



CITY OF CARSON

MINUTES CARSON CITY COUNCIL SPECIAL MEETING DECEMBER 13, 2018

1:00 P.M.

CALL TO ORDER:

The meeting was called to order at 1:04 P.M. by Mayor Robles in the Helen Kawagoe Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL:

Deputy City Clerk Joy Simarago called the roll:

Council Members:

Mayor Albert Robles, Mayor Pro Tem Jawane Hilton, and Council Member Elito Santarina.

Council Members/Agency Members/Authority Board Members Absent:

Council Member Lula Davis-Holmes and Council Member Cedric Hicks

Also Present:

Kenneth C. Farfsing, City Manager; Sunny Soltani, City Attorney; John Raymond, Assistant City Manager; David Roberts, Assistant City Manager; Idris Al-Oboudi, Director of Community Services; Saied Naaseh, Director of Community Development; Faye Moseley, Director of Human Resources and Risk Management.

Item No. 1. 2018-542 PRESENTATION OF THE PLAQUE FOR CARSON'S 50TH ANNIVERSARY TIME CAPSULE

Mayor Robles provided a brief description about the 50th Annual Time Capsule and previewed the mock-up of its plaque.

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

William Koons, Carson Resident - Item No. 3 and Item No. 5
Opposed Item No. 3

Opposed Item No. 5

Questioned the tardiness of the November 6, 2018 Election Certification.

Janice Schaefer, Carson Resident - Item No.11

Opposed Item No. 11

Questioned the tardiness of the November 6, 2018 Election Certification.

Bradley Hertz, Esq., Sutton Law Firm

Announced the City is in risk of liability notice regarding tardiness of Election Certification and Council Member-Elect Dear being unable to begin his term of office.

Jim Dear, Council Member-Elect

Stated he looks forward to working with the present City Council Members, and the November 6 election being certified.

APPROVAL OF MINUTES: (None)

CONSENT: (Item 2)

Item No. 2. 2018-949 APPROVE A CONTRACT AMENDMENT FOR THE COMPLETION OF THE COMMUNITY SURVEY (CITY COUNCIL)

Recommendation: AUTHORIZE the Mayor to execute the contract after approval as to form by the City Attorney.

ACTION: It was moved to approve Consent Item No. 2 on motion of Robles, seconded by Hilton and unanimously carried by the following vote:

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

DISCUSSION: (Items 3-11)

Item No. 3. 2018-951 DESIGNATION OF ACTING CITY MANAGER PURSUANT TO CARSON MUNICIPAL CODE 2103

City Manager Farfsing recommended appointment of Saied Naaseh as acting City Manager and he noted his last day is Thursday, December 20, 2018. He provided a brief staff report.

Recommendation: 1) Council to designate Mr. Saied Naaseh as Acting City Manager under CMC Section 2103.
2) Review the draft contract and provide comments to staff to be brought back at the Council Meeting of January 8, 2019.

ACTION: It was moved to designate Mr. Saied Naaseh as Acting City Manager on motion of Santarina, seconded by Robles and unanimously carried by the following vote:

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

Item No. 4. 2018-950 CONSIDER APPOINTMENTS TO THE CITY'S COMMISSIONS, COMMITTEES AND BOARDS BY MAYOR AND CITY COUNCIL (CITY COUNCIL)

Item No. 4 was heard after Item No. 11.

Mayor Robles noted he previously appointed Paloma Zuniga to the Cultural Arts Commission and Planning Commission and clarified the appointment is to the Planning Commission and not the Cultural Arts Commission.

Deputy City Clerk Simarago requested clarification of his appointment of Maria Hernandez to the Beautification Commission and confirmed his appointment of Maria Martinez who was previously on the commission.

Mayor Robles announced that all new appointees must submit an updated application by January 31, 2019 or position will be deemed vacated.

Recommendation: TAKE the following actions:
1. CONSIDER and APPOINT, REAPPOINT or REMOVE members to the Commission, Committees and Boards;
2. DIRECT the City Clerk to notify all affected appointments, reappointments or removed members of this action; and
3. IF APPLICABLE, DIRECT the City Clerk to post and publish in accordance with the Maddy Act.
Or:
1. TAKE another action the City Council deems appropriate.

ACTION: Mayor Robles appointed the following individuals:

Citywide Advisory Commission
Kristin Eaves

Parks and Recreation Commission
Rick Ramirez, Alternate No. 3

Public Relations Commission
Regina Ramirez, Alternate No. 2
Frederick Docdocil, Alternate No. 3

Veterans Affairs Commission
Vincent Jimenez, Alternate No. 2

Mobilehome Park Rental Review Board
Wilma Hilston, At-large Alternate No. 2

It was moved to ratify the Mayor's appointments on motion of Robles, seconded by Santarina and unanimously carried by the following vote:

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

Mayor Robles directed the Deputy City Clerk to send notice to all appointees to complete a new application by January 31, 2019.

Item No. 5. 2018-952 RECONSIDERATION REQUESTED BY COUNCILMEMBER DAVIS-HOLMES OF ORDINANCE NO. 18-1825: AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ADOPTING A TEXT AMENDMENT TO THE ZONING ORDINANCE, AMENDING SECTION 9141.1 (USES PERMITTED) OF PART 4 (INDUSTRIAL ZONES), OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE REGARDING COMMERCIAL CANNABIS

Item No. 5 was heard after Item No. 3.

Recommendation: RECONSIDER and PROVIDE direction.

ACTION: It was moved to uphold the second reading of Ordinance No. 18-1825 on motion of Santarina, seconded by Robles and unanimously carried by the following vote:

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

Item No. 6. 2018-953 RECONSIDERATION REQUESTED BY COUNCILMEMBER DAVIS-HOLMES OF ORDINANCE NO. 18-1826: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 17-2018 BY AND BETWEEN THE CITY OF CARSON AND FOCAL STRATEGIC INVESTMENTS, LLC, FOR A PROPOSED COMMERCIAL CANNABIS OPERATION CENTER LOCATED AT 17505 S. MAIN STREET IN THE CITY OF CARSON (APN 7339003900)

Recommendation: RECONSIDER and PROVIDE direction.

ACTION: It was moved to uphold the second reading of Ordinance No. 18-1826 on motion of Robles, seconded by Santarina and unanimously carried by the following vote:

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

Item No. 7. 2018-956 RECONSIDERATION REQUESTED BY COUNCILMEMBER DAVIS-HOLMES OF ORDINANCE NO. 18-1823: AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ADOPTING A TEXT AMENDMENT TO THE ZONING ORDINANCE, AMENDING SECTION 9131.1 (USES PERMITTED) OF PART 3 (COMMERCIAL ZONES) OF CHAPTER 1 (ZONING) OF ARTICLE IX (PLANNING AND ZONING) OF THE CARSON MUNICIPAL CODE REGARDING COMMERCIAL CANNABIS

Recommendation: RECONSIDER and PROVIDE direction.

ACTION: It was moved to uphold the second reading of Ordinance No. 18-1823 on motion of Robles, seconded by Santarina and unanimously carried by the following vote:

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

Item No. 8. 2018-957 RECONSIDERATION REQUESTED BY COUNCILMEMBER DAVIS-HOLMES OF ORDINANCE NO. 18-1824: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 18-2018 BY AND BETWEEN THE CITY OF CARSON AND CALIFORNIA PROCESSING COMPANY, LLC, FOR A PROPOSED COMMERCIAL CANNABIS OPERATION CENTER LOCATED AT 2403 E. 223RD STREET (APN:7315012900, 7315012804)

Recommendation: RECONSIDER and PROVIDE direction.

ACTION: It was moved to uphold the second reading of Ordinance No. 18-1824 on motion of Robles, seconded by Santarina and unanimously carried by the following vote:

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

Item No. 9. 2018-954 RECONSIDERATION REQUESTED BY COUNCILMEMBER DAVIS-HOLMES OF THE STATUS AND TITLE CHANGES TO THE POSITIONS FIELD DEPUTY AND SENIOR FIELD DEPUTY TO COMMUNITY LIAISON REPRESENTATIVE AND SENIOR COMMUNITY LIAISON REPRESENTATIVE AND ASSIGNING NEW CLASSIFICATIONS INTO THE CONFIDENTIAL EMPLOYEE BARGAINING UNIT

Recommendation: RECONSIDER and DISCUSS.

ACTION: It was moved to uphold the prior adoption of the resolution to re-designate the positions as indicated to become Community Liaison Representative and Senior Community Liaison Representative on motion of Robles and seconded by Hilton.

During discussion of the motion, Director Moseley confirmed receipt of Council Member Santarina's note and would move forward to follow the process required to create the position and bring back to Council.

The motion was unanimously carried by the following vote:

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

Item No. 10. 2018-934 FIRST READING OF ORDINANCE NO. 18-1831, ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 5200 OF THE CARSON MUNICIPAL CODE IN ORDER TO ADOPT, RESTATE AND REAFFIRM STATE LAW PROHIBITIONS UPON THE AUTHORITY OF SOLID WASTE ENTERPRISES FROM EXPANDING OR SOLICITING NEW BUSINESS DURING ANY CONTINUATION OF SERVICES DURING ANY TIME PERIODS SET FORTH IN CALIFORNIA PUBLIC RESOURCES CODE SECTION 49520; RESTATE AND REAFFIRM THE APPLICATION OF STATE DIVERSION MANDATES TO EACH AND EVERY SOLID WASTE HAULER

City Attorney Soltani provided a brief staff report.

Recommendation: TAKE the following actions:

- 1) INTRODUCE Ordinance 18-1831: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 5200 OF THE CARSON MUNICIPAL CODE IN ORDER TO ADOPT, RESTATE AND REAFFIRM STATE LAW PROHIBITIONS UPON THE AUTHORITY OF SOLID WASTE ENTERPRISES FROM EXPANDING OR SOLICITING NEW BUSINESS DURING ANY CONTINUATION OF SERVICES

DURING ANY TIME PERIODS SET FORTH IN CALIFORNIA
PUBLIC RESOURCES CODE SECTION 49520; RESTATE AND
REAFFIRM THE APPLICATION OF STATE DIVERSION
MANDATES TO EACH AND EVERY SOLID WASTE HAULER”

ACTION: It was moved to waive further reading and introduce Ordinance No. 18-1831 on motion of Hilton, seconded by Robles and unanimously carried by the following vote:

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

Item No. 11. 2018-958 INTRODUCTION OF ORDINANCE NO. 18-1832 AMENDING SECTION 2404 (PRESENTING MATTERS TO COUNCIL - AGENDAS) OF CHAPTER 4 (CITY OFFICES - COUNCIL CHAMBERS - MEETINGS) OF THE CARSON MUNICIPAL CODE REGARDING THE MANNER OF PREPARING AGENDAS AND PRESENTING MATTERS TO COUNCIL

Recommendation: INTRODUCE for first reading, by title only, Ordinance No.18-1832, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 240 (PRESENTING MATTERS TO COUNCIL - AGENDAS) OF CHAPTER 4 (CITY OFFICES – COUNCIL CHAMBERS - MEETINGS) OF THE CARSON MUNICIPAL CODE REGARDING THE MANNER OF PREPARING AGENDAS AND PRESENTING MATTERS TO COUNCIL

ACTION: It was moved to waive further reading and introduce Ordinance No. 18-1832 on motion of Robles, seconded by Hilton and unanimously carried by the following vote:

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

ADJOURNMENT

The meeting was adjourned at 1:45 P.M. by Mayor Robles.

Mayor Albert Robles

ATTEST:

City Clerk Donesia Gause-Aldana