

Saied Naaseh
Planning Manager
City of Carson
701 E Carson Street, CA 90745

RE: Ad-Hoc Committee Industry Members Responses

Dear Mr. Naaseh,

On behalf of the industry participants of the recently convened ad-hoc committee to address concerns raised by city staff regarding trucking, warehousing, logistics, and hazardous waste industries in the city, we would like to submit this response. First, it is important to acknowledge our ongoing opposition for what we believe is an unnecessary and flawed moratorium on the aforementioned industries in the City of Carson. There are serious concerns with the process to enact this moratorium, as well as the flawed staff report and legal analysis by the city. We continue to believe the information set forth regarding the ordinance does not warrant the need for a moratorium. However, in a good faith effort we are hoping to work collaboratively with the city to address concerns and end this moratorium after the 45-day period.

As participants in this process, we submit the following:

1. We request the city immediately strike the lease provisions of the moratorium and allow for property owners and tenants to adequately work together to negotiate leases.
2. To not extend the moratorium past the 45-day period.

We would also like to respond to the following:

1. In response to the comment that the city has no ability to enforce vehicle code violations against trucks, we have confirmed this is false. The County Sheriff's Office not only has the ability to enforce vehicle code violations regarding trucks, but actively cite truckers violating any vehicle code that is applicable. We encourage the Sheriff's Department to continue to do so, including enforcing the already established truck routes.
2. In response to the comment that the city has no ability to enforce situations regarding housing of hazardous material, we have confirmed this to be false. The city already has enforcement ability against any tenant that does not have the necessary permits to conduct operations on a facility. The City and the one business that has been mentioned have indicated a process is currently underway to correct that situation. Furthermore, the entire issue surrounding hazardous materials is fully regulated by Federal and State laws. Thus, any concerns regarding any violations can be referred to the appropriate enforcement agency, such as the State Department of Toxic Substance Control.

We are in the process of a full and thorough review of the urgency ordinance's supporting documentation. It is also important to point out the need for a fair and reasonable amount of time to review and respond to the complete ordinance. It is also our opinion that the city has not

conveyed the true intent on the desired issues and resulting wish list from the city, which makes it difficult to provide any suggested solutions.

From a high-level initial review, we would suggest a comprehensive review of existing city ordinances including:

- Review of the city's existing truck routes
- Review of existing policy on hours of operations for different facilities
- Review of the city's fiscal practices including revenues and expenditures – specifically focusing on street maintenance for the past 5 to 10 years
- Review of the city's code enforcement practices/city prosecutor actions
- Review of city's business license process

We also believe it would be in the city's best interest to familiarize itself with the existing regulations from the United States Department of Transportation, Federal Motor Carriers Safety Administration, California Transportation Authority and others on the trucking industry specifically the port trucking sector. Furthermore, a review and understanding of environmental regulations on trucking and warehousing enacted by the United States Environmental Protection Agency, California Air Resources Board, South Coast Air Quality Management District, and the Clean Air Action Plans administered by the Ports of Los Angeles and Long Beach are necessary to understand the existing regulatory standards already in place.

It is the belief of this committee that enforcement of existing local, regional, state, and federal regulations should satisfy the concerns laid out by the city's staff report and do not warrant this moratorium, or an extension to it.

Industry partners are exploring undertaking an economic impact analysis to determine direct and indirect benefits to the city, such as jobs and revenue from logistics and trucking sector.

We look forward to working with the city through this process and ongoing following the end of the moratorium. Please let us know if you have any questions.

Sincerely,

Alex Cherin
Francisco Franco
Peter Herzog
Weston LaBar