



Wednesday, April 6, 2022
6:30 P.M.
via Zoom

**AGENDA
REGULAR MEETING
ENVIRONMENTAL COMMISSION**

Commissioners:

Angela Isaiah-Payne
Freeman Watkins
Hourie Taylor (**Chair**)
Lillian Hopson (**Vice Chair**)
Nadine Gills-Ward
Rick Pulido
Roye Love
William Koons
Vacant

Alternates:

Vacant, Alt 1
Celia Villalpando, Alt 2
Rudolfo "Val" Brillantes, Alt 3

Staff:

Eliza Jane Whitman, PE, LEED AP, ENV SP Director of Public Works
Jessica Coria, Senior Clerk
Reata Kulcsar, Sustainability Administrator – Utilities

Lona Laymon, Deputy City Attorney

"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 Public Works Department office at 310-952-1700 ext. 1823 at least 48 hours prior to the meeting."
(Government Code Section 54954.2)

PUBLIC INFORMATION

SPECIAL NOTICE: DUE TO CORONA VIRUS COVID-19, NO MEMBERS OF THE PUBLIC WILL BE ALLOWED INTO CITY HALL DURING THE ENVIRONMENTAL COMMISSION MEETING. THE MEETING WILL BE CONDUCTED VIA REMOTE TELECONFERENCING USING THE ELECTRONIC "ZOOM" APPLICATION.

Join Zoom Meeting:
<https://us06web.zoom.us/j/5219151079>

Meeting ID: 521 915 1079

One tap mobile

+16699006833,,5219151079# US (San Jose)

+13462487799,,5219151079# US (Houston)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 521 915 1079

Find your local number: <https://us06web.zoom.us/u/kcNnBxFTYr>

Any members of the public wishing to provide public comment for the item(s) on the agenda may do so as follows:

1. Live via Zoom Application. Members of the public wishing to provide public comment in real-time can join the Zoom meeting remotely to provide their public comment live with their audio/video presented to the Environmental Commission. Members of the public wishing to do so should email jcoria@carsonca.gov, providing their real name and the phone number they will use to call in from, no later than 6:00 p.m. on the date of the meeting. For further details/requirements and meeting invite information, please email jcoria@carsonca.gov no later than 6:00 p.m. on the date of the meeting.
2. Email: You can email comments to jcoria@carsonca.gov no later than 3:00 p.m. before the meeting. Please identify the Agenda item you wish to address in your comments. Written public comments received will not be read aloud and will be circulated to the Environmental Commissioners and incorporated into the record.
3. Telephone: You can provide real-time public comment by calling 1-669-900-6833, entering the **Meeting ID: 521 915 1079** on the date of the meeting up until the time that the applicable public comment period (generally during the portion of the agenda entitled "Oral Communications") concludes. While participating, please state your name and identify the agenda item you wish to address in your comments.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

IV. INTRODUCTIONS/PRESENTATIONS

- a. New Environmental Commission Member, Roye Love

V. PUBLIC ORAL COMMUNICATIONS

The public may address the Commission on any matters within the jurisdiction of the Carson Environmental Commission or on any items on the agenda of the Carson Environmental Commission, prior to any action taken on the agenda. Speakers are limited to no more than three minutes, speaking once. Oral communications will be limited to one (1) hour unless extended by order of the Chair with the approval of the Environmental Commission.

VI. CONSENT CALENDAR

- 1. Approval of Minutes for March 2, 2022

VII. CONTINUED/UNFINISHED BUSINESS

- 2. Continue Discussion on the Priority List and Finalize

VIII. NEW BUSINESS

- 3. Presentation and Discussion about Fireworks
 - a. Carson Sheriff Department
 - b. Carson Public Safety – Zak Gonzalez
- 4. Brown Act Presentation about Fair Process Laws and Avoiding Bias by Lona Laymon

IX. COMMISSION MEMBERS REQUESTS TO ADD ITEMS TO FUTURE AGENDAS

X. COMMISSION MEMBERS ORAL COMMUNICATIONS

XI. STAFF ORAL COMMUNICATIONS

XII. ADJOURNMENT

Upcoming Meetings:

May 4, 2022

June 1, 2022

July 6, 2022

This Board/Commission/Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Board/Commission/Committees agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Board/ Commission/ Committee and items not on the Board/Commission/Committee agenda but are within the subject matter jurisdiction of the Board/ Commission/ Committee. The Board/Commission/Committee may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

**MINUTES
MARCH 2, 2022
ENVIRONMENTAL COMMISSION**

AGENDA POSTING: February 24, 2022

Given the emergency declaration through the State related to COVID-19 this meeting is being held pursuant through zoom application. Members of the public wishing to provide public input may do so in real time, via the zoom meeting link that is provided in the agenda packet. They may also email comments and may provide real time public comments by calling the number that is listed in the agenda packet. In accordance with the Brown Act, as amended on January 1, 1987, a copy of the Agenda Face Sheet for this meeting was posted in five (5) public places throughout the city designated for the posting of such notices seventy-two (72) hours prior to this meeting.

CALL TO ORDER: Chair – Hourie Taylor called to order the meeting of the Environmental Commission Meeting

PLEDGE OF ALLEGIANCE: Chair – Hourie Taylor

ROLL CALL: Recording Secretary Coria noted the following:

Present: Commissioners Koons, Hopson, Taylor, Pulido, Watkins, Gills-Ward, Isiah-Payne (entered later) and Alternate Villalpando

Absent: Alternates Mack and Brillantes

Also Present: Public Works Director Whitman, Sustainability Administrator – Utilities Kulcsar and Recording Secretary Coria Deputy City Attorney – Lona Laymon

INTRODUCTIONS/ PRESENTATIONS:

1. Presentation by Nancy Shrodes, Senior Watershed Specialist, from Heal the Bay

A motion to Receive and File was made by Vice Chair Hopson and was seconded by Commissioner Gills-Ward.

AYES: Koons, Hopson, Taylor, Pulido, Watkins, Gills-Ward, Villalpando

NOES:

ABSTAIN:

PUBLIC ORAL COMMUNICATIONS ON AGENDA ITEMS:

None.

CONSENT CALENDAR:

1. Approval of minutes for January 5, 2022
2. Approval of minutes for February 2, 2022

Commissioner Hopson motioned to approve minutes. Commissioner Watkins seconded the motion.

AYES: Koons, Hopson, Taylor, Pulido, Watkins, Gills-Ward, Villalpando

NOES:

ABSTAIN:

CONTINUED/ UNFINISHED BUSINESS:

3. Priority List and Ranking Results

Staff member Kulcsar provided a presentation about the priority list and the Commissioners discussed the list.

Chair Taylor made a motion to reduce the list down from 17 to 8 items, recirculate to each commissioner, re-rank and bring back to the next commission meeting. A friendly amendment was made and accepted to add fireworks as an agenda item for the next meeting. Seconded by Vice Chair Hopson.

AYES: Koons, Hopson, Taylor, Pulido, Watkins, Gills-Ward, Villalpando

NOES:

ABSTAIN:

NEW BUSINESS:

4. Brown Act Discussion

Topic: Agendas

A presentation was given by Deputy City Attorney Lona Laymon.

PUBLIC ORAL COMMUNICATIONS FOR MATTERS NOT LISTED ON THE AGENDA:

None.

COMMISSION MEMBERS REQUESTS TO ADD ITEMS TO FUTURE AGENDAS:

Commissioner Pulido requested future items about establishing a budget for the commission, tree trimming, slurry seal at the south end of the City, and fireworks. Commissioner Koons requested a future item about tree planting and grants. Chair Taylor requested that Harold Williams from West Basin give a presentation about water. Alternate Villalpando requested an update on the Dominguez Channel.

COMMISSION MEMBERS ORAL COMMUNICATION:

None.

STAFF ORAL COMMUNICATIONS:

Staff Kulcsar reminded the Commission that they were invited to take a tour of the Joint Water Pollution Control Plant and to reach out to staff if they were interested.

ADJOURNMENT:

There being no further discussion, on a motion by Chair Taylor and seconded by Vice Chair Hopson, the meeting was adjourned at 8:15 p.m. to the next regular meeting to be held on the 6th day of April 2022, at the hour of 6:30 p.m., via zoom.

CHAIRPERSON

ATTEST:

RECORDING SECRETARY

DRAFT

**ENVIRONMENTAL COMMISSION
STAFF REPORT**

April 6, 2022

TO: ENVIRONMENTAL COMMISSION
FROM: REATA KULCSAR, SUSTAINABILITY ADMINISTRATOR – UTILITIES
SUBJECT: CONTINUE DISCUSSION ON THE PRIORITY LIST AND FINALIZE

Staff will provide an update on the priority list and ranking results.

RECOMMENDATION

Discuss and Finalize the Priority List.

ATTACHMENT

1. Presentation

A solid green vertical bar is positioned on the left side of the page, extending from the top to the bottom.

ENVIRONMENTAL COMMISSION PRIORITY LIST

2022 CALENDAR YEAR

April 6, 2022

ENVIRONMENTAL COMMISSION

PRIORITY LIST

2022 CALENDAR YEAR

RANK 1 (high) to 8 (low)

NO.	PRIORITY LIST	RANK 1 (high) to 8	Commissioner 1	Commissioner 2	Commissioner 3	Commissioner 4	Commissioner 5	Commissioner 6	Commissioner 7	Commissioner 8	Commissioner 9	Commissioner 10
01	Updates on oil refineries, trash companies, and other companies that may be polluting. Review the CDC website for companies listed on their website that are also located in Carson and learn more about their operations. Fence line monitoring		5	1	1	1	4	5	3	2	3	6
02	Increase tree planting to help with climate change and beautification		8	2	7	4	7	7	2	3	7	3
03	Fireworks (presentations, pollution, enforcement, policies)		7	8	6	7	5	3	1	5	5	1
04	Local and regional water efforts. What is the City doing? What are others doing? Ex. MWD/LA Sanitation program for Regional Recycled Water Program.		4	6	4	3	1	4	4	6	6	7
05	Assess truck routes, truck idling, enforcement, and impacts		6	3	5	2	6	8	5	1	4	2
06	Review the City's Emergency Plan, discuss, and provide recommendations. Plan should address how the City will handle relocation, pets, and the elderly who may not be able to leave their home. Learn more about city-wide notification system and how residents are notified about emergencies. Invite staff from public safety and a representative from the Public Safety Commission to meet and discuss the emergency preparedness plan and		2	4	3	5	3	2	6	7	2	8
07	Dominguez Channel - long-term plan, identify mitigation strategies, identify loose ends such as reimbursements, etc.		3	5	2	6	2	6	7	4	1	4
08	Robert's Rules of Order		1	7	8	8	8	1	8	8	8	5

Priority List

8 items

Updates on oil refineries, trash companies, and other companies that may be polluting. Review the CDC website for companies listed on their website that are also located in Carson and learn more about their operations. Fence line monitoring

Increase tree planting to help with climate change and beautification

Fireworks (presentations, pollution, enforcement, policies)

Local and regional water efforts. What is the City doing? What are others doing? Ex. MWD/LA Sanitation program for Regional Recycled Water Program.

Assess truck routes, truck idling, enforcement, and impacts

Review the City's Emergency Plan, discuss, and provide recommendations. Plan should address how the City will handle relocation, pets, and the elderly who may not be able to leave their home. Learn more about city-wide notification system and how residents are notified about emergencies. Invite staff from public safety and a representative from the Public Safety Commission to meet and discuss the emergency preparedness plan and answer questions

Dominguez Channel - long-term plan, identify mitigation strategies, identify loose ends such as reimbursements, etc.

Robert's Rules of Order

Priority List 6 items

Updates on oil refineries, trash companies, and other companies that may be polluting. Review the CDC website for companies listed on their website that are also located in Carson and learn more about their operations. Fence line monitoring

Fireworks (presentations, pollution, enforcement, policies)

Local and regional water efforts. What is the City doing? What are others doing? Ex. MWD/LA Sanitation program for Regional Recycled Water Program.

Assess truck routes, truck idling, enforcement, and impacts

Dominguez Channel - long-term plan, identify mitigation strategies, identify loose ends such as reimbursements, etc.

Robert's Rules of Order

Priority List

4 items

Updates on oil refineries, trash companies, and other companies that may be polluting. Review the CDC website for companies listed on their website that are also located in Carson and learn more about their operations. Fence line monitoring

Local and regional water efforts. What is the City doing? What are others doing? Ex. MWD/LA Sanitation program for Regional Recycled Water Program.

Assess truck routes, truck idling, enforcement, and impacts

Dominguez Channel - long-term plan, identify mitigation strategies, identify loose ends such as reimbursements, etc.

AGENDA ITEM NO. 3

**ENVIRONMENTAL COMMISSION
STAFF REPORT**

April 6, 2022

TO: ENVIRONMENTAL COMMISSION
FROM: ZAK GONZALEZ, ACTING EMERGENCY SERVICES MANAGER
SUBJECT: PRESENTATION AND DISCUSSION ABOUT FIREWORKS

Representatives from the Carson Sheriff's Station and the Acting Emergency Services Manager will provide an update on fireworks.

RECOMMENDATION

Receive and File.

ATTACHMENT

None.

AGENDA ITEM NO. 4

**ENVIRONMENTAL COMMISSION
STAFF REPORT**

April 6, 2022

TO: ENVIRONMENTAL COMMISSION

FROM: LONA N. LAYMON, DEPUTY CITY ATTORNEY

**SUBJECT: BROWN ACT PRESENTATION – FAIR PROCESS LAWS AND
AVOIDING BIAS**

RECOMMENDATION

Receive and File.

ATTACHMENT

1. Presentation

CARSON ENVIRONMENTAL COMMISSION

FAIR PROCESS LAWS & AVOIDING BIAS

Lona Laymon
Aleshire & Wynder, LLP



Fair Process Laws

- ▶ **Principle:** As a decision-maker, the public expects you to be impartial and avoid favoritism



Fair Process Laws

- ▶ Due process requirements and rules against bias
- ▶ Incompatible office prohibitions
- ▶ Due process requires fairness in decision-making: Must hear evidence and make decisions or recommendations based on evidence



How Does This Apply to This Commission?

- ▶ COMMISSION IS ASSIGNED TO:
- ▶ “Undertake investigation and studies, *and to hold hearings* concerning the pollution of the City’s environment. . . .”
- ▶ “Consult and advise with public officials and agencies on the local, State and Federal level, with members of the industrial, civic, educational and professional communities, either individually or in concert, towards the goal of accomplishment and execution of the environmental plans, programs and policies approved by the City Council.”
- ▶ “Coordinate enforcement by, and cooperative efforts between, other concerned governmental agencies, private firms and organizations and the several departments of the City.”
- ▶ (Carson Municipal Code 2753.)

Due Process = Fair Process

- ▶ *City of Fairfield v. Superior Court* (1975)

“A councilman has a right to state his views on matters of community policy, and his vote may not be impeached because he does so.”

<versus>

- ▶ *Clark v. City of Hermosa Beach* (1996)

- ▶ *Nasha v. City of Los Angeles* (2004)

Fair Process Laws, Cont.

DO NOT ADVERTISE A “BIASED” VIEWPOINT!

- ▶ Extra-meeting contacts can give appearance of impropriety.
- ▶ Accommodation necessary since commissioners appointed because of knowledge and experience with community.
- ▶ Site inspection okay.
- ▶ Avoid initiation of contact.
- ▶ If you are contacted, be polite, avoid stating viewpoint.
- ▶ At meeting (especially any hearing), enter into record any information which will be relevant to discussion (e.g., site visit).

