

RESOLUTION NO. 22-003

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, on December 7, 2021, the Council again reviewed the need for continuing the local emergency pursuant to the foregoing provisions of Resolution No. 21-147 and 21-157 and again 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. 21-168, 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, 21-157, and 21-168.

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 December 29, 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 over 30 consecutive days, including at the 213th/Chico monitor, which had the highest hourly readings of any monitoring station during the peak of the odor event. The California standard for H₂S is 30 parts per billion (ppb) for a 1-hour average. As of December 29, levels detected at the 213th/Chico monitor were 3.0 ppb. See <https://www.aqmd.gov/home/news-events/community-investigations/dominguez-channel>.

Since the time of adoption of Resolution No. 21-168, conditions have continued to improve. The County's effort at aerating the Channel has increased the dissolved oxygen levels in the water in the Channel to aerobic conditions. The recent significant rain has had a positive effect on water quality, too. Air quality testing shows continuing improvement as well. The hotel stay program ended on November 26, 2021. However, further testing is needed to confirm the effectiveness of the measures being taken and the ongoing amelioration of the conditions, and County Public Health has not yet called an end to the nuisance/emergency.

(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 continued 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 4th day of January, 2022.

Lula Davis-Holmes, Mayor

APPROVED AS TO FORM:

Sunny K. Soltani, City Attorney

ATTEST:

Dr. Khaleah Bradshaw, City Clerk

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

I, Khaleah Bradshaw, City Clerk of the City of Carson, do hereby certify that the foregoing Resolution, being Resolution No. 22-003, was passed and approved by the City Council of the City of Carson, at its meeting held on January 4, 2022, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dr. Khaleah Bradshaw, City Clerk