
6. CONTINUED PUBLIC HEARING

A) Proposed Recommendation to City Council Amending Carson Municipal Code Chapter 9, Residential Property Report

Applicant's Request:

The applicant, city of Carson, Planning Division, is requesting to consider adoption of Planning Commission Resolution No. 19-2670, recommending that the City Council adopt Ordinance 19-1935 that amends the Carson Municipal Code, Article V (Sanitation and Health), Chapter 9 (Residential Property Report) to repeal the Residential Property Report (RPR) requirement for all residential real property sales citywide.

Staff Report:

Planning Manager Betancourt presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 19-2670, recommending that the City Council adopt Ordinance No. 19-1935 that amends the Carson Municipal Code, Article V (Sanitation and Health), Chapter 9 (Residential Property Report) to repeal the Residential Property Report (RPR) requirement for all residential real property sales.

- Option 1:
Do not remove RPR Notices: Notify the South Bay Association of Realtors and local escrow companies that the Program has ended. This option allows real estate professionals to share the information with their respective members and clients.
- Option 2:
Do not remove RPR Notices: Upon request, staff will advise that the Program has ended and offer to provide a confirmation letter.
- Option 3:
Remove RPR Notices: On a case-by-case basis upon the property owner's request, staff would remove the notice at a cost of \$8 per request.

Vice-Chair Cainglet asked how many outstanding RPR's are currently in the process.

Planning Manager Betancourt stated he does not have that information at this time. He noted for Commissioner Madrigal that the seller or buyer would pay the \$8 fee.

Commissioner Valdez expressed his concern that Option No. 1 could be burdensome to staff.

Vice-Chair Cainglet stated he is more in favor of Option No. 3, and suggested that an additional fee be added to cover staff time to facilitate this process.

Commissioner Rahman asked if any studies had been done to address the impacts for each of the 3 options.

Planning Manager Betancourt stated that the only impact addressed was the \$183,176 cost to remove the notices from all residential properties.

Chair Pimentel closed the public hearing.

Planning Commission Decision:

Commissioner Valdez moved, seconded by Commissioner Mitoma, to concur with Option No. 3, "Remove RPR Notices: On a case-by-case basis upon the property owner's request, staff would remove the notice at a cost of \$8 per request." (This motion ultimately passed.)

By way of a substitute motion, Commissioner Madrigal moved, seconded by Commissioner Cainglet, to concur with Option No. 1, "Do not remove RPR Notices: Notify the South Bay Association of Realtors and local escrow companies that the program has ended. This option allows real estate professionals to share the information with their respective members and clients." The substitute motion for Option No. 1 failed as follows:

AYES: Fe'esago, Madrigal, Pimentel, Rashad
NOES: Cainglet, Mitoma, Valdez
ABSENT: Palmer
ABSTAIN: Rahman

The original motion to concur with Option No. 3 passed as follows, thus adopting Resolution No. 19-2670:

AYES: Cainglet, Fe'esago, Mitoma, Rahman, Valdez
NOES: Madrigal, Pimentel, Rashad
ABSENT: Palmer
ABSTAIN: None

(Commissioner Madrigal put forth a substitute motion to support the first option. A second was called for and Vice-Chair Cainglet stated "I second the first one." Following the meeting, Planning Secretary Bothe has confirmed with Vice-Chair Cainglet that his comment "I second the first one" meant he was in support of the third option and not in favor of the substitute motion for the first option; therefore, the substitute motion died for lack of a second. A second on the first motion had already been made prior to his comment.)
