



**MINUTES
CARSON CITY COUNCIL
REGULAR MEETING
FEBRUARY 5, 2013**

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: JANUARY 31, 2013

“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 AND RECESS:

The meetings of the City Council, Successor Agency, and Housing Authority were called to order and recessed at 5:05 P.M., by Mayor/Agency Chairman/Authority Chairman Dear in the Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745 with Ruiz-Raber, Davis-Holmes, and Gipson absent.

RECONVENE:

The meetings of the City Council, Successor Agency, and Housing Authority were reconvened at 5:11 P.M., by Mayor/Agency Chairman/Authority Chairman Dear with Gipson absent.

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

Council Members/Agency Members/Authority Commissioners Present:

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

Council Members/Agency Members/Authority Commissioners Absent:

Council Member/Agency Member/Authority Commissioner Mike Gipson (Entered during Closed Session.)

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

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

Holmes, Council Member/Agency Member/Authority Commissioner Mike Gipson, and Council Member/Agency Member/Authority Commissioner Elito Santarina

Council Members/Agency Members/Authority Commissioners Absent: **None**

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

Other Elected Officials Absent: None

Also Present:

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

Clifford Graves, Community Development Director; Jackie Acosta, Administrative Services Director; Farrokh Abolfathi, Acting Public Works Director/City Engineer;

Lisa Berglund, Principal Administrative Analyst; Robert Eggleston, IT Manager; Cedric Hicks, Recreation Superintendent; Sheri Repp-Loadman, Planning Officer; and Joy Simarago, Deputy City Clerk/Deputy Agency Secretary/Deputy Authority Secretary

Captain Eddie Rivero, Carson Sheriff's Station

REPORT ON CLOSED SESSION

City/Agency/Authority Attorney Wynder provided the Closed Session report as follows:

Housing Authority Item No. 1

There was a presentation of facts and circumstances surrounding staff's desire to seek authorization to sell or otherwise dispose of the real property and the Agency unanimously authorized engaging in a process leading up to the sale or other disposition.

Successor Agency Item No. 1

The City Attorney's Office provided a privileged and confidential briefing on litigation. The status of the litigation and ongoing litigation strategy which the Successor Agency unanimously approved.

Council Item No. 1

The City Council concluded its annual performance evaluation of the City Manager.

Council Item No. 2

The City Attorney's Office provided a privileged and confidential briefing regarding the litigation; sought direction from the Council regarding refining the litigation consistent with the engagement agreement authorized by the Council and the Council unanimously directed the City Manager's Office to issue a directive to Special Counsel for the City to refine its litigation to be consistent with the City's authorized engagement.

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

FLAG SALUTE: DELYLAH M. CANCINO, 232ND PLACE 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. 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 WALTER R. TUCKER, TRUTH AND LOVE CHRISTIAN CHURCH**

APPROVAL OF MINUTES: None

Mayor/Agency Chairman/Authority Chairman Dear advanced Council Item No. 16, **ORDINANCE NO. 13-1509: AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 3260.2 OF CHAPTER 2 OF ARTICLE III OF THE CARSON MUNICIPAL CODE TO UPDATE THE LIST OF DESIGNATED TRUCK ROUTES, ELIMINATE PARTS OF MAIN AND VICTORIA STREETS FROM THE LIST OF DESIGNATED TRUCK ROUTES, AND MODIFY OTHER OUTDATED REFERENCES IN THE TRAFFIC REGULATIONS CHAPTER**, to be heard before the New Business Consent Calendar, with no objections heard.

Council Member/Agency Member/Authority Commissioner Davis-Holmes requested that Council Item No. 15, **CONSIDER RELOCATION OF BUS STOP ON THE EAST SIDE OF AVALON BOULEVARD AT THE COLONY COVE ENTRANCE FROM THE SOUTH SIDE TO THE NORTH SIDE OF THE COLONY COVE DRIVEWAY**, to be heard before the New Business Consent Calendar.

Mayor/Agency Chairman/Authority Chairman Dear ordered that Council Item No. 15 be heard after Council Item No. 16 before the New Business Consent Calendar, with no objections heard.

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 at the beginning of the meeting.

INTRODUCTIONS

A. INTRODUCTION OF LOS ANGELES COUNTY SHERIFF'S DEPUTIES (None)

This item was heard after Council Item No. 15 at 7:06 P.M.

Captain Rivero, Carson Sheriff’s Station, provided a brief report on crime statistics for the City of Carson.

Mayor/Agency Chairman/Authority Chairman Dear complimented Captain Rivero and the Parking Enforcement Team for the arrest near Calas Park.

Upon inquiry, Captain Rivero discussed the AB 109 population in the community and Sheriff Baca's Education Based Incarceration Program.

Council Member/Agency Member/Authority Commissioner Davis-Holmes requested an information packet to share with the residents at the Town Hall meeting to be held on Thursday from Captain Rivero who stated that Lieutenant Gage would attend the meeting with information.

Also, she wished her husband Harry Holmes a Happy Birthday who was in attendance in the audience.

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.**

Oscar Ramos, 21223 Lynton Avenue, Carson, California 90745

Reported on the removal of blue and orange election signs in the south which he felt was unfair to the candidates and that it was a crime when there was permission from the property owners to post signs.

Lyn Jensen, 21425 Avalon Boulevard, No. 49, Carson, California 90745

Reported on the false information on business signs and requested that the City investigate the following businesses: 1) Photo Express, 111 E. Carson Street, Carson, CA 90745 and 2) Carson One Hour Photo Lab, 208 E. Carson Street, Carson, CA 90745.

Mayor/Agency Chairman/Authority Chairman Dear requested that City Manager/Agency Executive Director/Authority Executive Director Biggs work with Ms. Jensen on the issue.

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

Reported on the tragic incident at a preschool at First Lutheran Church.

Claudio Bouvell, 4900 W. Martin Luther King Boulevard, No. 2, Los Angeles, California 90016

Stated that he had documentation that the pre Calpers death benefit was implemented in July 2012 and inquired who was responsible to make sure that the death benefit was implemented with Calpers and that it was important to educate the employees on this important benefit.

Upon request, City Manager/Agency Executive Director/Authority Executive Director Biggs discussed the letter he wrote to Calpers regarding the pre-retirement death benefit.

Council Member/Agency Member/Authority Commissioner Davis-Holmes requested that City Manager/Agency Executive Director/Authority Executive Director Biggs notify the Mayor and City Council as soon as the death benefit was in place.

Paul Randall, 17701 S. Avalon, No. 318, Carson, California 90746, President of Carson Harbor Village

Offered the following comments: 1) Reported on a home burglary and illegal activities of unlicensed contractors not bonded and insured at the Carson Harbor Village; 2) Reported that an arrest was made on an employee of an unlicensed contractor for the landscaping company that the park management hired; and 3) Thanked Captain Rivero and Deputies Borges and Downy of the Carson Sheriff Station for their assistance.

Ricardo Pulido, 22106 Gulf Avenue, Carson, California 90745

Offered the following comments: 1) Supported former City Clerk Helen Kawagoe and urged the City Council to name the Council Chambers in her honor now; 2) left turn arrow needed by 110 freeway on 223rd Street between Figueroa and Vermont at the overpass to the 110 freeway south entrance due to traffic congestion; 3) Council to consider a gun redemption facility in Carson; 4) Referred to Council Item No. 5 regarding Conocophillips that the franchise fee was low and that the refineries should pay their fair share for the roads and infrastructure; and 5) Reminded everyone to vote on March 5th.

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

Requested a handicap door that is badly needed to the YMCA at the Congresswoman Juanita Millender-McDonald Community Center.

Mayor/Agency Chairman/Authority Chairman Dear requested that City Manager/Agency Executive Director/Authority Executive Director Biggs look into the handicap door and that it should be part of the list of improvements at the Community Center.

Tracie Hicks, 20018 Midtown Avenue, Carson, California 90746, representing Spirit of Carson

Requested financial assistance from the City for the April 19-21 competition entrance fees.

Mayor/Agency Chairman/Authority Chairman Dear requested that City Manager/Agency Executive Director/Authority Executive Director Biggs obtain information from Ms. Hicks to assist the Spirit of Carson and send letter to business community on behalf of the Mayor and City Council to sponsor and request donations.

Paula Mason, 742 E. Turmont Street, Carson, California 90746, Parent and Volunteer representing Spirit of Carson

Discussed the dance program and cost breakdown; they raised \$14,000 and goal was \$21,000.

Elisia Maria Sanchez, 603 E. University Drive, Carson, California 90746, representing Spirit of Carson

Stated that she was a dancer and thanked the City for having an enrichment program and that it was an honor to represent the City of Carson at the international competition in the past.

Janelle Tyler, Captain of the Rancho Dominguez Lobos and representing Spirit of Carson

Stated that it would be an honor to represent the City of Carson at the cheering dance competition in Las Vegas.

Deborah Wafer, 15519 S. McKinley Avenue, Rancho Dominguez, California 90220, parent representing Hemingway and the Spirit of Carson

Endorsed previous speakers and offered comments in support of the Spirit of Carson.

Council Member/Agency Member/Authority Commissioner Davis-Holmes thanked and commended the parents for raising \$14,000 and that the Council would send letter and for her to provide information to the City Manager/Agency Executive Director/Authority Executive Director.

Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Ruiz-Raber congratulated the parents and instructors.

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

Reiterated what was brought up by Tiny Cook and that the lunch room at the YMCA was in need of much needed equipment change, important entrance and exit that could be used well for those with mobility issues.

Jennifer Vazquez

Referred to Helen's Dream and felt that it was unreasonable that the Council did not want to put Helen Kawagoe's name in the Council Chambers.

Jane Osuna, Carson, California 90745

Urged the Mayor and City Council to make sure that the election was honest and fair and above board and to do what was necessary to contact the Registrar of Voters to bring in an Election Supervisor to oversee the election.

Mayor/Agency Chairman/Authority Chairman Dear instructed City Manager/Agency Executive Director/Authority Executive Director Biggs to place on the next agenda the question of a supervisor from the Registrar Recorder's Office for the election to discuss in detail.

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

Requested that all parents and teachers do what is best for the children to have an improved community.

Janice Schaefer, 21111 Dolores Street, No. 62, Carson, California 90745

Offered the following comments: 1) Stated that she was the Chair of Helen's Dream Coalition and that the purpose was to have the Council Chambers named for Helen in her life time; 2) Right to vote for Mayor; 3) Opposed Measure M; 4) Referred to the appointment of the City Clerk on the legality of meeting held on February 28, 2012, that it was not ethical or moral and that there was no recording on file of the meeting; 5) Her complaint was not about the appointed City Clerk but the process; and 6) Council to consider an independent resource to monitor the election in March.

Upon inquiry, City/Agency/Authority Treasurer Avilla stated that she was appointed as City Treasurer.

Upon inquiry, City/Agency/Authority Attorney Wynder stated that the meeting that appointed the City Clerk was absolutely beyond legal challenge and gave everyone who had any questions about that notice of their rights under the Brown Act. The Council unanimously determined not to go through the expense of an election to fill the office of the City Clerk and that they unanimously determined to fill the position by appointment.

Miriam Vazquez

Offered comments in support of Mayor Dear.

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

Suggested that Council consider an outside agency to monitor voting for the upcoming election.

Upon inquiry, City/Agency/Authority Attorney Wynder encouraged everyone to read the City Attorney's Impartial Analysis which explained Measure M clearly.

Robert Lesley, P.O. Box 11634, Carson, California 90746

Offered the following comments: 1) Thanked the Mayor and Council for recognizing his mother's passing; 2) That it was public record that he filed a complaint with the D. A.'s office because his constitutional rights were violated; 3) Reported that people with Jim Dear signs were removing Lula Davis-Holmes signs; and 4) That during the rotating Mayor the City was most progressive and productive and that it did not violate anybody's right for voting and that the rotating Mayor was a process which he felt was the best program.

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

Offered the following comments: 1) Referred to the previous speaker on the arrest that was made at Carson Harbor Village who was released; 2) Reported that there were homeless people being paid to remove signs for candidates running for City Council; and 3) Referred to a Council Member candidate and felt that it was not right that he would not recognize him.

Tommie Williams

Offered the following comments: 1) Mayor candidate signs should not be posted on businesses to avoid confusion; 2) Disrespect by the Mayor; and 3) Felt that the NAACP did not represent Carson.

Mr. Ray

Suggested that the Council consider banning trucks from entering the 91 Freeway east bound from Albertoni east of Avalon and that the trucks caused entire neighborhood to vibrate.

Vera Robles DeWitt

Offered the following comments: 1) Urged the Council to consider an item or urgency item for a special meeting to deal with election issues; 2) Reported on a voter who received a military absentee ballot and was clearly not a military personnel; 3) Asked for PRA of list of 110 military voters and that there were nine ballots that were sent to nonmilitary personnel; 4) The Sample Ballot Pamphlets were scheduled to be mailed on February 4 and was told that they were going to be mailed between February 6 and February 8 which was within the legal timeframe but was an issue for the candidates to get their information out in a timely fashion; and 5) Urged the Council to consider a special meeting to discuss having a representative from the Secretary of State Office to monitor the upcoming election.

Upon inquiry, City Clerk/Agency Secretary/Authority Secretary Gause discussed the legal timeframe to mail the sample ballot booklets, vote by mail ballots and military and oversea voters by the election consultant.

Timothy Muckey

Offered comments in support of the Mayor position.

Ella Hall

Thanked the Mayor and Council for voting on Ordinance No. 13-1509 and inquired when it would be implemented, whereupon City Manager/Agency Executive Director/Authority Executive Director Biggs stated that the ordinance would become effective approximately on March 3, 2013.

Dianne Thomas

Offered the following comments: 1) Supported City Clerk/Agency Secretary/Authority Secretary Gause who was doing a good job; 2) Stop the negativity; and 3) Supported the rotating Mayor.

NEW BUSINESS CONSENT (Items 3-9)

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.

The New Business Consent Calendar was heard after Council Item No. 11 at 8:55 P.M.

It was moved to approve the Council and Successor Agency New Business Consent Calendar with the caveat that Council Item No. 7 include Staff Recommendation No. 2) APPROPRIATE \$12,800.00 from the unassigned Park Development Fee fund balance to account number 16-90-999-004-8004/01399 to cover the cost of the construction work to be done at Dominguez Park and Staff Recommendation No. 3) APPROPRIATE \$15,800.00 from the unassigned Park Development Fee fund balance to account number 16-90-999-004-8004/01400 to cover the cost of the construction work to be done at Hemingway Park as listed on the staff report on motion of Dear and seconded by Santarina.

Mayor/Agency Chairman/Authority Chairman Dear removed Successor Agency New Business Consent Calendar Item No. 2 and continued to the next Successor Agency meeting at the request of staff, with no objections heard.

The 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 Ruiz-Raber, Council Member/Agency Member/Authority Commissioner Davis-Holmes, Council Member/Agency Member/Authority Commissioner Gipson, and Council Member/Agency Member/Authority Commissioner Santarina

Noes: None

Abstain: None

Absent: None

ITEM NO. (3) 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 December 2012 in the amount of \$4,646.00.
2. APPROVE an increase in the FY 2012/13 General Fund revenue budget by \$4,646.00 in the revenue account numbers listed In Exhibit No. 1.
3. APPROPRIATE the \$4,646.00 to the FY 2012/13 expenditure budget in the expenditure account numbers listed in Exhibit No. 1.

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

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (4) CONSIDERATION OF A REQUEST TO AUTHORIZE THE REAPPROPRIATION OF FUNDS FOR OPEN PURCHASE ORDERS/CONTRACTS AT JUNE 30, 2012 AND ADJUSTMENTS TO PROJECTED REVENUES FOR FY 2012/13 (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AUTHORIZE the reappropriation of funds to the FY 2012/13 budget in the account numbers detailed in Exhibit No. 1.
2. AUTHORIZE the increase in the revenue projections for FY 2012/13 for the funds listed in the "Fiscal Impact" section of this report.

ACTION: Item No. 4 was approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

**ITEM NO. (5) CONSIDERATION OF RESOLUTION NO. 13-009 APPROVING
CONOCOPHILLIPS PIPE LINE COMPANY'S REQUEST FOR A
FRANCHISE ASSIGNMENT TO PHILLIPS 66 PIPELINE LLC
(ADMINISTRATIVE SERVICES)**

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 13-009, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CONSENTING TO THE ASSIGNMENT OF CONOCOPHILLIPS PIPE LINE COMPANY'S PUBLIC UTILITY PIPELINE FRANCHISE TO PHILLIPS 66 PIPELINE LLC."

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

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

**ITEM NO. (6) CONSIDERATION OF RESOLUTION NO. 13-003 APPROVING
CONOCOPHILLIPS COMPANY'S REQUEST FOR A FRANCHISE
ASSIGNMENT TO PHILLIPS 66 COMPANY(ADMINISTRATIVE
SERVICES)**

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 13-003, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CONSENTING TO THE ASSIGNMENT OF CONOCOPHILLIPS COMPANY'S NONPUBLIC UTILITY PIPELINE FRANCHISE TO PHILLIPS 66 COMPANY."

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

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

**ITEM NO. (7) CONSIDER AN AWARD OF PURCHASE CONTRACT FOR GENERAL
CONSTRUCTION AT DOMINGUEZ AND HEMINGWAY PARKS
(ADMINISTRATIVE SERVICES)**

RECOMMENDATION for the City Council:

1. AWARD a purchase contract to Corral Construction for the general construction contract work at Dominguez and Hemingway Parks in an estimated amount of \$28,600.00.
2. APPROPRIATE \$12,800.00 from the unassigned Park Development Fee fund balance to account Number 16-90-999-004-8004/01399 to cover the cost of the construction work to be done at Dominguez Park.
3. APPROPRIATE \$15,800.00 from the unassigned Park Development Fee fund balance to account number 16-90-999-004-8004/01400 to cover the cost of the construction work to be done at Hemingway Park.

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

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

**ITEM NO. (8) CONSIDERATION OF RESOLUTION NO. 13-013 TO SUPPORT AB 42 AND
SB 30 TO ALLOW MORTGAGE FORGIVENESS DEBT RELIEF
(COMMUNITY DEVELOPMENT DEPARTMENT)**

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 13-103, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING AB 42 AND SB 30 TO ALLOW MORTGAGE FORGIVENESS DEBT RELIEF."

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

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

Absent: None

ITEM NO. (9) CONSIDERATION OF AMENDMENT NO. 1 TO THE MEMORANDUM OF AGREEMENT BETWEEN THE GATEWAY CITIES COUNCIL OF GOVERNMENTS AND THE CITY OF CARSON REGARDING THE ADMINISTRATION AND COST SHARING OF THE COORDINATED MONITORING PLAN FOR THE LOS ANGELES RIVER AND TRIBUTARIES METALS TOTAL MAXIMUM DAILY LOAD (PUBLIC WORKS DEPARTMENT)

RECOMMENDATION for the City Council:

1. AUTHORIZE the Mayor to sign a one-year extension (Amendment No. 1) to the Memorandum of Agreement between the Gateway Cities Council of Governments and the City of Carson Regarding the Administration and Cost Sharing of the Coordinated Monitoring Plan for The Los Angeles River and Tributaries Metals Total Maximum Daily Load (Exhibit No. 1), following approval as to form by the City Attorney.

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

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

DEMANDS (Item 10)

ITEM NO. (10) RESOLUTION NO. 13-011 RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$1,246,594.60, DEMAND CHECK NUMBERS 108241 THROUGH 108529

Item No. 10 was heard after the approval of the New Business Consent Calendar at 9:00 P.M.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 13-011 was PASSED, APPROVED, and ADOPTED, as read by title only, on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

Absent: None

SPECIAL ORDERS OF THE DAY (Item 11)

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

ITEM NO. (11) PUBLIC HEARING TO CONSIDER RESOLUTION NO. 13-010 AMENDING THE GENERAL PLAN TRUCK ROUTES MAP (GENERAL PLAN AMENDMENT NO. 92-13) (PUBLIC WORKS DEPARTMENT)

At 8:36 P.M., Mayor/Agency Chairman/Authority Chairman Dear ordered that Item No. 11 be heard at this time, with no objections heard.

(Council Member/Agency Member/Authority Commissioner Gipson exited the meeting at 8:36 P.M.)

Public Hearing

Mayor/Agency Chairman/Authority Chairman Dear declared the Public Hearing open **TO CONSIDER RESOLUTION NO. 13-010 AMENDING THE GENERAL PLAN TRUCK ROUTES MAP (GENERAL PLAN AMENDMENT NO. 92-13).**

(Council Member/Agency Member/Authority Commissioner Gipson reentered the meeting at 8:38 P.M.)

RECESS:

The City Council, Successor Agency, and Housing Authority were recessed at 8:38 P.M. by Mayor/Agency Chairman/Authority Chairman Dear.

RECONVENE:

The City Council, Successor Agency, and Housing Authority were reconvened at 8:39 P.M. by Mayor/Agency Chairman/Authority Chairman Dear with Davis-Holmes and Santarina absent.

(Council Member/Agency Member/Authority Commissioner Santarina reentered the meeting at 8:40 P.M.)

City Clerk's Report

City Clerk/Agency Secretary/Authority 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 such notice were on file in the City Clerk's Office. No written communications were received.

(Council Member/Agency Member/Authority Commissioner Davis-Holmes reentered the meeting at 8:40 P.M.)

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

Staff Report

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

Administration of Oath

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

(Council Member/Agency Member/Authority Commissioner Gipson exited the meeting at 8:42 P.M.)

Public Testimony

Ionina McDonald

Offered the following comments: 1) Stated that her truck complaints were going on for three years; 2) No one has contacted her; 3) Did not appreciate being ignored and her pleas being ignored; and 4) Reported on the trucks traveling from Santa Fe to Alameda and Del Amo which was a serious issue impacting the whole city.

Upon inquiry, City Manager/Agency Executive Director/Authority Executive Director Biggs stated that he was aware of Ms. McDonald's complaint and would provide a status and look into having signs posted.

Mr. May, 17406 Sandlake, Carson, California

Stated that the problem with trucks was going on for three years and inquired if trucks could be rerouted to enter the 91 Freeway on Albertoni entrance east of Main Street.

Robert Lesley, Carson, California

Suggested to post bigger signs and increase enforcement.

There being no further testimony to be provided, Mayor/Agency Chairman/Authority Chairman Dear declared the Public Hearing closed.

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. 13-010, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE GENERAL PLAN TRUCK ROUTES MAP (GENERAL PLAN AMENDMENT NO 92-13)."

ACTION: WITH FURTHER READING WAIVED, Resolution No. 13-010 was PASSED, APPROVED, and ADOPTED, as read by title only, on motion of Santarina and seconded by Ruiz-Raber.

During discussion of the motion and upon inquiry, City Manager/Agency Executive Director/Authority Executive Director Biggs stated that he would discuss with staff regarding Albertoni and the truck routes and report back options.

The motion was unanimously carried by the following vote:

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

UNFINISHED BUSINESS (Item 12)

ITEM NO. (12) CONSIDER REQUEST FROM MAYOR DEAR TO REMOVE FROM THE TABLE COMMISSION, COMMITTEE AND BOARD APPOINTMENTS (CITY CLERK)

Item No. 12 was heard after Council Item No. 10 at 9:00 P.M.

RECOMMENDATION for the City Council:

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

ACTION: Mayor/Agency Chairman/Authority Chairman Dear continued this item to the next meeting, with no objections heard.

NEW BUSINESS DISCUSSION (Items 13-15)

ITEM NO. (13) CONSIDERATION OF ADOPTION OF RESOLUTION NO. 13-012 ESTABLISHING POLICIES RELATED TO ADDRESSING THE CITY'S OTHER POST EMPLOYMENT BENEFITS LIABILITY (CITY MANAGER)

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

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 13-012, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ESTABLISHING

**POLICIES RELATED TO ADDRESSING THE CITY'S OTHER POST EMPLOYMENT
BENEFITS LIABILITY."**

ACTION: WITH FURTHER READING WAIVED, Resolution No. 13-012 was PASSED, APPROVED, and ADOPTED, as read by title only, on motion of Ruiz-Raber and seconded by Santarina.

During discussion of the motion, Council Member/Agency Member/Authority Commissioner Davis-Holmes thanked City Manager/Agency Executive Director/Authority Executive Director Biggs. She referred to page 2 of the staff report, paragraph 4, "A recent update of the amount owed by the Redevelopment should result in another payment after it is approved as part of the redevelopment dissolution process through the State." Upon request, City Manager/Agency Executive Director/Authority Executive Director Biggs elaborated on the payment update.

The motion was unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (14) CONSIDER ORDINANCE NO. 13-1510 AMENDING THE CARSON MUNICIPAL CODE ARTICLE V. CHAPTERS 7 AND 9, TO ESTABLISH A VACANT/ FORECLOSED RESIDENTIAL PROPERTY REGISTRATION PROGRAM

City Manager/Agency Executive Director/Authority Executive Director Biggs presented the staff report.

Community Development Director Graves elaborated on the staff report.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and INTRODUCE Ordinance No. 13-1510 "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING ARTICLE V, CHAPTER 7 (PROPERTY MAINTENANCE) AND ARTICLE V. CHAPTER 9 (RESIDENTIAL PROPERTY REGISTRATION) OF THE CARSON MUNICIPAL CODE, INCLUDING AMENDMENTS TO SECTIONS 5702, 5902, 5910 AND 5913."
2. AUTHORIZE staff to issue a Request for Qualifications for professional data collection services pertaining to implementing a foreclosure registration program.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 13-1510 was INTRODUCED, as read by title only, and Authorize staff to issue a Request for Qualifications for

professional data collection services pertaining to implementing a foreclosure registration program with the amendment that we increase the deposit to \$450 and that staff bring back a contract within 30 days on motion of Gipson and seconded by Santarina.

During discussion of the motion and upon inquiry, Community Development Director Graves stated that the purpose was to prevent neighborhood blight.

The motion was unanimously carried by the following vote:

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

ITEM NO. (15) CONSIDER RELOCATION OF BUS STOP ON THE EAST SIDE OF AVALON BOULEVARD AT THE COLONY COVE ENTRANCE FROM THE SOUTH SIDE TO THE NORTH SIDE OF THE COLONY COVE DRIVEWAY (PUBLIC WORKS DEPARTMENT)

Item No. 15 was heard after Item No. 16 at 6:40 P.M.

Public Comments

Bill Smalley, 17700 Avalon, Carson, California 90746

Submitted petitions from the residents of Colony Cove Mobile Estates and a Collision Report Summary from the Los Angeles County Sheriff's Department Carson Station to the City Clerk for the record and discussed reasons for the bus stop change.

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

Offered the following comments: 1) Suggested to conduct survey of residents of Colony Cove and 2) City should consider granting similar accommodations to the residents of Carson Harbor Village.

Dr. Rita Boggs

Urged the Council to not make decision based on politics but for safety which could be fixed at minimal cost.

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

Offered the following comments: 1) Stated that it was only fair that all residents of Colony Cove have some say; 2) Concerned that moving bus stop was a prelim for putting electric gates which would cost \$500,000 that would be passed on to the residents; and 3) Agreed with Dr. Boggs to not make political and do the right thing.

Upon inquiry, Traffic Engineer Garland discussed safety issues, bus stop locations, and labor costs.

Mayor/Agency Chairman/Authority Chairman Dear suggested that staff come back in two weeks with a survey if there was a need to relocate the bus stop with the residents of the Colony Cove Mobilehome Park.

RECOMMENDATION for the City Council:

1. DIRECT staff to relocate the bus stop on the east side of Avalon Boulevard at the Colony Cove entrance from the south side to the north side of the Colony Cove driveway.

ACTION: It was moved to Direct staff to relocate the bus stop on the east side of Avalon Boulevard at the Colony Cove entrance from the south side to the north side of the Colony Cove driveway and to investigate the feasibility of meeting with the Carson Harbor Village staff to see if there is a need to relocate their bus stop also on motion of Davis-Holmes and seconded by Ruiz-Raber.

During discussion of the motion, a discussion ensued regarding public safety issues.

The motion was carried by the following vote:

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

ORDINANCE SECOND READING: (Item 16)

ITEM NO. (16) ORDINANCE NO. 13-1509: AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 3260.2 OF CHAPTER 2 OF ARTICLE III OF THE CARSON MUNICIPAL CODE TO UPDATE THE LIST OF DESIGNATED TRUCK ROUTES, ELIMINATE PARTS OF MAIN AND VICTORIA STREETS FROM THE LIST OF DESIGNATED TRUCK ROUTES, AND MODIFY OTHER OUTDATED REFERENCES IN THE TRAFFIC REGULATIONS CHAPTER (PUBLIC WORKS DEPARTMENT)

Item No. 16 was heard after the Invocation at 6:39 P.M.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 13-1509 was PASSED, APPROVED, and ADOPTED, as read by title only, on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

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

Noes: None
Abstain: None
Absent: None

ORAL COMMUNICATIONS I (STAFF)

Memorial Adjournments

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

Mayor/Agency Chairman/Authority Chairman Dear

Evelyn Adams
Clarence Pitts Sr.
Ezinne Ugbala Ezeonyeoma Nworgu
Comfort Ogadinma Nworgu
Ruth Mailo

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

Polito Suafoa

Council Member/Agency Member/Authority Commissioner Davis-Holmes

Patricia Hawthorne
Daryl T. Foster
Roland Pope
Juanita Hicks

Council Member/Agency Member/Authority Commissioner Gipson

Ernest Hays

Council Member/Agency Member/Authority Commissioner Santarina

Guillermo Olaes
Maritta Morales
SK Porfirio Joey JB Guico

City/Agency/Authority Treasurer Avilla

Security Guard Clarence's sister

City Clerk/Agency Secretary/Authority Secretary Gause

Offered the following oral communications:

- Announced the citywide election on March 5, 2013;
- There were 30 precincts throughout the city and the list of precincts were available on the City website;
- Sample ballot booklets and permanent vote by mail ballots were mailed and residents should receive them in their homes by no later than Thursday/Friday;
- Any election specific questions should be routed to her office by calling 310-952-1719;
- Also available for the residents was the vote by mail ballot application on the city website;

- Currently recruiting for poll workers and any resident available to serve on election day to contact the City Clerk's Office; and
- Would appreciate any volunteers to assist with the election.

City/Agency/Authority Treasurer Avilla

Announced that she attended the National League of Cities Board meeting from January 10 through January 12, 2013 and met at the White House with Cecilia Munoz, Director of Domestic Policy, and met with Transportation Secretary Ray LaHood; she discussed various topics and issues.

(Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Ruiz-Raber exited the meeting at 9:38 P.M. and reentered the meeting at 9:39 P.M.)

City Manager/Agency Executive Director/Authority Executive Director Biggs

Invited residents to the following events:

- 1) Community Legislative Reception, Thursday, February 21, 2013, 6:30 P.M. to 8:30 P.M., at the Congresswoman Juanita Millender-McDonald Community Center.
- 2) Night at the Fights, Saturday, February 23, 2013, at the Congresswoman Juanita Millender-McDonald Community Center, contact the Recreation and Community Services Department to purchase tickets.
- 3) Town Hall Meeting, Monday, February 25, 2013, topic of school safety.

ORAL COMMUNICATIONS II (COUNCIL)

Council Member/Agency Member/Authority Commissioner Davis-Holmes

Offered the following oral communications:

Announcements

- She will be hosting an E-Waste Recycling event, Saturday, February 16, 2013 with the Citizens of Carson Cultural Arts Foundation, 10:00 A.M. to 2:00 P.M., at the Carson City Hall parking lot.
- The African American Empowerment Coalition will be hosting its Black History Program, Saturday, February 16, 2013, 12:00 P.M. to 4:00 P.M., at the Southbay Pavilion.
- Requested staff to send a get well card from the Mayor and City Council to John Manley, Veterans Affairs Commissioner, who was recovering at home.
- Requested that the City Manager provide a memo to the Mayor and City Council regarding the status of Ms. Ionia McDonald's truck complaints, whereupon City Manager/Agency Executive Director/Authority Executive Director Biggs stated that he would follow up and provide an update.

Council Member/Agency Member/Authority Commissioner Gipson

Offered the following oral communications:

Announcements

- Wished Jordan Gipson a Happy Birthday on Valentine's Day.
- Wished everyone a Happy Valentine's Day on February 14, 2013.
- Reported on events attended.
- Third Peace Ride, Sunday, February 17, 2013, starting at Magic Johnson Park and go through several neighborhoods in the City of Carson, and hopefully conclude at Victoria Park; there would be between 500-600 men and women motorcyclists who were promoting peace in the community and that he would also be participating and would provide more information.

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

Offered the following oral communications:

Announcements

- Thanked City/Agency/Authority Treasurer Avilla for her report.
- Reported on events attended.
- Wished everyone a Happy Valentine's Day.

Council Member/Agency Member/Authority Commissioner Santarina

Offered the following oral communications:

Announcements

- Congratulated Mrs. Cecilia Pashner for leading the celebration of the cultural festival of Cebuanos in the City and the southland.
- Congratulated Ms. Betty Addison who was honored for her outstanding community service at the Wilmington Senior Center Club; she was the former president of the Carson Women's Club.
- Congratulated Mrs. Alene Harris and the leadership team of the Carson Women's Club for the successful installation event.
- Congratulated the organizers of the NAACP Candidate's Forum which was very well attended.
- Congratulated the team of Paz Velasquez.
- Congratulated Sweeney Mae Montinola for managing events at the Southbay Pavilion.

- Business Expo, Thursday, February 28, 2013, at the Congresswoman Juanita Millender-McDonald Community Center.
- Wished everyone a Happy Valentine's Day.

Mayor/Agency Chairman/Authority Chairman Dear

Offered the following oral communications:

Announcements

- Reported on events attended.
- Congratulated new Carson Women's Club president Alene Harris and entire group of new officers.
- Met with Consul General of Japan regarding the International Sculpture Garden who had interest in putting a sculpture garden.
- Upcoming meetings with the Consul Generals of the Nation of Nigeria, Nation of Republic of South Africa, and United States of Mexico (technical name for the country Mexico) about additions to the sculpture garden.
- Encouraged everyone to vote on March 5, 2013.
- Wished everyone a Happy Valentine's Day.
- Wished everyone a good night and God bless.

UNFINISHED/CONTINUED CLOSED SESSION ITEMS (None)

ADJOURNMENT

The meeting was Adjourned at 9:59 P.M., by Mayor/Agency Chairman/Authority Chairman Dear and in memory of those requested this evening.

Mayor Jim Dear

ATTEST:

City Clerk Donesia L. Gause