



City of Carson Report to Mayor and City Council

September 21, 2010
New Business Discussion

SUBJECT: CONSIDERATION TO FORMALLY CREATE AN AD HOC COMMITTEE TO DISCUSS TOPICS RELATED TO THE OPENING OF SOUTH REGION HIGH SCHOOL NO. 4


Submitted by William W. Wynder
City Attorney


Approved by Jerome G. Groomes
City Manager

I. SUMMARY

At the September 7, 2010 meeting of the City Council, members of the public requested the creation of a formal structure to facilitate discussions with the Los Angeles Unified School District (LAUSD) regarding the opening of South Region High School No. 4.

In response, Mayor Dear requested that staff agendize the discussion of the possible creation of a an *ad hoc* committee of Carson residents that would be responsible for discussing various topics related to the opening of South Region High School No. 4 located on the southeast corner of Carson Street and Santa Fe Avenue.

II. RECOMMENDATION

CONSIDER and PROVIDE direction regarding the creation of a citizen's *ad hoc* committee on the opening of South Region High School No. 4.

III. ALTERNATIVES

1. CREATE a citizen's *ad hoc* committee regarding South Region High School No. 4, and give the committee a name; *and*
2. DETERMINE the size and composition of such *ad hoc* committee; *and*
3. AUTHORIZE the Mayor to APPOINT, and the Council CONFIRM, the members of such *ad hoc* committee.
4. TAKE another action the City Council deems appropriate.

IV. BACKGROUND

The members of the Dominguez Area Property Owners attended a recent City Council meeting and expressed concerned about the quality of life and safety impacts on the community when the new high school opens in September 2011. They have submitted a list of major concerns to the City Manager (Exhibit No. 1).

Additionally, they have provided a map of available parking as per LAUSD's Environmental Impact Report (Exhibit No. 2). The Dominguez Area Property Owners request that an *ad hoc* committee be created to address issues of concern directly with LAUSD, and that this committee be comprised of residents whose children will be attending the school and residents that live in the Dominguez area.

The Brown Act, generally known as California's "open meeting" law, applies to all local legislative bodies, including the Carson City Council. However, any board, commission, committee or other body of a local agency created by charter, ordinance, resolution or formal action of a legislative body is itself a legislative body. (Gov. Code § 54952(b).) Generally, this is the case regardless of whether the body is permanent or *ad hoc*, advisory or decision making.

An exception exists for an "advisory committees" which are comprised *solely* of less than a quorum of the members of the legislative body that created the advisory body. (Gov. Code § 54952(b).) This exception does not apply if the "advisory committee" is a standing committee. (Gov. Code § 54952(b).) A standing committee is a committee which has continuing jurisdiction over a particular subject matter (*e.g.*, budget, finance, legislation) or if the committee's meeting schedule is fixed by charter, ordinance, resolution or "other formal action" of the legislative body that created it.

The term "formal action of a legislative body" can be broadly construed, but should be distinguished from any action taken by an individual city councilmember. For example, in *Joiner v. City of Sebastopol* (1981) 125 Cal.App.3d 799, 805, the court concluded that the city council had taken formal action by designating two of its members to sit on an advisory committee and establish the committee's agenda, even though the council did not act by formal resolution.

Similarly, in *Frazer v. Dixon Unified School District* (1993) 18 Cal.App.4th 781, 792-793, the court indicated that a school board's authorization to the superintendent to appoint a committee under specified circumstances constituted a creation of an advisory committee by formal action of the board. "Formal action of a legislative body" is not limited to a formal resolution or a formal vote by the body.

When a legislative body designates less than a quorum of its members that does not constitute a standing committee to meet with representatives of another legislative body to exchange information and report back to their respective

bodies, a meeting between the representatives would be exempt from the Act. (*Joiner v. City of Sebastopol* (1981) 125 Cal.App.3d 799, 805.)

Accordingly, should the City Council determine to create a citizen's *ad hoc* committee, and wish to exempt such committee from the requirements of California's open meetings laws, the following considerations should govern its creation:

1. The committee should be limited to a specific task, purpose, or assignment and have no continuing jurisdiction (either directly or in an advisory capacity) over a subject matter.
2. The committee should have a defined life which should cause the same to terminate without further action by the City Council.
3. The committee should not have a defined meeting schedule.
4. The committee should not include more than one member of the City Council in the event residents of the community are also to be members of the committee.
5. The committee should be limited in its contacts with LAUSD to dealing with school district staff or less than a quorum of the Board of Education.

V. FISCAL IMPACT

None.

VI. EXHIBITS

1. List of major concerns from Dominguez Area Property Owners. (pg. 5)
2. Map of available parking as per LAUSD's Environmental Impact Report. (pg. 6)

Prepared by: William W. Wynder, City Attorney

sf:Rev061902

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u>	<u>Development Services</u>
<u>Economic Development Services</u>	<u>Public Services</u>

Action taken by City Council

Date _____

Action _____

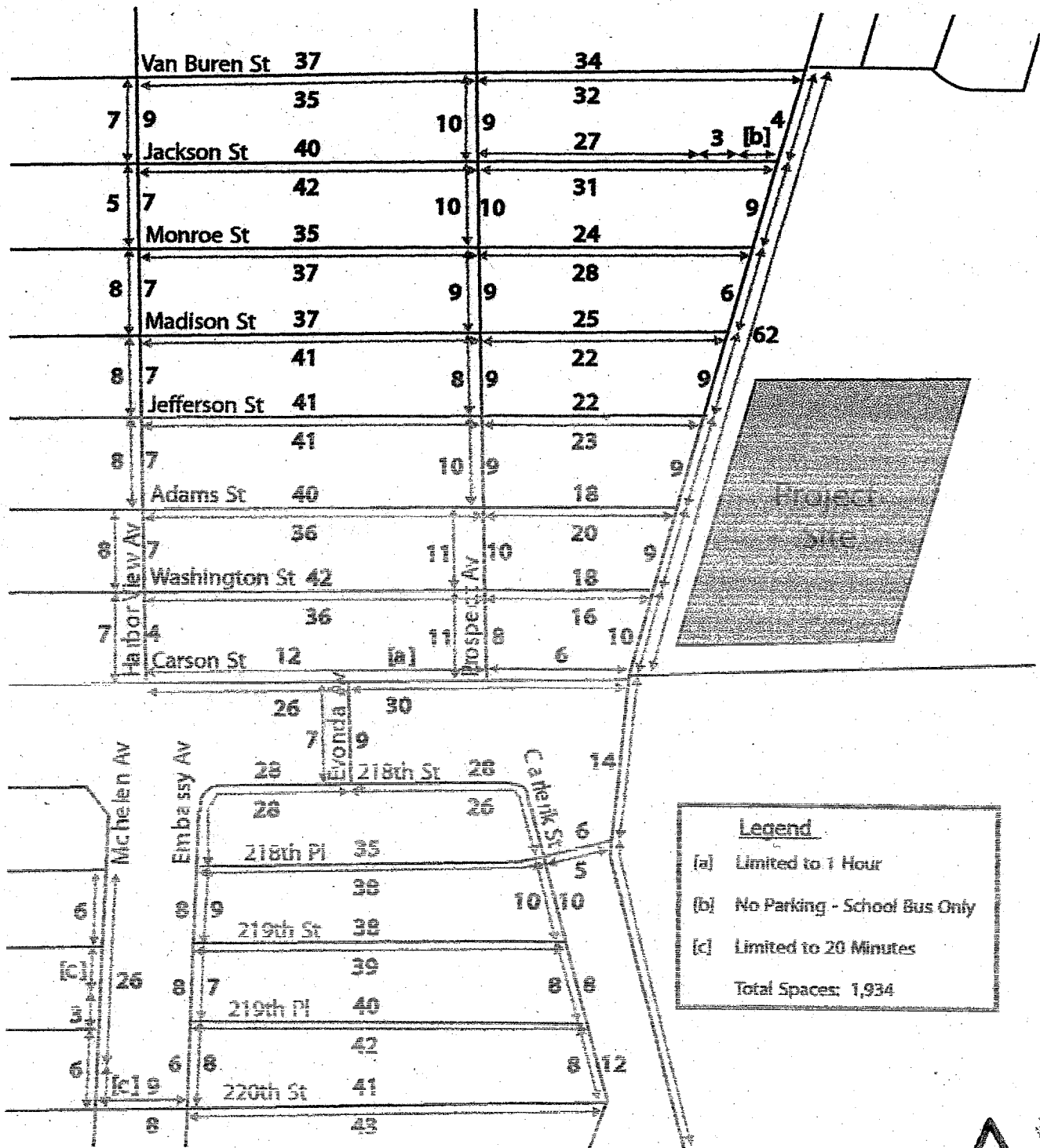


Dominguez Area Property Owner's Association

21156 S. Santa Fe Ave, Carson, Ca 90810

1. PERMIT PARKING IN THE FOLLOWING AREAS
 - A. 2600 AND 2700 BLOCKS IN THE PRESIDENTIAL AREA FROM CARSON TO HARRISON STREETS
 - B. ALL OF THE DOMINGUEZ MANOR AREA
 - C. IN LINCOLN VILLAGE AREA MICHELIN AVE TO THE WEST, CARSON STREET TO THE NORTH, 220TH ST TO THE SOUTH AND SANTA FE AVE TO THE EAST CITY BORDER.
 - D. ALL LONG SANTA FE AVE FROM DOMINGUEZ STREET TO THE SOUTHERN CITY BORDER
2. 2 HOUR PARKING AT THE DOMINGUEZ PARK PARKING LOT
 - A. HAVE THE PARK STAFF MONITOR AND MARKING CARS IN THE PARK PARKING LOT. MORNING, NOON AND NIGHTS WHEN THEY ARE EVENTS AT THE SCHOOL
3. PROVIDE A ROVING PARKING ENFORCEMENT OFFICER FOR DAY SHIFT AND ON NIGHTS THERE ARE SCHOOL ACTIVES.
4. REMOVE SANTA FE AVE FROM THE TRUCK ROUTE FROM CARSON STREET TO DOMINGUEZ STREET.
5. REDUCE THE SPEED LIMIT ON SANTA FE AVE TO 30 MPH. 15 MPH WHEN SCHOOL IN SESSION = AUTHORITY
==PAMPHLET COPS BOOKLET NO 50 ASSEMBLY BILL 321 SPEED LIMITS AROUND SCHOOLS.
6. INSTALL TWO (2) SOLAR SPEED RADAR SIGNS AT THE BEGINNING OF THE SCHOOL ZONES.
7. DEVELOPMENT NEW CITY BUS LINES TO ASSIST STUDENTS COMING FOR THE NORTH WITH REDUCE RIDERS FEES FOR STUDENTS.
8. REVIEW STREET FOR SPEED HUMPS.
9. CITY TO PROVIDE 2 PARKING PASSES PER RESIDENTS AT NO COST TO THE RESIDENTS LISTED IN THE PERMIT PARKING AREA.

ENC 1



Legend

- (a) Limited to 1 Hour
- (b) No Parking - School Bus Only
- (c) Limited to 20 Minutes

Total Spaces: 1,934



ENC 2

NOT TO SCALE

SOURCE: Meyer, Mohades Associates - January 2005

FIGURE 3G-12

EXHIBIT NO.- 2

Existing Parking Capacity
Including Community