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Report to Mayor and City Council

July 1, 2014

New Business Discussion

SUBJECT:

CONSIDER A FEE WAIVER EXTENSION FOR THE USE OF THE CARSON DOMINGUEZ ROOM AND CITY EQUIPMENT AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER FOR DR. JENNY BATONGMALAQUE'S TOWN HALL MEETINGS FOR SENIOR CITIZENS

I. SUMMARY

This item is on the agenda at the request of Mayor Jim Dear. Since 2010, the City has provided a fee waiver to the Erasto R. Batongmalaque Foundation for the use of the Carson Dominguez Room and City equipment to hold town hall meetings for the City's seniors (Exhibit Nos. 1 through 4). Tonight, the City Council is asked to extend this fee waiver for another 12 months, from September 2014 through August 2015.

II. RECOMMENDATION

CONSIDER and PROVIDE direction to staff.

III. ALTERNATIVES

1. APPROVE a fee waiver for the use of the Carson Dominguez Room for all 12 town hall meetings that will take place monthly from September 2014 through August 2015.
2. APPROVE a fee waiver for the use of the Carson Dominguez Room for less than all 12 town hall meetings.
3. DECLINE the request.
4. TAKE another action the City Council deems appropriate.

IV. BACKGROUND

Since 2010, the City Council has approved a fee waiver for the use of the Carson Dominguez Room and equipment - tables and chairs - for monthly senior town hall meetings presented by the Erasto R. Batongmalaque (ERB) Foundation. This event provides seniors the opportunity to learn about a variety of topics such as health and longevity, and advocacy and coalition building. Additionally, sales representative from L. A. Health Plan, which is affiliated with the Batongmalaque Foundation, are present for these meetings. During the past four years, the fee waiver has been extended several times. At its September 6, 2011, meeting, the City Council approved another extension, but added the following stipulations (Exhibit No. 3) * An effort be made to recoup the hard costs the City is not receiving due to the fee waiver * If an individual or organization requests the Carson Dominguez Room on a day in which Dr. Jenny is using the room for the ERB Foundation, the individual or group that is willing to pay for the room be given the room use. Dr. Jenny would be given notice that her event cannot take place in that room. On July 17, 2012, the City Council approved the most recent extension

which was for 24-months. Tonight, the City Council is asked to consider a 12-month extension of the room and equipment fee waiver for these senior town hall meetings.

V. FISCAL IMPACT

Should the City Council approve extending the fee waiver for the use of the Carson Dominguez Room and related city equipment, the City will not realize approximately \$14,352.00 in revenue. This grand total is based on \$600 for use of the room, \$340 for tables, and \$236 for chairs, for a total of \$1,196 per meeting for 12-months.

VI. EXHIBITS

1. Minutes, June 15, 2010, Item NO. 31,
2. Minutes, July 20, 2010, Item No 29,
3. Minutes, September 6, 2011, Item No. 29,.
4. Minutes July 17, 2012, Item No. 21.

Prepared by: Luchie S. Magante, Sr. Administrative Analyst

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ITEM NO. (30) CONSIDER CHANGING THE BUSINESS LICENSE FEE STRUCTURE FOR FARMERS MARKET VENDORS (ECONOMIC DEVELOPMENT)

This item was heard after Item No. 6 at 10:40 P.M.

Administrative Services General Manager Acosta summarized the staff report and recommendation.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: It was moved to approve Alternative No. 2, to direct the city attorney to prepare an ordinance eliminating the fee for farmers, as recommended by the Economic Development Commission, on motion of Ruiz-Raber and seconded by Gipson.

Public Comments

The following member of the public addressed the City Council:

Cheryl Roberts, 20700 Avalon Boulevard, Carson, California 90746, representing the South Bay Pavilion.

The motion was unanimously carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Santarina, Council Member Gipson, Council Member Davis-Holmes, and Council Member Ruiz-Raber
Noes:	None
Abstain:	None
Absent:	None

ITEM NO. (31) TOWN HALL MEETING FOR SENIORS (PUBLIC SERVICES)

This item was heard after Council Item No. 20/Agency Item No. 7 at 8:43 P.M.

Public Comments

The following members of the public addressed the City Council:

Dr. Jenny Batongmalaque, 23247 S. Main Street, Carson, California 90745, representing E.R. Batongmalaque Foundation/Senior Assessment Center.

Gary Toomer, 20023 Scobey Avenue, Carson, California 90746.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction to staff.

ACTION: It was moved to hold a senior townhall event on June 21, 2010, in the Dominguez Hall, at the Congresswoman Juanita Millender-McDonald Community Center on motion of Ruiz-Raber and seconded by Santarina.

During discussion of the motion, Mayor Pro Tem Santarina suggested that staff provide information about the event on the City's webpage, print flyers, and utilize the Public Information Office to reach out to the senior citizens in Carson and neighboring cities and for staff to assist in reaching out to the senior citizens. Whereupon, City Manager Groomes stated that information could be posted on the City's webpage, however, due to the short timeframe to promote an event on Monday, he would need further discussion with staff.

Mayor Dear offered a friendly amendment to the motion to authorize the City Manager to assist Dr. Jenny Batongmalaque with low-cost promotion to the seniors throughout the city, which was accepted with no objections heard.

Council Member Davis-Holmes suggested that flyers be distributed to the senior club and to work with Human Services Manager Cisneros.

Upon inquiry, City Attorney Wynder recommended that the City Council adjourn this evening's meeting to June 21, 2010.

The amended motion was unanimously carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Santarina, Council Member Gipson, Council Member Davis-Holmes, and Council Member Ruiz-Raber
Noes:	None
Abstain:	None
Absent:	None

RECESS: After Item No. 31, the City Council was Recessed at 8:58 P.M. by Mayor Dear at the request of staff.

RECONVENE: The City Council was Reconvened at 9:28 P.M. by Mayor Dear with all members previously noted present for public comments on items on the New Business Consent Calendar.

RECONVENE: After Council Item No. 29, the Redevelopment Agency was Reconvened at 12:09 A.M., on June 16, 2010, for a joint session with the City Council by Mayor/Chairman Dear with all members previously noted present, for Agency Item No. 4 and remaining Oral Communications.

ITEM NO. (32) **THIS ITEM INTENTIONALLY LEFT BLANK**

ORDINANCE SECOND READING: (None)

The motion, as corrected, was unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Santarina, Council Member Davis-Holmes, Council Member Gipson, and Council Member Ruiz-Raber

Noes: None

Abstain: None

Absent: None

ITEM NO. (28) CONSIDER STATUS OF THE REGIONAL WATER QUALITY CONTROL BOARD ISSUANCE OF A TENTATIVE CLEAN UP AND ABATEMENT ORDER FOR THE CAROUSEL TRACT (FORMER KAST PROPERTY TANK FARM) (ECONOMIC DEVELOPMENT)

This item was heard after Item No. 29 at 12:23 A.M., on Wednesday, July 21, 2010.

Planning Officer Repp-Loadsman summarized the staff report and recommendation.

Public Comments

Ronald Shimokaji, 1502 E. Carson Street, Sp. 135, Carson, California 90745, reported that he had attended the meeting yesterday and provided a copy of the Tentative Clean Up and Abatement Order (CAO) to City Manager Groomes.

Dr. Rita Boggs, 21328 Island Avenue, Carson, California 90745, referred to the analytical data for soil samples, and that, according to the Tentative Cleanup and Abatement Order of the Regional Water Quality Control Board, the level of benzene in the soil was huge.

RECOMMENDATION for the City Council:

1. DISCUSS and PROVIDE direction to staff regarding written comments on the Tentative Clean Up and Abatement Order for the former Kast Property Tank Farm (Carousel Tract) to the Los Angeles Regional Water Quality Control Board.

ACTION: It was moved to approve the staff recommendation on motion of Dear, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Santarina, Council Member Davis-Holmes, Council Member Gipson, and Council Member Ruiz-Raber

Noes: None

Abstain: None

Absent: None

ITEM NO. (29) CONSIDER FEE WAIVER REQUEST FOR USE OF THE CARSON DOMINGUEZ ROOM AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER FOR DR. JENNY BATONGMALAQUE'S TOWN HALL MEETINGS FOR SENIOR CITIZENS (PUBLIC SERVICES)

This item was heard after Item No. 25 at 11:53 P.M.

City Manager Groomes summarized the staff report and recommendation. He recommended that all activities be tied to the non-profit activity of the organization.

Public Comments

The following persons offered comments in support of the fee waiver request for Dr. Jenny Batongmalaque:

Gary Gallardo, 21509 S. Figueroa Street, Carson, California 90745, representing the Senior Coalition.

Leslie Quintanilla, 555 W. 5th Street, 29th Floor, Los Angeles, California 90013, representing L.A. Care Health Plan, reported that her organization was a partner with Dr. Jenny Batongmalaque to provide health education to senior citizens.

Dr. Jenny Batongmalaque, 23247 S. Main Street, Carson, California 90745, reported that the Senior Coalition Town Hall meetings would be held on the third Monday of the month.

Liz Foisia requested clarification whether this was an independent non-profit group or a city group. Further, that similar activity was conducted by Samoan groups and, if waivers were available, she would spread the information to the groups.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction to staff.

ACTION: It was moved to approve the waiver of fees that would permit the use of the Carson Dominguez Room from August 2010 to August 2011 for the town hall meetings for senior groups requested by Dr. Jenny Batongmalaque on motion of Ruiz-Raber and seconded by Gipson.

Mayor Dear offered a substitute motion to approve the motion as stated and that the Public Information Office disseminate the information, which was accepted as a friendly amendment by the maker and the second.

At 12:14 A.M., on Wednesday, Wednesday, July 21, 2010. during discussion of the motion, Mayor Pro Tem Santarina discussed the activity of Dr. Jenny Batongmalaque and the ethnic diversity of the attendees.

Upon inquiry, Dr. Batongmalaque agreed to do outreach to the senior groups in Carson.

The motion, as amended, was unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Santarina, Council Member Davis-Holmes, Council Member Gipson, and Council Member Ruiz-Raber
Noes: None
Abstain: None
Absent: None

ITEM NO. (30) UPDATE ON THE SENIOR TECHNOLOGY CENTER AND THE NEWLY CONSTRUCTED SENIOR CYBER CAFÉ (PUBLIC SERVICES)

Item No. 30 after New Business Consent Calendar Public Comments at 9:22 P.M.

Paul Jones, one of two of the instructors at the Senior Technology Center, narrated a PowerPoint presentation about the Carson Senior Technology Center, thanked the City Council for the free computer lab, and spoke in support of the Cyber Café. Chester Craft, Senior Technology Center Instructor, was also present.

Public Comments

The following persons offered comments in support of the Senior Technology Center and Cyber Café: Mary Shallert, Mary Pat, Gary Gallardo, Alicia Greyhouse, Pat Hellerud, Gretchen, and Dave Jensen.

(Council Member Davis-Holmes exited the meeting at 9:32 P.M. and reentered the meeting at 9:34 P.M.)

RECOMMENDATION for the City Council:

1. RECEIVE presentation.

ACTION: Mayor Dear ordered this item to be received and filed without objection.

ITEM NO. (31) THIS ITEM INTENTIONALLY LEFT BLANK

RECONVENE: After Council Item No. 16, the Redevelopment Agency was Reconvened at 1:09 A.M., on Wednesday, Wednesday, July 21, 2010. for a joint session with the City Council by Mayor/Chairman Dear with all members previously noted present, for remaining Oral Communications.

ORAL COMMUNICATIONS I (STAFF)

City Clerk/Agency Secretary Kawagoe requested that this evening's meetings be adjourned in memory of the following persons:

Mayor/Chairman Dear
Rebecca Paramo-Van Kamp
Luzell Hooks

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

(Council Member Gipson exited the meeting at 11:01 P.M.)

ITEM NO. (29) CONSIDER A FEE WAIVER EXTENSION FOR USE OF THE CARSON DOMINGUEZ ROOM AT THE CONGRESSWOMAN JUANITA MILLENDER-MCDONALD COMMUNITY CENTER FOR DR. JENNY BATONGMALAQUE'S TOWN HALL MEETINGS FOR SENIOR CITIZENS (PUBLIC SERVICES)

Item No. 29 was heard after Item No. 27 at 7:54 P.M.

Interim City Manager/Economic Development General Manager Graves summarized staff report and recommendation.

Public Comments

Dorothy Dominguez

Referred to and discussed the duplication of services and expressed her opposition for the fee waiver extension.

Miriam Vazquez, 21413 Martin Street, Carson, California 90745

Reported the availability of an alternate site and expressed her opposition for the fee waiver extension.

Mila Echalas Boyer, 228 W. Carson Street, Apt. 42, Carson, California 90745

Expressed her support for the ERB Foundation for all the people in Carson, not just Filipinos, and the fulfillment of a vision.

Council Member Davis-Holmes

Reported that the town hall meetings held by Council Member Gipson and she were held at their expense; her fee waiver request for the Jazz Festival was denied; expressed her desire for a consistent fee waiver policy and recommended that fee waiver requests be heard by the Sub-Committee or Senior Citizens Advisory Commission.

Council Member Santarina

Clarified that the fee waiver requested was for senior citizens to use as a coalition meeting and to extend services and asked to hear from staff regarding the ethnic detail of participants. Whereupon, Interim City Manager/Economic Development General Manager Graves reported that the City did not maintain attendance records and that food bank participants were invited to attend meetings.

Mayor Pro Tem Ruiz-Raber

Stated that she would support the request and wanted to see the Senior Commission join with the ERB Foundation.

Council Member Gipson

Referred to the process of fee waiver requests and requested a consistent policy across-the board.

Public Comments

Mary Anne O'Neal, 16211 Visalia Avenue, Carson, California 90746

Inquired whether the ERB Foundation was working with the City's Social Services Department.

Mayor Dear

Expressed his support for the request.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction to staff.

ACTION: It was moved to end debate on motion of Dear, seconded by Ruiz-Raber and carried by the following roll call vote:

Ayes:	Mayor Dear, Mayor Pro Tem Ruiz-Raber, and Council Member Santarina
Noes:	Council Member Davis-Holmes and Council Member Gipson,
Abstain:	None
Absent:	None

Motion

It was moved to approve alternative staff recommendation No. 1 to approve the fee waiver request for the use of the Carson Dominguez Room for all twelve town hall meetings that will take place monthly from September 2011 through August 2012, on motion of Dear and seconded by Santarina.

Substitute Motion

Council Member Davis-Holmes offered a substitute motion to approve the request as written with the caveat that the Mayor will seek donations to offset the cost, seconded by Gipson and subsequently accepted as a friendly amendment, with no objections heard.

A discussion ensued regarding the following issues:

Identify the hard cost to waive the fees at the Carson Dominguez Room.

The Senior Recreation Ukulele Group has been moved from the Adult Activity Room, normally rented to the public (\$2,100.00).

Impact of the waiver and value of space or equipment rented.

Council Member Gipson discussed staff costs associated with an activity; whereupon he reported that his microphone and the microphone of Council Member Davis-Holmes were muted tonight.

Mayor Pro Tem Ruiz-Raber suggested that staff make a change in the event when someone wanted to rent the room and, subsequently, requested that the ERB Foundation use paper, not linen, napkins. Whereupon, Mayor Dear accepted the suggestions from Council Member Davis-Holmes and Mayor Pro Tem Ruiz-Raber as friendly amendments to the motion.

During discussion of the amended motion, the following issues were discussed:

Council Member Davis-Holmes

Inquired whether hard costs were being waived and referred to the hard costs and cost of linens and noted that there was no breakdown for staff, labor, and equipment.

Council Member Santarina

Wanted sufficient notification time to the ERB Foundation regarding potential renters. Whereupon, Interim City Manager/Economic Development General Manager Graves reported that staff would work with the ERB Foundation for another room.

Restated Amended Motion

Mayor Dear restated the amended motion to approve alternative staff recommendation No. 1 to approve the fee waiver request for the use of the Carson Dominguez Room for all twelve town hall meetings that will take place monthly from September 2011 through August 2012; amended by Council Member Davis-Holmes to incorporate the hard costs and recapture costs to use the room; and amended by Mayor Pro Tem Ruiz-Raber to notify the ERB Foundation at least two weeks in advance if there is a renter, which was accepted by Santarina and unanimously carried by the following vote:

Ayes:	Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes:	None
Abstain:	None
Absent:	None

RECESS (Council):

After Item No. 29, the City Council was Recessed at 8:52 P.M. by Mayor Dear at the request of staff.

RECONVENE (Council):

The City Council was Reconvened at 9:26 P.M. by Mayor Dear, with all members previously noted present, for Item No. 24.

RECONVENE (Agency):

After Council Item No. 18, the Redevelopment Agency was Reconvened at 12:42 A.M., on Wednesday, September 7, 2011, for a joint session by Mayor/Chairman Dear, with all members previously noted present, for remaining Oral Communications.

ORDINANCE SECOND READING: (None)

**DISTRICT FLOOD RISK MITIGATION ALTERNATIVE STUDY -
PROJECT UPDATE (DEVELOPMENT SERVICES)**

City Manager/Executive Director Biggs summarized the staff report.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor/Agency Chairman Dear ordered the report received and filed with a caveat that the document be readily available to anyone.

Acting Development Services General Manager Abolfathi stated that he would make the report available in the Carson Report and City website.

Council/Agency Member Davis-Holmes requested to send a letter to follow up with the U.S. Senators, Congresswoman Janice Hahn, Congresswoman Maxine Waters, and Congresswoman Linda Sanchez.

Council/Agency Member Gipson requested to include all of the L.A. Delegation.

**ITEM NO. (19) CONSIDERATION OF A REQUEST FOR PROPOSAL FOR A THIRD
COMMERCIAL/INDUSTRIAL SOLID WASTE SERVICE PROVIDER
(DEVELOPMENT SERVICES)**

Item No. 19 was heard after the break at 9:56 P.M.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction.

ACTION: Mayor/Agency Chairman Dear previously ordered this item continued indefinitely, with no objections heard.

**ITEM NO. (20) CONSIDER THE STATUS OF ABX1 26 IMPLEMENTATION (ECONOMIC
DEVELOPMENT)**

Item No. 20 was heard after Item No. 18 at 4:02 A.M., on Wednesday, July 18, 2012.

RECOMMENDATION for the City Council:

1. RECEIVE and FILE.

ACTION: Mayor/Agency Chairman Dear ordered the report received and filed with no objections heard.

**ITEM NO. (21) CONSIDER A FEE WAIVER EXTENSION FOR USE OF THE CARSON
DOMINGUEZ ROOM AT THE CONGRESSWOMAN JUANITA
MILLENDER-MCDONALD COMMUNITY CENTER FOR DR. JENNY
BATONGMALAQUE'S TOWN HALL MEETINGS FOR SENIOR CITIZENS
(PUBLIC SERVICES)**

Item No. 21 was heard after Item No. 22 at 7:09 P.M.

City Manager Biggs summarized the staff report.

Public Comments

The following persons offered comments in support of a Fee Waiver Extension for Use of the Carson Dominguez Room at the Congresswoman Juanita Millender-McDonald Community Center for Dr. Jenny Batongmalaque's Town Hall Meetings for Senior Citizens:

Romeo Bejo, 109 Pismo Drive, Carson, California 90745

Mayor/Agency Chairman Dear reported that Mr. Bejo submitted a letter and a petition in support of this item and ordered that the letter and petition be made part of the record, with no objections heard.

Mila Boyer, 520 E. Carson Street, No. 40, Carson, California 90745

Myrna Ronquillo, 126 W. 222nd Street, Carson, California 90745

Marciano Pascua, 172 E. Javelin Street, Carson, California 90745

Dr. Jenny Batongmalaque, 23247 S. Main Street, Carson, California 90745, Executive Director, Erasto R. Batongmalaque Foundation, and Facilitator, Senior Coalition of Carson

Provided a copy of her letter dated July 17, 2012 to the Mayor and Council Members regarding the Annual Report on the Senior Coalition of Carson Program

Miriam Vazquez

Felt that other ethnic groups also have the same right to use the Carson Dominguez Room at the Congresswoman Juanita Millender-McDonald Community Center.

Mayor/Agency Chairman Dear clarified the purpose of Dr. Batongmalaque's, E.R.B Foundation, use of the Carson Dominguez Room at the Congresswoman Juanita Millender-McDonald Community Center.

Upon request, Dr. Batongmalaque briefly discussed the foundation's program services and activities.

RECOMMENDATION for the City Council:

1. CONSIDER and PROVIDE direction to staff.

ACTION: It was moved to approve alternative staff recommendation No. 1 to approve the fee waiver request for the use of the Carson Dominguez Room for all twelve town hall meetings that will take place monthly from September 2012 through August 2013 and seconded by Santarina.

During discussion of the motion, Council/Agency Member Santarina discussed the ethnic diversity of the attendees.

Mayor/Agency Chairman Dear offered a friendly amendment to the motion to extend the allowance of use for the next two years instead of one year which was accepted by the maker and the second.

Council/Agency Member Davis-Holmes stated that the motion that was approved two years ago with a caveat that Mayor/Agency Chairman Dear and Council/Agency Member Santarina would raise money to pay for the hard costs which Mayor/Agency Chairman Dear agreed to and if it would still apply.

Mayor/Agency Chairman Dear stated that what has since transpired was that the hard costs were eliminated due to the foundation declining the \$75.00 for linen costs and that the hard costs were not utilized but if any hard costs would occur in the next two years, he requested that City Manager Biggs notify the Mayor and City Council of any hard costs and that he would raise money from the business community.

A discussion ensued regarding labor costs and hard costs.

The motion, as amended, was unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Ruiz-Raber, Council Member Davis-Holmes, Council Member Gipson, and Council Member Santarina
Noes: None
Abstain: None
Absent: None

ITEM NO. (22) CONSIDER RESOLUTION NO. 12-077 ESTABLISHING A REWARD FUND AT \$25,000.00 FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF THE PERSON(S) RESPONSIBLE FOR THE MURDER OF DORIAN HOLT (PUBLIC SERVICES)

Item No. 22 was heard after the Introductions at 6:56 P.M.

City Manager Biggs summarized the staff report and recommendation.

RECOMMENDATION for the City Council:

1. WAIVE further reading and ADOPT Resolution No. 12-077, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, PROVIDING FOR THE ESTABLISHMENT AND DISTRIBUTION OF A REWARD FUND OF \$25,000.00 FOR THE PERSON OR PERSONS WHO FURNISH INFORMATION LEADING TO THE ARREST AND CONVICTION OF THE PERSON OR PERSONS WHO CAUSED THE DEATH OF DORIAN HOLT.

ACTION: WITH FURTHER READING WAIVED, Resolution No. 12-077 was PASSED, APPROVED and ADOPTED, as read by title only, on motion of Davis-Holmes and seconded by Ruiz-Raber.

During discussion of the motion, the Mayor and Council Members offered their condolences to the family of Dorian Holt and offered comments in support of this item.

Council Member Davis-Holmes offered an amendment to her motion that a floral arrangement be sent on behalf of the entire City Council, which was accepted with no objections heard.