P.M.)

Ms. Breiter, Jay's Catering, discussed their formal evaluation forms which were already in place, that they contact clients themselves, and would be willing to take to a higher level.

(Council Member Davis-Holmes reentered the meeting at 10:46 P.M.)

Mayor Dear stated his concern of the comments made by Ms. DeWitt.

Upon inquiry, Mr. Choura stated that in their Last, Best and Final offer included the capital improvement fund to invest \$100,000 to improve the Community Center.

Ms. Breiter, Jay's Catering, stated that the \$113,000 or more investment capital improvement was to create more revenue generating facility in the first year and that Choura Events Catering's Last, Best and Final offer of the \$100,000 was for over five years and discussed Jay's Catering's \$250,000 in revenue efforts.

Mayor Dear clarified that he did not have an issue with the ethics of staff but had an issue with the process with the committee not looking at all the factors that needed to be looked at to make a professional logical conclusion.

Upon inquiry, City Attorney Wynder clarified that the RFP that went out included an attached contract in which the vendors were told that that were expected to sign unless noted exceptions and that the contract required any successful vendor to feed the Council and the Agency at Council

meetings. Neither vendor in either of their original proposal or their Last, Best and Final proposal took objection to that provision of the contract, therefore, in the City Attorney's perspective, that provision of the contract would have been in whether awarded the contract to either of the two vendors.

Upon request, Mr. Choura stated that Choura Events would pay \$20,000 back to the city.

RECOMMENDATION for the City Council:

1. AWARD a five-year contract services agreement to Jay's Catering to provide exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at





Carson, for the period December 1, 2011, through November 30, 2016, with the option to extend for one additional five-year term.

**ACTION:** It was moved to Approve a five-year contract services agreement for exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at Carson with Choura Events Catering pending a date in 2012 on motion of Ruiz-Raber and seconded by Davis-Holmes.

Mayor Dear offered a substitute motion to Award a five-year contract services agreement to Jay's Catering to provide exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at Carson, for the period December 1, 2011, through November 30, 2016, with the option to extend for one additional five-year term and seconded by Santarina.

**Vote on Substitute Motion**

The substitute motion was not carried by the following vote:

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

**Vote on Main Motion**

The main motion was carried by the following vote:

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

City Manager Biggs clarified that the motion was to grant the contract in the form provided this evening and update the terms to reflect Choura Events Catering's name and their Last, Best, and Final offer and include City Attorney Wynder's clarification to add the City Council meals for City

Council meetings and would meet with Choura Events Catering for a target transition date after the City Attorney updated the contract.

Council Member Davis-Holmes requested to include the perks for the non-profit groups coming in related to the city functions and with everything existing in the contract.

Mr. Choura agreed to invest \$113,000 or more in the first year at the Congresswoman Juanita Millender-McDonald Community Center.



Council Member Santarina stated his appreciation with Mr. Choura who elaborated on his suggestion of the community evaluation requirement and was assured by the City Attorney that he would include in the contract.

Council Member Davis-Holmes requested that she and Mayor Pro Tem Ruiz-Raber be involved in the interior selections of the paints, carpets, etc.

**RECESS:** The City Council was Recessed at 11:26 P.M. by Mayor Dear for staff.

**RECONVENE:** The City Council was Reconvened at 11:49 P.M. by Mayor Dear, with all members previously noted present, for Item No. 9.



**ITEM NO. (19)      CONSIDER APPROVAL OF PROPOSED IMPROVEMENTS TO  
THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD  
COMMUNITY CENTER AT CARSON (COMMUNITY SERVICES  
DEPARTMENT)**

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE Choura's proposed improvements, so furnishings and building materials can be selected and construction can commence.
2. CONCEPTUALLY APPROVE City-funded enhancements and direct staff to receive more refined estimates so the City Council can determine if they believe the project justifies an appropriation at the City Council meeting when the mid-year budget review is being considered.

ACTION: It was moved to approve staff recommendation and to consider Project Labor Agreement should the contractor project exceed \$125,000 on motion of Dear, seconded by Gipson. During discussion of the motion, City Attorney Wynder opined that motion include City Manager to enter into Agreements necessary to move forward with West Basin Water District. Friendly amendment was accepted by Dear and Gipson.

Motion as amended was unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Santarina, Council Member/Agency Member/Authority Commissioner Gipson, Council Member/Agency Member/Authority Commissioner Davis-Holmes, and Council Member/Agency Member/Authority Commissioner Robles

Noes: None

Abstain: None

Absent: None

ACTION: It was moved to allocate funds and direct staff to repair water leaks at Congresswoman Juanita Millendar-McDonald Community Center at Carson on motion of Dear, seconded by Santarina. Friendly amendment to repair within 30 days by Davis-Holmes, was accepted by Dear and Santarina.

Motion as amended was unanimously carried by the following vote:



Ayes: Mayor/Agency Chairman/Authority Chairman Dear, Mayor Pro  
Tem/Agency Vice Chairman/Authority Vice Chairman Santarina, Council  
Member/Agency Member/Authority Commissioner Gipson, Council  
Member/Agency Member/Authority Commissioner Davis-Holmes, and  
Council Member/Agency Member/Authority Commissioner Robles

Noes: None  
Abstain: None  
Absent: None



**EXHIBIT NO.-3**



WB-CCCPV after ERM.jpg

2 of 2

1 of 1

4/1/2013 1:25 PM

APRIL 3, 2013



# FREE CLASS

## California Friendly Landscape Training



bewaterwise.com

July 27, 2013 | 10 a.m. to 1:30 p.m.

*Step 1: At the class, learn to create an ocean friendly garden*  
using the latest sustainable materials and techniques. Course  
covers use of:

- native plants and edibles
- water-efficient irrigation devices (drip irrigation, "smart" sprinkler controllers)
- rain water capture and permeable materials
- on-site water retention

*Sponsored by:*



### *Step 2: Hands-on-Workshop*

In September, put your knowledge into practice and get your hands dirty at the Carson Hands-on-Workshop! Date pending garden installation, reserve your spot today to help build your community garden.



Before



After

Space is limited, register today! Refreshments provided. Class will be held at the Juanita Millender-McDonald Community Center in Carson, CA.

Call (310) 371-1515 | **Exhibit No. 4** | besc.com.



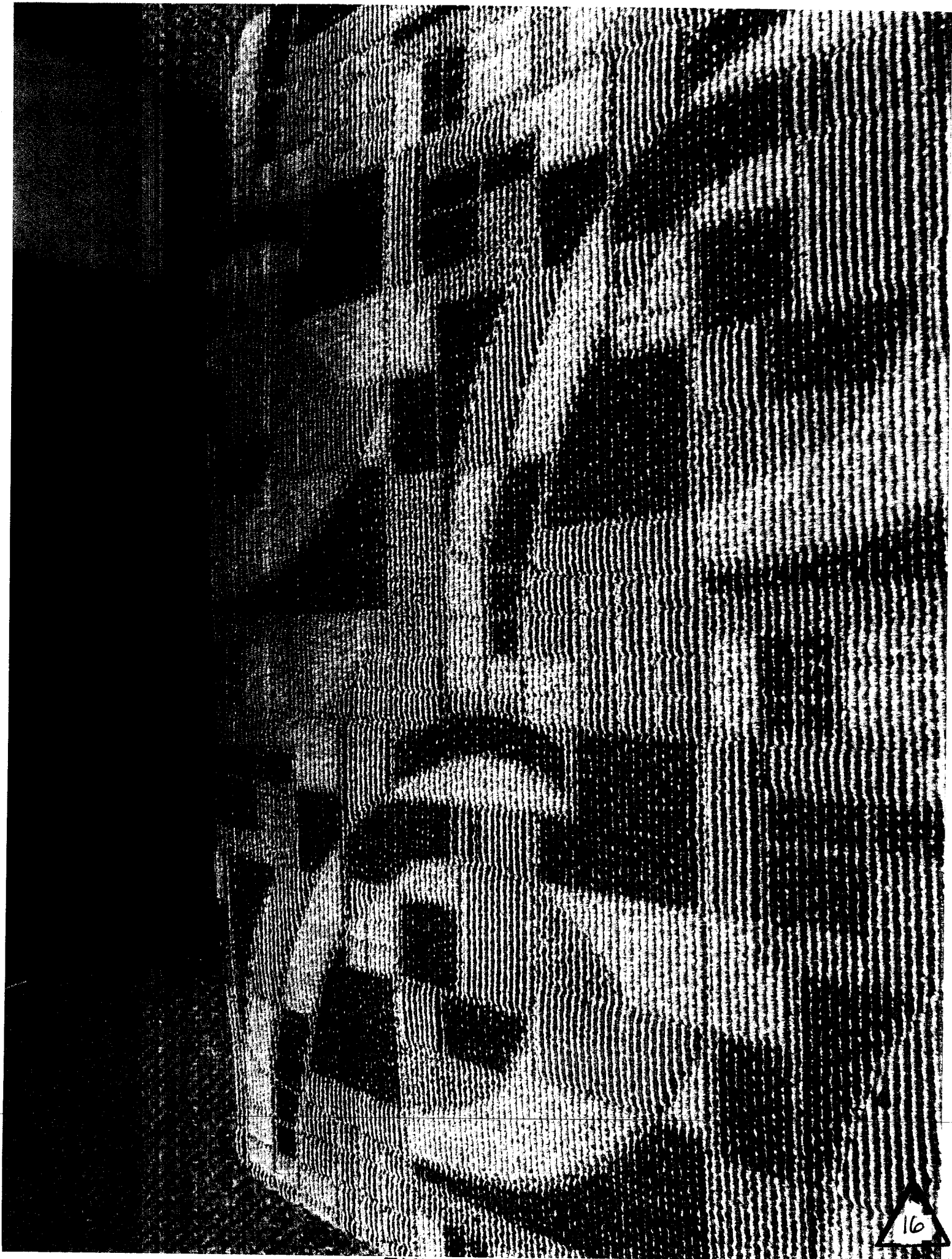


EXHIBIT NO -5