



CITY OF CARSON
MINUTES
CARSON CITY COUNCIL
SPECIAL MEETING
JANUARY 28, 2019

10:00 A.M.

CALL TO ORDER:

The meeting was called to order at 10:11 A.M. by Mayor Albert Robles in the Helen Kawagoe Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL:

City Clerk Gause-Aldana called the roll:

Council Members/Agency Members/Authority Board Members Present:

Mayor Albert Robles, Mayor Pro Tem Cedric Hicks, Council Member Jim Dear, and Council Member Lula Davis-Holmes.

Council Members/Agency Members/Authority Board Members Absent:

Council Member Jawane Hilton

Other Elected Officials Present:

Donesia Gause-Aldana, City Clerk and Monica Cooper, City Treasurer

Also Present:

John Raymond, Acting City Manager, Sunny Soltani, City/Agency/Authority Attorney; David Roberts, Assistant City Manager; Maria Williams-Slaughter, Director of Public Works; Saied Naaseh, Director of Community Development, Idris Al-Oboudi, Director of Community Services; Faye Moseley, Director of Human Resources and Risk Management

CLOSED SESSION (5:00 P.M. - 6:00 P.M.) (Items 1-9)

ORAL COMMUNICATIONS – CLOSED SESSION ITEM ONLY - None

Mayor Robles implored with the City Council to consider delaying Closed Session Items.

None of the City Council Members present responded to Mayor Robles request.

Council Member Dear stated he should've been sworn in at the December 4, 2018 meeting. He also stated having the Closed Session Item discussion regarding recruiting a new City Manager

will assist him in gaining knowledge about the process.

Mayor Robles stated Council Member Dear can meet with Human Resources Director Moseley to gain that knowledge.

ANNOUNCEMENT OF CLOSED SESSION ITEMS

City Attorney Soltani announced the Closed Session items.

RECESS INTO CLOSED SESSION UNTIL 6:00 P.M.

The meeting was recessed at 10:19 A.M. by Mayor Robles to Closed Session.

RECONVENE TO OPEN SESSION

The meeting was reconvened at 11:31 A.M. by Mayor Robles

REPORT ON CLOSED SESSION ACTIONS

City Attorney Soltani provided the Closed Session report as follows:

Item No. 1. 2019-089	EMPLOYMENT COUNCIL	PERFORMANCE	EVALUATION	(CITY
Recommendation:		A closed session will be held, pursuant to Government Code Section 54957, to conduct an employee evaluation for the position of City Manager.		
ACTION:		No reportable action was taken.		
Item No. 2. 2019-090	CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (CITY COUNCIL)			
Recommendation:		A closed session will be held, pursuant to Government Code Section 54956.9 (d)(2) or (d)(3) & (e)(1) because there is a significant exposure to litigation in 2 cases.		
ACTION:		No reportable action was taken in both cases.		

Mayor Robles noted that Council Member Hilton was not properly served regarding the three Special Meetings held. He stated this meeting is a violation of the Brown Act. He then cited sections 313 and 602 of the City Charter. Mayor Robles then stated the meeting should not continue because of multiple City Charter violations.

City Attorney Soltani stated Item No. 7 and Item No. 10 both have ordinances and these items will be on the February 5, 2019 Agenda.

A lengthy discussion ensued about the items on the agenda between Mayor Robles and City Attorney Soltani.

DISCUSSION: (Items 3-12)

Item No. 3. 2019-082 DISCUSSION ON COMMENCEMENT OF A PROCESS TO TERMINATE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CARSON AND FOCAL STRATEGIC INVESTMENTS, LLC FOR A 0.66-ACRE PROPERTY LOCATED AT 17505 S. MAIN STREET

Recommendation: INSTRUCT staff to bring back further discussion, and potential public hearing, for the termination of the Focal DA, as consistent with the Development Agreement Statutes (Gov. Code ~~265864~~ et seq.) and terms of the Focal DA.

It was moved to continue Item No.3 on motion of Dear, seconded by Hicks and unanimously carried by the following vote:

Ayes: Mayor Robles, Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes: None

Abstain: None

Absent: Council Member Hilton

Item No. 4. 2019-083 DISCUSSION ON COMMENCEMENT OF A PROCESS TO TERMINATE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CARSON AND CALIFORNIA PROCESSING COMPANY, LLC FOR 3.7-ACRE PROPERTY LOCATED AT 2403 E. 223RD STREET

Recommendation: INSTRUCT staff to bring back further discussion, and potential public hearing, for the termination of the California Processing Company, LLC Development Agreement, as consistent with the Development Agreement Statutes (Gov. Code ~~265864~~ et seq.) and terms of the California Processing Company, LLC Development Agreement.

It was moved to continue Item No.4 on motion of Dear, seconded by Hicks and unanimously carried by the following vote:

Ayes: Mayor Robles, Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes: None

Abstain: None

Absent: Council Member Hilton

Item No. 5. 2019-084 REVIEW AND FILE THE CITY-WIDE DEPARTMENT ORGANIZATIONAL CHARTS

City Treasurer Cooper noted for the record that the Chief Deputy position has been filled and she is now recruiting to fill the Accountant II position.

Human Resources Director Moseley noted the organizational charts are not updated.

AFSCME Local 809 President Ana Meni spoke on Item No. 5. The organizational charts submitted to Council should not have had employee names listed to avoid any favoritism or retaliation issues. She also clarified the differences between an SMP and a CPP. She noted a meet and confer is required regarding Item No. 6. She also requested clarification on Item No.10.

Human Resources Director Moseley noted that the organizational charts can include names and she will contact AFSCME Local 809 President Ana Meni to meet and confer when necessary.

Carson Resident William Koons inquired about the information being provided on the Closed Session Items because he believes it is evasive. He also requested information on which Government Code is being cited. He noted the flyer circulated regarding the City Charter did not list the pros and cons.

Carson Resident Tommie Williams supports the Cannabis Initiative and states the positive connections to a natural remedy for pain.

Carson Resident Dianne Thomas thanked the new majority for bringing these items back up. Stated she supports medical marijuana but the City doesn't want marijuana manufactured or warehoused in Carson.

Carson Resident Robert Leslie noted the consensus at a series of townhall meetings held rejected the Cannabis Initiative. He is concerned about the negative impacts related to allowing the use of cannabis. He stated that no studies or CEQA process was done. He also noted Prop 64 and Prop 215 information.

Citywide Advisory Committee Commissioner Lori Carter Muhammad inquired about the fiscal ramifications if the City is sued by Focal Strategic Investments, LLC and California Processing Company, LLC in the event the Development Agreements are terminated. She also inquired if the applicants were informed about the meeting. She also opposes Item No. 11.

City Attorney Soltani confirmed that the applicants were informed.

Human Resources Director Moseley gave a brief staff report.

Council Member Davis-Holmes requested to work with Mayor Robles to create an Adhoc committee to review and develop an updated organizational chart.

Mayor Robles denied Council Member Davis-Holmes request because of the City Charter.

Council Member Davis-Holmes requested to eliminate the City Manager Assistant position and to start the meet and confer process with AFSCME 1017 to change the Community Liaison Representative and Senior Community Liaison positions to Field Representative and Senior Field Representative.

Council Member Dear inquired about the part-time position and whether or not it is represented and if it should be part of the meet and confer process.

Council Member Davis-Holmes inquired about the number of part-time positions in the Field Deputy Office. Staff responded that there is one part-time employee.

Recommendation: REVIEW AND FILE the department organizational charts.

It was moved to direct staff to meet and confer with AFSCME Local 1017 to eliminate one position and retitle two on motion of Davis-Holmes, seconded by Hicks and unanimously carried by the following vote:

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

Item No. 6. 2019-085 CONSIDERATION OF ALL ADOPTED COUNCIL POLICIES

A discussion ensued between Council Member Davis-Holmes, Assistant City Manager Raymond and Attorney Soltani regarding bringing back the SMP to allow any Council Member to mail up to 199 correspondences with their individual photo included.

City Attorney Soltani directed Council Member Davis-Holmes to place an ordinance on the February 5, 2019 agenda regarding Item 18-101.

Assistant City Manager Raymond stated that there are 365 SMP's.

Mayor Pro Tem Hicks states that there are several SMP's that need to be addressed.

Recommendation: CONSIDER and PROVIDE direction.

ACTION: Item was continued.

Item No. 7. 2019-086 INTRODUCTION OF ORDINANCE NO. 19-1903 AMENDING SECTION 2404 (PRESENTING MATTERS TO COUNCIL - AGENDAS) OF CHAPTER 4 (CITY OFFICERS - COUNCIL CHAMBERS - MEETINGS) OF THE CARSON MUNICIPAL CODE REGARDING THE MANNER OF PREPARING AGENDAS AND PRESENTING MATTERS TO COUNCIL

Recommendation: Discuss and then consider for INTRODUCTION for first reading by title only and with further reading waived, Ordinance No. 19-1903, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTION 2404 (PRESENTING MATTERS TO COUNCIL - AGENDAS) OF CHAPTER 4 (CITY OFFICES - COUNCIL

CHAMBERS - MEETINGS) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE REGARDING THE MANNER OF PREPARING AGENDAS AND PRESENTING MATTERS TO COUNCIL"

ACTION: Item was strikened from Agenda.

Item No. 8. 2019-087 CONSIDERATION OF THE CITY'S COMMISSIONS, COMMITTEES AND BOARDS (CITY COUNCIL)

Recommendation: 1. TAKE action that the City Council deems appropriate.

ACTION: Item was continued.

Item No. 9. 2019-088 A FULL REPORT ON REVENUES RECEIVED BY THE CITY CLERK'S OFFICE

City Clerk Gause-Aldana gave a brief report.

Mayor Pro Tem Hicks inquired about the information that was presented.

Human Resources Director Moseley responded to Mayor Pro Tem Hicks inquiry.

City Clerk Gause-Aldana responded to Mayor Pro Tem Hicks inquiry.

Human Resources Director Moseley requested clarity from Council on staff requests.

Council Member Davis-Holmes inquired about the cost of the two Senior Clerk positions in the City Clerk's Office.

Assistant City Manager Raymond clarified the cost of the two Senior Clerk positions. He also noted with the extended hours and the growing need for service makes it a reasonable expectation that the passport service acceptance fees will cover the two Senior Clerk fully loaded annual salaries.

A discussion ensued regarding California State University Dominguez Hills (CSUDH) passport services.

Council Member Davis-Holmes requested the fiscal and calendar year costs of the two fully loaded Senior Clerk positions and the number of clerical vacancies citywide.

Council Member Dear clarified his recollection of the history of the passport services at City Hall and stated he is interested in knowing the staff cost for fiscal year and whether or not the passport services pays for itself.

Recommendation: TAKE the following actions:
1. RECEIVE AND FILE

It was moved to direct staff to provide additional information requested for the February 5, 2019 Meeting on motion of Davis-Holmes, seconded by Hicks and unanimously carried by the following vote:

Ayes: Mayor Robles, Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes: None

Abstain: None

Absent: Council Member Hilton

ACTION: Council requested additional information for the February 5, 2019 Meeting.

Item No. 10. 2019-091 CONSIDER INTRODUCTION OF ORDINANCES NO. 19-1905, 19-1906, 19-1907, 19-1908, 19-1909, 19-1910, 19-1911, 19-1912, 19-1913, 19-1914, 19-1915, 19-1916 TO REDUCE THE MEMBERSHIP OF TWELVE (12) CITY BOARDS, COMMISSIONS AND COMMITTEES DOWN TO FIVE (5) MEMBERS ONLY AND ELIMINATING ALTERNATES; INTRODUCTION OF ORDINANCE NO. 19-1917 TO REDUCE THE MEMBERSHIP OF THE ECONOMIC DEVELOPMENT COMMISSION DOWN TO SEVEN (7) MEMBERS ONLY AND ELIMINATING ALTERNATES; AND, INTRODUCTION OF ORDINANCE NO. 19-1918 TO ELIMINATE ALTERNATES FROM THE WOMEN'S ISSUES COMMISSION; AND, CONSIDER RESOLUTION NO. 19-026, 19-027, AND 19-028 TO REDUCE THE MEMBERSHIP OF THE CARSON HISTORICAL COMMITTEE, THE MEASURE "C" BUDGET OVERSIGHT COMMITTEE, AND THE COMMUNITY CIVIC ENGAGEMENT BOARD DOWN TO FIVE (5) MEMBERS ONLY AND ELIMINATING ALTERNATES; AND RESOLUTION NO. 19-029 REDUCING THE MEMBERSHIP OF THE GENERAL PLAN ADVISORY COMMITTEE TO SEVEN (7) MEMBERS AND NO ALTERNATE MEMBERS

Recommendation:

1. WAIVE further reading and INTRODUCE:
(A)ORDINANCE NO. 19-1905, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27108.2 TO REDUCE THE MEMBERSHIP OF THE BEAUTIFICATION COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"
(B)ORDINANCE NO. 19-1906, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27109.2 TO REDUCE THE MEMBERSHIP OF THE BULLYING PREVENTION COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(C)ORDINANCE NO. 19-1907, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27101.2 TO REDUCE THE MEMBERSHIP OF THE CITYWIDE ADVISORY COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(D)ORDINANCE NO. 19-1908, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 2796.2 TO REDUCE THE MEMBERSHIP OF THE CULTURAL ARTS COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(E)ORDINANCE NO. 19-1909, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 2751 TO REDUCE THE MEMBERSHIP OF THE ENVIRONMENTAL COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(F)ORDINANCE NO. 19-1910, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 2762 TO REDUCE THE MEMBERSHIP OF THE HUMAN RELATIONS COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(G)ORDINANCE NO. 19-1911, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 2736 TO REDUCE THE MEMBERSHIP OF THE PARKS AND RECREATION COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(H)ORDINANCE NO. 19-1912, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 2701 TO REDUCE THE MEMBERSHIP OF THE PLANNING COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(I)ORDINANCE NO. 19-1913, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27103.2 TO REDUCE THE MEMBERSHIP OF THE PUBLIC SAFETY COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(J)ORDINANCE NO. 19-1914, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 2798.2 TO REDUCE THE MEMBERSHIP OF THE PUBLIC WORKS COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(K)ORDINANCE NO. 19-1915, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 21001 TO REDUCE THE MEMBERSHIP OF THE RELOCATION APPEALS BOARD TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(L)ORDINANCE NO. 19-1916, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27107.2 TO REDUCE THE MEMBERSHIP OF THE TECHNOLOGY ADVANCEMENT AND INNOVATION COMMISSION TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(M)ORDINANCE NO. 19-1917, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27104.2 TO REDUCE THE MEMBERSHIP OF THE ECONOMIC DEVELOPMENT COMMISSION TO SEVEN MEMBERS AND NO ALTERNATE MEMBERS"

(N)ORDINANCE NO. 19-1918, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING CARSON MUNICIPAL CODE SECTION 27106.2 TO ELIMINATE ALTERNATE MEMBERS FROM THE WOMEN'S ISSUES COMMISSION"

2. WAIVE further reading and ADOPT:

(O)RESOLUTION NO. 19-026, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 13-066 TO REDUCE THE MEMBERSHIP OF THE CARSON HISTORICAL COMMITTEE TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(P)RESOLUTION NO. 19-027, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 13-067 TO REDUCE THE MEMBERSHIP OF THE MEASURE C BUDGET OVERSIGHT COMMITTEE TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(Q)RESOLUTION NO. 19-028, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING RESOLUTION NO. 11-070 TO REDUCE THE MEMBERSHIP OF THE COMMUNITY CIVIC ENGAGEMENT BOARD TO FIVE MEMBERS AND NO ALTERNATE MEMBERS"

(R)RESOLUTION NO. 19-029, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, REDUCING THE MEMBERSHIP OF THE GENERAL PLAN ADVISORY COMMITTEE TO SEVEN MEMBERS AND NO ALTERNATE MEMBERS"

ACTION: Item was strikened from Agenda.

Item No. 11. 2019-097 CONSIDER PROVIDING DIRECTION ON ACCEPTING NEW CANNABIS APPLICATIONS (CITY COUNCIL)

Community Development Director Saied Naaseh gave a brief report.

Council Member Davis-Holmes requested that no more cannabis applications be accepted.

Mayor Robles stated that Council Member Davis-Holmes request can not be granted because of the City Charter verbiage regarding ordinances.

City Attorney Soltani clarified that the ordinance is not being deliberated or modified so therefore Council Member Davis-Holmes request can be granted.

A discussion ensued between Mayor Robles, City Attorney Soltani and Council Member Davis-Holmes regarding this item.

Recommendation: CONSIDER providing direction on accepting new cannabis applications.

It was moved to direct staff to stop accepting applications on motion of Davis-Holmes, seconded by Dear and unanimously carried by the following vote:

Ayes: Mayor Robles, Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes: None

Abstain: None

Absent: Council Member Hilton

Item No. 12. 2019-099 CONSIDER COUNCIL POLICY & PROCEDURE NO. 1.02.03, SEATING ARRANGEMENT ON THE DAIS

A lengthy discussion ensued regarding the dais seating arrangements by minute order.

Mayor Robles directed City Clerk Gause-Aldana to gather information related to seating on the dais.

Council Member Dear suggested the dais be assigned seat numbers: Seat No. 1: Council Member Davis-Holmes, Seat No. 2, Council Member Dear, Seat No. 3 Mayor Robles, Seat No. 4 Mayor Pro Tem Hicks and Seat No. 5 Council Member Hilton.

City Attorney Soltani opined on Council Member Dear direction to amend the current SMP by minute order.

Recommendation: CONSIDER and PROVIDE direction

It was moved to assign dais seating on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

Ayes: Mayor Robles, Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes: None

Abstain: None

Absent: Council Member Hilton

COUNCIL MEMBER REQUESTS TO ADD ITEMS TO FUTURE AGENDAS

Council Member Dear asked that his name be removed in an ordinance given to new employees in their new hire packets.

Council Member Davis-Holmes requested the cost of the Charter information be provided at the February 19, 2019 meeting; that all Committee, Commission and Board Chair and Vice Chairs be appointed by City Council; the cost of the Carson Cultural Arts Foundation; bring back the list of special events that former Council Member Santarina lead be provided at the February 19, 2019 meeting; and to reconsider the SMP regarding floral arrangements be provided at the February 19, 2019 meeting.

Mayor Robles requested that Item No's. 3, 4, 5, 9, both motions under 12 and 13 all be brought back for reconsideration at the February 5, 2019 meeting.

ORAL COMMUNICATIONS (COUNCIL MEMBERS)

ADJOURNMENT

The meeting was adjourned at 2:19 P.M. by Mayor Robles.

Mayor Albert Robles

ATTEST:

City Clerk Donesia Gause-Aldana