



**MINUTES
CARSON CITY COUNCIL
ADJOURNED REGULAR MEETING
NOVEMBER 3, 2010**

5:00 P.M.

THE CARSON CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETINGS ARE BROADCAST LIVE VIA TIME WARNER CABLE CHANNEL 35 AS WELL AS VIA THE INTERNET AT: [HTTP://CI.CARSON.CA.US](http://ci.carson.ca.us)

AGENDA POSTED: OCTOBER 29, 2010

“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 was called to order at 5:21 P.M., by Mayor/Chairman Dear in the Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL: City Clerk/Agency Secretary Kawagoe called the roll:

Council/Agency Members Present: Mayor/Chairman Jim Dear, Council/Agency Member Lula Davis-Holmes, and Council/Agency Member Julie Ruiz-Raber

Council/Agency Members Absent: Mayor Pro Tem/Vice Chairman Elito Santarina and Council/Agency Member Mike Gipson

Other Elected Officials Present: Helen Kawagoe, City Clerk/Agency Secretary

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

Also Present: William Wynder, City/Agency Attorney; and staff; Sheri Repp-Loadsman, Planning Officer, and Miki Plant, Senior Clerk/Deputy City Clerk

CLOSED SESSION (Items 1-3) 5:00 P.M. – 5:45 P.M.

APPROVAL OF CLOSED SESSION AGENDA:

The Closed Session Agenda was accepted with no objections heard.

**ITEM NO. (1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(CITY MANAGER)**

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code § 54956.9(a), to confer with legal counsel regarding pending litigation to which the city is a party. The title of such litigation is as follows: Gutierrez v. City of Carson, et al; Case Number CV 10-07627-VBF(CWx); United States District Court, Central District of California.

ACTION: This item was scheduled for Closed Session.

**ITEM NO. (2) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
(CITY MANAGER)**

RECOMMENDATION for the City Council:

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

ACTION: This item was scheduled for Closed Session.

**ITEM NO. (3) CONFERENCE WITH LABOR NEGOTIATOR: ALL GROUPS (EXCEPT
CITY MANAGER AND UNCLASSIFIED EMPLOYEES) (CITY
MANAGER)**

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code § 54957.6, with the City Manager and Administrative Services General Manager, regarding labor negotiations with AME, Supervisors Association, Professional Association, AFSCME Local 809, ACE, and Unrepresented employees.

ACTION: This item was scheduled for Closed Session.

RECESS: The City Council and Redevelopment Agency were Recessed at 5:24 P.M. by Mayor/Chairman Dear with a Closed Session for the Council to discuss the items described on this evening's agenda.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 6:42 P.M. by Mayor/Chairman Dear with all members previously noted present and Mayor Pro Tem/Vice Chairman Elito Santarina present, except Council/Agency Member Gipson absent.

REPORT ON CLOSED SESSION

City Attorney Wynder provided the Closed Session report as follows:

Council Item No. 1

There was a privileged and confidential status report. Questions were asked and answered. The City Council approved the tendering of the legal defense of Mayor Dear and Planning Officer Sheri Repp-Loadsman at city expense.

Council Item No. 2

There was a privileged and confidential status report on ongoing negotiations. Questions were asked and answered. The City Council authorized staff to proceed. Recommended a litigation avoidance strategy which was unanimously approved subject to the attorney reporting back the results of the implementation of that strategy at a future council meeting.

Council Item No. 3

Council received briefing and labor negotiators were given negotiating and implementing authority by the council.

ROLL CALL: City Clerk/Agency Secretary Kawagoe noted the following:

Council/Agency Members Present: Mayor/Chairman Jim Dear, Mayor Pro Tem/Vice Chairman Elito Santarina, Council/Agency Member Lula Davis-Holmes, and Council/Agency Member Julie Ruiz-Raber

Council/Agency Members Absent: Council/Agency Member Mike Gipson

Other Elected Officials Present: Helen Kawagoe, City Clerk/Agency Secretary and Karen Avilla, City/Agency Treasurer

Also Present: Jerome Groomes, City Manager/Executive Director, William Wynder, City/Agency Attorney; and staff:

Jackie Acosta, Administrative Services General Manager; Clifford Graves, Economic Development General Manager; Victor Rollinger, Development Services General Manager;

Lisa Berglund, Senior Administrative Analyst; Dan Cisneros, Human Services Manager; Zarah Cruz, Public Information Manager; Patricia Elkins, Storm Water Quality Program

Manager; Ken McKay, Public Safety
Manager; Sheri Repp-Loadman, Planning
Officer; Glenn Turner, Computer Systems
Support Technician; and Miki Plant, Senior
Clerk/Deputy City Clerk

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

FLAG SALUTE: KAREN AVILLA, CITY/AGENCY TREASURER

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 or Redevelopment Agency. 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 TUVAI FAATAI, CALVARY CHAPEL OF SOUTH BAY**

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/Agency Secretary at the beginning of the meeting.

RECESS: The Redevelopment Agency was Recessed at 6:49 P.M. by Mayor/Chairman Dear to the City Council for Item No. 4.

INTRODUCTIONS (Item 4)

ITEM NO. (4) INTRODUCTION OF LOS ANGELES COUNTY SHERIFF'S DEPUTIES

Mayor Dear reported that there were no introductions this evening.

ORAL COMMUNICATIONS – MEMBERS OF THE PUBLIC

This is the appropriate time for members of the general public to address the Council/Agency on items not on the posted Agenda but are items of interest that are within the subject matter jurisdiction of the Council/Agency. 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/Agency other than to place it on the Agenda for a future meeting if appropriate.**

RECONVENE: The Redevelopment Agency was Reconvened at 6:50 P.M. for a joint session with the City Council with all members previously noted present, except Gipson absent, by Mayor/Chairman Dear for Oral Communications – Members of the Public.

Brian Raber, 1843 E. Abbottson, Carson, California 90746, reported that Measure H did not pass, but Proposition 22 passed. His wife Julie was concerned about Carson having a budget crisis as soon as she learned that the state may be taking five million dollars from the city.

Larry Grant, 1823 E. Denwall Drive, Carson, California 90746, questioned the rates printed on the color flyer of the Renaissance housing development. He received donations from Councilwoman Lula Davis-Holmes, BP and Del Huff for printing of the programs for the Veterans Day event on Saturday.

Sheri Repp-Loadsman, Planning Officer, invited everyone to “Waiting for Superman” being shown at the AMC Del Amo Theatres on Monday, November 8 and Tuesday, November 9 at 6:00 pm. RSVP to Carole Keen at 310-515-5563.

Rosa Banuelos, 218 W. Carson Street, Space #21, Carson, California 90745, was upset about rent increases.

Fe Koons, 1631 Balard Street, Carson, California 90745, stated that there will be a Youth Forum at Scott Park this Sunday, November 7, with CNN Hero of the Year 2009 Mr. Efren Penaflorida, Jr.

Ricardo Pulido, 22106 Gulf Avenue, Carson, California 90745, offered comments on various topics.

Terri Forsythe, 17700 Avalon Boulevard #282, Carson, California 90746, would like to receive notices for all Mobilehome Park Rental Review Board meetings. Mayor Dear will give instructions to Janice to notify staff to add her name and asked City Manager Groomes to follow up.

Louis Joseph Cogut, 17701 Avalon Boulevard #50, Carson, California 90746, would like to have the recording of the Mobilehome Park Rental Review Board meetings on the city’s website or available for purchase. Mayor Dear asked City Manager Groomes to look into it with IT Manager Robert Eggleston.

Marvin Clayton, 426 W. Carson Street, Carson, California 90746, offered his services to film/edit meetings on DVDs at a reasonable cost. Mayor Dear requested his offer in writing be given to City Manager Groomes.

RECESS: After Oral Communications – Members of the Public, the City Council was Recessed at 7:18 P.M. by Mayor/Chairman Dear to the Redevelopment Agency for the Agency New Business Consent Calendar.

RECONVENE: The City Council was Reconvened at 8:04 P.M. by Mayor/Chairman Dear for Special Orders of the Day.

NEW BUSINESS CONSENT (Items 5-15)

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.

This item was heard after Council Item No. 17 at 9:32 P.M.

At the request of City Attorney Wynder, Mayor Dear removed Item No. 9 for discussion and sent Item No. 13 to the Policy Sub-committee with no objections heard.

It was moved to approve New Business Consent Calendar Item Nos. 5, 6, 7, 8, 10, 11, 12, 14 and 15 on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

ITEM NO. (5) CONSIDERATION OF RESOLUTION NO. 10-116 SUPPORTING LOS ANGELES UNIFIED SCHOOL DISTRICT LOCAL DISTRICT 8 PLAN FOR SOUTH REGION HIGH SCHOOL NO. 4 (CITY MANAGER)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 10-116, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING LOS ANGELES UNIFIED SCHOOL DISTRICT LOCAL DISTRICT 8's PLAN FOR SOUTH REGION HIGH SCHOOL NO. 4 TO BE INCLUDED IN THE PUBLIC SCHOOL CHOICE PROGRAM."
2. INSTRUCT staff to transmit a copy of the executed resolution to LAUSD Local District 8 Superintendent Michael Romero.

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

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

ITEM NO. (6) CONSIDERATION OF STATUS ON AB 2289 TESTING AND PENALTIES RELATING TO CALIFORNIA'S SMOG CHECK PROGRAM (CITY MANAGER)

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

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

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

ITEM NO. (7) CONSIDERATION OF 1ST QUARTER FINANCIAL REPORT ON FY 2010/11 GENERAL FUND REVENUES AND EXPENDITURES (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

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

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

ITEM NO. (8) CONSIDERATION OF RESOLUTION NO. 10-114 FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 10-114, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT."

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

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

ITEM NO. (9) CONSIDERATION OF ADOPTION OF RESOLUTION NOS. 10-118, 10-119, 10-120, AND 10-121 APPROVING AMENDMENTS TO THE CURRENT MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE ASSOCIATION OF MANAGEMENT EMPLOYEES, THE PROFESSIONAL ASSOCIATION, THE SUPERVISORS ASSOCIATION, AND THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES, RESPECTIVELY, AND EXTENDING THE TERM OF THOSE MOUS FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2013 (ADMINISTRATIVE SERVICES)

This item was heard after the approval of the New Business Consent Calendar.

City Manager Groomes reported that only Resolution No. 10-118 was ready for discussion tonight.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 10-118, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE ASSOCIATION OF MANAGEMENT EMPLOYEES (RESOLUTION NO. 07-094) AND EXTENDING THE TERM OF THE MOU THROUGH JUNE 30, 2013."
2. WAIVE further reading and ADOPT Resolution No. 10-119, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE PROFESSIONAL ASSOCIATION (RESOLUTION NO. 07-095) AND EXTENDING THE TERM OF THE MOU THROUGH JUNE 30, 2013."
3. WAIVE further reading and ADOPT Resolution No. 10-120, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE SUPERVISORS ASSOCIATION (RESOLUTION NO. 07-096) AND EXTENDING THE TERM OF THE MOU THROUGH JUNE 30, 2013."
4. WAIVE further reading and ADOPT Resolution No. 10-121, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE ASSOCIATION OF CONFIDENTIAL EMPLOYEES (RESOLUTION NO. 07-093) AND EXTENDING THE TERM OF THE MOU THROUGH JUNE 30, 2013."

ACTION: It was moved to approve only staff recommendation No. 1, Resolution No. 10-118, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE ASSOCIATION OF MANAGEMENT EMPLOYEES (RESOLUTION NO. 07-094) AND EXTENDING THE TERM OF THE MOU THROUGH JUNE 30, 2013," on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

ITEM NO. (10) CONSIDER AUTHORIZATION OF ONE-HOUR TRUCK PARKING ZONES ON THE SOUTH SIDE OF DOMINGUEZ STREET, EAST OF WILMINGTON AVENUE, ACROSS FROM 2111 E. DOMINGUEZ STREET (DEVELOPMENT SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AUTHORIZE the provision of one-hour truck parking on the south side of Dominguez Street, east of Wilmington Avenue, across from 2111 E. Dominguez Street.
2. DIRECT the Development Services Work Group to post signs on Dominguez Street to designate the locations of the one-hour truck parking zones.

ACTION: Item No. 10 was previously approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

ITEM NO. (11) CONSIDER RESOLUTION NO. 10-115 SUPPORTING EXPANSION OF THE LOS ANGELES COUNTY RECYCLING MARKET DEVELOPMENT ZONE (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 10-115, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING THE EXPANSION OF THE LOS ANGELES COUNTY RECYCLING MARKET DEVELOPMENT ZONE TO INCLUDE THE CITIES OF AZUSA, BALDWIN PARK, COVINA, CULVER CITY, EL SEGUNDO, HUNTINGTON PARK, MONROVIA, SANTA FE SPRINGS, AND WHITTIER."
2. INSTRUCT staff to transmit a copy of the executed resolution to the Los Angeles County Department of Public Works, Environmental Programs Division.

ACTION: Item No. 11 was previously approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

ITEM NO. (12) CONSIDER AN AGREEMENT WITH DAPEER, ROSENBLIT AND LITVAK, LLP, TO PROVIDE CITY PROSECUTOR SERVICES FOR THE PERIOD OF FEBRUARY 1, 2011 THROUGH JANUARY 31, 2014 (PUBLIC SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the three-year agreement with Dapeer, Rosenblit and Litvak, LLP, to provide City Prosecutor services for the city of Carson, for the period of February 1, 2011 through January 31, 2014.
2. AUTHORIZE the Mayor to execute the agreement, following approval as to form by the City Attorney.

ACTION: Item No. 12 was previously approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

ITEM NO. (13) CONSIDER APPROVING CITY OF CARSON SENIOR CITIZENS ADVISORY COMMISSION REVISED BYLAWS (PUBLIC SERVICES)

This item was heard after Council Item No. 17 at 9:32 P.M.

RECOMMENDATION for the City Council:

1. APPROVE the revised bylaws of the city of Carson Senior Citizens Advisory Commission.

ACTION: At the request of City Attorney Wynder, Mayor Dear sent Item No. 13 to the Policy Sub-committee with no objections heard.

ITEM NO. (14) CONSIDER ACCEPTANCE OF THE FY 10 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (PUBLIC SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. ACCEPT the FY 10 Edward Byrne Memorial Justice Assistance Grant funding in the amount of \$72,143.00.
2. INCLUDE \$72,143.00 in the FY 2010/11 revenue projections for the Department of Justice/Office of Justice Programs fund, account number 08-00-999-344-4511.
3. APPROPRIATE for FY 2010/11 the \$72,143.00 to the Department of Justice/ Office of Justice Programs fund, account number 08-90-999-344-6005.

ACTION: Item No. 14 was previously approved on the New Business Consent Calendar on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Santarina, Council Member Davis-Holmes and Council Member Ruiz-Raber

Noes: None

Abstain: None

Absent: Council Member Gipson

ITEM NO. (15) THIS ITEM INTENTIONALLY LEFT BLANK

DEMANDS (Item 16)

ITEM NO. (16) RESOLUTION NO. 10-117 ALLOWING CLAIMS AND DEMANDS IN THE AMOUNT OF \$2,030,602.39, DEMAND CHECK NUMBERS 095378 THROUGH 095592

This item was heard after Item No. 9.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 10-117 was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Santarina, Council Member Davis-Holmes and Council Member Ruiz-Raber

Noes: None

Abstain: None

Absent: Council Member Gipson

RECESS: After Agency Item No. 3, the Redevelopment Agency was Recessed at 8:04 P.M. by Mayor/Chairman Dear to the City Council for Item No. 17.

SPECIAL ORDERS OF THE DAY (Item 17)

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. (17) CONTINUED PUBLIC HEARING TO CONSIDER RESOLUTION NO. 10-110 APPEALING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 825-10 FOR A PROPOSED AUTO REPAIR USE ON A SITE ZONED CG (COMMERCIAL GENERAL) AND DENYING VARIANCE NO. 517-10 FOR PROPERTY LOCATED AT 1209 E. CARSON STREET (ECONOMIC DEVELOPMENT)

Continued Public Hearing

Mayor Dear declared the Continued Public Hearing open **TO CONSIDER RESOLUTION NO. 10-110 APPEALING THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT NO. 825-10 FOR A PROPOSED AUTO REPAIR USE ON A SITE ZONED CG (COMMERCIAL GENERAL) AND DENYING VARIANCE NO. 517-10 FOR PROPERTY LOCATED AT 1209 E. CARSON STREET.**

City Clerk's Report

City Clerk Kawagoe reported that there was no additional reporting.

Staff Report

Planning Officer Repp-Loadsman summarized the staff report and recommendation.

Administration of Oath

Mayor Dear requested that all persons wishing to testify to stand and take the Oath, which was administered by City Clerk Kawagoe.

The following person being duly sworn offered testimony in opposition to the appeal:

Sharon Guidry, 1211 E. Carson Street, #24, Carson, California 90745, lives next door to the property.

The following persons being duly sworn offered testimony in support of the appeal:

Vincent Zankich, 1209 E. Carson Street, Carson, California 90745, current owner of the property.

Andrew Nunez, 1167 E. 215th Place, Carson, California 90745, commutes past the property almost daily.

There being no further persons wishing to testify, Mayor Dear declared the Continued Public Hearing closed.

RECESS: The City Council was Recessed at 8:50 P.M. by Mayor Dear.

RECONVENE: The City Council was Reconvened at 9:25 P.M. by Mayor Dear with all members previously noted present, except Gipson absent.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the continued Public Hearing, TAKE public testimony, and CLOSE the continued Public Hearing.
2. WAIVE further reading and ADOPT Resolution No. 10-110, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AFFIRMING THE DECISION OF THE PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 825-10 AND DENYING VARIANCE NO. 517-10."

ACTION: WITH FURTHER READING WAIVED, Resolution No. 10-110 was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

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

UNFINISHED BUSINESS (Items 18-19)

ITEM NO. (18) COMMISSION, COMMITTEE, AND BOARD APPOINTMENTS BY MAYOR DEAR (CITY CLERK)

This item was heard after Item No. 16.

RECOMMENDATION for the City Council:

Mayor Dear to CONSIDER, APPOINT, or REAPPOINT members to the Commissions, Committees, and Boards in accordance with Ordinance No. 04-1330, with the approval of a majority of the entire City Council present, including the Mayor, as listed on Exhibit No. 1:

- Planning Commission (9)
- Parks and Recreation Commission (7)
- Environmental Commission (7)
- Cultural Arts Commission (7)
- Human Relations Commission (7)
 - Human Relations Commission-Youth (2)
- Citywide Advisory Commission (7)
- Economic Development Commission (11)
- Mobilehome Park Rental Review Board (15)
 - At-Large Member (3)
 - At-Large Member (Alternate) (4)
 - Park Owner Member (2)
 - Park Owner Member (Alternate) (2)
 - Resident Homeowner Member (2) - **1 vacancy – Triangle Page 10**
 - Resident Homeowner Member (Alternate) (2)
- Public Relations Commission (7)
 - Community Representative (3)
 - Public Relations Specialist (4)

- Public Works Commission (5)
- Public Safety Commission (7)
- Relocation Appeals Board (5)
- Women's Issues Commission (7)
- Senior Citizens Advisory Commission (11)
- Youth Commission (11)
- Veterans Affairs Commission (11)
- Beautification Committee (11)
- Utility Users' Tax Citizens Oversight Committee (24) – **1 vacancy – Triangle Page 19**
- Carson Historical Committee (9)

ACTION: Mayor Dear made the following appointments:

Mobilehome Park Rental Review Board

Mayor Dear appointed Tom King to Resident Homeowner Member from Resident Homeowner Member (Alternate).

It was moved to ratify the Mayor's appointment on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

Veterans Affairs Commission

Mayor Dear appointed Robert Boyd as Ex-officio Member.

Utility Users' Tax Citizens Oversight Committee

Mayor Dear appointed Althea Friday and removed her from the Relocation Appeals Board.

It was moved to ratify the Mayor's appointment on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

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

ITEM NO. (19) CONSIDERATION TO REINTRODUCE ORDINANCE NO. 10-1455 AMENDING SECTION 9141.1 AND SECTION 9146.7 OF THE CARSON MUNICIPAL CODE ESTABLISHING A DEVELOPMENT AGREEMENT REQUIREMENT FOR NEW AND CONVERTED ELECTRONIC DIGITAL

DISPLAY OUTDOOR ADVERTISING SIGNS (ECONOMIC DEVELOPMENT)

This item was heard after Item No. 18.

City Attorney Wynder summarized the staff report and recommendation.

RECOMMENDATION for the City Council:

1. WAIVE further reading and REINTRODUCE Ordinance No. 10-1455, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 9141.1 AND SECTION 9146.7 OF THE CARSON MUNICIPAL CODE ESTABLISHING A DEVELOPMENT AGREEMENT REQUIREMENT FOR NEW AND CONVERTED ELECTRONIC DIGITAL DISPLAY OUTDOOR ADVERTISING SIGNS."

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 10-1455 was REINTRODUCED, as read by title only, on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

RECONVENE: The Redevelopment Agency was Reconvened at 9:46 P.M. for a joint session with the City Council with all members previously noted present, except Gipson absent, by Mayor/Chairman Dear for Oral Communications I (Staff).

ORAL COMMUNICATIONS I (STAFF)

Memorial Adjournment Requests

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

David L. Preciado, at the request of Mayor/Chairman Dear;

Diosdado Valenzuela, at the request of Mayor Pro Tem/Chairman Pro Tem Santarina;

Senator Jenny Oropeza, William "Bill" Brown, and Benjamin Lee Veal, at the request of Council/Agency Member Gipson;

Hortense Golden Canady, at the request of Council/Agency Member Davis-Holmes;

Rebecca "Becky" Garcia, at the request of Council/Agency Member Ruiz-Raber;

Sadako "Sadie" Higaki, Yetsuko Dyo, Peggy Strange, and Marlissa Weber, at the request of City Clerk/ Agency Secretary Kawagoe;

City Clerk/Agency Secretary Kawagoe

Reported the election results for Measure H and Proposition 22. Encouraged residents to purchase bricks for the pathway. The nomination period for the March 8, 2011 General Municipal Election will be from November 15 to December 13.

(Mayor Dear exited and re-entered the meeting at 9:52 P.M.)

City Manager Jerry Groomes

Reported that the city of Carson is a candidate for being one of the "Most Business Friendly Cities" in L.A. and invited the Mayor and City Council to the event on Wednesday, November 10 at the Beverly Hilton Hotel in Beverly Hills.

ORAL COMMUNICATIONS II (COUNCIL/AGENCY)

Mayor/Chairman Dear

Reported on the events he had recently attended.

Invited everyone to the 14th Annual Carson Mayor's Prayer Breakfast on Saturday, November 13 from 8:00 - 10:00 A.M.

Announced that the Mayor and City Council's Annual Turkey Giveaway will be on Saturday, November 20 at 1:00 P.M. at the SouthBay Pavilion Mall between Target and Jamba Juice.

Requested to City Manager Groomes to get legislation passed protecting property rights of mobile home residents.

Council/Agency Member Ruiz-Raber

Mourned the loss of those mentioned in the memorial adjournment requests.

Reported on the events she had recently attended.

Announced that the Black and White Ball was being held on Saturday, November 13, 2010.

Council/Agency Member Davis-Holmes

Reported on the events she had recently attended.

Asked City Manager Groomes to thank Victor Rollinger, Development Services Manager, for resolving the traffic light issue for a Carson resident.

Reported that at the Oversized Vehicle Public Hearing, there were over 100 people in attendance but many were non-residents.

Expressed her gratitude toward Watson Land Company for their donation to the Veterans' Day event.

Mayor Pro Tem/Chairman Pro Tem Santarina

Reported on the events he had recently attended.

Requested that the street sweeping issue be placed on the agenda for the next Policy Sub-committee meeting with the intention of sending the recommendation to the whole body.

Expressed his condolences to the Brown family.

Recognized Carol Almeda for the success of Red Ribbon Week.

Council/Agency Member Ruiz-Raber

Requests the South Bay WIB to report on what is happening with employment in the city. Would like to see this item on a future agenda.

Mayor/Chairman Dear

Suggests that a presentation by South Bay WIB be made under Introductions at a future meeting. Requested that City Manager Groomes place it under Introductions.

Reported that Law Day will be at the Congresswoman Juanita Millendar-McDonald Community Center on Saturday, November 13, 1:30 - 4:00 P.M. organized by the National Association for Equal Justice.

COUNCILMEMBER PRESENTATIONS OF REQUESTS TO ADD ITEMS TO FUTURE AGENDAS:

A. MAYOR DEAR REQUESTS CONSIDERATION OF A MEMORANDA OF UNDERSTANDING BE PREPARED BETWEEN THE CITY OF CARSON AND THE PROPOSED CHARTER SCHOOL "MATTIE ACADEMY"

It was moved to allow this item on the agenda for November 16, 2010 on motion of Dear, seconded by Santarina.

Public Comments

The following person offered comments regarding this item:

Dr. Denice Price, Citywide Advisory Commissioner, 17710 Sycamore, Carson, California 90746.

The motion was unanimously carried by the following vote:

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

UNFINISHED/CONTINUED CLOSED SESSION ITEMS (None)

REPORT ON CLOSED SESSION (None)

ADJOURNMENT

The meeting was Adjourned at 10:33 P.M. by Mayor/Chairman Dear and in memory of the individuals requested this evening.

Mayor Jim Dear

ATTEST:

City Clerk Helen Kawagoe