

RESOLUTION NO. 21-168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, CONTINUING IN EFFECT THE PROCLAIMED LOCAL EMERGENCY PURSUANT TO RESOLUTION NO. 21-147 RELATED TO THE DOMINGUEZ CHANNEL ODOR

WHEREAS, on October 25, 2021, the City Council ratified the proclamation of a local emergency in the City of Carson, as set forth in Resolution No. 21-147, pursuant to Government Code Section 8558(c) and Carson Municipal Code Section 3705(a) related to the existence of a noxious odor emanating from the Dominguez Channel; and

WHEREAS, Resolution No. 21-147 provides that the City Council shall “review within 30 days . . . , until such Local Emergency is terminated, the need for continuing the Local Emergency at the earliest possible date that conditions warrant;” and

WHEREAS, on November 16, 2021, the Council reviewed the need for continuing the local emergency pursuant to the foregoing provision of Resolution No. 21-147 and found (without limitation) that although testing had revealed significant amelioration of the conditions which necessitated the proclamation of local emergency, there was a need for continuing the local emergency in effect. Accordingly, the Council adopted Resolution No. 21-157, continuing the proclaimed local emergency in effect and providing that within 30 days of the date of adoption of the resolution or at the earliest possible date that conditions warrant, the Council shall again review the need for further continuing the local emergency; and

WHEREAS, the City Council now sees fit to review the need for continuing the local emergency pursuant to the aforementioned provisions of Resolution No.’s 21-147 and 21-157.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein by reference.

SECTION 2. The City Council finds as follows:

(a) As of November 19, 2021, according to testing conducted by County agencies, the reported 1-hour average hydrogen sulfide (H₂S) levels at all local South Coast AQMD community air monitors had been substantially below the current California Ambient Air Quality Standard for H₂S for at least 12 consecutive days, except at the 213th/Chico monitor. The California standard for H₂S is 30 parts per billion (ppb) for a 1-hour average. Levels detected at the 213th/Chico monitor continue to improve. For the three-day period of November 16, 2021 through November 18, 2021, its reported average 1-hour H₂S levels were below 10 ppb. See <http://publichealth.lacounty.gov/media/dominguezchannelodorevent/>.

Results of handheld air monitoring for measurement of H₂S levels from the week of November 8 – 14, 2021 showed a general improvement from measurements taken the preceding week, and the results from the week of November 15 – 21, 2021 showed generally similar or improved levels as compared to the results from the week of November 8 – 14, 2021. See <https://www.aqmd.gov/home/news-events/community-investigations/dominguez-channel>.

With respect to the County's efforts at oxygenation of the water in the Dominguez Channel, the County has continued to use air bubblers and apply a material that consists of deactivated carbon and sand, which sinks to the bottom and creates a layer on top of the muck on the bottom to coat and neutralize some of the material sitting at the bottom. The County is also continuing to test levels of acetone in the water, which is associated with the production of H₂S. Their testing shows dropping levels of H₂S in the water, partly due to the effects of the continued application of Epoleon as an odor neutralizer and partly due to the oxygenation activity, but the dissolved oxygen levels – which was thought to be the best indicator for healthy water and the ability of the channel to become aerobic vs. anaerobic – have only recently become positive, indicating the return of aerobic activity. The County now believes that the measurement of acetone (as it points to H₂S), combined with the positive air quality readings, is also an indicator of the success of their efforts. Overall, the County's efforts at oxygenation of the water are beginning to work.

However, further testing is needed to confirm the effectiveness of the measures being taken and the ongoing amelioration of the conditions. Although County Public Health has indicated it is not ready to call an end to the nuisance/emergency yet, it has engaged in outreach to residents and has ended its hotel stay program as of November 26, 2021, providing for residents to return home.

(b) Having reviewed the need for continuing the proclaimed local emergency pursuant to Resolution No. 21-147, the City Council finds that although testing has revealed significant amelioration of the conditions which necessitated the proclamation of local emergency, there is a need for continuing the local emergency in effect, based on the foregoing and for the reasons set forth in Resolution No. 21-147 with respect to the initial proclamation of the local emergency, without limitation.

SECTION 3. The local emergency proclaimed pursuant to Resolution No. 21-147 is hereby continued in effect. The City Council shall, within 30 days of the date of adoption of this Resolution or at the earliest possible date that conditions warrant, review the need for further continuing the local emergency.

SECTION 4. This Resolution shall take effect immediately upon its adoption.

SECTION 5. Should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

SECTION 6. The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this 7th day of December, 2021.

Lula Davis-Holmes, Mayor

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney

ATTEST:

Joy Simarago, Deputy City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF CARSON)

I, Joy Simarago, Deputy City Clerk of the City of Carson, do hereby certify that the foregoing Resolution, being Resolution No. 21-168 was passed and approved by the City Council of the City of Carson, at its meeting held on December 7, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Joy Simarago, Deputy City Clerk