



## **CITY OF CARSON**

### **MINUTES CARSON CITY COUNCIL SPECIAL MEETING OCTOBER 25, 2021 10:00 A.M.**

#### **CALL TO ORDER:**

The meeting was called to order at 10:03 A.M. by Mayor Lula Davis-Holmes via Zoom Teleconference.

#### **ROLL CALL:**

Deputy City Clerk Joy Simarago noted the roll:

#### **Council Members Present via Zoom Teleconference:**

Mayor Lula Davis-Holmes, Council Member Jawane Hilton, and Council Member Cedric Hicks

#### **Council Members Absent:**

Mayor Pro Tem Jim Dear (Joined during discussion of Item No. 1)

#### **Also Present via Zoom Teleconference:**

Monica Cooper, City Treasurer; Sharon Landers, City Manager; Sunny Soltani, City Attorney; David Roberts, Assistant City Manager; John Raymond, Assistant City Manager; Saied Naaseh, Director of Community Development; Faye Moseley, Director of Human Resources and Risk Management; Tarik Rahmani, Director of Finance; Robert Lennox, Director of Community Services; and Eliza Jane Whitman, Director of Public Works

#### **FLAG SALUTE:**

Council Member Hicks led the Pledge of Allegiance.

#### **INVOCATION:**

Council Member Hilton gave the invocation.

#### **ORAL COMMUNICATIONS FOR MATTERS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)**

The following individual called in for comments:

Elliott Lewis – Item No. 2

Stated the catastrophe in the Dominguez Channel has been going on for four weeks and does not understand why the City has not taken any action and should take action now; his crew is having headaches when in the area; recommend an independent investigation by a third party and what is causing the odor; residents are in need of help and offered assistance; recommend providing information to the residents

**CONSENT: (Item 1)**

**Item No. 1. 2021-841      CONSIDER APPROVING RESOLUTION 21-146 DESIGNATING ELECTIONS OFFICIAL (CITY COUNCIL)**

Council Member Hilton requested to remove this item from Consent for discussion.

City Manager Landers gave a report.

Council Member Hilton asked when staff was made aware that the Chief Deputy City Clerk resigned and why not brought up as a subsequent need item at the October 19, 2021 City Council meeting.

City Manager Landers responded to his questions.

Council Member Hilton expressed concern of the City Manager's recommendation of Assistant to the City Manager Michael George and if he is qualified to serve as the Elections Official. He noted that former Chief Deputy City Clerk left Thursday prior to the last City Council Meeting.

Mayor Davis-Holmes asked if the County is running the upcoming election. City Manager Landers responded in the affirmative.

Mayor Davis-Holmes asked if had someone to act when there was no one in place in the past.

City Attorney Soltani stated that the Assistant to the City Manager was designated as the Elections Official in the past in the absence of the City Clerk. She cited the Elections Code that an Elections Official means a clerk or any person who is charged with the duty of conducting an election.

Council Member Hicks inquired if it has been done historically in the past wherein the Assistant to the City Manager can officiate the election.

City Attorney Soltani responded in the affirmative and that the County is running the election and at this juncture her understanding from the City Manager based on conversations with the County, the City has been informed that there is little to none left to do for the City.

City Manager Landers confirmed that staff has been in touch with the County Clerk and also the special election consultant that we have retained and identified that there are minimal activities required by the city at this time.

Recommendation:                      WAIVE further reading and ADOPT Resolution 21-146 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF

CARSON, CALIFORNIA, DESIGNATING AN ELECTIONS OFFICIAL FOR THE SPECIAL MUNICIPAL ELECTIONS TO BE HELD IN THE CITY OF CARSON ON TUESDAY, NOVEMBER 2, 2021 FOR ELECTIONS OF A COUNCIL MEMBER AND CITY CLERK AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA"

ACTION: It was moved to approve staff recommendation and appoint Michael George as the Elections Official on motion of Hicks, seconded by Dear.

During discussion of the motion, Mayor Pro Tem Dear offered comments in support of the item.

The motion was carried by the following vote:

Ayes: Mayor Davis-Holmes, Mayor Pro Tem Dear, and Council Member Hicks  
Noes: Council Member Hilton  
Abstain: None  
Absent: None

**DISCUSSION: (Item 2)**

**Item No. 2. 2021-840 CONSIDER AN UPDATE ON THE DOMINGUEZ CHANNEL FOUL ODOR AND CONSIDER RATIFYING A PROCLAMATION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY IN THE CITY OF CARSON AND REQUESTING A COUNTY AND GOVERNOR'S PROCLAMATION OF EMERGENCY AND PRESIDENTIAL DECLARATION OF DISASTER (CITY COUNCIL)**

Item No. 2 was heard after vote of adding Subsequent Need Item No. 3.

City Manager Landers stated Assistant City Manager John Raymond will give a report. She noted three representatives from the Los Angeles County Public Works Director Mark Pestrella, joined by Dr. Muntu Davis, Director of Public Health, and Terrence Mann, representing the South Coast Air Quality Management District (SCAQMD).

Assistant City Manager Raymond gave a report.

City Manager Landers introduced Mark Pestrella, Director of Public Works for Los Angeles County, who gave an additional update on the Dominguez Channel. He announced joined by partner agencies County Public Health, County Health Hazmat, and members of the SCAQMD who will provide a response to the incident. He stated he is also the Chief Engineer of the Los Angeles County Flood Control District. He thanked the Los Angeles County and City officials for working collaboratively to investigate and address the incident including the City of Carson, Los Angeles County Public Health, Los Angeles County Fire Hazmat, South Coast Air Quality Management District, the State Regional Water Quality Control Board, and Federal Government Army Core of Engineers, Federal Government Environmental Protection Agency (EPA) along with other public and private industry partners including County Sanitation District.

City Manager Landers introduced Dr. Muntu Davis, Director of Department of Public Health, who recommended Terrence Mann provide comments first.

City Manager Landers introduced Terrence Mann, Chief of Enforcement for the South Coast Air Quality Management District, who gave a report.

Dr. Muntu Davis, Health Officer for the Los Angeles County Department of Public Health, gave an update; shared health recommendations which are available online at [lacounty.gov/emergency](http://lacounty.gov/emergency); and answering questions, providing technical assistance on how to reduce odors indoors. He spoke about hydrogen sulfide, its effects, and health concerns and gave specific recommendations for residents. Call 211 for relocation assistance if needed; for more information on protective measures, contact the Public Health Community Line at 626-430-9821.

Council Member Hilton asked if outline anything for children; his two daughters have ear infection; how can assure residents that there would be no long-term health issues in regard to their health.

Dr. Davis responded that children are expected to have similar symptoms as adults; individual experience within the same household; levels seen are not expected to cause long term or permanent effects.

Council Member Hilton asked if there is an end date when the community will come back to normal.

Director Pestrella responded that Dr. Davis advised him that the sensitivity of residents varies from one person to the next. The objective is to reduce the hydrogen sulfide emanated to the level that people in the community are not having a nuisance and ultimately abated. He spoke about the unusual condition of the levels of the hydrogen sulfide and steps taken to no longer be a nuisance.

Council Member Hilton asked if can assure that it is not a gas leak.

Director Pestrella responded looked at the air, water and detected no suspicious hydrocarbon in the water.

Council Member Hilton asked what refineries will cause sour water.

(Mayor Davis-Holmes exited the meeting at 10:56 A.M.)

Terrence Mann responded have found no evidence of gas or oil leak through the course of their monitoring or taking of samples that would suggest that it would have to do with some type of refinery release. He noted the interagency team has put great emphasis on the schools with the understanding that the children are the most vulnerable among us and are regularly surveilling the schools using technology keeping track of the numbers around local schools in close proximity to the channel. Also, they are in contact with principals and school staff.

Council Member Hicks inquired about the effects of individuals with underlying health issues.

(Mayor Davis-Holmes rejoined the meeting.)

Dr. Davis responded hydrogen sulfide has not shown to cause cancer in humans; individuals with asthma and heart condition they may be more sensitive to things in the air that may trigger inflammation inside of their air ways. Short term based on levels seen; can smell H<sub>2</sub>S at very low levels.

Council Member Hicks stated odor ongoing for years and concerned. He asked through the AQMD and Health Department are there ways we can put some type or air monitoring system along the fence line of the channel to let us know it has reached a certain level that is not conducive for people to be near at some point and time.

Director Pestrella responded it is an excellent suggestion and it should be part of the recovery.

Council Member Hicks noted AQMD mentioned they received 3,000 complaints during this cycle and inquired if they received calls prior to the incident.

Terrence Mann stated there are many potential sources in the City of Carson – refineries, tank farms and has not seen anything of this magnitude and working with the interagency team to support the effort.

Council Member Hicks stated the odor permeated throughout the entire city. Earlier Director Pestrella stated the odor was concentrated near the 405 freeway and the channel. In his statement earlier, he stated the highest level of concentration was by 213<sup>th</sup> and the channel so giving two different locations. It is actually the length of the channel within the main part of the city from Wilmington and 223<sup>rd</sup> to 190<sup>th</sup> or Victoria Street. The areas along the channel had a high concentration of smell and concerned people were not being responsive and not coming to their rescue and hope to put something in place to correct it and not be down this road again. Also, for the businesses who lost revenue. He reported he could not enter the Walmart Store during the evening because the odor was so poignant people were choking and running to their cars. Anticipating this will dissipate soon. Causing more headaches in the community between 9:00 P.M. and 6:00 A.M. is the strongest. He wakes up every morning with a headache. There needs to be something done to address the issues the residents and businesses are experiencing.

City Manager Landers advised the Mayor and City Council everyone that the guests need to leave by 11:15 A.M.

Mayor Davis-Holmes stated the local emergency will address Council Member Hicks' concerns because we are urging the Governor and the County on this local emergency that we are proclaiming. She asked could this problem have been prevented and how often was the channel maintained.

Director Pestrella responded they maintain the channel 24/7, 365 days a year. The last planned functional maintenance regime were met. What people can do to help prevent is not put anything other than water in the channel which includes businesses and private residents. The city can help by enforcing their MS4 Permit and making sure that people do not make discharges to the channel. They believe there was an activator of this that created a much larger non-natural event (a natural event being accelerated by an anthropogenic source meaning created by human

beings). He noted Council Member Hicks gave a wonderful idea of an early warning system such as a fixed monitoring system could be put in place. He asked the city to communicate in their Press Conference that everyone should be containing their trash pollutant is a concern. It is illegal to allow anything other than water entering the channel.

Mayor Davis-Holmes stated if the County is monitoring every day would that have been noticed that something illegal was going on in the channel.

Director Pestrella stated he could not comment on it but they were aware that something entered in the channel and their processes caught it.

Mayor Pro Tem Dear asked if there is any connection between the oil refineries and multiple chemical plants in and around Carson as far as do they produce hydrogen sulfide and do they emit hydrogen sulfide into the air or the flood control channel.

Terrence Mann responded yes the refineries have fence line monitoring systems to keep track of hydrogen sulfide emissions. Those monitoring systems loop the whole perimeter and the County receive notifications once thresholds are met.

Mayor Pro Tem Dear asked what other government agencies as far as water quality control state or local regional agencies are involved with solving this problem.

Director Pestrella responded the State Water Regional Water Quality Control Board in our own Los Angeles Regional Water Quality Control Board have regulatory authority over the waters in the area and they enforce specific separate National Pollutant Discharge Elimination System (NPDES) permits on all the refineries and the private properties They also enforce that through the city on residential properties and construction sites. They are currently actively looking at and the referrals have been made to them regarding potential listed discharges.

Mayor Pro Tem Dear stated residents are asking if activator/catalyst and if any connection between the pellet fire and the huge amounts of water that the Fire Department had to utilize to put the fire out and that water goes into the storm drain. Any connection between that and the production of hydrogen sulfide gas at this level and this duration.

Director Pestrella stated the level of dissolved oxygen in the water is an indicator that something ate up the oxygen at a rate faster than what we would see normally and there is a pending investigation to possible lucid substances in the channel but cannot get into detail since it is an ongoing investigation.

Mayor Davis-Holmes requested everyone to come back at the next City Council meeting to allow residents to ask questions directly.

Recommendation:                    1. RATIFY the Proclamation Proclaiming the Existence of a Local Emergency in the City of Carson and Requesting a County and Governor's Proclamation of Emergency and Presidential Declaration of Disaster Proclamation and Presidential Declaration of Disaster Proclamation Proclaiming the Existence of Local Emergency in the City of Carson and Requesting a County and Governor's Proclamation of Emergency and Presidential

Declaration of Disaster; and

2. ORDER that a copy of this Proclamation be forwarded to the Los Angeles County Board of Supervisors with the request that they proclaim the County of Los Angeles to be in a state of emergency; and that a copy to be forwarded to the Governor of California with the request that the Governor proclaim the City of Carson and the County of Los Angeles to be in a state of emergency or a concurrence from the Director of the Governor's Office of Emergency Services, and further that the Governor requests a presidential declaration of disaster; and

3. REQUEST that all relevant county, state, and federal regulatory agencies with oversight in, near, or over the Dominguez Channel are requested to expedite any and all permitting processes involving the immediate cleanup and restoration of the channel waters, bottoms, and banks under a state of emergency.

**ACTION:** It was moved to approve Resolution No. 21-147 and staff recommendations on motion of Davis-Holmes, seconded by Hilton.

During discussion of the motion, Mayor Pro Tem Dear asked the City Attorney how is this item different than the declaration that was made previously by the City Council.

City Attorney Soltani stated the first one was a declaration of public nuisance. This item is one step above a public nuisance which is a proclamation proclaiming the existence of a local emergency in the City and requesting the County and the Governor's proclamation of an emergency.

Mayor Pro Tem Dear stated residents are asking them the questions and like to ask the questions that the residents of Carson are asking them at a public forum so that they can be addressed publicly. Many people have the same questions which is a good way to disseminate the accurate information.

City Attorney Soltani stated the City already sent a letter to the Governor to ask him to declare State of an Emergency which we have not received a response from him. This is now going to the County and asking the County and the Governor again for the same.

Mayor Davis-Holmes stated a call came from the Governor that this is the next step the City needed to implement before he could do anything and once it passes it allows the City to cut through some of the red tape to get this problem solved because there are a lot of agencies that are involved. This was a comment she received from the Governor's Office that this is the next step the City should take than he can get involved and they would move forward.

City Attorney Soltani noted as a housekeeping for the subsequent need item it did not pass since Mayor Pro Tem Dear voted No on the item and you need four affirmative votes under Government Code Section 54954.2(b) to add a subsequent need item.

Mayor Davis-Holmes noted staff will bring back Item No. 3 at a regular City Council meeting with no objection heard.

The motion was unanimously carried by the following vote:

Ayes: Mayor Davis-Holmes, Mayor Pro Tem Dear, Council Member Hilton, and Council Member Hicks  
Noes: None  
Abstain: None  
Absent: None

Mayor Pro Tem Dear requested the Press Conference be held outside in front of City Hall or in the entrance of City Hall for the public to view the Press Conference.

**RECESS:**

The meeting was recessed at 11:22 A.M. by Mayor Davis-Holmes to the Press Conference.

**RECONVENE:**

The meeting was reconvened at 11:58 A.M. by Mayor Davis-Holmes with all members previously noted present.

Mayor Davis-Holmes entertained more speakers at this time.

City Attorney Soltani stated members of the public emailed earlier today and tried to unmute themselves but cannot and want to make sure there is no first amendment issue that people are trying to talk and they cannot unmute themselves. She asked Information Technology (IT) Manager Kevin Kennedy to make sure he is allowing people to unmute themselves.

IT Manager Kennedy asked callers to unmute themselves and noted callers are allowed to unmute themselves.

City Attorney Soltani stated she would like to make sure there is record that there is no technical difficulty and that they have the ability to unmute themselves.

Josephine, Carson resident, called in

Asked what is the contingency plan after three weeks of the incident; does the city have an emergency plan for the residents to evacuate the area longer than October 28<sup>th</sup>; can the city allocate more money for the matter; why is the City asking the Governor to allocate more funds and does it cover evacuation of the affected residents; does it cover rehabilitation of the Dominguez Channel which involves cleaning up since remediation is the only plan; since the city has a long history of contaminations of soil due to illegal dumping of chemicals from surrounding industries - some examples are the Carousel cleanup and the recent outlet mall built halted due to contaminated soil, will the State of Emergency address the existence of the contaminants in the Dominguez Channel due to the long history of dumping in the channel leading back to 1970 dumping of chemicals; how much more time for the people of Carson has to have suffered smelling this toxic odor for the city officials to act decisively?

Mayor Davis-Holmes asked the City Manager to make note of speaker Josephine's questions and to contact her for answers.

City Manager Landers asked IT Manager Kennedy to provide her contact number. He responded in the affirmative.



Mayor Davis-Holmes requested the City Manager to provide a copy of the responses. She responded in the affirmative.

Council Member Hilton stated he received emails from employees to make sure they are able to telecommute during this tough time because some of them are exposed to headaches especially those with underlying health conditions.

Mayor Davis-Holmes referred the employee telecommute request to the Human Resources Director and City Manager to come up with a recommendation/process for employees. Also, the City needs to have a Town Hall meeting because the incident has been going on for 21 days. She asked the City Manager to schedule a Town Hall meeting similar to the Los Angeles County Supervisor with all the key players with a question and answer session for the residents.

Council Member Hicks stated he was not notified of a Press Conference, therefore, was unable to attend.

**Item No. 3. SUBSEQUENT NEED ITEM TO CONSIDER AUTHORIZING ISSUANCE OF ADDITIONAL CITY CREDIT CARDS AND INCREASING THE CREDIT LIMIT TO \$80,000 PER CREDIT CARD FOR USE DURING EMERGENCIES**

Item No. 3 was heard after Item No. 1.

City Manager Landers requested to add a subsequent item addressing the recommendation of allowing staff to go beyond the limited number of credit cards allowed in the city to have some additional credit cards for emergencies with higher dollar limits.

Recommendation: Consider authorizing the issuance of additional City credit cards and to increase the credit limit to \$80,000 per credit card for use during emergencies

ACTION: It was moved to add a subsequent need item as the City Manager described on motion of Davis-Holmes, seconded by Hilton and carried by the following vote:

Ayes: Mayor Davis-Holmes, Council Member Hilton, and Council Member Hicks  
Noes: Mayor Pro Tem Dear  
Abstain: None  
Absent: None

During discussion and before vote of Item No. 2., City Attorney Soltani noted the subsequent need item requires four affirmative votes pursuant to Government Code Section 54954.2(b) to add a subsequent need item, therefore, the item did not pass since Mayor Pro Tem Dear voted No.

Mayor Davis-Holmes directed staff to bring back the item at the next regular meeting with no objection heard.

**ORAL COMMUNICATIONS (COUNCIL MEMBERS) – None.**

**ADJOURNMENT**

The meeting was adjourned at 12:05 P.M. by Mayor Davis-Holmes.

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Lula Davis-Holmes  
Mayor

ATTEST:

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Joy Simarago  
Deputy City Clerk