

**CITY OF CARSON
HOUSING AUTHORITY/
SUCCESSOR AGENCY/
CITY COUNCIL AGENDA**



**TUESDAY, SEPTEMBER 3, 2019
701 East Carson Street
Helen Kawagoe Council Chambers**

Lula Davis-Holmes, Councilmember

Cedric L. Hicks, Mayor Pro Tem
Jawane Hilton, Councilmember

Donesia L. Gause, City Clerk

“In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk’s office at 310-952-1720 at least 48 hours prior to the meeting.” (Government Code Section 54954.2)

CALL TO ORDER: CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY

ROLL CALL:

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

ORAL COMMUNICATIONS – CLOSED SESSION ITEMS ONLY

ANNOUNCEMENT OF CLOSED SESSION ITEMS

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

**Item No. 1. [2019-840](#) 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 1 case.

**Item No. 2. [2019-847](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING
LITIGATION (CITY COUNCIL)**

Recommendation: A closed session will be held, pursuant to Government Code Section 54956.9(d) (1), to confer with legal counsel regarding pending litigation to which the City is a party. The title of such litigation is as follows: USA Waste v. Carson, Case Nos. BS172744 and BS173645, Los Angeles Superior Court.

Item No. 3. [2019-848](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (CITY COUNCIL)

Recommendation: A closed session will be held, pursuant to Government Code Section 54956.9(d)(1), to confer with legal counsel regarding pending litigation to which the City is a party. The title of such litigation is as follows:
City of Carson v. Carcom Center, LLC, et al, case number 19STCV20812, Los Angeles Superior Court.

Item No. 4. [2019-850](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (CITY COUNCIL)

Recommendation: A closed session will be held, pursuant to Government Code Section 54956.9(d)(1), to confer with legal counsel regarding pending litigation to which the City is a party.

The title of such litigation is as follows: Andrea Berrera vs. City of Carson, Workers Comp Appeals Board, Los Angeles. WCAB case number: ADJ11209149.

Item No. 5. [2019-851](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (CITY COUNCIL)

Recommendation: A closed session will be held, pursuant to Government Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation to which the City is a party.

The title of such litigation is as follows: Deborah Schmidt vs. City of Carson, Workers Comp Appeals Board, Marina Del Rey. WCAB case number: ADJ10498752

RECONVENE TO OPEN SESSION AT 6:00 P.M.

REPORT ON CLOSED SESSION ACTIONS

FLAG SALUTE:

Item No. 6. [2019-845](#) SHIRLEY GRAVES, MEMBER OF THE CARSON WOMEN'S CLUB

INVOCATION:

INTRODUCTIONS

Item No. 7. [2019-798](#) REPORT FROM CAPTAIN SKEEN OF CARSON SHERIFF'S STATION

- Item No. 8. [2019-703](#) PROCLAMATION ACKNOWLEDGING SEPTEMBER AS SICKLE CELL AWARENESS MONTH
PRESENTATION OF A PROCLAMATION TO SHIRLEY GRAVES
- Item No. 9. [2019-680](#) PRESENTATION OF CERTIFICATE TO D NICK 24 ACADEMY FOR OUTSTANDING WORK IN SCOTTSDALE WITH AFTER SCHOOL PROGRAMS
- Item No. 10. [2019-722](#) PRESENTATION BY ERICA GUICO ABOUT HER TRIP TO THE PHILIPPINES AND ELEMENTARY SCHOOL PROJECT
- Item No. 11. [2019-794](#) PRESENTATION BY REY LOPEZ-CALDERON, EXECUTIVE DIRECTOR CALIFORNIA COMMON CAUSE

ORAL COMMUNICATIONS FOR MATTERS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC) (LIMITED TO ONE HOUR)

The public may address the members of the City Council/Housing Authority/Successor Agency on any matters within the jurisdiction of the City Council/Housing Authority/Successor Agency or on any items on the agenda of the City Council/Housing Authority/Successor Agency, other than closed session matters, prior to any action taken on the agenda. Speakers are limited to no more than three minutes, speaking once. Oral communications will be limited to one (1) hour unless extended by order of the Mayor with approval of the City Council.

APPROVAL OF MINUTES: (None)

CONSENT: (Items 12-25)

These items are considered to be routine items of business and have, therefore, been placed on the CONSENT CALENDAR. Any item or items may be removed for discussion. For items remaining on the CONSENT CALENDAR, a single motion to ADOPT the recommended action is in order.

- Item No. 12. [2019-832](#) Resolution No. 19-08-CHA, A RESOLUTION OF THE CARSON HOUSING AUTHORITY RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$8,030.00, DEMAND CHECK NUMBERS HA-001784 through HA-001785

Attachments: [090319 CHA check listing](#)

Item No. 13. [2019-836](#) Resolution No. 19-155, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$1,576,369.73, DEMAND CHECK NUMBERS 147555 THROUGH 147759

Attachments: [090319 GENERAL DEMAND check listing](#)

Item No. 14. [2019-787](#) CONSIDER AUTHORIZING THE MAYOR WITH THE SIGNING AUTHORITY TO EXECUTE PROPOSITION A DISCRETIONARY INCENTIVE PROGRAM MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (CITY COUNCIL)

Recommendation: AUTHORIZE the Mayor to execute this year's and all proceeding Proposition A Discretionary Incentive Program Memorandum of Understanding with the Los Angeles County Metropolitan Transportation Authority, following approval as to form by the City Attorney.

Attachments: [Exhibit No. 1 - FY 16 NTD Reporting Agencies](#)
[Exhibit No. 2 - Report Year 2016 NTD MOU](#)

Item No. 15. [2019-646](#) ACCEPTANCE OF A SECTION OF RIGHT-OF-WAY DEDICATED TO THE CITY OF CARSON FROM THE CARSON RECLAMATION AUTHORITY FOR THE DISTRICT AT SOUTH BAY DEVELOPMENT (CITY COUNCIL)

Recommendation: TAKE the following actions:
1. ACCEPT the Right of Way Dedication in Fee.
2. INSTRUCT the City Clerk to sign the Certificate of Acceptance.

Attachments: [Exh. No. 1 Location Map.pdf](#)
[Exh. No 2 Dedication Documentation.pdf](#)

Item No. 16. [2019-743](#) **CONSIDER APPROVING THE FIFTH AMENDMENT TO THE PURCHASE AND SALE OF REAL PROPERTY AND JOINT ESCROW INSTRUCTIONS FOR A 1.6 ACRE PARCEL AT 1007 EAST VICTORIA STREET (APN 7319-038-900) BETWEEN THE COMMUNITY DEVELOPMENT CENTER, INC. AND CITY OF CARSON (JOINTLY SELLER) AND BRANDYWINE ACQUISITIONS GROUP, LLC (BUYER) (CITY COUNCIL)**

Recommendation: 1. APPROVE the Fifth Amendment to the Agreement for Purchase and Sales of Real Property and Joint Escrow Instructions ("Fifth Amendment").

2. AUTHORIZE the Mayor to execute the Fifth Amendment following approval as to form by the City Attorney.

Attachments: [Exhibit No. 1 - Partially Executed Brandywine PSA Amendment No](#)
[Exhibit No. 2 - Settlement Agreement with CDC](#)

Item No. 17. [2019-749](#) **CONSIDER A 5-YEAR AGREEMENT BETWEEN THE CITY OF CARSON AND THE COUNTY OF LOS ANGELES DEPARTMENT OF ANIMAL CARE AND CONTROL FROM JULY 1, 2019 THROUGH JUNE 30, 2024 (CITY COUNCIL)**

Recommendation: 1. APPROVE the five-year agreement with County of Los Angeles Department of Animal Care and Control to provide limited animal control services for the City of Carson, for the period of July 1, 2019 through June 30, 2024.

2. AUTHORIZE the City Manager to execute the agreement, following approval as to form by the City Attorney.

1.

Sponsors: City Council and Mr. McKay

Attachments: [EXHIBIT 1 ~ COUNCIL ACTION](#)
[EXHIBIT 2 ~ PROPOSED AGREEMENT](#)
[EXHIBIT 3 ~ Sample Invoice](#)

Item No. 18. [2019-771](#) **CONSIDER APPROVAL OF A CONSULTANT RETAINER AGREEMENT WITH JOHNSON FAVARO, AND APPROVE A CONSULTANT RETAINER AGREEMENT WITH BLACK O'DOWD AND ASSOCIATE, INC. TO PROVIDE ON-CALL ARCHITECTURAL PROFESSIONAL SERVICES TO THE ENGINEERING DIVISION OF THE PUBLIC WORKS DEPARTMENT (CITY COUNCIL)**

Recommendation:

TAKE the following actions:

1. APPROVE a Consultant Retainer Agreement with Johnson Favaro, to provide On-Call Architectural Professional Services for the term of September 3, 2019 through June 30, 2021, in an amount not-to-exceed \$250,000.00, and requiring that project-specific Task Orders greater than \$25,000.00 be approved by the City Council before the Notice to Proceed is issued by the Contract Officer.
 2. APPROVE a Consultant Retainer Agreement with Black O'Dowd and Associates, Inc., to provide On-Call Architectural Professional Services for the term of September 3, 2019 through June 30, 2021, in an amount not-to-exceed \$250,000.00, and requiring that project-specific Task Orders greater than \$25,000.00 be approved by the City Council before the Notice to Proceed is issued by the Contract Officer.
 3. AUTHORIZE the Mayor to execute the Consultant Retainer Agreement following approval as to form by the City Attorney.
 4. APPROVE a not-to-exceed aggregate amount of \$250,000 for On-Call Architectural Professional Services rendered pursuant to the Agreements approved above, through June 30, 2020.
 5. APPROVE a not-to-exceed aggregate amount of \$250,000 for On-Call Architectural Professional Services rendered pursuant to the Agreements approved above, through June 30, 2021.
 6. AUTHORIZE the City Manager to execute amendments to the Consultant Retainer Agreements (including amendments resulting in compensation increases exceeding \$25,000) to adjust compensation for on-call architectural professional services as long as the total compensation for all on-call architectural services shall not exceed \$375,000 per fiscal year. Amendments causing on-call architectural professional services compensation to exceed \$375,000 per fiscal year require further City Council approval.
- 1.

Sponsors: Public Works

Attachments: [Exh No. 1 JOHNSON-FAVARO Contract](#)
[Exh No. 2 BOA Contract](#)

Item No. 19. [2019-772](#) **CONSIDER ACCEPTING AS COMPLETE PROJECT NO. 1513: HEMINGWAY PARK AQUATIC CENTER EQUIPMENT REPLACEMENT (CITY COUNCIL)**

Recommendation: TAKE the following actions:
1. ACCEPT as complete Project 1513: Hemingway Park Aquatic Center Equipment Replacement.
2. AUTHORIZE staff to file a Notice of Completion.

Attachments: [Exh No. 1 - Location Map Hemingway Park Pool](#)

Item No. 20. [2019-775](#) **CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE EXISTING CATCH BASIN TRASH INSERT MAINTENANCE AGREEMENT BETWEEN THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT AND THE CITY OF CARSON (CITY COUNCIL)**

Recommendation: 1. APPROVE Amendment No. 1 to the existing Catch Basin Trash Insert Maintenance Agreement between the LACFCD and the City of Carson to reflect an increase in the number of trash excluders on catch basins to be maintained by the City and the locations of those catch basins.
2. AUTHORIZE the Mayor to approve Amendment No.1 following approval as to form by the City Attorney.

Attachments: [Exhibit No. 1](#)
[Exhibit No. 2](#)

Item No. 21. [2019-784](#) CONSIDER AUTHORIZING THE CITY MANAGER TO EXECUTE SUBSCRIBER SERVICE AGREEMENT WITH THE COOPERATIVE ORGANIZATION FOR THE DEVELOPMENT OF EMPLOYEE SELECTION PROCEDURES (CODESP) FOR PROVISION OF ONLINE EMPLOYMENT SELECTION AND TESTING MATERIALS WITH INDEMNIFICATION AS REQUESTED BY VENDOR (CITY COUNCIL)

Recommendation: TAKE the following action:
1. AUTHORIZE the City Manager to execute the Subscriber Service Agreement with the indemnification language as requested by the vendor.

Attachments: [2017 CODESP Subscriber Agreement.pdf](#)
[2018-19 Invoice.pdf](#)
[2019 CODESP Subscriber Agreement.pdf](#)

Item No. 22. [2019-796](#) CONSIDER AWARD OF GENERAL LIABILITY THIRD PARTY ADMINISTRATOR SERVICES FOR FY 2019/20, FY 2020/21 AND FY 2021/22 TO CARL WARREN & COMPANY (CITY COUNCIL)

Recommendation: Staff recommends that City Council:

1. Award a three-year contract for general liability Third Party Administrator services to Carl Warren & Company for the period of October 1, 2019 through September 30, 2022 with an option to extend the contract for an additional two-year period through September 30, 2024; and

2. Authorize the Mayor to execute the contract.

Attachments: [TPA RATING SHEET.pdf](#)
[Agreement for Third Party Claims Administrator Service between t](#)

Item No. 23. [2019-799](#) CONSIDER APPROVING A FACILITY-USE AGREEMENT WITH THE MARIACHI ACADEMY (CITY COUNCIL)

Recommendation: TAKE the following actions:

1. APPROVE the facility-use agreement between the City of Carson and the Mariachi Academy.
2. AUTHORIZE the Mayor to execute the agreement, following approval as to form by the City Attorney.

Attachments: [Ex 1 Mariachi Academy Agreement](#)

Item No. 24. [2019-839](#) CONSIDER RESOLUTION NO. 19-156 SUPPORTING ASSEMBLY BILL 1500 (CARRILLO), HAZARDOUS SUBSTANCES (CITY COUNCIL)

Recommendation: TAKE the following actions:

- 1 WAIVE further reading and ADOPT Resolution No. 19-156, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING ASSEMBLY BILL 1500, HAZARDOUS SUBSTANCES, PROVIDING LOCAL AUTHORITIES TO DIRECT OFFENDING BUSINESSES TO CEASE OPERATIONS."
2. DIRECT staff to transmit an executed copy of the resolution to Assemblymember Wendy Carrillo's Office.

Attachments: [RESO SUPPORTING AB 1500](#)

Item No. 25. [2019-843](#) CONSIDER A PROACTIVE PROGRAM TO ADDRESS COYOTE COMPLAINTS CITYWIDE (CITY COUNCIL)

Recommendation: TAKE the following actions:

1. DIRECT staff to monitor and track locations in the City related calls for service related to coyotes.
2. DIRECT Staff to proactively address those areas through the use of signage, education and prevention.
3. DIRECT staff to prepare a budget resolution to add \$5,000 to the FY19-20 budget after it has been adopted. The funding source will be the undesignated, unreserved General Fund balance.

SPECIAL ORDERS OF THE DAY: (None)

Public testimony is restricted to three minutes per speaker, speaking once (excepting applicants who are afforded a right of rebuttal, if desired), unless extended by order of the Mayor with the approval of the City Council.

DISCUSSION: (Items 26-29)

Item No. 26. [2019-769](#) **PRESENTATION BY KOSMONT & ASSOCIATES AND DISCUSSION REGARDING THE POTENTIAL ESTABLISHMENT OF A CARSON ENHANCED INFRASTRUCTURE FINANCING DISTRICT (CITY COUNCIL)**

Recommendation: 1. DIRECT staff to proceed with the formation of the Carson EIFD without the initial participation of other taxing entities; but continue to solicit the participation of other taxing entities.

Item No. 27. [2019-704](#) **DISCUSSION AND CONSIDERATION OF A LETTER OF SUPPORT TO OPPOSE STATE REGULATORY PREEMPTION OF LOCAL CONTROL OVER CANNABIS DELIVERIES, AND PRESSING FOR A LAWSUIT TO STOP THE STATE FROM PROHIBITING LOCAL CONTROL OVER CANNABIS DELIVERIES; UPDATE FROM THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT ON CANNABIS LAW ENFORCEMENT EFFORTS IN LOS ANGELES (CITY COUNCIL)**

Recommendation: TAKE the following actions:

A. CONSIDER whether to AUTHORIZE staff to draft a letter both in opposition to 16 CCR 5416(d), which preempts local control over cannabis deliveries, and in support of a lawsuit by local agencies against 16 CCR 5416(d), to be sent to the Governor and other State leaders as determined by the City Manager; and, AUTHORIZE the Mayor to sign such letter upon review by the Mayor as to the content being consistent with Council direction.

B. RECEIVE and DISCUSS update from Los Angeles County Sheriff's Department concerning cannabis enforcement activities.

A.

Item No. 28. [2019-764](#) CONSIDER APPROVAL AND PROVIDE DIRECTION ON A PROJECT LABOR AGREEMENT WITH THE LOS ANGELES/ORANGE COUNTIES BUILDING AND CONSTRUCTION TRADES COUNCIL AND THE SIGNATORY CRAFT COUNCILS AND UNIONS (CITY COUNCIL)

- Recommendation:**
1. APPROVE the Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council and the Signatory Craft Councils and Unions attached to the staff report, but with an amendment that it cover construction projects where the costs to the City is five hundred thousand dollars (\$500,000) or more as described in Section 915 of the City Charter, instead of it applying to "all construction and rehabilitation work pursuant to prime multi-trade contracts that exceed \$125,000 and all subcontracts arising from these prime contracts" as well as "all prime specialty contracts that exceed \$25,000, and AUTHORIZE the Mayor to execute the same upon approval as to form by the City Attorney; or
 2. APPROVE WITH AMENDMENTS, as directed by Council, the Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council and the Signatory Craft Councils and Unions, and AUTHORIZE the Mayor to execute the same upon approval as to form by the City Attorney; or
 3. DIRECT STAFF TO NEGOTIATE FURTHER CHANGES, as directed by Council, to the Project Labor Agreement with the Los Angeles/Orange Counties Building and Construction Trades Council and the Signatory Craft Councils and Unions.

Attachments: [Proposed PLA](#)
[Micon's Bids](#)
[CWS Systems Bids](#)
[Long Beach PLA](#)

Item No. 29. [2019-833](#) PROVIDE DIRECTION ON NEGOTIATING A CIVIL SERVICE COMMISSION (CITY COUNCIL)

- Recommendation:** Staff is seeking direction from Council on if and how to proceed with the establishment of a Civil Service Commission as indicated in the City Charter.

ORDINANCE SECOND READING: (Item 30)

Item No. 30. [2019-846](#) ORDINANCE NO.: 19-1936: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTIONS 4211 THROUGH 4211.9 OF CHAPTER 2 (ALCOHOLIC BEVERAGES) OF ARTICLE IV (PUBLIC PEACE) OF THE CARSON MUNICIPAL CODE TO INCLUDE THE USE OR CONSUMPTION OF CANNABIS, CONTROLLED SUBSTANCES, AND TOBACCO PRODUCTS BY MINORS WITHIN THE PROHIBITIONS OF THE CITY’S SOCIAL HOST ORDINANCE, AND RENAMING SAID CHAPTER ACCORDINGLY

Attachments: [Ordinance No. 19-1936](#)

ORAL COMMUNICATIONS FOR MATTERS NOT LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)

The public may at this time address the members of the City Council/Housing Authority/Successor Agency on any matters within the jurisdiction of the City Council/Housing Authority/Successor Agency. No action may be taken on non-agendized items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each, speaking once.

COUNCIL MEMBER REQUESTS TO ADD ITEMS TO FUTURE AGENDAS

ORAL COMMUNICATIONS (COUNCIL MEMBERS)

ANNOUNCEMENT OF UNFINISHED OR CONTINUED CLOSED SESSION ITEMS (AS NECESSARY)

RECESS TO CLOSED SESSION

RECONVENE TO OPEN SESSION

REPORT OF ACTIONS ON UNFINISHED OR CONTINUED CLOSED SESSION ITEMS

ADJOURNMENT