

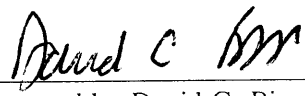


# City of Carson Report to Mayor and City Council

October 18, 2011  
New Business Consent

**SUBJECT: CONSIDER STAFF'S REQUEST TO EXTEND THE PERIOD TO EXCLUSIVELY NEGOTIATE WITH JAY'S CATERING TO DEVELOP A CATERING CONTRACT FOR THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER**

  
Submitted by Raymond R. Cruz  
Public Services General Manager

  
Approved by David C. Biggs  
City Manager

## **I. SUMMARY**

At its September 6, 2011, meeting, the City Council approved staff's request to extend the negotiation period until October 21, 2011, to develop a contract with Jay's Catering (Exhibit No.1). Though staff has met several times with representatives from Jay's and have had positive and productive meetings, due to scheduling conflicts, and other issues, negotiations could not be completed. As a result, staff is requesting a second extension, through November 30, 2011, to conclude negotiations and develop a new contract with Jay's Catering.

## **II. RECOMMENDATION**

APPROVE staff's request to extend the negotiation period to November 30, 2011, for City officials and Jay's Catering to negotiate a catering contract for the Congresswoman Juanita Millender-McDonald Community Center.

## **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

## **IV. BACKGROUND**

On November 18, 2008, the City Council approved a 19-month contract extension with Jay's Catering to provide catering services at the Congresswoman Juanita Millender-McDonald Community Center (Exhibit No. 2). The extension was granted due to the economic downturn which began in the summer of 2008. The 19-month contract extension was intended to allow time for the economy to stabilize and provide consistency in the city's catering operations during the recovery period.

On July 27, 2010, requests for proposals (RFP) to provide exclusive catering services at the Community Center were issued to the public, and mailed directly to nineteen (19) prospective vendors. On September 30, 2010, the City Clerk received three proposals: Jay's Catering, Choura Events and Elegant Affair Catering. Those proposals were carefully evaluated by a team led by the then-

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City Manager, Jerry Groomes. After the initial evaluation, the team eliminated Elegant Affair and submitted Jay's Catering and Choura Events as the finalists to the City Council at its December 21, 2010, meeting. The City Council approved staff's recommendation that the two vendors respond to further questions, and make a "last, best, and final" proposal for the catering contract (Exhibit No. 3).

After receiving both the answers to the questions and each company's best proposal, the evaluation team recommended that a new catering contract be awarded to Choura Events Catering. This recommendation was presented at the January 18, 2011, City Council meeting. After deliberation, the City Council voted to extend the contract of the Community Center's current caterer, Jay's Catering, for an additional nine months (Exhibit No. 4).

At the June 15, 2011, City Council meeting, the City Council directed staff to exclusively negotiate with Jay's Catering for 60 days in order to develop a catering contract (Exhibit No. 5). Since receiving this directive, city staff and Jay's Catering officials have been making progress towards developing a final contract. However, due to challenges with scheduling meetings, additional time was needed to finalize the contract. At the September 6, 2011, City Council Meeting, staff requested, and the City Council approved, extending the negotiation period to October 21, 2011. Unfortunately, due to scheduling conflicts, and other issues, staff is requesting a second extension, through November 30, 2011, to conclude negotiations and develop a final contract. Jay's officials are in agreement with the contract extension request.

**V. FISCAL IMPACT**

None at this time.

**VI. EXHIBITS**

1. Draft Minutes, September 6, 2011, Item No. 17. (pg 4)
2. Minutes, November 18, 2008, Item No. 17. (pg. 5)
3. Minutes, December 21, 2010, Item No. 22. (pgs. 6-7)
4. Draft Disposition, January 18, 2011, Item No. 22. (pg. 8)
5. Draft Minutes, June 15, 2011, Item No. 17. (pg. 9)

Prepared by: Raymond R. Cruz, Public Services General Manager

TO:Rev091911

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

<b>Action taken by City Council</b>	
Date _____	Action _____

**ITEM NO. (17) CONSIDER STAFF'S REQUEST TO EXTEND THE PERIOD TO EXCLUSIVELY NEGOTIATE WITH JAY'S CATERING TO DEVELOP A CATERING CONTRACT FOR THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER (PUBLIC SERVICES)**

RECOMMENDATION for the City Council:

1. APPROVE staff's request to extend the negotiation period to October 21, 2011, for City officials and Jay's Catering to negotiate a catering contract for the Congresswoman Juanita Millender-McDonald Community Center.

ACTION: Item No. 17 was approved on the New Business Consent Calendar on motion of Dear, seconded by Gipson 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) CONSIDERATION OF A REQUEST FOR APPROVAL TO EXTEND JAY'S CATERING CONTRACT FOR SERVICES AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER (CITY MANAGER)**

This item was heard after the motion to Approve the New Business Consent Calendar.

City Manager Groomes summarized the staff report and recommendation.

**Public Comments**

Ronald Shimokaji, 1502 E. Carson Street, No. 135, Carson, California 90745, expressed his support for the staff recommendation.

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the extension of Jay's Catering contract for nineteen (19) months beginning November 22, 2008 until June 30, 2010.
2. AUTHORIZE the Mayor to execute Amendment No. 1 to the Agreement for Catering Services prepared by the City Attorney.
3. APPROVE the Jay's Catering proposal to retain the 2007 menu prices until December 31, 2009.
4. INSTRUCT staff to initiate a formal bid process for a new five-year agreement in January 2010.

ACTION: Council Member Davis-Holmes referred to Page 33, and confirmed that there would be no increases in the menu prices for the Christmas and New Year's holidays. Whereupon, City Manager Groomes referred to and corrected the January 1, 2009 dated in Section 2, Subsection 1.a of the Agreement, entitled, "Menus, Prices and Discounts," at Subsection (3) thereunder," to January 1, 2010. She also added that the words "or designee" be stricken from Sub-subsection (3).

It was moved to Approve staff recommendation Nos. 1, 2, 3, and 4 on motion of Santarina, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Gipson, Council Member Santarina, Council Member Williams, and Council Member Davis-Holmes

Noes: None

Abstain: None

Absent: None



**ITEM NO. (22) CONSIDER AUTHORIZING STAFF AND THE CITY ATTORNEY TO ENTER INTO FORMAL NEGOTIATIONS FOR AN EXCLUSIVE CATERING SERVICES AGREEMENT WITH MASTROIANNI FAMILY ENTERPRISES, LTD., D/B/A JAY'S CATERING (CITY MANAGER)**

Item No. 22 was heard at 8:25 P.M.

City Manager Groomes summarized the staff report. He felt that in all fairness that staff should be allowed to engage in further negotiations with Choura Events Catering as well as Mastroianni Family Enterprises dba Jay's Catering.

**Public Comments**

**Ryan Choura, 4101 E. Willow Street, Long Beach, California 90815, representing Choura Events Catering**

Discussed the revenue forecast in their proposal and wanted to be a part of the formal negotiations.

**Jim Choura, 4101 E. Willow Street, Long Beach, California 90815, representing Choura Events Catering**

Discussed their belief in community for hiring and for service.

**Don Temple, 4338 Heather Road, Long Beach, California**

As the property owner of The Grand, Long Beach, and landlord for Choura Events Catering, he reported that for the past ten years Choura Events Catering has been a good tenant and would be good for the city.

**Kathie Okamoto, 21111 Dolores Street, Sp. 137, Carson, California 90745**

As a business owner in Carson who has held shows at the Congresswoman Juanita Millender-McDonald Community Center at Carson, she felt that due to the size of her shows, she received a lower level of service from Jay's Catering and policies and attitudes should be adjusted to keep business in Carson.

**Miriam Vazquez, 21413 Martin Street, Carson, California 90745**

Discussed the changes in the demographics for the City of Carson; felt that the variety of food was lacking by Jay's Catering; and encouraged the City Council to keep money in Carson.

**Ronald Shimokaji, 1502 E. Carson Street, Sp. 135, Carson, California 90745**

Discussed concerns, such as the exclusivity clause and the importance of maintaining the competitiveness of the Congresswoman Juanita Millender-McDonald Community Center at Carson in the industry.

**Raul Murga, 21111 Dolores Street, Carson, California 90745**

Reported that he was opposed to excluding the community due to the exclusivity of the catering contract.



**Mary Anne O'Neal, 16211 Visalia Avenue, Carson, California 90746**

Requested that City Council ask that the caterer serve hot bread with their meals.

**Linda Loaeza, representing Jay's Catering**

Felt that Jay's Catering has tried to be flexible and sensitive to the diverse community and discussed their commitment to negotiating in good faith with the City.

City Manager Groomes reiterated that staff's modified recommendation was to allow staff to negotiate with both parties simultaneously.

RECOMMENDATION for the City Council:

1. AUTHORIZE staff and the office of the City Attorney to enter into formal negotiations with representatives of Mastroianni Family Enterprises, Ltd., doing business as Jay's Catering, for a possible exclusive catering services agreement at the Congresswoman Juanita Millender-McDonald Community Center at Carson, for a five (5)-year term commencing on February 1, 2011 and concluding on February 3, 2016.

ACTION: Council Member Ruiz-Raber moved to continue this item to allow further negotiations by staff. Whereupon, City Attorney Wynder discussed his support for the modified staff recommendation and offered language for a suggested motion to direct staff to go back to the vendors and seek from each of them a last-best-and-final offer, recognizing that both vendors have got to offer the City of Carson more than what was currently being offered by either vendor under the current proposals on the table, based on what is being paid and rates being paid to date, which was accepted by Ruiz-Raber and seconded by Davis-Holmes.

During discussion of the motion, Mayor Dear posed questions to representatives from Choura Events Catering and Jay's Catering.

City Attorney Wynder felt that further analysis was required; such as, rates, plans, projections and expanding the point of sales tax in Carson.

Council Member Gipson requested that staff include information regarding "promotional fees," when this item comes back for consideration.

Mayor Pro Tem Santarina stated that he was interested in information regarding programming

City Manager Groomes reported that staff's first effort would be to bring this item back on January 18, 2011, with City Attorney Wynder concurring.

The motion was carried by the following vote:

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



**ITEM NO. (22) CONSIDER AWARDING AN EXCLUSIVE CATERING SERVICES AGREEMENT TO CHOURA EVENTS CATERING FOR A FIVE (5)-YEAR TERM COMMENCING ON FEBRUARY 15, 2011 (CITY MANAGER)**

RECOMMENDATION for the City Council:

1. APPROVE a five (5)-year contract services agreement for exclusive catering services at the Congresswoman Juanita Millender-McDonald Community Center at Carson with Choura Events Catering, for a term commencing February 15, 2011 and concluding on February 15, 2016, and AUTHORIZE the Mayor to execute the same following approval as to form by the City Attorney.

ACTION: It was moved to extend the contract with Jay's Catering for nine (9) months on motion of Dear, seconded by Ruiz-Raber and carried by the following vote:

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



**ITEM NO. (17) CONSIDER PROVIDING DIRECTION TO STAFF REGARDING  
CATERING VENDORS FOR THE CONGRESSWOMAN JUANITA  
MILLENDER-MCDONALD COMMUNITY CENTER (PUBLIC SERVICES)**

Item No. 17 was heard after Item No. 10 at 12:32 A.M., on Thursday, June 16, 2011.

Interim City Manager/Economic Development General Manager Graves summarized the staff report and recommendation. He requested that the City Council allow a sixty-day time period for staff to negotiate with Jay's Catering and would provide sufficient time to go out for a request-for-proposal, if necessary.

RECOMMENDATION for the City Council:

1. DISCUSS and PROVIDE direction to staff.

**ACTION:** It was moved to direct staff to open formal discussions with Jay's Catering regarding development of a multi-year agreement; for Jay's Catering to provide the money for capital improvements at the Congresswoman Juanita Millender-McDonald Community Center at Carson and to provide cooperative marketing programs; and to report back to the City Council within sixty days at which time the City Council could opt to go out for a request for proposal on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following roll call 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

