



**MINUTES
CARSON CITY COUNCIL / REDEVELOPMENT AGENCY
SPECIAL JOINT MEETING
AUGUST 25, 2011**

6:00 P.M.

AGENDA POSTED: AUGUST 24, 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 by Mayor/Chairman Dear at 6:19 P.M. in the Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL: Chief Deputy City Clerk/Chief Deputy Agency Secretary Higaki 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,

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

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

Also Present: Clifford Graves, Acting City Manager/Acting Executive Director; William Wynder, City/Agency Attorney; Lindsay Tabain, Deputy City/Deputy Agency Attorney; and staff:

Jackie Acosta, Administrative Services General Manager;

Zarah Cruz, Public Information Manager; Glenn Turner, Computer Systems Support Technician; and Wanda Higaki, Chief Deputy City Clerk/Chief Deputy Agency Secretary

Interim City Manager/Interim Executive Director/Economic Development General Manager Graves reported that Council/Agency Member Gipson was out of town and had acknowledged notice of this evening's special meeting.

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 at the beginning of the meeting.

CLOSED SESSION (Items 1-2)

City/Agency Attorney Wynder presented the Closed Session items.

ITEM NO. (1) PUBLIC EMPLOYEE APPOINTMENT (CITY MANAGER)

RECOMMENDATION for the City Council/Redevelopment Agency:

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

ACTION: This item was scheduled for Closed Session.

ITEM NO. (2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

RECOMMENDATION for the City Council/Redevelopment Agency:

1. A closed session will be held, pursuant to Government Code § 54945.9(a) because there is a significant exposure to litigation in three cases.

ACTION: This item was scheduled for Closed Session.

RECESS: The City Council and Redevelopment Agency were Recessed at 6:22 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 6:59 P.M. by Mayor/Chairman Dear with all members previously noted present, except Gipson absent.

REPORT ON CLOSED SESSION

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

Council/Agency Closed Session Item No. 1

A privileged and confidential status report was provided on ongoing negotiations; questions were asked and answered; no reportable action was taken nor was any solicited. Council/Agency Member Gipson was absent.

Council/Agency Closed Session Item No. 2

The Council/Agency were briefed on facts and circumstances and a litigation strategy was recommended; questions were asked and answered; and authorized staff to join the Cerritos lawsuit up to a cap of \$25,000. Council/Agency Member Gipson was absent.

NEW BUSINESS CONSENT (Items 3-5)

This item was heard at 7:03 P.M.

It was moved to approve City Council/Redevelopment Agency New Business Consent Calendar Item Nos. 3, 4, and 5 on motion of Dear, seconded by Santarina 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

ITEM NO. (3) CONSIDER AN UPDATE ON PENDING LITIGATION FILED BY THE CALIFORNIA REDEVELOPMENT ASSOCIATION AND THE LEAGUE OF CALIFORNIA CITIES REGARDING AB1X 26 AND AB1X 27 (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the Redevelopment Agency:

1. RECEIVE and FILE

ACTION: Item No. 3 was approved on the New Business Consent Calendar on motion of Dear, seconded by seconded by Santarina 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

ITEM NO. (4) CONSIDERATION OF RESOLUTION NO. 11-46 APPROVING AND ADOPTING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE, PURSUANT TO THE PROVISIONS SET FORTH IN HEALTH AND SAFETY CODE SECTION 34169 (AB1X 26) (CARSON CONSOLIDATED PROJECT AREA) (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the Redevelopment Agency:

1. WAIVE further reading and ADOPT Resolution No. 11-46, " A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF CARSON, CALIFORNIA, APPROVING AND ADOPTING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE, PURSUANT TO THE PROVISIONS SET FORTH IN HEALTH AND SAFETY CODE SECTION 34169 (AB1X 26)."

ACTION: Item No. 4 was approved on the New Business Consent Calendar on motion of Dear, seconded by seconded by Santarina 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

ITEM NO. (5) CONSIDER APPROVAL OF THE SECOND AMENDMENT TO THE PROPERTY MANAGEMENT AGREEMENT WITH NEWPORT PACIFIC CAPITAL COMPANY, INC., TO PROVIDE SERVICES AT 2666 E. DOMINGUEZ STREET (CARSON CONSOLIDATED PROJECT AREA) (ECONOMIC DEVELOPMENT)

RECOMMENDATION for the Redevelopment Agency:

1. APPROVE the second amendment to the Property Management Agreement between the Carson Redevelopment Agency and Newport Pacific Capital Company, Inc., to increase the contract amount by a not-to-exceed amount of \$85,000.00.
2. AUTHORIZE the Agency Chairman to execute the second amendment to the Property Management Agreement following approval as to form by the Agency Counsel.

ACTION: Item No. 5 was approved on the New Business Consent Calendar on motion of Dear, seconded by seconded by Santarina 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

UNFINISHED BUSINESS (Items 6-7)

ITEM NO. (6) CONSIDER APPROVING A CONTRACT OF EMPLOYMENT FOR THE CITY MANAGER OF THE CITY OF CARSON & EXECUTIVE DIRECTOR OF THE CARSON REDEVELOPMENT AGENCY (CITY MANAGER)

City/Agency Attorney Wynder summarized the staff report and recommendation.

Council/Agency Member Davis-Holmes

Read the following statement into the record at the request of Council/Agency Member Gipson and provided a copy to the City Clerk's Office:

“Good evening fellow colleagues, staff and residents. I am out of town today. I made the Mayor aware of my unavailability to meet tonight. He was uncooperative with rescheduling tonight's meeting. City Attorney Bill Wynder informed me that Mr. David Biggs will be starting in his new capacity as City Manager on September 26, 2011. Therefore, this item could have been delayed, but it was not. I had respectfully requested and spoke to the Mayor regarding delaying this item because I feel it's important that all elected officials be present and vote on the City Manager's contract. Please be advised that I am going on record to extend my full support of Mr. David Biggs. I believe he's going to do a fine job in Carson; working with the City Council, staff and residents, and I welcome him to Carson.”

RECOMMENDATION for the City Council:

1. APPROVE the attached “CITY MANAGER EMPLOYMENT AGREEMENT BETWEEN CITY OF CARSON & DAVID C. BIGGS,” and AUTHORIZE the Mayor to execute the same on behalf of the City Council and Redevelopment Agency Board of Directors.

ACTION: It was moved to approve the staff recommendation on motion of Ruiz-Raber, 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, and Council/Agency Member Santarina
Noes: None
Abstain: None
Absent: Council/Agency Member Gipson

Mayor/Chairman Dear reported that Mr. David Biggs was out of town at this time; however, he requested that his statement be read into the record:

“I would like to thank the Mayor and City Council for the confidence they have shown in me by appointing me as the next City Manager of Carson. I am looking forward to joining the City on September 26th and to working with the Mayor & Council, City staff, and the community. As a resident of the South Bay, I have come to know the City of Carson very well and I am eager to begin my tenure as City Manager in this world-class community. Unfortunately, I am not able to join you

this evening to be formally introduced at the City Council meeting and for this I apologize. My eldest son is a High School senior and he and I had a pre-planned trip to visit a college campus out of state this weekend and our flight departs this evening. I will be in attendance at the September 6th City Council meeting for a formal introduction prior to my official first day later in September.”

Council/Agency Member Santarina

Thanked Interim City Manager/Interim Executive Director/Economic Development General Manager Graves and acknowledged his contributions and accomplishments.

Mayor Pro Tem/Vice Chairman Ruiz-Raber

Thanked Interim City Manager/Interim Executive Director/Economic Development General Manager Graves and acknowledged his contributions and accomplishments, and thanked Administrative Services General Manager Acosta for her interest.

Council/Agency Member Davis-Holmes

Echoed the comments of her colleagues and thanked City/Agency Attorney Wynder for his participation in the process.

Mayor/Chairman Dear

Thanked Interim City Manager/Interim Executive Director/Economic Development General Manager Graves and acknowledged his contributions and accomplishments. He announced that a Welcome Reception for Mr. Biggs would be scheduled to be held on September 26, 2011, in the Congresswoman Juanita Millender-McDonald Community Center, with no objections heard and Gipson absent.

Public Comments

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

Offered general comments about the appointment of David Biggs.

ITEM NO. (7) COMMISSION, COMMITTEE, AND BOARD APPOINTMENTS BY MAYOR DEAR (CITY CLERK)

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/Chairman Dear took the following actions:

Human Relations Commission

Mayor Dear appointed Mikaelo Espiritu.

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/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

Beautification Committee

Mayor Dear appointed Sandra Goodson as a regular committee 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/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

Utility Users Tax Citizens Budget Oversight Committee

Mayor Dear appointed Paul Randall.

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/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

ADJOURNMENT

The meeting was Adjourned at 7:25 P.M., by Mayor/Chairman Dear with Gipson absent.

Mayor/Chairman Jim Dear

ATTEST:

City Clerk/Agency Secretary Helen Kawagoe