



**MINUTES
CARSON CITY COUNCIL
REGULAR MEETING
APRIL 5, 2011**

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: April 1, 2011

“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 meetings of the City Council/Redevelopment Agency/Housing Authority were called to order at 5:04 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.

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

Council Members/Agency Members/Authority Commissioners Present:

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

Council/Agency Members/Authority Commissioners Absent:

Council Member/Agency Member/Authority Commissioner Member Lula Davis-Holmes (Entered at 5:05 P.M.) and Council Member/Agency Member/Authority Commissioner Mike Gipson (Entered at 5:16 P.M.)

Other Elected Officials Present:

Helen Kawagoe, City Clerk/Agency Secretary/Authority Secretary

Other Elected Officials Absent:

Karen Avilla, City/Agency/Authority Treasurer

Also Present:

William Wynder, City/Agency/Authority Attorney; Lindsay Tabaian, Deputy City/Deputy Agency/Deputy Authority Attorney; and staff:

Robert Eggleston, IT Manager; Glenn Turner, Computer Systems Support Technician; and Wanda Higaki, Chief Deputy City Clerk/Chief Deputy Agency Secretary/Chief Deputy Authority Secretary

RECESS: The City Council/Redevelopment Agency/Housing Authority were Recessed at 5:05 P.M. by Mayor/Agency Chair/Authority Chair Dear at the request of City/Agency/Authority Attorney Wynder.

(Council Member/Agency Member/Authority Commissioner Member Davis-Holmes entered the meeting at 5:05 P.M.)

RECONVENE: The City Council/Redevelopment Agency/Housing Authority were Reconvened at 5:19 P.M. by Mayor/Agency Chairman/Authority Chairman Dear with all members previously noted present, including Davis-Holmes, with Gipson absent.

Request to Add Urgency Council Closed Session Item No. 6A (Formerly added as Item No. 7)

City/Agency/Authority Attorney City Attorney Wynder reported that Council action was required before the next regular meeting and requested the addition of Urgency Council Closed Session Item No. 6A to this evening's agenda as follows and proposed to consider Council Closed Session Item No. 6 first, with no objections heard.

ITEM NO. (6A) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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: Frank P. Gutierrez, Carlos Gutierrez vs. City of Carson, Jim Dear, Sherry Repp-Loadsman, Noe Zavala, County of Los Angeles, Leroy D. Bacca, Todd Rodgers, Frank Lobato, Ruben Alvarez, Deputy Elizabeth Ramos, Steve Hardy, Marcie Griffin, Danny Vergara, Rick Henry, Annie Chu, Jose Jara, Arturo Melano Cortez; Case Number US CV10-7627 VBF (CWX).

It was moved to add Urgency Council Closed Session Item No. 6A to this evening's agenda, as requested by City/Agency/Authority Attorney City Attorney Wynder, 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/Agency Member/Authority Commissioner Davis-Holmes, and Council Member/Agency Member/Authority Commissioner Santarina
Noes: None
Abstain: None
Absent: Council Member/Agency Member/Authority Commissioner Gipson

CLOSED SESSION (Items 1-6) 5:00 P.M. – 5:45 P.M.

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

RECOMMENDATION for the City Council:

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

ACTION: This item was scheduled for Closed Session.

ITEM NO. (2) CONFERENCE WITH LEGAL C OUNSEL - ANTICIPATED LITIGATION

RECOMMENDATION for the City Council:

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

ACTION: This item was scheduled for Closed Session.

ITEM NO. (3) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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: Colony Cove Properties LLC vs. City of Carson; Case Number 09-5703

ACTION: This item was scheduled for Closed Session.

ITEM NO. (4) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

RECOMMENDATION for the City Council:

2. 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: Colony Cove Properties LLC vs. City of Carson; Case Number D.C. No. 2:08-cv-07065-PA-JWJ OPINION.

ACTION: This item was scheduled for Closed Session.

ITEM NO. (5) CONFERENCE WITH LABOR NEGOTIATOR

RECOMMENDATION for the City Council:

1. A closed session will be held, in pursuant to Government Code § 54957.6, with the City Manager and Administrative Services General Manager, regarding labor negotiations with AFSCME (Part Time)."

ACTION: This item was scheduled for Closed Session.

ITEM NO. (6) PUBLIC EMPLOYEE APPOINTMENT

RECOMMENDATION for the City Council:

1. A closed session will be held, pursuant to Government Code § 54957, to consider filling the position of City Manager.

ACTION: This item was scheduled for Closed Session.

ITEM NO. (6A) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

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: Frank P. Gutierrez, Carlos Gutierrez vs. City of Carson, Jim Dear, Sherry Repp-Loadsman, Noe Zavala, County of Los Angeles, Leroy D. Bacca, Todd Rodgers, Frank Lobato, Ruben Alvarez, Deputy Elizabeth Ramos, Steve Hardy, Marcie Griffin, Danny Vergara, Rick Henry, Annie Chu, Jose Jara, Arturo Melano Cortez; Case Number US CV10-7627 VBF (CWX).

ACTION: This item was scheduled for Closed Session.

RECESS: The City Council/Redevelopment Agency/Housing Authority were Recessed at 5:18 P.M. by Mayor/Agency Chairman/Authority Chairman Dear to a Closed Session to discuss the items described on this evening's agendas for the City Council and Redevelopment Agency only.

RECONVENE: The City Council/Redevelopment Agency/Housing Authority were Reconvened at 6:47 P.M. by Mayor/Agency Chairman/Authority Chairman Dear, with all members previously noted present, including Gipson, who entered the meeting at 5:16 P.M.

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

Council Members/Agency Members/Authority Commissioners Present:

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

Council/Agency Members/Authority Commissioners Absent: None

Other Elected Officials Present:

Helen Kawagoe, City Clerk/Agency Secretary/Authority Secretary, and Karen Avilla, City/Agency/Authority Treasurer

Other Elected Officials Absent: None

Also Present:

Clifford Graves, Interim City Manager/Interim Agency Executive Director/Interim Authority Executive Director/Economic Development General Manager; William Wynder, City/Agency/Authority Attorney; Lindsay Tabaian, Deputy City/Deputy Agency/Deputy Authority Attorney; and staff:

Jackie Acosta, Administrative Services General Manager; Ray Cruz, Public Services General Manager; Victor Rollinger, Development Services General Manager;

Lisa Berglund, Senior Administrative Analyst; Zarah Cruz, Public Information Manager; Robert Eggleston, IT Manager; Richard Garland, Traffic Engineer; Massoud Ghiam, Senior Civil Engineer; Sheri Repp-Loadsman, Planning Officer; Intisar Rashid, Urban Fellow; Glenn Turner, Computer Systems Support Technician; and Wanda Higaki, Chief Deputy City Clerk/Chief Deputy Agency Secretary/Chief Deputy Authority Secretary

(Council Member/Agency Member/Authority Commissioner Davis-Holmes exited and reentered the meeting at 6:49 P.M.)

REPORT ON CLOSED SESSION

City/Agency/Authority Attorney City Attorney Wynder provided the Closed Session report as follows and announced that the remaining Closed Session items would be discussed later this evening:

Council Closed Session Item No. 6

A privileged and confidential briefing was provided on the City Manager recruitment. Questions were asked and answered. There was no reportable action and all five members participated in the Closed Session.

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

FLAG SALUTE: JACQUELINE SAMSON, THE YOUTH FAMILY, SCHOOL AND COMMUNITY PARTNERSHIP

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 JOEL WOOD, CARSON BIBLE CHURCH**

RECESS: The Redevelopment Agency and Housing Authority were Recessed at 6:59 P.M. by Mayor/Agency Chairman/Authority Chairman Dear to the City Council for Introductions.

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.

INTRODUCTIONS (None)

Status Report: UCLA Rand Center for Adolescent Health Promotion

Dr. Rosita Mendoza, 21425 S. Avalon Boulevard, No. 45, Carson, California 90745

Paz V. Velasquez, 23802 Ronan Avenue, Carson, California 90745

Jacqueline Samson, 23802 Ronan Avenue, Carson, California 90745

RECONVENE: The Redevelopment Agency and Housing Authority were Reconvened at 7:04 P.M. for a joint session with the City Council by Mayor/Agency Chairman/Authority Chairman Dear with all members previously noted present, for Oral Communications – Members of the Public.

ORAL COMMUNICATIONS – MEMBERS OF THE PUBLIC

This is the appropriate time for members of the general public to address those matters under the jurisdiction of the Council/Agency, and not on the posted Agenda. Any person wishing to address the Council/Agency is requested to complete a Speaker Form, available on the podium in the Council Chambers. **TESTIMONY WILL BE LIMITED TO THREE MINUTES PER PERSON.** Under the provisions of the Brown Act, no action can be taken on these items, and there can be no discussion of the items, other than to place it on the agenda for a future meeting.

Mary Anne O’Neal, 16211 Visalia Avenue, Carson, California 90746

Provided a report on contributions from Galaxy West-Carson Crest Homeowners’ Association.

Larry Grant, 1823 Denwall Drive, Carson, California 90746

Discussed the hazards of mobile basketball courts on the streets; reported that customers were exiting the wrong way from the post office; and 3) requested to please advance Council Item No. 28.

Dr. Rita Boggs, 21328 Island Avenue, Carson, California 90745

Discussed the dispute between the State and cities re redevelopment money.

Brian Raber, 1843 E. Abbottson Street, Carson, California 90746

Distributed information packets regarding the census and discussed the results of the census.

Fe Koons, 1631 Balard Street, Carson, California 90745

Announced and distributed flyers regarding the Earth Day Festival on April 15, 2011, at Dolphin Park.

Miriam Vazquez, 21413 Martin Street, Carson, California 90745

Discussed the status of Guadalupe Church request to remodel and reductions in the City’s budget.

Robert Lesley, P. O. Box 11164, Carson, California 90749

Discussed the take away of bargaining rights; announced a special meeting to be held at Jesse Owens Park on Saturday, April 9, at 11:30 A.M., to discuss the possible shut-down of the Nation.

Marvin Clayton, 426 W. Carson Street, No. 6, Carson, California 90745, Executive Director, Apollo West Carson Players and Chair of the Juneteenth Committee

Announced upcoming meetings of the Juneteenth Committee.

Jasmine Reyes, 21513 Peralta Drive, Carson, California 90745

Felt that the City of Carson could do better for its school children and announced that a dialog would take place on April 16, from 11:00 A.M. to 1:00 P.M., Scott Park, focused on the Filipino community.

Vera Robles DeWitt, 21611 Avalon Boulevard, Carson, California 90745,

Referred to Council Item No. 27 on this evening’s agenda and requested that the City Council create a moratorium on waiving fees and that the uncontrolled spending of the City Council has not stopped.

Ronald Buenaventura, 22102 S. Figueroa Street, Carson, California 90745

Distributed a visual of the dialog to be held on April 16, 2011, at Scott Park.

Neva Rogers, 632 E. 219th Street, Sp. No. 110, Carson, California 90745

Referred to and discussed the proposed \$20 limit on the Dial-a-Ride Program and requested that the City Council consider a new limit.

Council/Agency Member Davis-Holmes requested that Ms. Rogers discuss her concerns with Interim City Manager/Interim Executive Director/Economic Development General Manager Graves or Acting Transportation Supervisor Meni.

Zeke Vidauri

Announced that he would be representing Mayor Dear at events, as requested.

RECESS: The City Council/Redevelopment Agency/Housing Authority were Recessed at 7:34 P.M. by Mayor/Chairman Dear at the request of City/Agency/Authority Attorney Wynder.

RECONVENE: The City Council/Redevelopment Agency/Housing Authority were Reconvened at 7:35 P.M. by Mayor/Agency Chairman/Authority Chairman Dear with all members previously noted present.

RECESS: The Redevelopment Agency and Housing Authority were Recessed at 7:36 P.M. by Mayor/Agency Chairman/Authority Chairman Dear to the City Council for Item No. 28.

RECONVENE: After Council Item No. 20, the Redevelopment Agency was Reconvened at 11:21 P.M. for a joint session with the City Council by Mayor/Chairman Dear with all members previously noted present, for the Council/Agency New Business Consent Calendar.

Birthday Announcement

City Clerk Kawagoe announced the 85th birthday of Larry Grant and led those present in singing the birthday song.

At 7:37 P.M., Mayor Dear advanced Item No. 28 to be heard at this time with no objections heard.

RECONVENE: After Council Item No. 20, the Redevelopment Agency was Reconvened at 11:21 P.M. for a joint session with the City Council by Mayor/Chairman Dear with all members previously noted present, for the Council/Agency New Business Consent Calendar.

NEW BUSINESS CONSENT (Items 7-18)

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.

City/Agency Attorney City Attorney Wynder requested that the following items be continued to a date to be determined and that it was staff's plan to request a special meeting of the City Council/Redevelopment

Agency/Housing Authority, and was so ordered by Mayor/Agency Chairman/Authority Chairman Dear, with no objections heard.

Housing Authority Item No. 1

CONSIDERATION OF RESOLUTION NO. 11-2 OF THE CARSON HOUSING AUTHORITY DESIGNATING THE INITIAL CHAIRPERSON, VICE CHAIRPERSON, AND OFFICERS OF THE CARSON HOUSING AUTHORITY; ESTABLISHING THE AUTHORITY BOARD MEMBERS' TERMS OF OFFICE AND SUCCESSION; AND ADOPTING THE BYLAWS AND RULES OF PROCEDURE OF THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT)

Housing Authority Item No. 2

CONSIDERATION OF RESOLUTION NO. 11-3 OF THE CARSON HOUSING AUTHORITY ACCEPTING TRANSFER OF AND APPROVING AN AMENDED AND RESTATED TRANSFER AGREEMENT FOR THE TRANSFER OF HOUSING SET-ASIDE FUNDS AND CERTAIN PROPERTIES OWNED BY THE CARSON REDEVELOPMENT AGENCY TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT);

CONSIDERATION OF ENTERING INTO AN AMENDED AND RESTATED TRANSFER AGREEMENT FOR THE TRANSFER OF HOUSING SET-ASIDE FUNDS AND CERTAIN PROPERTIES OWNED BY THE CARSON REDEVELOPMENT AGENCY TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT);

CONSIDERATION OF RESOLUTION NO. 11-4 OF THE CARSON HOUSING AUTHORITY APPROVING A FINANCING AGREEMENT BY AND AMONG THE CARSON HOUSING AUTHORITY, THE CITY OF CARSON, AND THE CARSON REDEVELOPMENT AGENCY FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT); and

CONSIDERATION OF ENTERING INTO A FINANCING AGREEMENT BY AND AMONG THE CARSON HOUSING AUTHORITY, THE CITY OF CARSON, AND THE CARSON REDEVELOPMENT AGENCY FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT)

Housing Authority Item No. 3

CONSIDERATION OF RESOLUTION NO. 11-5 ACCEPTING THE TRANSFER FROM THE CITY OF CARSON OF 526 WEST CARSON STREET (APN 7343-019-901) AND 21227 SOUTH FIGUEROA STREET (APN 7343-007-903), PROPERTIES PREVIOUSLY DEEDED FROM THE CARSON REDEVELOPMENT AGENCY TO THE CITY OF CARSON (ECONOMIC DEVELOPMENT). THIS IS A COMPANION AGENDA ITEM WITH COUNCIL NO. 23

Agency Item No. 5

CONSIDERATION OF RESOLUTION NO. 11-18 APPROVING A FINANCING AGREEMENT BY AND AMONG THE CARSON HOUSING AUTHORITY, THE CITY OF CARSON AND THE CARSON REDEVELOPMENT AGENCY FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT). THIS IS A JOINT AGENDA ITEM WITH COUNCIL NO. 22

Council Item No. 22

CONSIDERATION OF RESOLUTION NO. 11-053 APPROVING A FINANCING AGREEMENT BY AND AMONG THE CARSON HOUSING AUTHORITY, THE CITY OF CARSON AND THE CARSON REDEVELOPMENT AGENCY FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT). THIS IS A JOINT AGENDA ITEM WITH AGENCY ITEM NO. 5

RECONVENE: The Housing Authority was Reconvened at 11:23 P.M. for a joint session with the City Council and Redevelopment Agency by Mayor/Agency Chairman/Authority Chairman Dear, with all members previously noted present.

Mayor/Agency Chairman/Authority Chairman Dear ordered the continuance of Housing Authority Item Nos. 1, 2, and 3; Agency Item No. 5; and Council Item No. 22, as requested by City/Agency/Authority Attorney City Attorney Wynder, with no objections heard.

RECESS: The Housing Authority was Recessed at 11:23 P.M. by Mayor/Agency Chairman/Authority Chairman Dear to the City Council/Redevelopment Agency for the New Business Consent Calendar.

It was moved to approve the Council/Agency New Business Consent Calendar with the exception of Council Item Nos. 15 and 17 that were previously considered, on motion of Dear and seconded by Davis-Holmes.

During discussion of the motion, Council/Agency Member Davis-Holmes removed the following item for discussion:

Council Item No. 14

STATUS REPORT ON THE FILLING OF VACANT POSITIONS (ADMINISTRATIVE SERVICES)

The motion to approve Council New Business Consent Calendar Item Nos. 7, 8, 9, 10, 11, 12, 13, 16, and 18 and Agency New Business Consent Calendar Item No. 3 was unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

RECESS: After the New Business Consent Calendar, the Redevelopment Agency was Recessed at 11:26 P.M. by Mayor/Chairman Dear to the City Council for Item No. 19.

ITEM NO. (7) CONSIDERATION OF MONTHLY TREASURER'S REPORT (CITY TREASURER)

THIS IS A JOINT AGENDA ITEM WITH AGENCY ITEM NO. 3

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

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

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (8) CONSIDERATION OF ADOPTION OF RESOLUTION NO. 11-028 AMENDING RESOLUTION NO. 10-077 TO INCORPORATE CERTAIN CHANGES TO THE RETIREMENT, POST-RETIREMENT AND HOLIDAY LEAVE BENEFITS OF THE UNCLASSIFIED MANAGEMENT EMPLOYEES (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-028 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 10-077 TO INCORPORATE CERTAIN CHANGES TO THE RETIREMENT, POST-RETIREMENT, AND HOLIDAY LEAVE BENEFITS OF THE UNCLASSIFIED MANAGEMENT EMPLOYEES."

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

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (9) 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 February 2011 in the amount of \$5,400.00.

2. APPROVE an increase in the FY 2010/11 General Fund revenue budget by \$5,400.00.
3. APPROPRIATE the \$5,400.00 to the FY 2010/11 expenditure budget in the account numbers listed in Exhibit No. 1.

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

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

ITEM NO. (10) REPORT ON EXPENDITURE OF GENERAL FUND RESERVES DURING THE FISCAL YEARS 2000/01 THROUGH 2009/10 (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

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

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

ITEM NO. (11) CONSIDERATION OF ADOPTION OF RESOLUTION NO. 11-044 AUTHORIZING THE DESTRUCTION OF SPECIFIED CITY RECORDS (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-044, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF SPECIFIED CITY RECORDS."

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

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

ITEM NO. (12) CONSIDERATION OF RESOLUTION NO. 11-047 DECLARING COUNCIL'S INTENTION TO GRANT A PIPELINE FRANCHISE TO CARDINAL PIPELINE, L.P. (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-047, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING ITS INTENTION TO GRANT A NONPUBLIC UTILITY PIPELINE FRANCHISE TO CARDINAL PIPELINE, L.P."
2. SET the matter for public hearing on May 3, 2011.

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

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

ITEM NO. (13) CONSIDERATION OF RESOLUTION NO. 11-049 DECLARING COUNCIL'S INTENTION TO GRANT A PIPELINE FRANCHISE TO E & B NATURAL RESOURCES MANAGEMENT CORPORATION (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-049, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING ITS INTENTION TO GRANT A NONPUBLIC UTILITY PIPELINE FRANCHISE TO E & B NATURAL RESOURCES MANAGEMENT CORPORATION."
2. SET the matter for public hearing on May 3, 2011.

ACTION: Item No. 13 was approved on the New Business Consent Calendar on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (14) STATUS REPORT ON THE FILLING OF VACANT POSITIONS (ADMINISTRATIVE SERVICES)

Item No. 14 was heard after Item No. 30 at 11:42 P.M.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

(Council Member Gipson exited the meeting at 11:43 P.M.)

Council Member Davis-Holmes referred to and expressed concern with the assessment report relative to the excessive number of clerical positions and clerical positions should be realigned. She felt that acting appointments would be an alternative until such time as the City Manager was hired. She reiterated her request for a copy of the Table of Organization.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor Dear ordered Item No. 14 to be received and filed with no objections heard.

RECESS: After Council Item No. 14, the City Council was Recessed at 11:52 P.M. by Mayor Dear to the Redevelopment Agency for Agency Item No. 6.

ITEM NO. (15) STATUS REPORT ON CAPITAL IMPROVEMENT PROGRAM PROJECTS CURRENTLY UNDERWAY (DEVELOPMENT SERVICES)

Item No. 15 was heard after Item No. 17 at 11:05 P.M.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor Dear ordered Item No. 15 to be received and filed, with no objections heard.

ITEM NO. (16) CONSIDERATION OF RESOLUTION NO. 11-017 IN SUPPORT OF A RESOLUTION ADOPTED BY THE LEAGUE OF CALIFORNIA CITIES, LOS ANGELES DIVISION, SUPPORTING THE REASONABLE, PRACTICABLE, AND ECONOMICALLY ACHIEVABLE STORMWATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT AND TOTAL MAXIMUM DAILY LOAD REQUIREMENTS, THROUGH THE USE OF PROGRESSIVE AND ADAPTIVE BEST MANAGEMENT PRACTICES (DEVELOPMENT SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-017, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, IN SUPPORT OF A RESOLUTION ADOPTED BY THE LEAGUE OF CALIFORNIA CITIES, LOS ANGELES DIVISION, SUPPORTING THE REASONABLE, PRACTICABLE, AND ECONOMICALLY ACHIEVABLE STORMWATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT AND TOTAL MAXIMUM DAILY LOAD REQUIREMENTS, THROUGH THE USE OF PROGRESSIVE AND ADAPTIVE BEST MANAGEMENT PRACTICES."
2. DIRECT staff to forward a copy of the adopted resolution to appropriate county, state, and federal elected officials and to appropriate state and federal regulatory agencies.

ACTION: Item No. 16 was approved on the New Business Consent Calendar on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (17) CONSIDER AMENDING THE TRUCK ROUTE SYSTEM TO ELIMINATE SEGMENTS OF VICTORIA STREET AND/OR SANTA FE AVENUE FROM THE LIST OF STREETS DESIGNATED AS TRUCK ROUTES (DEVELOPMENT SERVICES)

Item No. 17 was heard after Item No. 27 at 11:04 P.M.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor Dear ordered Item No. 17 to be received and filed with no objections heard.

ITEM NO. (18) CONSIDER AMENDING PREVIOUSLY APPROVED FAÇADE IMPROVEMENT PROGRAM FUNDING AUTHORIZATION TO FUND A \$57,500.00 CONSTRUCTION CONTRACT FOR THE COMMERCIAL FACADE IMPROVEMENT PROJECT LOCATED AT 930 AND 940 E. DOMINGUEZ STREET AND 20930 BONITA STREET (COMMUNITY DEVELOPMENT BLOCK GRANT DESIGNATED AREA) (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AUTHORIZE amending the funding for a construction contract for a commercial façade improvement project located at 930 and 940 E. Dominguez Street and 20930 Bonita Street in the amount not to exceed \$57,500.00.
2. AUTHORIZE the Mayor to execute an amendment to the Façade Improvement Program Agreement between the city and the property owner following the funding approval and approved as to form by the City Attorney.

ACTION: Item No. 19 was approved on the New Business Consent Calendar on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

RECESS: After the Council/Agency New Business Consent Calendar, the Redevelopment Agency was Recessed at 11:26 P.M. by Mayor/Chairman Dear to the City Council for Item No. 19.

DEMANDS (Item 19)

ITEM NO. (19) RESOLUTION NO. 11-052 ALLOWING CLAIMS AND DEMANDS IN THE AMOUNT OF \$756,591.35, DEMAND CHECK NUMBERS 097770 THROUGH 098050

Item No. 19 was heard at 11:26 P.M.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 11-052 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 Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

SPECIAL ORDERS OF THE DAY (Item 20)

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. (20) PUBLIC HEARING TO CONSIDER ORDINANCE NO. 11-1469 TO AMEND CARSON MARKETPLACE SPECIFIC PLAN 10-05 (THE BOULEVARDS AT SOUTH BAY) AND TO CONSIDER THE FIRST AMENDMENT TO THE CARSON MARKETPLACE DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED AT 20400 MAIN STREET (ECONOMIC DEVELOPMENT)

Item No. 20 was heard after Item No. 15 at 11:06 P.M.

Public Hearing

Mayor Dear declared the Public Hearing open **TO CONSIDER ORDINANCE NO. 11-1469 TO AMEND CARSON MARKETPLACE SPECIFIC PLAN 10-05 (THE BOULEVARDS AT SOUTH BAY) AND TO CONSIDER THE FIRST AMENDMENT TO THE CARSON MARKETPLACE DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED AT 20400 MAIN STREET.**

City Clerk's Report

City Clerk Kawagoe reported that notice of the Public Hearing had been given pursuant to applicable law, including but not limited to the timely notice to the applicant, Carson Marketplace LLC, 4350 Von Karman Avenue, Newport Beach, California 92660, via e-mail and confirmed by staff, postings as required by law; and other mailings as requested by individuals and organizations. The affidavits attesting to mailing and publishing such notice were on file in the City Clerk's Office. No written communications were received.

Mayor Dear directed that all affidavits of notice be made part of the record.

Staff Report

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

Planning Officer Repp-Loadsman referred to the analysis portion of the staff report and clarified the following items: 1) name change; 2) proposed/allowed development; 3) public road v. private road; and 4) development standards and guidelines.

Administration of Oath

Mayor Dear requested that all persons wishing to testify to stand and take the Oath.

Public Testimony

There being no persons wishing to testify, Mayor Dear declared the public hearing closed.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the Public Hearing, TAKE testimony, and CLOSE the Public Hearing;
2. WAIVE further reading and INTRODUCE Ordinance No. 11-1469, "AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA AMENDING CARSON MARKETPLACE SPECIFIC PLAN NO. 10-05 AND ADOPTING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF UP TO 1,550 RESIDENTIAL UNITS AND 1,995,125 SQUARE FEET OF COMMERCIAL USES FOR THE BOULEVARDS AT SOUTH BAY PROJECT ON A 168-ACRE SITE."

ACTION: WITH FURTHER READING WAIVED, it was moved to Introduce Ordinance No. 10-1469, as read by title only, on motion of Santarina and seconded by Ruiz-Raber.

Public Hearing Reopened

Mayor Dear reopened the Public Hearing to allow testimony from Bryan Miranda, representing LNR, 4350 Von Karman Avenue, Suite 200, Newport Beach, California 91660.

Bryan Miranda discussed the project and provided additional information at the request of the City Council.

There being no further testimony to be provided, Mayor Dear declared the reopened Public Hearing closed.

The motion was unanimously carried by the following vote:

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

UNFINISHED BUSINESS (Item 21)

ITEM NO. (21) CONSIDER RESOLUTION NO. 11-042 AFFIRMING THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 792-10 FOR THE DEVELOPMENT OF A 150-SPACE RECREATIONAL VEHICLE STORAGE LOT LOCATED AT 2900 EAST DEL AMO BOULEVARD (ECONOMIC DEVELOPMENT)

Item No. 21 was heard after Item No. 19 at 11:27 P.M.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

Planning Officer Repp-Loadsman distributed an e-mail document to the City Council from the U.S. Army Corps of Engineers expressing no objection to the project. She referred to and discussed new language for Condition No. 21 on Triangle Page 19 to read as follows:

“21. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, ~~but are not limited to~~ native and drought tolerant plant materials that are compatible with similar plantings along the Compton Creek Watershed Management Plan area.

- a. ~~Vine like landscaping along perimeter walls;~~
- b. ~~Annual flowers wherever possible; and,~~
- c. ~~Irrigation system designed to commercial grade standards.”~~

Public Comments

Frank Coloruotello

Stated that he was available to answer questions and provide additional information, if needed.

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-042, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AFFIRMING THE DECISION OF THE PLANNING COMMISSION TO APPROVE CONDITIONAL USE PERMIT NO. 792-10 FOR THE DEVELOPMENT OF A 150-SPACE RECREATIONAL VEHICLE STORAGE LOT LOCATED AT 2900 E. DEL AMO BOULEVARD."

ACTION: It was moved to approve the staff recommendation, as amended by Planning Officer Repp-Loadsman and WITH FURTHER READING WAIVED, to PASS, APPROVE and ADOPT Resolution No. 11-042, as read by title only, on motion of Gipson, seconded by Santarina and unanimously carried by the following vote:

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

NEW BUSINESS DISCUSSION (Items 22-28)

ITEM NO. (22) CONSIDERATION OF RESOLUTION NO. 11-053 APPROVING A FINANCING AGREEMENT BY AND AMONG THE CARSON HOUSING AUTHORITY, THE CITY OF CARSON AND THE CARSON REDEVELOPMENT AGENCY FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE CARSON HOUSING AUTHORITY (ECONOMIC DEVELOPMENT)

THIS IS A JOINT AGENDA ITEM WITH AGENCY ITEM NO. 5

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-053, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING A FINANCING AGREEMENT BY AND AMONG THE CARSON HOUSING AUTHORITY, THE CITY OF CARSON AND THE CARSON REDEVELOPMENT AGENCY FOR THE PROVISION OF FINANCIAL ASSISTANCE TO THE CARSON HOUSING AUTHORITY."
2. AUTHORIZE the Mayor to execute the Financing Agreement following approval as to form by the City Attorney.

ACTION: Mayor/Agency Chairman/Authority Chairman Dear previously continued Item No. 22 to a date to be determined, as requested by Council Member/Agency Member/Authority Attorney Wynder, with no objections heard.

ITEM NO. (23) CONSIDERATION OF RESOLUTION NO. 11-051 TRANSFERRING TO THE CARSON HOUSING AUTHORITY, 526 WEST CARSON STREET (APN 7343-019-901) AND 21227 SOUTH FIGUEROA STREET (APN 7343-007-903), PROPERTIES PREVIOUSLY DEEDED FROM THE CARSON REDEVELOPMENT AGENCY TO THE CITY OF CARSON (CITY MANAGER)

THIS IS A COMPANION AGENDA ITEM WITH HOUSING AUTHORITY ITEM NO. 3

Item No. 23 was heard after Item No. 21 at 11:38 P.M.

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-051, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, TRANSFERRING TO THE CARSON HOUSING AUTHORITY, 526 WEST CARSON STREET (APN 7343-019-901) AND 21227 SOUTH FIGUEROA STREET (APN 7343-007-903), PROPERTIES PREVIOUSLY DEEDED FROM THE CARSON REDEVELOPMENT AGENCY TO THE CITY OF CARSON."

ACTION: Mayor Dear continued Item No. 23 to a date to be determined, with no objections heard.

ITEM NO. (24) CONSIDERATION OF CITY COUNCIL SUB-COMMITTEES (CITY CLERK)

Item No. 24 was heard after Item No. 23.

RECOMMENDATION for the City Council:

Mayor Dear to TAKE the following actions:

1. REAFFIRM, RE-DESIGNATE and/or DESIGNATE member assignments to the City Council Sub-committees.
2. CONSIDER the status of any City Council Sub-committee.
3. CONSIDER and CREATE any new City Council Sub-committee or RE-ACTIVATE any previous City Council Sub-committee as listed on Exhibit No. 2.

ACTION: Mayor Dear continued Item No. 24 to April 19, 2011, with no objections heard.

ITEM NO. (25) CONSIDERATION OF CITY-AFFILIATED ORGANIZATIONS (CITY CLERK)

Item No. 25 was heard after Item No. 24.

RECOMMENDATION for the City Council:

1. REAFFIRM, RE-DESIGNATE and/or DESIGNATE delegates and alternates to the City-Affiliated Organizations listed on Exhibit No. 1, respectively.

ACTION: Mayor Dear continued Item No. 25 to April 19, 2011, with no objections heard.

ITEM NO. (26) MEETING DISPOSITION: CITY COUNCIL POLICY SUB-COMMITTEE (CITY MANAGER)

Item No. 26 was heard after Item No. 25.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

RECOMMENDATION for the City Council:

1. ALLOW the report.

ACTION: Mayor Dear clarified that Item No. 26 was dealt with previous discussions regarding fee waivers for City-associated special events.

ITEM NO. (27) CONSIDER THE FEE WAIVER REQUEST FOR THE RENTAL OF CITY EQUIPMENT AND PARK USAGE, AND A REQUEST FOR FUNDS TO BE USED FOR STAFF TIME BY THE PHILIPPINE INDEPENDENCE DAY FOUNDATION (PUBLIC SERVICES)

Item No. 27 was heard after Item No. 26 at 10:15 P.M.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation and reported that staff recommended Option B.

Public Comments

Regina Ramirez, Board Member, Professionals/Supervisors Association

Read a letter into the record from President Ken Freschauf opposing fee waivers.

Ronald Shimokaji, 1512 E. Carson Street, Sp. 135, Carson, California 90745

Opposed any fee waivers that required an appropriation.

Isabel Meni, President, AFSCME

Read a letter into the record from AFSCME Local 809 opposing the fee waiver; requested that the City reach out to business community to support Philippine Independence Day and future events; and to place a moratorium for the next fiscal year.

Robert Lesley, P. O. Box 11164, Carson, California 90749

Expressed concern about deficit spending and opposed fee waivers.

City Clerk Kawagoe confirmed that the City Council received letters from Ed Holton, President, ACE, and Ky Truong, President, AME, each opposing the fee waiver request. Whereupon, Mayor Dear ordered the letters to be made part of the record.

RECOMMENDATION for the City Council:

TAKE one of the following actions:

Option A - City Council Policy Sub-committee Recommendation

1. APPROVE the City Council Policy Sub-committee's recommendation to approve the fee waiver request in the amount of \$17,184.50 for city equipment rental and park usage.
2. APPROVE the City Council Policy Sub-committee's recommendation to approve the fee waiver request in an amount up to \$15,000.00 to cover the cost of city staff time for the Philippine Independence Day Celebration.
3. APPROPRIATE \$11,501.38 from the unreserved, undesignated general fund balance to cover the cost of staff time for the Philippine Independence Day Celebration.

-or-

Option B - Staff Recommendation

4. APPROVE the City Council Policy Sub-committee's recommendation to approve the fee waiver request in the amount of \$17,184.50 for city equipment rental and park usage.
5. DENY the City Council Policy Sub-committee's recommendation to approve the fee waiver request in an amount up to \$15,000.00 to cover the cost of city staff time for the Philippine Independence Day Celebration.
6. APPROPRIATE \$11,501.38 from the unreserved, undesignated general fund balance to cover the cost of staff time for the Philippine Independence Day Celebration.

ACTION: It was moved to approve Option B on motion of Ruiz-Raber, but was not considered due to lack of a second.

Upon inquiry, Interim City Manager/Economic Development General Manager Graves clarified that no cost to the City was associated with Option B.

It was moved to approve Option B, provided that monies are reimbursed to the City, seconded by Santarina and unanimously carried by the following vote:

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

ITEM NO. (28) CONSIDER APPROVING STANDARD MANAGEMENT PROCEDURE REGARDING FEE WAIVERS FOR CITY-ASSOCIATED SPECIAL EVENTS (PUBLIC SERVICES)

Item No. 28 was heard after Oral Communications – Members of the Public at 7:37 P.M.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation.

Public Services General Manager Cruz discussed the draft policy for Fee Waiver for City Associated Special Events which was distributed under separate cover.

Public Comments

Jacqui Stewart, 1860 E. Cashdan Street, Carson, California 90746

Opposed fee waivers and city-associated special events and that the City should not pursue that course; referred to the Policy Sub-Committee and reported that although the Jazz Festival Committee was denied to hold the festival, the committee will move forward and hold a community jazz festival in Carson with no taxpayer money.

Marvin Clayton, 426 W. Carson Street, No. 6, Carson, California 90745, Executive Director, Apollo West Carson Players and Chairman, Juneteenth Committee

Stated that they would work within the City's guidelines and would go forward to hold cultural events in Carson.

Miriam Vazquez, 21413 Martin Street, Carson, California 90745

Referred to and discussed recipients of CDBG funding and stated that she did not know what they do with the funds and that Blacks and Mexicans deserve the same amount of money.

Moises "Jun" Aglipay, 322 W. 230th Street Carson, California 90745, representing the Philippine Day Foundation

Requested that the City Council apply the same standards to the other groups and that he would respect the decision tonight.

Vera Robles DeWitt, 21611 Avalon Boulevard, Carson, California 90745

Referred to the proposed policy and took exception to Item No. A, that requests for funding would be addressed by the Policy Sub-committee.

Latrice Carter

Reported that the Juneteenth and Jazz Festival events fell short of fee waivers and felt that fee waivers should be granted across the board.

Del Huff, 868 E. Meadbrook, Carson, California 90746

Felt that Carson's "melting pot" had become ethnically split and requested that the City Council consider a policy to provide for events for Carson residents.

Carlos Quintero, 21106 Shearer, Carson, California 90745

Discussed the contributions from the city employees and the racial tension occurring in Carson.

RECOMMENDATION for the City Council:

1. CONSIDER the City Council Policy Sub-committee's recommended Standard Management Procedure regarding fee waivers for city-associated special events.

ACTION: It was moved to approve the staff recommendation, as proposed by Public Services General Manager Cruz, without providing \$960 to each group, with the exception of the Cesar Chavez Day Committee that had previously received \$960, and includes zero taxpayer money to organizations until such time as there are no more employee furloughs and that Mayor Dear would take the personal responsibility to raise \$960 for the other four organizations on motion of Dear and seconded by Santarina.

During discussion of the motion, Mayor Pro Tem Ruiz-Raber stated that she would speak to her committee to pay \$960 back to the City.

Substitute Motion

Council Member Davis-Holmes offered a substitute motion to change the purpose and scope of the Fee Waiver policy to provide for any special event previously funded by the City, e.g., Cesar Chavez

Day, Juneteenth, and Samoan Flag Day, if a community-based group requests a waiver of fees, which was seconded by Gipson. She subsequently clarified that her substitute motion included fee waivers for the following special events: Cesar Chavez Day, Philippine Independence Day, Samoan Flag Day, Juneteenth, Cinco de Mayo, Country Western, and Jazz Festival for equipment rental and facility.

During discussion of the substitute motion, Council Member Santarina expressed his preference to act on the proposed SMP first and Council Member Gipson referred to and discussed the Jazz Festival and encouraged his colleagues to vote for the substitute motion.

It was moved to call the previous question and end debate on motion of Dear, seconded by Ruiz-Raber and failed to carry by the following vote:

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

A discussion ensued and upon inquiry, City Attorney Wynder stated that the substitute motion was properly on the floor.

It was moved to call the previous question and end debate on motion of Dear, seconded by Ruiz-Raber and carried by the following vote:

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

The substitute motion failed to carry by the following vote:

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

The main motion was carried by the following vote:

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

RECESS: After Item No. 28, the City Council was Recessed at 8:44 P.M. by Mayor Dear to a Continued Closed Session to discuss the items described on this evening's agenda.

RECONVENE AND RECESS: The Redevelopment Agency was Reconvened at 8:44 P.M. for a joint session with the City Council by Mayor/Chairman Dear with all members previously noted present, and Recessed to a Continued Closed Session to discuss the items described on this evening's agenda.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 10:10 P.M. by Mayor/Chairman Dear **with** all members previously noted present.

REPORT ON CONTINUED CLOSED SESSION

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

Agency Closed Session Item No. 1

This item was not addressed would be brought back, if at all, at the next meeting of the Redevelopment Agency.

Agency Closed Session Item No. 2

A privileged and confidential briefing was provided and instructions were given to the negotiators. Questions were asked and answered and all five members participated in the Closed Session.

Council Closed Session Item No. 1

This item was not addressed would be brought back, if at all, at the next meeting of the City Council.

Council Closed Session Item No. 2

A privileged and confidential briefing was provided on facts and circumstances. Questions were asked and answered and all five members participated in the Closed Session.

Council Closed Session Item No. 3

A privileged and confidential status report was provided. A litigation strategy was recommended. Questions were asked and answered and the litigation strategy was unanimously approved. All five members participated in the Closed Session.

Council Closed Session Item No. 4

A privileged and confidential status report was provided. A litigation strategy was recommended. Questions were asked and answered and the litigation strategy was unanimously approved. All five members participated in the Closed Session.

Council Closed Session Item No. 5

A privileged and confidential status report on ongoing negotiations was provided and instructions were given to the negotiators. Questions were asked and answered and all five members participated in the Closed Session.

Council Urgency Closed Session Item No. 6A

A privileged and confidential status report was provided. A litigation strategy was recommended. Questions were asked and answered and the litigation strategy was unanimously approved. All five members participated in the Closed Session.

RECESS: After the Continued Closed Session Report, the Redevelopment Agency was Recessed at 10:15 P.M. by Mayor/Chairman Dear to the City Council for Item No. 27.

ORDINANCE SECOND READING: (Items 29-30)

ITEM NO. (29) ORDINANCE NO. 11-1467, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF CARSON

Item No. 29 was heard after Item No. 26.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 11-1467, 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 Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (30) ORDINANCE NO. 11-1468, AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, REPEALING ORDINANCE NO. 08-1401, SECTION 2, CONCERNING MOBILEHOME PARK CONVERSIONS

Item No. 30 was heard after Item No. 29.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 11-1468, was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Santarina, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

RECONVENE: After Agency Item No. 4, the Redevelopment Agency and Housing Authority were Reconvened at 1:54 A.M., on Wednesday, April 6, 2011, for a joint session with the City Council by Mayor/Agency Chairman/Authority Chairman Dear with all members previously noted present, for remaining Oral Communications.

ORAL COMMUNICATIONS I (STAFF)

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

Mayor/Agency Chairman/Authority Chairman Dear

Joseph Person; Geraldine Ferraro, first woman to run for Vice President of the United States; and Richard Phillips, Groundswoker II, Public Services Workgroup.

Council Member/Agency Member/Authority Commissioner Davis-Holmes

Brenda G. Blanchard, George Kensey, and Wendell A. Lagree, Sr.

Council Member/Agency Member/Authority Commissioner Member Gipson

Bernice Woods, former councilwoman for the City of Compton, and Margie Banks Hamilton

Council Member/Agency Member/Authority Commissioner Santarina

Juan P. Sarabia, Korean War hero and United States Army veteran

City/Agency/Authority Attorney City Attorney Wynder

Referred to Urgency Council Closed Session Item No. 7 and reported that it should be renumbered as Item No. 6A.

ORAL COMMUNICATIONS II (COUNCIL/AGENCY/AUTHORITY)

This item was heard at 12:01 A.M., on Wednesday, April 6, 2011.

Mayor/Agency Chairman/Authority Chairman Dear

Reported on his attendance at community events, acknowledged those who were in attendance, and announced upcoming events of community interest.

(Council Member/Agency Member/Authority Commissioner Gipson exited and reentered the meeting at 12:31 A.M., on Wednesday, April 6, 2011,)

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

Reported on her attendance at community events, acknowledged those who were in attendance, and announced upcoming events of community interest.

Upon inquiry, Interim City Manager/Interim Agency Executive Director/Interim Authority Executive Director/Economic Development General Manager Graves reported that complaints regarding false advertising should be referred to the State Department of Consumer Affairs.

Council Member/Agency Member/Authority Commissioner Davis-Holmes

Requested clarification whether there were any legal ramifications for a non- resident or citizen to represent an elected official at a City event or an outside event.

Reported on her attendance at community events, acknowledged and thanked those who were in attendance and participation, and announced upcoming events of community interest.

Council Member/Agency Member/Authority Commissioner Member Gipson

Reported on his attendance at community events and announced upcoming events of community interest.

Council Member/Agency Member/Authority Commissioner Santarina

Reported on his attendance at community events; commended and thanked participants; and announced upcoming events of community interest.

Mayor/Agency Chairman/Authority Chairman Dear inquired whether any members objected to completing this evening's agendas with no objections heard.

Thanked and recognized the document submitted by City/Agency/Authority Treasurer Avilla regarding the status of funds and read the fund balances into the record.

(Council Member/Agency Member/Authority Commissioner Gipson was excused and exited the meeting at 12:28 A.M., on Wednesday, April 6, 2011.)

COUNCIL MEMBERS PRESENT REQUESTS TO ADD ITEMS TO FUTURE AGENDAS (None)

UNFINISHED/CONTINUED CLOSED SESSION ITEMS

This item was heard after Item No. 28 at 8:44 P.M.

REPORT ON CONTINUED CLOSED SESSION

At 10:10 P.M., City/Agency/Authority Attorney Wynder provided the Continued Closed Session report as follows:

Agency Closed Session Item No. 1

This item was not addressed would be brought back, if at all, at the next meeting of the Redevelopment Agency.

Agency Closed Session Item No. 2

A privileged and confidential briefing was provided and instructions were given to the negotiators. Questions were asked and answered and all five members participated in the Closed Session.

Council Closed Session Item No. 1

This item was not addressed would be brought back, if at all, at the next meeting of the City Council.

Council Closed Session Item No. 2

A privileged and confidential briefing was provided on facts and circumstances. Questions were asked and answered and all five members participated in the Closed Session.

Council Closed Session Item No. 3

A privileged and confidential status report was provided. A litigation strategy was recommended. Questions were asked and answered and the litigation strategy was unanimously approved. All five members participated in the Closed Session.

Council Closed Session Item No. 4

A privileged and confidential status report was provided. A litigation strategy was recommended. Questions were asked and answered and the litigation strategy was unanimously approved. All five members participated in the Closed Session.

Council Closed Session Item No. 5

A privileged and confidential status report on ongoing negotiations was provided and instructions were given to the negotiators. Questions were asked and answered and all five members participated in the Closed Session.

Council Urgency Closed Session Item No. 6A

A privileged and confidential status report was provided. A litigation strategy was recommended. Questions were asked and answered and the litigation strategy was unanimously approved. All five members participated in the Closed Session.

ADJOURNMENT

The meeting was Adjourned at 12:33 A.M., on Wednesday, April 6, 2011, by Mayor/Agency Chairman/Authority Chairman Dear in memory of the individuals requested and Gipson absent.

Jim Dear
Mayor/Agency Chairman/Authority Chairman

ATTEST:

Helen Kawagoe
City Clerk/Agency Secretary/Authority Secretary