



**MINUTES
CARSON CITY COUNCIL
ADJOURNED REGULAR MEETING
APRIL 15, 2014**

5:00 P.M.

**CITY HALL
HELEN KAWAGOE COUNCIL CHAMBERS
701 EAST CARSON STREET
CARSON, CA 90745**

**THE CARSON CITY COUNCIL MEETINGS ARE BROADCAST LIVE VIA TIME WARNER
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AGENDA POSTED: APRIL 10, 2014

“In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk’s office at 310-952-1720 at least 48 hours prior to the meeting.” (Government Code Section 54954.2)

CALL TO ORDER:

The meeting of the City Council was called to order at 5:56 P.M., by Mayor Pro Tem Elito Santarina in the Helen Kawagoe Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL: City Clerk Gause noted the following:

Council Members Present:

Mayor Pro Tem Elito Santarina, Council Member Lula Davis-Holmes and Council Member Albert Robles

Council Members Absent:

Mayor Jim Dear and Council Member Mike Gipson

Other Elected Officials Present: Donesia Gause, City Clerk, and Karen Avilla, City Treasurer (Entered at 6:00 P.M.)

Other Elected Officials Absent: None

Also Present:

Jacquelyn Acosta, Acting City Manager; William Wynder, City Attorney; Sunny Soltani, Assistant City Attorney; and staff:

Bruce Barrette, Interim Assistant City Manager; Robert Eggleston, IT Manager; Cedric Hicks, Director of Community Services; Gilbert Marquez, Acting Director of Public Works/City Engineer; Glenn Turner, Computer Systems Support Technician; and Yolanda Chavez, Senior Clerk

FLAG SALUTE: COUNCIL MEMBER ALBERT ROBLES

INVOCATION: MAYOR PRO TEM ELITO SANTARINA

At 6:00 P.M., Mayor Pro Tem Santarina requested those present to observe a moment of silence in honor the men and women in uniform whom are serving our country, protecting our freedom and democracy all over the world; prayers for a successful surgery for Dr. Isaac Canales, one of our spiritual leaders in the City of Carson, who will undergo a kidney transplant; prayers and condolences for those students who lost their lives in the tragic bus accident in Northern California on their way to Humboldt State University; and wishes for the speedy recovery to those students and fellow citizens injured due to the accident.

CLOSED SESSION (Item 1) 5:00 P.M. – 5:45 P.M.

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

City Attorney Wynder clarified that the Closed Session Item No. 1 was on the agenda as a place holder in the event that there are legal issues that arise during the discussion of tonight's agenda item and would warrant the holding of a closed session. He reported that there was no independent Closed Session that needed to be conducted tonight.

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code & 54956.9 (d)(2) or (d)(3) & (e)(1) because there is a significant exposure to litigation in one case.

ACTION: This item was not scheduled for Closed Session.

REPORT ON CLOSED SESSION (None)

APPROVAL OF MINUTES (None)

NOTICE TO THE PUBLIC

Public testimony may be given on any agenda item as it is called and will be LIMITED TO THREE MINUTES PER SPEAKER. Please fill out a Speaker Form in order to be identified correctly in the minutes. The forms are provided on the podium in the Council Chambers. All Speaker Forms must be given to the City Clerk at the beginning of the meeting.

INTRODUCTIONS (None)

ORAL COMMUNICATIONS – MEMBERS OF THE PUBLIC (LIMITED TO ONE HOUR)

The public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council and/or on any items on the agenda of the City Council, prior to any action taken on the agenda. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once. If you would like to address the City Council, please complete the **SPEAKER'S CARD**. The card is available at the speaker's podium or from the City Clerk. Please identify on the card your name, address, and the item on which you would like to speak, and return to the City Clerk. The **SPEAKER'S CARD**, though not required in order to speak, assists the Mayor in ensuring that all persons wishing to address the City Council are recognized, time permitting. Oral communications will be limited to one hour unless extended by order of the Mayor with the approval of the City Council.

The following persons offered comments in support of Council Item No. 2:

Barbara Post, 24433 Marbella Avenue, Carson, California 90745

Robert Lesley, Carson resident

Stated that people were passing out cards and falsely saying that there will be thousands of jobs for Carson.

Shaaron Mac Leod, 24618 Neptune Avenue, Carson, California 90745

Marvin J. Stovall, P.O. Box 141, Hawthorne, California 90251, Carson resident

Mary E. Palton, Carson resident

Dianne Thomas, 20219 Nestor Avenue, Carson, California 90746

Held a lemon from a tree in a "contaminated" area in Carson and asked the City Council to make lemonade from the lemon; stated that supported jobs, but not the Oxy Project; and felt that there was too much contamination already in Carson.

Latrice Carter

Faye Walton, Carson resident

Norma Jackson, Carson resident

David Noflin, Carson resident

Thanked the Council Members that were present for finding the City of Carson and its residents more important than a vacation in China and a trip to Sacramento; stated that he was in support of the moratorium; and requested the City Council to adopt a land use ordinance to prevent this threat from coming back.

Harry Wilson, 19006 Scobey Avenue, Carson, California 90746

The following persons offered comments in opposition of Council Item No. 2:

Jesus Griffith, 18079 Coltman Avenue, Carson, California 90746

Martin A. Rodriguez

Eunice Langford, 149½ E. 220th, Carson, California 90745

Alfredo Gonzalez, 2111 Dolores Street #169, Carson, California 90745

Steven Ramos, 423 W. 234th Place, Carson, California 90745

Ron Miller, 1626 Beverly Blvd., Los Angeles, California

Mario Flores, 871 E. Pacific Street, Carson, California 90745

Joaquin Santos, 540 N. Marine Avenue, Wilmington, California 90744

Ed Rendon, Political Director, Teamsters Union Council 42

Reported that Council 42 represents over 250,000 Teamsters in Southern California, many of whom in Carson; referred to the high density of Teamster Family in Carson due to its proximity to the Port of Los Angeles which explained the interests of the Teamsters Union Council 42; and held up 500 signed petitions in opposition of the ban, which were subsequently filed with the City Clerk.

Roberto Popoca, 415 W. 235th Street, Carson, California 90745

James Fritz, 1625 E. 218th Street, Carson, California 90745

Jon Mitchell, 19919 Campaign Drive, Carson, California 90746

Randy Rivera, 23103 Catskill Avenue, Carson, California 90745

Ignacio Ramirez, 1502 E. Carson Street #88, Carson, California 90745

David Canedo, 21702 Acarus Avenue, Carson, California 90745

Raymond P. Chin, 22737 Rashdall Avenue, Carson, California 90745

Zeke Torres, 23802 Panama Avenue, Carson, California 90745

Pedro Gonzalez, 461¾ E. 234th Walk, Carson, California 90745

Stan Brown

Mitch Ponce, 1495 Hurley Street, Industry, California 90705

Anthony Case, 22445 Marine Avenue, Carson, California 90745

Homer C. Anderson, 1723 E. Abbottson Street, Carson, California 90746

Mark Ropelke, 301 E. Ocean Boulevard, Long Beach, California 90802

Reported that the site would provide hundreds of jobs during the construction phase and that thirty jobs would be located on-site for operations; referred to the two jobs to which he previously referred and clarified that at any given time, to ensure safety, a minimum of two persons must be on site; and encouraged residents to contact him to discuss the project, schedule a visit of the operations in Carson, and ongoing operations of projects in Long Beach.

NEW BUSINESS CONSENT (None)

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.

DEMANDS (None)

SPECIAL ORDERS OF THE DAY (None)

Public testimony is restricted to three minutes per speaker, speaking once (excepting applicants who are afforded a right of rebuttal, if desired), unless extended by order of the Mayor with the approval of the City Council.

UNFINISHED BUSINESS (Item 2)

ITEM NO. (2) CONSIDER ISSUING THE "10-DAY REPORT," PURSUANT TO GOVERNMENT CODE SECTION 65858(D), REGARDING INTERIM URGENCY ORDINANCE NO. 14-1534U ESTABLISHING A 45-DAY TEMPORARY MORATORIUM ON THE DRILLING, REDRILLING OR DEEPENING OF ANY NEW OR EXISTING WELLS WITHIN THE JURISDICTION OF THE CITY OF CARSON THAT ARE ASSOCIATED WITH OIL AND/OR GAS OPERATIONS, AND CONSIDER ORDERING THE HOLDING OF A PUBLIC HEARING TO DETERMINE WHETHER GROUNDS EXIST WHICH WARRANT EXTENDING THE SAME (CITY MANAGER)

Item No. 2 was heard after Oral Communications – Members of the Public, at 6:58 P.M.

City Attorney Wynder reported as follows:

- Pursuant to Government Code Section 65858(d), the City Council is required to issue a written report (commonly referred to as the "10-Day Report," describing the measures taken to alleviate the condition that led to the adoption of Urgency Ordinance No. 14-1534U, 10 days prior to the expiration of the ordinance or the extension of the ordinance. Further, that the report is attached

to the staff report and that it is available on line; encouraged both proponents and opponents of the moratorium to read the report carefully because it describes what staff has been able to do in the limited time that staff has been afforded under State law to study this issue.

- Staff is asking the City Council issue the report. In addition, State Law requires that prior to the expiration of the moratorium, the legislative body adopting the moratorium must hold a public hearing in which it considers whether to allow the moratorium to expire; whether sufficient time permitted staff to make legislative and/or regulatory recommendations to implement the moratorium; or whether further study is required warranting an extension of the moratorium; and
- Staff is asking the City Council to order the holding of a public hearing for April 29, 2014, and is prior to the expiration of the moratorium, to conduct that public hearing when the issues that have been hotly debated tonight can be debated on their merits.

He referred to the following three (3) tasks and reported that said tasks were required by statute:

1. ISSUE the "10-Day Report";
2. ORDER the holding of a PUBLIC HEARING on April 29, 2014 at 6:00 P.M. in the Community Center; and
3. DIRECT staff to give super notice in addition to that required by law, but additional above and beyond that required by law so that all members of the public that have an interest in this issue on its merits can be present on April 29. Staff is also suggesting that Council move the location of the public hearing to the Community Center so that the City can accommodate what staff anticipates would be an overflow crowd.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: It was moved to approve the following: 1) to issue the "10-Day Report" pursuant to Government Code Section 65858(d), regarding Interim Urgency Ordinance No. 14-1534U, establishing a 45-day temporary moratorium on the drilling, redrilling or deepening of any new or existing wells within the jurisdiction of the City of Carson that are associated with Oil and Gas Operations; 2) to order the holding of a public hearing on April 29, 2014, at the Community Center to determine whether grounds exist which warrant extending a 45-day temporary moratorium on the drilling, redrilling or deepening of any new or existing wells within the jurisdiction of the City of Carson that are associated with Oil and Gas Operations for a period not to exceed ten months and fifteen days; and 3) to direct giving notice of such public hearing in the manner required by law including publishing newspaper notice in *Our Weekly* and *The Daily Breeze*, giving mail notice to the 7,000 addresses previously noticed by staff, ordering the report be posted on the City's web page and to notify the media on motion of Robles, seconded by Davis-Holmes and unanimously carried by the following vote:

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

NEW BUSINESS DISCUSSION (None)

CONCLUDING ORAL COMMUNICATIONS (MEMBERS OF THE PUBLIC) (None)

The public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than five minutes each, speaking once.

COUNCIL MEMBER REQUESTS TO ADD ITEMS TO FUTURE AGENDAS (None)

CONCLUDING COMMUNICATIONS (STAFF)

Memorial Adjournments

At 7:05 P.M., on Tuesday, April 15, 2014, City Clerk Gause requested that this evening's meetings be adjourned in memory of the following persons and offered condolences and prayers to the families who lost their loved ones:

Council Member Gipson

Frankie Neal
Juanell (Doll) Gipson

Council Member Davis-Holmes

Sam Burnett

City Clerk Gause

Tanika Renee Jelks

Acting City Manager Acosta

Announced the Dutch King Day event would be held on Sunday, April 27, 2014, at the StubHub! Center with a live performance, food court and activities; admittance fee is \$10.00 for adults and children 12 and under free.

CONCLUDING COMMUNICATIONS (COUNCIL MEMBERS)

Council Member Davis-Holmes

- Requested a status report on the replacement of equipment which is three months overdue. Acting City Manager Acosta reported that she would provide a staff report at the next City Council meeting and that Bruce Barrette, Interim Assistant City Manager, has been working with IT Manager Robert Eggleston on this item.

- Requested the status of the parking citation pending four to five months. Acting City Manager Acosta reported that she received an update from Cedric Hicks, Director of Community Services, and that this item will be on the May 6, 2014, agenda per his conversations with Mike Mitoma.
- Requested clarification from City Attorney Wynder on what an entity is for the Soka City, Japan trip that is approaching and read the motion that was amended and approved as follows: "An Entity should be a Councilman, wife and children" -- mentioned that there was no clarification as to what an "Entity" is; it had been mentioned that it would be 10 delegates and if one could not attend, then the Carson Sister Association would determine which acting member would attend based upon the length of time the person has been a member in the Association. City Attorney Wynder will supply a verbatim transcript of what occurred and will provide it to the City Treasurer Avilla; whom will fund it consistently with the directive of the City Council. City Treasurer Avilla added that funding is not the issue the issue is who is on this trip and who is not as an official delegate. Councilwoman Davis-Holmes requested that the City Attorney Wynder prepare and distribute letter to clarify what transpired.

Mayor Pro Tem Santarina

- Requested that the Acting City Manager follow up with Lisa Berglund regarding several issues including immigration. City Attorney Wynder confirmed that he is aware of the requests from Mayor Pro Tem Santarina and the items would be on the agenda for May 6 and a brief discussion ensued regarding the agenda process.
- Requested an item be placed on the agenda regarding the rescission of the vote of removing the sign of former Mayor Kay Calas and to consider the retention of the sign. City Attorney Wynder confirmed with Acting City Manager Acosta that this item is scheduled for the May 6th agenda.

Council Member Robles

Reported that April 14, 2014 was the 50th Anniversary of the passing of Rachel Carson. Rachel Carson is the author of the book entitled Silent Spring which ignited the environmental movement. It was ironic to him that she was born in Pennsylvania which is now ground Zero for the fracking, well stimulant movement and here we are in Carson being pioneers in our own regard with our moratorium, and we share the same name of "Carson" -- this is a wild coincidence. Ms. Carson is recognized literally around the world; there is a Rachel Carson Environmental Institute in Germany; countries in Africa have paid respect to her by putting her picture on their postage stamps as has the United States; and many elementary, middle and high schools throughout the Country are named "Carson". He has seen some of the schools and thought that they were named after the City of Carson, but it turned out that they were named after Rachel Carson. He has been in contact with the President of the Rachel Carson Council from the East Coast environmental activist organization, and he will be in Los Angeles on Thursday at the last book store located at 453 S. Spring Street to sign his book entitled Rachel Carson and Her Sisters subtitles Extraordinary Women Who Have Shaped America's Environment. He had invited him to come to Carson. Although he could not fit the visit into his schedule on this trip, he promised to make time and an effort to come visit the great City of Carson.

City Attorney Wynder

Reported that April 14, 2014 was the 50th Anniversary of the first Mustang built in Detroit, Michigan.

Mayor Pro Tem Santarina

Reported that he had received correspondence dated April 4, 2014, from Maria Elena Durazo, Executive Secretary-Treasurer, Los Angeles County Federation of Labor, AFL-CIO, and read the letter in its entirety for the record:

“Dear Brothers and Sisters in the City of Carson:

I am writing to you to ask you to join me in opposing general ban on oil extraction in the City of Carson. As you likely know, oil extraction in Southern California supports millions of dollars of county and city services throughout Los Angeles County and the State of California. In addition, this industry creates thousands of direct and indirect jobs including good paying union jobs.

Thousands of union families proudly call Carson home. We hope the City of Carson will oppose a ban on oil extraction – denying the City valuable revenue and jobs. Los Angeles County continues to suffer from double-digit unemployment. We need to come together and look for ways to increase revenue and job opportunities.

Please join me and let the Carson City Council know that you support good paying jobs. Please fill out the attached card and drop in the mail so that we can let City Hall know how you feel. In addition, look for canvassers coming to your homes to help us spearhead our efforts.

In Solidarity,

/s/ Maria Elena Durazo
Executive Secretary-Treasurer
Los Angeles County Federation of Labor, AFL-CIO”

UNFINISHED/CONTINUED CLOSED SESSION ITEMS (None)

ADJOURNMENT

The meeting was Adjourned at 7:33 P.M., on Tuesday, April 15, 2014, by Mayor Pro Tem Santarina in memory of the individuals requested and to an adjourned regular meeting to be held on Tuesday, April 29, 2014, at 6:00 P.M., in the Carson-Dominguez Room, at Juanita Millender-McDonald Community Center, located at 801 E. Carson Street, Carson, California, with Dear and Gipson absent.

Mayor Jim Dear

ATTEST:

City Clerk Donesia L. Gause

Mayor Pro Tem Santarina

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ATTEST:

City Clerk Donesia L. Gause