



**MINUTES
CARSON CITY COUNCIL
REGULAR MEETING
MAY 17, 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: MAY 13, 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 meeting was called to order at 5:10 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, Mayor Pro Tem/Vice Chairman Julie Ruiz-Raber, Council/Agency Member Lula Davis-Holmes, and Council/Agency Member Elito Santarina

Council/Agency Members Absent: Council/Agency Member Mike

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

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

Also Present: Clifford Graves, Interim City Manager/Interim Executive Director/Economic Development

General Manager; William Wynder,
City/Agency Attorney; and staff:

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

REQUEST TO ADD AN URGENCY COUNCIL CLOSED SESSION

City/Agency Attorney Wynder presented the Closed Session items. He requested the addition of an urgency item for the City Council to consider whether to initiate litigation in one case pursuant to Government Code Section 54956.9(e) and a unanimous vote was required. He reported that authorization was needed to prepare the administrative petition and the filing deadline was June 3, 2011, and action was required by the City Council prior to the next regular meeting.

It was moved to add an urgency Closed Session item to the City Council agenda, as described by City/Agency Attorney Wynder, on motion of Santarina, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

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

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

RECOMMENDATION for the City Council:

A closed session will be held, pursuant to Government Code §54956.9(e).

ACTION: This item was scheduled for Closed Session.

RECESS: The City Council and Redevelopment Agency were Recessed at 5:14 P.M. by Mayor/Chairman Dear to a Closed Session to discuss the items described on this evening's agenda.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 6:06 P.M. by Mayor/Chairman Dear with all members previously noted present with Gipson absent.

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

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

Council/Agency Members Absent: Council/Agency Member Mike Gipson (Entered at 6:37 P.M.)

Other Elected Officials Present: Helen Kawagoe, City Clerk/Agency Secretary, and Karen Avilla, City/Agency Treasurer (Entered at 6:08 P.M.)

Other Elected Officials Absent: None

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

Jackie Acosta, Administrative Services General Manager (Entered at 7:30 P.M.); Ray Cruz, Public Services General Manager (Entered at 6:19 P.M.);

Lisa Berglund, Principal Administrative Analyst; Zarah Cruz, Public Information Manager; Robert Eggleston, IT Manager; Cedric Hicks, Recreation Superintendent; Mike Page, Community Center Manager; Intisar Rashid, Urban Fellow; Regina Ramirez, Community Center Supervisor; Glenn Turner, Computer Systems Support Technician; and Wanda Higaki, Chief Deputy City Clerk/Chief Deputy Agency Secretary

Interim Captain Eddie Rivero, Carson Sheriff's Station

REPORT ON CLOSED SESSION

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

Agency Closed Session Item No. 1

A privileged and confidential status report was provided on ongoing negotiations. Questions were asked and answered and no reportable action was taken nor was any solicited.

Agency Closed Session Item No. 2

A privileged and confidential status report was provided on ongoing negotiations. Questions were asked and answered and no reportable action was taken nor was any solicited.

Council Urgency Closed Session Item No. A-1

The City Council was briefed on facts and circumstances. Questions were asked and answered. The City Council authorized the filing of an administrative petition with the State Water Resources Control Board.

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

FLAG SALUTE: HON. KAREN AVILLA, CITY 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 THOMAS ALEXANDER, CARSON CHRISTIAN OUTREACH APOSTOLIC FAITH CHURCH (ABSENT)**

Mayor Dear requested those present observe a moment of silence to acknowledge the women and men in the armed forces defending our country in Afghanistan, Iraq and other places of the world.

RECESS: After the Invocation, the Redevelopment Agency was Recessed at 6:12 P.M. by Mayor/Chairman Dear to the City Council for Approval of Minutes.

APPROVAL OF MINUTES:

TUESDAY, SEPTEMBER 7, 2010 (REGULAR)

The Minutes, as listed on this evening’s agenda, were Approved as Submitted on motion of Dear and seconded by Ruiz-Raber.

Mayor Dear ordered that the motion was passed unanimously with Gipson absent with no objections heard.

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

- A. INTRODUCTION OF LOS ANGELES COUNTY SHERIFF'S DEPUTIES (NONE)**
- B. PRESENTATION FROM DON HERMAN OF SHELL OIL COMPANY ANNOUNCING THEIR TREE PLANTING EVENT**

Don Herman discussed the tree planting event to be held on June 4, 2011, at 8:00 A.M., Mills Park, and extended a public invitation.

Dan Knapp, representing the Los Angeles Conservation Corps, commended the participation of the City of Carson.

Alan Caldwell, representing Shell Oil Company, was introduced.

- C. CONSIDER REPORT ON LOBBYING EFFORTS TO SECURE ENACTMENT OF SENATE BILL NO. 444 (EVANS) AND ASSEMBLY BILL NO. 579 (MONNING)**

Deputy City Attorney Tabaian presented the report.

RECESS: After Council Item No. C, the City Council was Recessed at 6:29 P.M. by Mayor Dear to the Redevelopment Agency for Approval of Minutes.

RECONVENE: After approval of the Agency Minutes, the City Council was Reconvened at 6:30 P.M. for a joint session with the Redevelopment Agency by Mayor/Chairman Dear with all members previously noted present, except Gipson absent, 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.

This item was heard at 6:30 P.M.

Miriam Vazquez, 21413 Martin Street, Carson, California 90745

Extended her best wishes for a Happy Mother's Day to the mothers of Carson; reported that she had attended a Mother's Day event in Wilmington; and inquired into the status of the construction at 213th and Carson.

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

Reported that a hair stylist was told that the rent would be \$4,000/month in the Safran mixed-use project and requested that the Council/Agency help current small businesses.

(Council Member Gipson entered the meeting at 6:37 P.M.)

Kinhana Williams, 4201 Long Beach Boulevard, Long Beach, California 90807, representing Assembly Member Warren Furutani, 55th Assembly District

Announced a town hall meeting to be held at Wilmington Middle School.

Tiny Cook, 17701 S. Avalon Boulevard, No. 197, Carson, California 90746

Discussed her plans for a holiday party on Friday, December 9, 2011, and confirmed support from the City Council.

Mayor/Chairman Dear requested that Interim City Manager/Interim Executive Director/Economic Development General Manager Graves place a report on the agenda for the City Council Policy Subcommittee to consider a fee waiver for the senior citizens.

NEW BUSINESS CONSENT (Items 1-11)

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 in joint session after Oral Communications – Members of the Public at 6:41 P.M.

Public Comments

Council Item No. 5

Miriam Vazquez, 21413 Martin Street, Carson, California 90745

Suggested that a way to reduce the budget could be by reducing employees who earn \$80K-plus.

Council Item No. 4

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

Discussed benefits paid by California State University Dominguez Hills vs. benefits paid to Carson part-time employees and reported that she has not yet received a copy of the budget from Administrative Services General Manager Acosta.

It was moved to approve the Council New Business Consent Calendar and the Agency New Business Consent Calendar on motion of Dear and seconded by Ruiz-Raber.

During discussion of the motion, Council/Agency Member Davis-Holmes requested Mayor Dear to advance Council Item No. 16 to allow staff to leave.

The following New Business Consent Calendar items were removed for discussion:

Council/Agency Member Davis-Holmes

Agency Item No. 6

CONSIDERATION OF AN UPDATE ON SB 286 REGARDING REDEVELOPMENT AGENCY REFORM (ECONOMIC DEVELOPMENT)

Council Item No. 7

CONSIDER RESOLUTION NO. 11-062 APPROVING THE CITY OF CARSON'S APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS (PUBLIC SERVICES)

Council Item No. 11

CONSIDER ACCEPTING THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) SNAG G-BALL GRANT (PUBLIC SERVICES)

Council/Agency Member Santarina

Council Item No. 8

CONSIDER APPROVING RESOLUTION NO. 11-063 DECLARING MAY 1, 2011, A DAY OF JUSTICE AND COURAGE IN THE CITY OF CARSON FOR THE ELIMINATION OF OSAMA BIN LADEN (PUBLIC SERVICES)

Council Item No. 9

CONSIDER APPROVING RESOLUTION NO. 11-065 SUPPORTING SENATE BILL 798 (DE LEON) REQUIRING BB GUNS ADHERE TO THE SAME RULES AND REGULATIONS THAT GOVERN IMITATION FIREARMS AND TOY GUNS (PUBLIC SERVICES)

Council Item No. 10

CONSIDERATION OF RESOLUTION NO. 11-066 SUPPORTING ASSEMBLY BILL 144 (PORTANTINO) DECLARING IT A MISDEMEANOR OFFENSE TO CARRY AN EXPOSED, UNLOADED WEAPON IN PUBLIC (PUBLIC SERVICES)

The motion to approve Council New Business Consent Calendar Item Nos. 1, 2, 3, 4, 5, and 6 and Agency New Business Consent Calendar Item Nos. 3, 4, and 5 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

ITEM NO. (1) CONSIDER AWARD OF CONSULTANT SERVICES AGREEMENTS WITH MDG ASSOCIATES, INC. AND RRM DESIGN GROUP TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES FOR THE COMMERCIAL FAÇADE PROGRAM (ECONOMIC DEVELOPMENT)

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

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE a consultant services agreement with MDG Associates, Inc. to provide professional architectural services for the preparation of architectural plans for the Commercial Façade Program for a not-to-exceed amount of \$75,000.00.
2. APPROVE a consultant services agreement with RRM Design Group to provide professional architectural services for the preparation of architectural plans for the Commercial Façade Program for a not-to-exceed amount of \$75,000.00.
3. AUTHORIZE the Mayor to execute the two consultant services agreements following approval as to form by the City Attorney.

ACTION: Item No. 1 was approved on the New Business Consent Calendar on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

ITEM NO. (2) CONSIDERATION OF RESOLUTION NO. 11-058 APPROVING A COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF CARSON AND THE CARSON REDEVELOPMENT AGENCY FOR PAYMENT BY THE CARSON REDEVELOPMENT AGENCY FOR STREET AND PARKING LOT RECONSTRUCTION PROJECTS (CARSON CONSOLIDATED PROJECT AREA), (ECONOMIC DEVELOPMENT)

THIS IS A COMPANION AGENDA ITEM WITH AGENCY ITEM NO. 4

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-058, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, MAKING CERTAIN FINDINGS AND APPROVING A COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF CARSON AND THE CARSON REDEVELOPMENT AGENCY FOR STREET AND PARKING LOT RECONSTRUCTION PROJECTS IN THE CARSON CONSOLIDATED PROJECT AREA."
2. AUTHORIZE the Mayor to execute the Cooperation Agreement following approval as to form by the City Attorney.

ACTION: Item No. 2 was approved on the New Business Consent Calendar on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (3) CONSIDERATION OF RESOLUTION NO. 11-034 AUTHORIZING THE CITY MANAGER OR HIS REPRESENTATIVES TO EXECUTE GRANT APPLICATIONS FOR FEDERAL AND STATE FINANCIAL DISASTER RELIEF AND EMERGENCY ASSISTANCE (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-034, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR HIS REPRESENTATIVES TO EXECUTE GRANT APPLICATIONS FOR FEDERAL AND STATE FINANCIAL DISASTER RELIEF AND EMERGENCY ASSISTANCE."

ACTION: Item No. 3 was approved on the New Business Consent Calendar on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (4) CONSIDERATION OF ADOPTION OF RESOLUTION NO. 11-068 APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF CARSON AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES UNION (AFSCME), COUNCIL 36, LOCAL 809, FOR THE UNCLASSIFIED PART-TIME EMPLOYEES BARGAINING UNIT FOR THE PERIOD JULY 1, 2010 THROUGH JUNE 30, 2013 (ADMINISTRATIVE SERVICES)

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 11-068, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CARSON AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES UNION (AFSCME), COUNCIL 36, LOCAL 809, FOR THE UNCLASSIFIED PART-TIME EMPLOYEES BARGAINING UNIT FOR PERIOD JULY 1, 2010 THROUGH JUNE 30, 2013."

ACTION: Item No. 4 was approved on the New Business Consent Calendar on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

ITEM NO. (5) CONSIDERATION OF ENDING STIPENDS FOR ECONOMIC DEVELOPMENT COMMISSIONERS (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the City Council:

1. DIRECT staff to prepare an ordinance amending the municipal code to eliminate compensation for EDC commissioners attending meetings.

ACTION: Item No. 5 was approved on the New Business Consent Calendar 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. (6) CONSIDER APPROVING RULES AND BYLAWS FOR AN ORGANIC COMMUNITY GARDEN ASSOCIATION IN THE CITY OF CARSON (PUBLIC SERVICES)

RECOMMENDATION for the City Council:

1. CONTINUE this item to the June 7, 2011 City Council Meeting.

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

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

Noes: None

Abstain: None

Absent: None

ITEM NO. (7) CONSIDER RESOLUTION NO. 11-062 APPROVING THE CITY OF CARSON'S APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS (PUBLIC SERVICES)

Item No. 7 was heard after Item No. 15 at 9:44 P.M.

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

Public Services General Manager Cruz reported that staff learned about the firm from former City Manager Groomes.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-062, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING THE CITY OF CARSON'S APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS."
2. DIRECT staff to transmit the resolution to the State Department of Parks and Recreation.

ACTION: It was moved to approve staff recommendation Nos. 1 and 2 on motion of Dear and seconded by Ruiz-Raber.

During discussion of the motion, Council Member Davis-Holmes clarified that it was she who had referred the firm to former City Manager Groomes and referred to other grant opportunities and felt that the City needed to look at having a grant writer.

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

ITEM NO. (8) CONSIDER APPROVING RESOLUTION NO. 11-063 DECLARING MAY 1, 2011, A DAY OF JUSTICE AND COURAGE IN THE CITY OF CARSON FOR THE ELIMINATION OF OSAMA BIN LADEN (PUBLIC SERVICES)

Item No. 8 was heard after Item No. 7.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation. He reported that Council Member Santarina had provided the outline for the resolution.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-063, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DECLARING MAY 1, 2011, A DAY OF JUSTICE AND COURAGE IN THE CITY OF CARSON FOR THE ELIMINATION OF OSAMA BIN LADEN."
2. DIRECT staff to transmit the resolution to President Barack Obama, Congresswoman Dianne Feinstein and Congresswoman Barbara Boxer.

ACTION: It was moved to WAIVE FURTHER READING WAIVED and to PASS, APPROVE and ADOPT Resolution No. 11-063, as read by title only, and approve staff recommendation No. 2 on motion of Santarina and seconded by Gipson.

During discussion of the motion, Mayor Dear referred to Resolution No. 11-063, and offered a friendly amendment to last "Whereas" paragraph to read as follows, which was accepted by the maker and the second:

"WHEREAS, the death of Osama Bin Laden has brought a sense of closure for many Americans, especially the victims, survivors and families of the 9/11 attack which include Carson residents, to one of the most painful chapters of American history. For the many soldiers and their families, especially those from the city of Carson, who have personally fought the war on terror, it brings satisfaction and the ultimate reward for their invaluable efforts. For the many soldiers and families **and civilians** that have made the ultimate sacrifice, it brings a sense of justice, peace and consolation for what they have endured."

The motion, as amended, 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

ITEM NO. (9) CONSIDER APPROVING RESOLUTION NO. 11-065 SUPPORTING SENATE BILL 798 (DE LEON) REQUIRING BB GUNS ADHERE TO THE SAME RULES AND REGULATIONS THAT GOVERN IMITATION FIREARMS AND TOY GUNS (PUBLIC SERVICES)

Item No. 9 was heard after Item No. 8.

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

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-065, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING SENATE BILL 798 (DE LEON) REQUIRING BB GUNS ADHERE TO THE SAME RULES AND REGULATIONS THAT GOVERN IMITATION FIREARMS AND TOY GUNS."
2. DIRECT staff to transmit the resolution to State Senator Kevin De Leon and Patti Kotlow, Executive Director of Women Against Gun Violence.

ACTION: It was moved to approve staff recommendation Nos. 1 and 2 on motion of Santarina, seconded by Gipson 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. (10) CONSIDERATION OF RESOLUTION NO. 11-066 SUPPORTING ASSEMBLY BILL 144 (PORTANTINO) DECLARING IT A MISDEMEANOR OFFENSE TO CARRY AN EXPOSED, UNLOADED WEAPON IN PUBLIC (PUBLIC SERVICES)

Item No. 10 was heard after Item No. 9.

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

RECOMMENDATION for the City Council:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 11-066, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING ASSEMBLY BILL 144 (PORTANTINO) DECLARING IT A MISDEMEANOR OFFENSE TO CARRY AN EXPOSED, UNLOADED WEAPON IN PUBLIC."
2. DIRECT staff to transmit the resolution to Assemblymember Anthony Portantino, Assemblymember Tom Ammiano, Assemblymember Sandre Swanson and Patti Kotlow, Executive Director of Women Against Gun Violence.

ACTION: It was moved to approve staff recommendation Nos. 1 and 2 on motion of Santarina, seconded by Gipson 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. (11) CONSIDER ACCEPTING THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) SNAG G-BALL GRANT (PUBLIC SERVICES)

Item No. 11 was heard after Item No. 10.

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

Public Services General Manager Cruz provided additional information.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. ACCEPT the SNAG G-BALL grant, in the amount of \$12,610.00, from the National Recreation and Park Association.
2. AUTHORIZE the Mayor to execute the agreement with National Recreation and Park Association following approval as to form by the City Attorney.
3. DIRECT staff to include these funds in the FY 2011/12 budget.

ACTION: It was moved to approve staff recommendation Nos. 1, 2, and 3 on motion of Davis-Holmes, 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

RECESS: After the Council/Agency New Business Consent Calendar, the City Council was Recessed to the Redevelopment Agency at 6:53 P.M. by Mayor/Chairman Dear for Agency Item No. 6.

DEMANDS (Item 12)

ITEM NO. (12) RESOLUTION NO. 11-067 ALLOWING CLAIMS AND DEMANDS IN THE AMOUNT OF \$3,317,279.61, DEMAND CHECK NUMBERS 098615 THROUGH 098822

Item No. 12 was heard after Council Item No. 13/Agency Item No. 8.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 11-067 was PASSED, APPROVED, and ADOPTED, as read by title only, on motion of Dear, seconded by Gipson 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. 7, the City Council was Reconvened at 7:00 P.M. for a joint session with the Redevelopment Agency by Mayor/Chairman Dear with all members previously noted present, for Council Item No. 13/Agency Item No. 8.

SPECIAL ORDERS OF THE DAY (Item 13)

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. (13) JOINT PUBLIC HEARING TO CONSIDER RESOLUTION NO. 11-064 APPROVING THE FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CARSON REDEVELOPMENT AGENCY AND C-P LAND COMPANY RELATING TO THE DEVELOPMENT OF A NEW HYUNDAI SHOWROOM FOR PROPERTY LOCATED AT 2201 EAST 223RD STREET (CONSOLIDATED PROJECT AREA) (ECONOMIC DEVELOPMENT)

THIS IS A JOINT AGENDA ITEM WITH AGENCY ITEM NO. 8

This item was heard in joint session at 7:00 P.M.

Joint Public Hearing

Mayor/Chairman Dear declared the joint Public Hearing open **TO CONSIDER RESOLUTION NO. 11-064 APPROVING THE FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CARSON REDEVELOPMENT AGENCY AND C-P LAND COMPANY RELATING TO THE DEVELOPMENT OF A NEW HYUNDAI SHOWROOM FOR PROPERTY LOCATED AT 2201 EAST 223RD STREET (CONSOLIDATED PROJECT AREA).**

City Clerk's/Agency Secretary's Report

City Clerk/Agency Secretary Kawagoe reported that notice of the joint Public Hearing had been given pursuant to applicable law, including but not limited to the timely publication, and such copy of proof received by the City Clerk; notice to the applicant Mrs. Gloria A. Cormier, Cormier Chevrolet Company, 2201 E. 223rd Street, Carson, California 90810, via United States 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/Chairman 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.

Administration of Oath

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

Public Testimony

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

Offered testimony in support of the staff recommendation.

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

RECOMMENDATION for the City Council:

TAKE the following actions:

1. OPEN the joint Public Hearing, TAKE public testimony, and CLOSE the joint Public Hearing.

2. WAIVE further reading and ADOPT Resolution No. 11-064, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CARSON REDEVELOPMENT AGENCY AND C-P LAND COMPANY RELATING TO THE DEVELOPMENT OF A NEW HYUNDAI SHOWROOM FOR PROPERTY LOCATED AT 2201 E. 223RD STREET (CONSOLIDATED PROJECT AREA)."
3. AUTHORIZE the Mayor to execute the First Amendment to the Disposition and Development Agreement following approval as to form by the City Attorney.
4. AUTHORIZE the Mayor to execute the First Amendment to the Amended and Restated Retail Lease Agreement following approval as to form by the City Attorney.

ACTION: WITH FURTHER READINGS WAIVED, it was moved to PASS, APPROVE and ADOPT Council Resolution No. 11-064 and Agency Resolution No. 11-24, as read by titles only, and to approve staff recommendation Nos. 3 and 4 for Council Item No. 13 and Agency Item No. 8 on motion of Santarina, seconded by Ruiz-Raber and unanimously carried by the following vote:

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

RECESS: After Council Item No. 13/Agency Item No. 8, the Redevelopment Agency was Recessed at 7:10 P.M. by Mayor/Chairman Dear to the City Council for Item No. 12.

UNFINISHED BUSINESS (Items 14-15)

ITEM NO. (14) COMMISSION, COMMITTEE, AND BOARD APPOINTMENTS BY MAYOR DEAR (CITY CLERK)

Item No. 14 was heard after Item No. 19.

RECOMMENDATION for the City Council:

RECOMMENDATION for the Mayor:

1. 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.

ACTION: Mayor Dear took the following actions:

Environmental Commission

Mayor Dear appointed Lillian Hopson.

It was moved to ratify the Mayor's appointment 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

Citywide Advisory Commission

Mayor Dear reappointed Bernita Givens.

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 Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

Mayor Dear appointed Lidia Somero-Deretich to replace Miriam Vazquez, whose term had expired.

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

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

Public Works Commission

Mayor Dear appointed Bennie Harris.

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 Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

Women's Issues Commission

Mayor Dear appointed Merlinda Guerrero and Emily Griego to replace Dr. Helen Abernathy-King and Urbana Lu, whose terms had expired.

It was moved to ratify the Mayor's appointments on motion of Dear, 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

Beautification Committee

Mayor Dear appointed Sandra Goodson as an Ex-Officio Member.

It was moved to ratify the Mayor's appointment 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

Utility Users' Tax Citizens Oversight Committee

Mayor Dear appointed Woody Rowell, Rey Monzon, and Jerry Lee.

It was moved to ratify the Mayor's appointments on motion of Dear, 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

Mayor Dear continued Item No. 14 to June 7, 2011, with no objections heard.

ITEM NO. (15) CONSIDERATION OF CITY COUNCIL SUB-COMMITTEES (CITY CLERK)

Item No. 15 was heard after Item No. 14.

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. 15 to June 7, 2011, with no objections heard.

NEW BUSINESS DISCUSSION (Item 16)

ITEM NO. (16) CONSIDER BUDGETARY STATUS REPORT ON PROGRAMS AND ACTIVITIES HELD AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER OPERATIONS (PUBLIC SERVICES)

Item No. 16 as heard after Item No. 12 at 7:12 P.M.

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

Community Center Manager Page narrated a PowerPoint presentation and included recommendations from Management Partners.

A discussion ensued regarding the following items:

New marquee
Construction anticipated completion dates
Advertising
Jay's Catering and marketing meetings
In-house Chair/Table Repairs
Acoustic wall
Portable dance floor

(Council Member Santarina exited the meeting at 8:08 P.M.)

Public Comments

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

Discussed two-tier pricing for non-profit organizations; polishing up of “search” terms for the Internet; and use of affordable “Google” ads to yield good results.

(Council Member Santarina entered the meeting at 8:09 P.M.)

Miriam Vazquez, 21413 Martin Street, Carson, California 90745

Felt that the pictures looked good, but the revenue generation was not as good.

Upon inquiry, Interim City Manager/Economic Development General Manager Graves reported that a full marketing plan would be brought back in the later this year for consideration by the City Council.

Additional discussion ensued regarding the following issues:

New marquee
In-house repair program
West-wing area
Suggestion box for the public
“Dainty” dressing room for shows and events
Comparison of fees and charges to assure the clients about Carson’s fees
Use of alternate storage in order to use room as a dressing or green room

RECOMMENDATION for the City Council:

1. RECEIVE and FILE report.

ACTION: Mayor Dear requested that the Management Partners report and staff recommendations be presented to the Community Center Sub-Committee for discussion, with no objections heard.

Community Center Manager Page introduced staff members present.

Mayor Dear ordered Item No. 16 to be received and filed with no objections heard.

ORDINANCE SECOND READING: (Items 17-19)

ITEM NO. (17) ORDINANCE 11-1470 GRANTING A NONPUBLIC UTILITY PIPELINE FRANCHISE TO CARDINAL PIPELINE, L.P.

Item No. 17 was heard after Item No. 16 at 8:41 P.M.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 11-1470, was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Gipson 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. (18) ORDINANCE 11-1471 GRANTING A NONPUBLIC UTILITY PIPELINE FRANCHISE TO E & B NATURAL RESOURCES MANAGEMENT CORPORATION

Item No. 18 was heard after Item No. 17.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 11-1471, was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Gipson 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. (19) ORDINANCE 11-1472 FOR A MODIFICATION TO DEVELOPMENT AGREEMENT NO. 03-10 BETWEEN THE CITY OF CARSON AND BULLETIN DISPLAYS, LLC AMENDING LANGUAGE CONCERNING THE CONVERSION OF TWO TATIC ADVERTISING DISPLAY FACES TO DIGITAL ELECTRONIC DISPLAY FACES ON AN EXISTING THREE-SIDED OUTDOOR ADVERTISING DISPLAY LOCATED AT 19401 SOUTH MAIN STREET

Item No. 19 was heard after Item No. 18.

ACTION: WITH FURTHER READING WAIVED, Ordinance No. 11-1471, was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Dear, seconded by Gipson 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

RECESS: After Item No. 19, the City Council was Recessed at 8:43 P.M. by Mayor Dear at the request of staff.

RECONVENE: The City Council was Reconvened at 9:31 P.M. by Mayor Dear with all members previously noted present for Item No. 14.

RECONVENE: After Council Item No. 11, the Redevelopment Agency was Reconvened at 9:45 P.M. for a joint session with the City Council by Mayor/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 and announced upcoming events of community interest:

Mayor/Chairman Dear

Sarah Jane Johnson

Council/Agency Member Gipson

Bill Baker, Chairman, Long Beach Redevelopment Agency Board

RECESS: The City Council and Redevelopment Agency were Recessed at 10:02 P.M. by Mayor/Chairman Dear for staff.

RECONVENE: The City Council and Redevelopment Agency were Reconvened at 10:03 P.M. for a joint session by Mayor/Chairman Dear with all members previously noted present.

City/Agency Treasurer Avilla

Discussed unclaimed funds by the City of Carson reported by State Controller's Office at Contract Cities Conference.

ORAL COMMUNICATIONS II (COUNCIL/AGENCY)

Mayor/Chairman Dear

Reported on events attended; announced upcoming events of community interest; and thanked staff for their hard work.

Council/Agency Member Davis-Holmes

Reported that she had received a confidential letter regarding testing and would be providing the letter to Interim City Manager/Interim Executive Director/Economic Development General Manager Graves; reported on events attended and announced upcoming events of community interest; and provided an update regarding the 2011 Juneteenth event.

Stated that she was interested in the ruling regarding the Guggenheim decision and requested an item for the agenda for consideration by the City Council.

Council/Agency Member Santarina

Conveyed the appreciation of the Catipon Family; reported on his attendance at community events and acknowledged those who were in attendance; extended his welcome to family members and honored guests from the Philippines; and thanked staff.

Mayor Pro Tem/Vice Chairman Ruiz-Raber

Reported that she had attended Contract Cities Conference; Controller Chiang had read the unclaimed funds listing; and completed her AB 1234 training.

Upon inquiry, Interim City Manager/Interim Executive Director/Economic Development General Manager Graves reported that the items relative to the status of the Gardena grant for surveillance and the dog license issue with Mr. Jimenez had been assigned to Public Services General Manager Cruz. Whereupon, Mayor Pro Tem/Vice Chairman Ruiz-Raber suggested that, perhaps, Animal Control could attend a future meeting to discuss this issue.

As a future item for the upcoming agenda, perhaps on June 7, 2011, requested that the City of Carson recognize George Castro who was the Community Grand Marshal for Cinco de Mayo and invite Gardena Councilman Dan Medina and wife.

Council/Agency Member Gipson

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

UNFINISHED/CONTINUED CLOSED SESSION ITEMS

ADJOURNMENT

The meeting was Adjourned at 10:12 P.M., by Mayor/Chairman Dear and in memory of the individuals requested this evening.

Mayor Jim Dear

ATTEST:

City Clerk Helen Kawagoe