



## **CITY OF CARSON**

### **MINUTES CARSON CITY COUNCIL ADJOURNED SPECIAL MEETING DECEMBER 13, 2021 5:30 P.M.**

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

The meeting was called to order at 5:30 P.M. by Mayor Lula Davis-Holmes 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 noted the roll:

#### **Council Members Present:**

Mayor Lula Davis-Holmes, Mayor Pro Tem Jim Dear, Council Member Jawane Hilton, Council Member Cedric Hicks, and Council Member Arleen Rojas

#### **Also Present:**

Sunny Soltani, City Attorney; David C. Roberts, Jr., Acting City Manager; John Raymond, Assistant City Manager

#### **FLAG SALUTE:**

This item was heard after the Invocation.

Council Member Rojas led the Pledge of Allegiance.

#### **INVOCATION:**

Council Member Hilton gave the invocation.

#### **DISCUSSION: (Item 1)**

#### **Item No. 1. 2021-928 CONSIDERATION FOR A PROCESS FOR OR APPOINTMENT TO THE VACATED OFFICE OF THE CITY CLERK**

Acting City Manager Roberts, Jr. gave a report.

City Attorney Soltani gave a report. As reported by Acting City Manager Roberts, Jr. Myla Rahman was elected to serve through November 2022 for the unexpired term of the former City Clerk's seat. Pursuant to City Charter Section 306, the process for filling the vacancy of the City

Clerk is similar to the process of filling the vacancy for a vacant City Council seat. The options available are as follows:

Option 1 - Appoint a successor to the remainder of the term. If the City Council votes to fill the vacancy by appointment, the appointment must be made within 60 days from the commencement of the vacancy. The vacancy was declared by the City Council on December 9, 2021. Therefore, the City Council has until February 7, 2022 to fill the vacancy by appointment. There is no legal requirement that the City Council use a particular method of appointment. In the past, the City Council has used an application process to fill vacancies. Should the City Council wish to utilize the similar application process, they can instruct staff to use the applications from the past and staff can advertise the vacancy and provide an advertisement for the vacancy and obtain nominations. The City Council can also require additional criteria including completion of a candidate statement or other desired information the City Council may wish to consider. The City Council could appoint a subcommittee of Council Members to review the applications and bring recommendations back. It is within the City Council's discretion to set up a process.

Option 2 - Bypass the process and call for a special election. If you want to call for a special election to elect a successor or if you cannot reach agreement on an appointment by February 7, 2022, then an election shall be called. The City Council can call an election for the next available state election which would be the June 7, 2022 election. However, please note that the June election would be approximately for a five-month term as the office expires in November 2022. If the City Council so inclines to allow this to go to an election, the City Council may consider sending it to a November 2022 election because you would have had an election for that expired term anyways. The fiscal impact would be approximately \$500,000 of additional cost to have a special June election. However, if there is no appointment there is no additional cost and if it is a November election even though there is cost associated with that election that is an election that is scheduled for this Council body and for that City Clerk seat it would be a cost that the city would have to budget for regardless.

Mayor Pro Tem Dear inquired about the \$500,000 cost and why the cost doubled.

Acting City Manager Roberts, Jr. responded to his inquiry.

Council Member Hicks stated he would hope not to go through the cost of having another election.

Recommendation:                   DISCUSS and PROVIDE direction for filling the City Clerk vacancy.

ACTION:       It was moved to consider Monette Maria Gavino to be chosen as the incoming City Clerk to take the spot of Myla Rahman on motion of Rojas, seconded by Dear.

Council Member Hilton offered a substitute motion to appoint Dr. Khaleah K. Bradshaw, Director of Local Government and Community Relations at California State University Dominguez Hills (CSUDH), to fill the City Clerk vacancy, seconded by Hicks.

During discussion of the motion, Mayor Pro Tem Dear asked if Dr. Bradshaw will quit her job at CSUDH.

Council Member Hilton stated he received many calls asking to be the next City Clerk and that Dr. Bradshaw will put things in perspective.

The substitute motion was carried by the following vote:

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

Mayor Davis-Holmes directed staff to contact Dr. Khaleah Bradshaw and make arrangements for her to be sworn in tonight if she is available and to inform her that the City Council has voted to appoint her to the City Clerk position expiring November 2022.

**Item No. 2. SUBSEQUENT NEED ITEM TO SEND LETTER OPPOSING THE ASSEMBLY DISTRICT MAPPING**

After the invocation, Acting City Manager Roberts, Jr. requested to add a Subsequent Need Item regarding the Assembly District. There is a 10-day requirement that the letter be sent and looking for collaboration with the City Attorney's Office along with staff to ensure that we have a comprehensive letter that could be sent on time on behalf of the City Council.

Mayor Davis-Holmes noted the Subsequent Need Item is the City of Carson has been divided. The Assembly District has been divided into two Districts 65 and 69 with a south portion being a part of Long Beach. Therefore, adding Subsequent Need Item as Item No. 2 with no objection heard.

Item No. 2 was heard after Item No. 1.

Mayor Davis-Holmes asked for a report.

Acting City Manager Roberts, Jr. noted there was a request for a subsequent need item due to the request to have a letter opposing the Assembly District mapping and want to ensure that there is a comprehensive letter that can be submitted on behalf of the city in collaboration with the City Attorney's Office ensuring that the letter is comprehensive and stating the opposition of the City Council to the possibility of the redistricting.

City Attorney Soltani noted Acting City Manager Roberts, Jr. gave her a draft of a letter he prepared and felt there is legal precedent that needs to be discussed about how it is against the law to divide communities. She suggested to add this item as a Subsequent Need Item for the following reasons: 1) The letter is from the entirety of the City Council who has to approve it and authorize it and 2) Would give time to put the legal support for the city's position. If Council could vote to authorize staff and the City Attorney's Office to draft a letter in opposition of the proposed State Assembly District map that would split the City of Carson. She stated is happy to draft the letter and circulate to the Council Members for their review and sent within the 10-day timeframe.

Mayor Pro Tem Dear requested to see the map and the City Attorney mentioned illegal to divide communities but they are divided by the State Redistricting Commission is common.

City Attorney Soltani stated there are case laws that set parameters as to how that can be done effectively. There is an analysis that can be discussed that is missing from the current draft that she meant to say.

Recommendation: DISCUSS and AUTHORIZE staff to send letter opposing the assembly district mapping.

ACTION: Discussion was held as follows:

Mayor and City Council authorized staff and the City Attorney's Office to draft a letter in opposition of the proposed State Assembly District map within the 10-day timeframe with no objection heard.

Mayor Davis-Holmes asked if maps of Assembly District 65 and Assembly District 69 are available.

Acting City Manager Roberts, Jr. responded the City Attorney has the maps and will provide copies to the Mayor and City Council.

Mayor Davis-Holmes stated staff can also email the link of the maps she received and there is a questionnaire that residents can complete to state their concerns.

Council Member Hicks asked for the deadline date for submittal of letter.

Acting City Manager Roberts, Jr. responded the 10 days comes from the date of the notice received by email today which was dated yesterday, therefore, by December 23<sup>rd</sup> to respond. He noted the City Attorney will draft the letter for the Mayor and City Council's review.

Council Member Hilton stated to make sure the City Attorney is firm in saying to keep Carson together in one district.

Mayor Davis-Holmes stated community has similar characteristics and to make sure stay in new Assembly District 65.

Council Member Hilton inquired about the delegates who are a part of the County Central Committee if they shift over.

Mayor Pro Tem Dear asked where Assembly District 64 is located in the proposed new maps.

Mayor Davis-Holmes responded Assembly District 64 becomes Assembly District 65, just changing the number.

Acting City Manager Roberts, Jr. provided a copy of the map to the Mayor, City Council, and staff.

Mayor Dear directed Acting City Manager Roberts, Jr. to send link and inform the residents to complete a questionnaire on social media, etc.

Discussion ensued regarding the district map.

Mayor Davis-Holmes thanked staff for placing item on the agenda at short notice. She also thanked City Attorney Soltani.

**COUNCIL MEMBER REQUESTS TO ADD ITEMS TO FUTURE AGENDAS – None.**

**ORAL COMMUNICATIONS (COUNCIL MEMBERS)**

Council Member Hilton wished a Happy Birthday to Council Member Rojas son.

Council Member Rojas wished a Happy Birthday to her son Andrew Christian Rojas who is serving in the United States Navy. She thanked everyone for the birthday wishes.

Mayor Davis-Holmes wished a Happy Birthday to Council Member Rojas' son Andrew and thanked him for serving the country. She wished everyone Happy Holidays.

Mayor Pro Tem Dear stated the City of Carson is moving forward with the right changes. He encouraged City employees to enjoy the holiday season and wished everyone Merry Christmas, Happy Holidays, and Happy New Year.

Mayor Davis-Holmes asked the date of the Employee Christmas Party.

Acting City Manager Roberts, Jr. stated a luncheon will be provided to the employees on December 22, 2021, confirming time with Director Lennox, buffet style in the atrium with social distancing.

Director Lennox noted buffet style in the atrium, socially distant.

City Attorney Soltani addressed Acting City Manager Roberts, Jr. that she always offers to pay for the employee luncheon and to reach out to her to sponsor it.

Mayor Davis-Holmes announced the following:

- Will be distributing 250 turkeys on December 19, 2021, at Veterans Park, at 3:00 P.M.
- Toy Giveaway in conjunction with the Winter Fest on December 18, 2021, at the Carson Community Center; the Carson Citizens Cultural Arts Foundation will be distributing 500 plus toys; thanked the Carson Citizens Cultural Arts Foundation for supporting the city and their partnership with the city

Council Member Hicks announced/reported the following:

- Wished everyone Happy Holidays and Merry Christmas
- Toy Giveaway for 500 Carson residents ages 2-12, December 18, 2021, from 11:00 A.M. to 1:00 P.M., at Mills Park; must register now which is up to 460
- Requested to adjourn meeting in memory of Vincent Fernandez, renowned singer

Council Member Hilton wished everyone Happy Holidays and Merry Christmas.

## ORAL COMMUNICATIONS

### William Smalley

Relayed message from Homeowners Association Board of Colony Cove Mobile Estates regarding the loss of the City Clerk; adamant about rejecting any consideration of spending funds for a Special Election due to a short period of time that they will spend in office; an appointment would be more appropriate and more economical to save money; asked the City Attorney some way to amend the employment contract whenever upper management personnel are placed in a position that may include a clause where if you choose to leave your position prior to the time before your term ends that you pay an exit fee to apply in a statewide search for a replacement. If they are going to leave us and put us in an alert like that and cause us to spend money then they should help to soften the blow to the General Fund.

Mayor Davis-Holmes wished Happy Holidays to Mr. Smalley.

Council Member Rojas wished everyone Happy Holidays and Happy New Year.

**ANNOUNCEMENT OF UNFINISHED OR CONTINUED CLOSED SESSION ITEMS (AS NECESSARY)** – None.

### **ADJOURNMENT**

The meeting was adjourned at 6:05 P.M. by Mayor Davis-Holmes.

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Lula Davis-Holmes  
Mayor

ATTEST:

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Joy Simarago  
Deputy City Clerk