



**MINUTES
CARSON CITY COUNCIL
HOUSING AUTHORITY / SUCCESSOR AGENCY
REGULAR MEETING
SEPTEMBER 5, 2017**

5:00 P.M.

**CARSON CITY HALL
HELEN KAWAGOE COUNCIL CHAMBERS
701 EAST CARSON STREET
CARSON, CA 90745**

CALL TO ORDER:

The meetings were called to order at 5:02 P.M., by Mayor/Agency Chairman/Authority Chairman Albert Robles in the Helen Kawagoe Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

ROLL CALL: Deputy City Clerk/Deputy Agency Secretary/Deputy Authority Secretary Simarago called the roll:

Council Members Present:

Mayor/Agency Chairman/Authority Chairman Albert Robles, Council Member/Agency Member/Authority Board Member Elito Santarina, Council Member/Agency Member/Authority Board Member Jawane Hilton and Council Member/Agency Member/Authority Board Member Cedric Hicks

Council Members Absent:

Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Lula Davis-Holmes (Entered at 5:04 P.M.)

Other Elected Officials Present:

Donesia Gause, City Clerk/Agency Secretary/Authority Secretary, and Monica Cooper, City/Agency/Authority Treasurer

Other Elected Officials Absent:

None

Also Present:

Kenneth C. Farfasing, City Manager; Dr. James "Jim" Hart, Interim Assistant City Manager; Sunny Soltani, City/Agency/Authority Attorney

John Raymond, Director of Community Development; Kathryn Downs, Director of Finance; Maria E. Williams-Slaughter, Director of Public Works; Saied Naaseh, Planning Manager; Ed Holton, Sr. Risk Management Analyst; Robert Eggleston, IT Manager; Glenn Turner, Computer Systems Support Technician; Joy Simarago, Deputy City Clerk; and Jason Skeen, Captain, Carson Sheriff's Station.

CLOSED SESSION (5:00 P.M. - 6:00 P.M.) (Items 1-8)

ORAL COMMUNICATIONS - CLOSED SESSION ITEMS ONLY:

Bill Smalley

Provided statistics, information and encouraged Council to approve the CPI Ordinance 17-1622 for second reading.

(Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes entered the meeting at 5:04 P.M.)

Speaker

Referred to the first reading of the Mobilehome Park Rent Review ordinance and urged the Council to proceed with the second reading and not be influenced by Tom Casparian.

ANNOUNCEMENT OF CLOSED SESSION ITEMS:

City/Agency/Authority Attorney Soltani presented the Closed Session items as described in the agenda.

RECESS INTO CLOSED SESSION

The meeting was recessed at 5:10 P.M. by Mayor/Agency Chairman/Authority Chairman Robles to Closed Session.

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

The meeting was reconvened at 6:32 P.M. by Mayor/Agency Chairman/Authority Chairman Robles with all members present.

REPORT ON CLOSED SESSION ACTIONS

City/Agency/Authority Attorney Soltani provided the Closed Session report as follows:

Item No. 1. 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 6 cases.

ACTION: Item No. 1 was heard in Closed Session. There was no reportable action in 2 of the 6 cases.

At 11:05 P.M., City/Agency/Authority Attorney Soltani reported that there was no reportable action taken on Closed Session Item No. 1 on 4 of the 6 cases.

Item No. 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (CITY COUNCIL)

RECOMMENDATION:

A closed session will be held, pursuant to Government Code Section 54956.9 (d)(4) because the City is considering whether to initiate litigation in 1 case.

ACTION: Item No. 2 was heard in Closed Session. Direction was provided unanimously for the City to proceed with litigation.

Item No. 3. 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: Colony Cove Properties, LLC v. City of Carson, C.D. Cal Case No. 14CV-03242, Ninth Circuit Court of Appeals Case No. 16-56255.

ACTION: Will consider in the second Closed Session.

At 11:05 P.M., City/Agency/Authority Attorney Soltani reported that there was no reportable action taken on Council Closed Session Item No. 3.

Item No. 4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (CITY COUNCIL)

RECOMMENDATION:

A closed session will be held, pursuant to Government Code Section 54956.8, to enable the City Council to consider negotiations with Robert Atherton, US Land Acquisition Manager, Phoenix Tower International and to give direction to its negotiators, Kenneth C. Farfsing, City Manager and/or, John Raymond, Director of Community Development and Sunny Soltani, City Attorney, regarding that certain real property known as APN: 7329-035-900. The City Council's real property negotiator will seek direction from the City Council member regarding the price and terms of payment for the property.

ACTION: Item No. 4 was heard in Closed Session. No reportable action was taken.

Item No. 5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (CITY COUNCIL)

RECOMMENDATION:

A closed session will be held, pursuant to Government Code Section 54956.8, to enable the City Council to consider negotiations with Randy Brant, Executive Vice President of Macerich and Jeffrey M. Axtell, Executive Vice President and Regional Manager of Vestar, and to give direction to its negotiator(s) Kenneth C. Farfsing, City Manager, John Raymond, Community Development Director and Sunny Soltani, City Attorney, regarding certain real property known as APN Nos. 733 601 0903 and 733 601 0904. The City's real property negotiator will seek direction from the City Council regarding the price and terms of payment for the property.

ACTION: Will consider in the second Closed Session.

At 11:05 P.M., City/Agency/Authority Attorney Soltani reported that there was no reportable action taken on Council Closed Session Item No. 5.

FLAG SALUTE:

Item No. 6. ELLIE HERNANDEZ, 1ST RUNNER UP – 2017 MISS TEEN CARSON –
Not present.

Marcus Lloyd Pitcher, City Clerk for the Day, led the Pledge of Allegiance.

INVOCATION:

Item No. 7. PASTOR BRAD HARTE, CALVARY CHAPEL OF SOUTH BAY

INTRODUCTIONS

Item No. 8. REPORT FROM CAPTAIN SKEEN OF CARSON SHERIFF'S STATION

Captain Skeen announced the successful Annual Block Captains meeting at the Endeavor.

Mayor/Agency Chairman/Authority Chairman Robles acknowledged and thanked Endeavor for being the host and sponsoring the Block Captain's event.

Captain Skeen stated that he attended the Town Hall meeting at Mills Park; attended Award Banquets at Sheriff headquarters. He reported that the City Manager's Office and Planning Department tasked them with working with Macerich Group for the outlet malls to ensure proper law

enforcement and staffing is adequate and was excited that they were brought in early in the planning phase.

Item No. 9. MARCUS LLOYD PITCHER, CITY CLERK FOR THE DAY

City Clerk/Agency Secretary/Authority Secretary Gause introduced City Clerk for the Day Marcus Lloyd Pitcher who was the sixth City Clerk for the Day. She announced that if any youth between the ages of 9 and 14 is interested in the City Clerk for the Day to contact her.

Mayor and Council Members presented Marcus Lloyd Pitcher a Certificate of Appointment.

Item No. 10. PRESENTATION OF A PROCLAMATION RECOGNIZING HARBOR UCLA MEDICAL CENTER FOR OUTSTANDING SERVICE

Council Member/Agency Member/Authority Board Member Santarina offered comments of gratitude to Harbor UCLA Medical Center for their outstanding service to his wife who suffered from cardiac arrest. He recognized the Harbor UCLA Medical Center staff in attendance, read and presented them with a Proclamation.

Item No. 11. PRESENTATION RECOGNIZING RETIRED CITY EMPLOYEES

Glenn Miller
Billy Everett – Not present.
Regina Ramirez

Mayor and Council Members recognized Glenn Miller for his 31 years of service and presented him with a plaque. They also recognized Regina Ramirez for her 31.6 official years of service and presented her with a plaque.

Item No. 12. PRESENTATION FROM FAIRBANK, MASLIN, MAULLIN, METZ & ASSOCIATES

City Manager Farfsing introduced Adam Sonenshein who provided a PowerPoint presentation of the Environmental Residents survey.

Item No. 13. THIS ITEM INTENTIONALLY LEFT BLANK

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

Marco Aguilera, Cultural Arts Commissioner and President Board of Directors for Stonegate Homeowners Association

Offered comments in support of Item No. 21.

The following individuals offered comments in opposition to Item No. 30:

Lisa Bowman

Francisco

Matt C., representing Carson United Against Irresponsible Taxes

Jenny Vazquez

Presented a gift to Mayor Robles and thanked him for doing a good job in the City.

Miriam Vazquez

Thanked Mayor Robles for doing a great job.

City Employee

Offered comments regarding discrimination and harassment in the workplace, unfair work conditions, and denied training and overtime. Mayor/Agency Chairman/Authority Chairman Robles stated if any employee feels they are treated unfairly to come directly to the City Council. He referred speaker to meet with City Manager and Assistant City Manager and provide specific information.

Robert Lesley

Offered comments in support of Measure C.

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

Ana Meni, President, AFSCME Local 809

Accompanied by members, stated that she has exhausted all options to deal with internal procedures regarding investigations. She discussed the recent no confidence to Director of Public Works Maria Slaughter, Public Works Operations Manager Chris Ortiz and Supervisor John Martinez; conveyed concern with matter; referred to ongoing grievances, complaints and lawsuits; and provided a list of employees who were in attendance this evening to the City Clerk.

Bob Adams, Business Representative, AFSCME District Council 36

Offered comments in support of Public Works staff and that City management is aware of his opinion; voiced concern with the matter; referred to policies dealing with workplace harassment and issues that have not been addressed.

City/Agency/Authority Attorney Soltani announced that the City Manager, Assistant City Manager, and Director of Public Works have been working diligently to address the issues, investigations ongoing and protected. As of last Thursday, Chris Ortiz submitted resignation.

Ana Meni, President, AFSCME Local 809

Expressed her disappointment with the City regarding the resignation process as it relates to Chris Ortiz.

John Barnett, City employee

Stated that he had multiple meetings concerning Chris Ortiz which have been ongoing since 2014 and was personally affected and made best efforts to get matters settled and hoped that he would have been terminated by now; acceptance of a resignation does not seem adequate.

Dr. Sharma Henderson, representing volunteer association for the Stroke Center

Referred to Measure C flyers showing Stroke Center pictures; no guarantee that the Stroke Center will be funded by the measure and looking at removing non-resident members of the Stroke Center which will affect the residents and social environment everyone shares there; and referred to Stroke Center fees and Veterans Sports Complex fees.

Dobard

Provided handout to the City Clerk for Mayor and Council Members; suggested lights be placed on stop sign on Turmont Street and Broadacres Avenue; and suggested speed bumps on Broadacres by Broadacres Elementary School. He requested that engineers look at the area.

Mayor/Agency Chairman/Authority Chairman Robles referred Mr. Dobard to the City Manager to meet with Traffic Engineer Richard Garland and Director of Public Works to address his concerns.

City Manager Farfsing stated that staff was working on traffic information and studies that Mr. Dobard provided him last week and that work was underway and would provide more information regarding speed bumps to Mr. Dobard.

Council Member/Agency Member/Authority Board Member Hicks requested that in the time being markings be placed in school zone and some type of signage which was so ordered by Mayor/Agency Chairman/Authority Chairman Robles with no objections heard.

APPROVAL OF MINUTES:

City Clerk/Agency Secretary/Authority Secretary Gause stated that her office was undergoing an audit of minutes and identified minutes that were overlooked and will be periodically bringing minutes that are from the past. She requested Council Member Hilton and Council Member Hicks to abstain from voting on the April 4, 2014 minutes because they were not Council Members at the time.

City/Agency/Attorney Soltani stated that the rule of necessity could be used and still approve the minutes without their vote.

**Item No. 14. APRIL 4, 2014 SPECIAL MEETING
 FEBRUARY 7, 2017 REGULAR MEETING**

Recommendation: Approve the minutes as listed.

The minutes of April 4, 2014 Special Meeting were approved as submitted on motion of Robles, seconded by Santarina and carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, and Council Member/Agency Member/Authority Board Member Santarina
Noes: None
Abstain: Council Member/Agency Member/Authority Board Member Hilton and Council Member/Agency Member/Authority Board Member Hicks
Absent: None

The minutes of February 7, 2017 Regular Meeting were approved as submitted on motion of Robles, seconded by Hilton and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, and Council Member/Agency Member/Authority Board Member Santarina, Council Member/Agency Member/Authority Board Member Hilton and Council Member/Agency Member/Authority Board Member Hicks
Noes: None
Abstain: None
Absent: None

CONSENT: (Items 15-29)

It was moved to approve the Consent Calendar items on motion of Robles and seconded by Hilton with the exception of those items pulled (Item Nos. 19, 20, and 24).

Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes pulled Item No. 19 for discussion. Council Member/Agency Member/Authority Board Member Hicks pulled Item Nos. 20 and 24 for discussion.

The motion, as amended, to approve Consent Calendar Item Nos. 15-29, with the exception of those items pulled, was unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Santarina, Council Member/Agency

Member/Authority Board Member Hilton and Council Member/Agency
Member/Authority Board Member Hicks

Noes: None
Abstain: None
Absent: None

Item No. 15. Resolution No. 17-124, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON RATIFYING CLAIMS AND DEMANDS, AS FOLLOWS:

TOTAL OF \$4,152,457.42 FOR GENERAL DEMANDS, CHECK NUMBERS 136144 THROUGH 136681.

TOTAL OF \$3,530,756.69 FOR CO-OP AGREEMENT DEMANDS, CHECK NUMBERS 1177 THROUGH 1186, WHICH ARE COSTS ASSOCIATED WITH THE CONSTRUCTION OF CAPITAL PROJECTS WITHIN THE FORMER REDEVELOPMENT PROJECT AREA, USING BOND PROCEEDS TRANSFERRED FROM THE SUCCESSION AGENCY TO THE CITY.

ACTION: Item No. 15 was approved on the Consent Calendar.

Item No. 16. Resolution No. 17-20-CSA, A RESOLUTION OF THE CARSON SUCCESSOR AGENCY RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$2,397.50, DEMAND CHECK NUMBERS SA-001731 THROUGH SA-001732

ACTION: Item No. 16 was approved on the Consent Calendar.

Item No. 17. Resolution No. 17-23-CHA, A RESOLUTION OF THE CARSON HOUSING AUTHORITY RATIFYING CLAIMS AND DEMANDS IN THE AMOUNT OF \$33,514.42, DEMAND CHECK NUMBERS HA-001655 through HA-001663

ACTION: Item No. 17 was approved on the Consent Calendar.

Item No. 18. CONSIDER RESOLUTIONS TO CONTINUE UNSPENT APPROPRIATIONS FROM THE FISCAL YEAR 2016-17 BUDGET TO FISCAL YEAR 2017 18 (CITY COUNCIL AND HOUSING AUTHORITY)

RECOMMENDATION:

1. ADOPT Resolution No. 17-122, A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2016-17 BUDGET TO CONTINUE UNSPENT APPROPRIATIONS TO FISCAL YEAR 2017-18

2. ADOPT Resolution No. 17-123, A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2017-18 BUDGET TO CONTINUE UNSPENT APPROPRIATIONS FROM FISCAL YEAR 2016-17
3. ADOPT Resolution No. 17-21-CHA, A RESOLUTION OF THE BOARD OF THE CARSON HOUSING AUTHORITY AMENDING THE FISCAL YEAR 2016-17 BUDGET TO CONTINUE UNSPENT APPROPRIATIONS TO FISCAL YEAR 2017-18
4. ADOPT Resolution No. 17-22-CHA, A RESOLUTION OF THE BOARD OF THE CARSON HOUSING AUTHORITY AMENDING THE FISCAL YEAR 2017-18 BUDGET TO CONTINUE UNSPENT APPROPRIATIONS FROM FISCAL YEAR 2016-17

ACTION: Item No. 18 was approved on the Consent Calendar.

Item No. 19. AWARD OF WORKERS' COMPENSATION DEFENSE ATTORNEY SERVICE CONTRACT FOR FY 2017/18, FY 2018/19 AND FY 2019/20 (CITY COUNCIL)

Item No. 19 was heard after approval of the Consent Calendar at 8:12 P.M.

Upon inquiry, Sr. Risk Management Analyst Ed Holton discussed the workers' compensation defense attorney services and fees.

George Markos, Partner, Bradford and Barthel, LLP, introduced himself.

Tahmeena Ahmed, Managing Partner/Client Relations, Bradford and Barthel, LLP, introduced herself.

Stephen Nakata, Managing Partner, Laughlin, Falbo, Levy & Moresi, Santa Monica Office, introduced himself.

RECOMMENDATION:

1. AWARD a three-year contract for workers' compensation defense attorney services with two one-year City renewal options to both the Law Office of Bradford & Barthel, LLP and Laughlin, Falbo, Levy & Moresi from September 1, 2017 to September 1, 2020 and should the City exercise both one-year options the agreements has the potential of reaching September 1, 2022, and
2. AUTHORIZE the Mayor to execute the contract after approval as to form by the City Attorney and AUTHORIZE the City Manager to execute each of the optional extensions in one year increments.

ACTION: It was moved to approve staff's recommendation on motion of Davis-Holmes, seconded by Robles and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Santarina, Council Member/Agency Member/Authority Board Member Hilton and Council Member/Agency Member/Authority Board Member Hicks

Noes: None

Abstain: None

Absent: None

Item No. 20. CONSIDER AWARD OF SERVICE ORDER FOR THE PRINTING AND MAILING OF THE COMMUNITY SERVICES GUIDE AND CARSON REPORT (CITY COUNCIL)

Item No. 20 was heard after Item No. 35 at 9:07 P.M.

RECOMMENDATION:

1. AUTHORIZE award of service order to Advantage Mailing, Inc. for the printing of three (3) issues of the Community Services Guide and Carson Report, mailing preparation and printing overage allowance, for an estimated amount of \$30,825 per year
2. AUTHORIZE a one (1) year renewal option for the printing of four (4) issues of the Community Services Guide and Carson Report combination flip book, mail preparation and printing overages in the amount not to exceed \$41,100.
3. AUTHORIZE the Mayor to execute the contract following approval as to form by the City Attorney.

ACTION: Mayor/Agency Chairman/Authority Chairman Robles continued Item No. 20 to the next meeting with no objections heard.

Item No. 21. CONSIDER ADOPTING RESOLUTION NO. 17-126 TO AUTHORIZE THE EXPENDITURE OF \$38,500.00 FOR THE PURCHASE OF TRAFFIC SIGNAL POLES FOR PROJECT NO. 1439: TRAFFIC SIGNAL INSTALLATION AT THE INTERSECTION OF 223RD STREET AND LUCERNE STREET (CITY COUNCIL)

RECOMMENDATION:

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 17-126, "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2017-18 BUDGET IN THE COOPERATIVE AGREEMENT BOND FUND."
2. AUTHORIZE the expenditure of \$38,500.00 for the purchase of traffic signal poles for a new traffic signal at the intersection of 223rd Street and Lucerne Street.

ACTION: Item No. 21 was approved on the Consent Calendar.

Item No. 22. CONSIDER CARSON OVERSIGHT BOARD-APPROVED AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE 17-18 COVERING THE PERIOD FROM JULY 1, 2017 THROUGH JUNE 30, 2018 (SUCCESSOR AGENCY)

RECOMMENDATION:

RECEIVE and FILE.

ACTION: Item No. 22 was approved on the Consent Calendar.

Item No. 23. UPDATE ON THE CITY OF CARSON'S 50TH ANNIVERSARY EVENTS (CITY COUNCIL)

RECOMMENDATION:

RECEIVE and FILE report.

ACTION: Item No. 23 was approved on the Consent Calendar.

Item No. 24. CONSIDER ADOPTION OF RESOLUTION NO. 17-24-CHA TO ADD CONTINGENCY FUNDS FOR THE DEMOLITION PROJECT: RFP P17-17 FOR DEMOLITION OF HOUSING AUTHORITY-OWNED PROPERTY LOCATED AT 21723-21725 FIGUEROA STREET (HOUSING AUTHORITY)

Item No. 24 was heard after Item No. 20

RECOMMENDATION:

TAKE the following actions:

1. ADOPT Resolution No. 17-24-CHA "A RESOLUTION OF THE CARSON HOUSING AUTHORITY AMENDING THE FISCAL YEAR 2017-18 BUDGET IN THE CARSON HOUSING AUTHORITY FUND." This is to appropriate \$8,000 from the unreserved, undesignated Housing Authority Cash Fund to account no. 55-70-790-003-6005 to provide up to \$8,000 in additional funds to cover any contingencies for the Demolition Project at 21723-21725 Figueroa Street: RFP P17-17; this is in addition to the previously authorized amount of \$54,243, which included \$7,075 for contingencies.
2. AUTHORIZE the expenditure of up to an additional \$8,000 in construction contingencies for change orders for unforeseen conditions that may be required to complete this project.

ACTION: It was moved to approve staff's recommendation on motion of Hicks, seconded by Robles and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Santarina, Council Member/Agency Member/Authority Board Member Hilton and Council Member/Agency Member/Authority Board Member Hicks
Noes: None
Abstain: None
Absent: None

Item No. 25. CONSIDER AMENDING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CARSON SUCCESSOR AGENCY AND ECO AND ASSOCIATES, INC. FOR ENVIRONMENTAL TESTING (SUCCESSOR AGENCY)

RECOMMENDATION:

TAKE the following actions:

1. APPROVE the amendment to the Professional Services Agreement with Eco and Associates, Inc. to increase the contract sum by \$60,000.
2. AUTHORIZE the Agency Chairman to execute the Amendment to the Professional Services Agreement following approval as to form by Agency Counsel.

ACTION: Item No. 25 was approved on the Consent Calendar.

Item No. 26. RECEIVE AND FILE A STATUS UPDATE ON PROJECT 919 AND CONSIDER APPROVAL OF THE FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT TO EXTEND THE TIMELINE OF TCM GROUP INC., A HILL INTERNATIONAL COMPANY (SUCCESSOR AGENCY)

RECOMMENDATION:

TAKE the following actions:

1. APPROVE the Fourth Amendment to the Professional Services Agreement with TCM Group, Inc., a Hill International Company, to reflect an extension of the time of service for a negotiated fee not-to-exceed \$259,997.00.
2. AUTHORIZE the Chairman to execute the Fourth Amendment to the Professional Services Agreement with TCM Group, Inc., a Hill International Company, following approval as to form by the Agency Counsel.
3. RECEIVE and FILE a 90-day project status update.

ACTION: Item No. 26 was approved on the Consent Calendar.

Item No. 27. CONSIDERATION OF RESOLUTION NO. 17-127 A BUDGET AMENDMENT IN THE REGULAR ELECTION SUPPORT GENERAL FUND AND AN AGREEMENT WITH MARTIN & CHAPMAN COMPANY FOR ELECTION SERVICES RELATED TO THE NOVEMBER 7, 2017 SPECIAL MUNICIPAL ELECTION (CITY COUNCIL)

RECOMMENDATION:

TAKE the following actions:

1. ADOPT Resolution No. 17-127, A Resolution of the City of Carson City Council Amending the Fiscal Year 2017-2018 Budget in the Regular Election Support General Fund; and
2. APPROVE the agreement for contract services between the City of Carson and Martin & Chapman Company for election services related to the November 7, 2017 Special Municipal Election and AUTHORIZE the Mayor to execute the agreement following approval as to form by the City Attorney.

ACTION: Item No. 27 was approved on the Consent Calendar.

Item No. 28. CONSIDER APPROVING RESOLUTION NO. 17-129, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE FISCAL YEAR 2016/17 BUDGET IN THE GENERAL FUND BY APPROPRIATING FUNDS FOR THE BLANKET PURCHASE AGREEMENT WITH PETE'S ROAD SERVICES, INC." (CITY COUNCIL)

RECOMMENDATION:

TAKE the following actions:

1. APPROPRIATE \$8,407.85 from the salaries account balance to cover the cost of amendments with Pete's Road Services, Inc.
2. WAIVE further reading and ADOPT Resolution No. 17-129, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE FISCAL YEAR 2016/17 BUDGET IN THE GENERAL FUND" to authorize a budget transfer from Salary account 01-80-840-085-5002 to Vehicle Maintenance account 01-80-840-085-7004.

ACTION: Item No. 28 was approved on the Consent Calendar.

Item No. 29. CONSIDER APPROVING RESOLUTION NO. 17-130, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE FISCAL YEAR 2016/17 BUDGET IN THE GENERAL

**FUND BY APPROPRIATING FUNDS FOR THE BLANKET PURCHASE
AGREEMENT WITH BLUE DIAMOND MATERIALS" (CITY COUNCIL)**

RECOMMENDATION:

TAKE the following actions:

1. APPROPRIATE \$9,562.00 from the Salary account balance to cover the cost of amendments with Blue Diamond Materials.
2. WAIVE further reading and ADOPT Resolution No. 17-130, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING THE FISCAL YEAR 2016/17 BUDGET IN THE GENERAL FUND" to authorize a budget transfer from Salary account 01-80-840-081-5002 to Street Maintenance account 01-80-840-081-6009.

ACTION: Item No. 29 was approved on the Consent Calendar.

SPECIAL ORDERS OF THE DAY: (None)

DISCUSSION: (Items 30-35)

Item No. 30. CONSIDERATION OF RESOLUTION NO. 17-118 ENDORSING THE BALLOT MEASURE C TO ESTABLISH A GROSS RECEIPTS TAX ON BUSINESSES OPERATING ANY FACILITY WHERE PETROLEUM OR PETROLEUM PRODUCTS ARE BLENDED, MIXED, OR REFINED AND/OR ANY FACILITY THAT STORES PETROLEUM PRODUCTS, WHICH IS SCHEDULED FOR CONSIDERATION BY THE VOTERS ON THE NOVEMBER 7, 2017 SPECIAL ELECTION BALLOT

Item No. 30 was heard after Item No. 19 at 8:15 P.M.

(Council Member/Agency Member/Authority Board Member Hilton exited the meeting at 8:16 P.M.)

City Manager Farfsing provided a PowerPoint presentation.

(Council Member/Agency Member/Authority Board Member Hilton reentered the meeting at 8:19 P.M.)

(Mayor/Agency Chairman/Authority Chairman Robles exited the meeting at 8:20 P.M. and reentered the meeting at 8:22 P.M.)

Mayor/Agency Chairman/Authority Chairman Robles and Council Member/Agency Member/Authority Board Member Davis-Holmes offered comments in support of the item.

RECOMMENDATION:

WAIVE further reading by the City Council and ADOPT RESOLUTION NO. 17-118 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ENDORSING THE BALLOT MEASURE FOR A GROSS RECEIPTS TAX ON BUSINESSES WHERE PETROLEUM IS BLENDED, MIXED OR REFINED AND/OR ANY FACILITY THAT STORES PETROEUM PRODUCTS, WHICH IS SCHEDULED FOR CONSIDERATION BY THE CITY OF CARSON ELECTORATE ON THE NOVEMBER 7, 2017 SPECIAL ELECTION BALLOT

ACTION: It was moved to waive further reading and adopt Resolution No. 17-118 on motion of Robles, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Santarina, Council Member/Agency Member/Authority Board Member Hilton and Council Member/Agency Member/Authority Board Member Hicks
Noes: None
Abstain: None
Absent: None

Item No. 31. RECEIVE AND FILE STATUS REPORT ON CITY'S PARTICIPATION IN THE ENVIRONMENTAL REVIEW OF THE CALIFORNIA STATE UNIVERSITY, DOMINGUEZ HILLS 2018 MASTER PLAN REVISION (CITY COUNCIL)

Item No.31 was heard after Item No. 30 at 8:49 P.M.

City Manager Farfsing presented the staff report.

RECOMMENDATION:

RECEIVE and file this STATUS REPORT & provide such further DIRECTION as the City Council deems appropriate consistent with the requirements of law.

ACTION: It was moved to direct the City Manager and City Attorney prepare to ensure all legal options are pursued until established that the City is the lead agency on motion of Robles, seconded by Santarina and carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Santarina, and Council Member/Agency Member/Authority Board Member Hilton
Noes: Council Member/Agency Member/Authority Board Member Hicks

Abstain: None
Absent: None

Item No. 32. CONSIDER RESOLUTION NO. 17-125, AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1618U TO ALLOW FILING OF PLANS AND PERMITS NECESSARY TO OPERATE A CONTAINER YARD LOCATED AT 24690 SOUTH WILMINGTON AVENUE (CITY COUNCIL)

Planning Manager Saied Naaseh presented the staff report.

RECOMMENDATION:

WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 17-125, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, FINDING AND DETERMINING THAT HARBOR LAND COMPANY, LLC HAS COMPLIED WITH THE CONDITIONS NECESSARY TO BE GRANTED AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 17-1618U IN CONNECTION WITH A NEW LEASE OF A 6.736 ACRE PARCEL OF REAL PROPERTY, LOCATED AT 24690 SOUTH WILMINGTON AVENUE, AS AND FOR A CONTAINER FACILITY"

ACTION: It was moved to waive further reading and adopt Resolution No. 17-125 on motion of Robles, seconded by Davis-Holmes and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Hilton; and Council Member/Agency Member/Authority Board Member Hicks

Noes: None

Abstain: None

Absent: Council Member/Agency Member/Authority Board Member Santarina

Item No. 33. CONSIDER ADOPTION OF COMPLIANCE RESOLUTION NO. 17-120 & APPROVAL OF REIMBURSEMENT AGREEMENT WITH SYWEST DEVELOPMENT, LLC AND SOUTH BAY CARSON, LLC (CITY COUNCIL)

City/Agency/Authority Attorney Soltani summarized the staff report.

(Council Member/Agency Member/Authority Board Member Hilton exited the meeting at 9:18 P.M. and reentered the meeting at 9:19 P.M.)

Jed Craig, representing SyWest Development, LLC, introduced himself.

RECOMMENDATION:

TAKE the following actions

1. WAIVE further reading and ADOPT Resolution No. 17-120, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, PROVIDING FOR COMPLIANCE ON THE PART OF SOUTH BAY CARSON, LLC & SYWEST DEVELOPMENT, LLC, WITH RESPECT TO THE TERMS AND CONDITIONS OF CONDITIONAL USE PERMIT NO. 940-13, RELOCATION REVIEW NO. 3047-13 & RESOLUTION NO. 13-099 REGARDING ENTERPRISE RENT-A-CAR FACILITIES LOCATED ON THAT CERTAIN REAL PROPERTY WHOSE COMMON STREET ADDRESS IS 20151 SOUTH MAIN STREET, CITY OF CARSON AND AFFORDING AN EXTENDED COMPLIANCE PERIOD WITHIN WHICH TO DO SO;" and
2. APPROVE that certain REIMBURSEMENT AGREEMENT by and between the City of Carson, South Bay Carson, LLC & SyWest Development, LLC, and AUTHORIZE THE CITY MANAGER TO EXECUTE the same following approval as to form by the City Attorney.

ACTION: It was moved to approve staff's recommendation on motion of Robles, seconded by Hicks and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Hilton; and Council Member/Agency Member/Authority Board Member Hicks

Noes: None

Abstain: None

Absent: Council Member/Agency Member/Authority Board Member Santarina

Item No. 34. CONSIDER APPOINTMENTS TO THE CITY'S COMMISSIONS, COMMITTEES AND BOARDS BY MAYOR AND CITY COUNCIL (CITY COUNCIL)

RECOMMENDATION:

TAKE the following actions:

CONSIDER and APPOINT, REAPPOINT or REMOVAL members to the Commission, Committees and Boards;

DIRECT the City Clerk to notify all affected appointments, reappointments or removed members of this action; and

IF APPLICABLE, DIRECT the City Clerk to post and publish in accordance with the Maddy Act.

OR:

TAKE another action the City Council deems appropriate.

ACTION: Mayor/Agency Chairman/Authority Chairman Robles declared vacancies and nominated for appointment the following individuals:

Beautification Commission

Moved up Alternate Member No. 3 Alicia Perez to first vacancy
Billye Bates to Alternate Member No. 1

Bullying Prevention Commission

Naomi Carolyn Perry to Alternate Member No. 1
Kenneth Fleming and Fofoga Lea'ea to the two vacant positions
Declared vacant positions by Kendra Crawford and Jerry Kelly due to lack of attendance

Economic Development Commission

Declared vacant position by Brissa Sotelo-Vargas
Steven Serber and Ken Dami to the two vacancies

Parks and Recreation Commission

Devin Brown to Alternate Member No. 2

Planning Commission

Declared vacant positions by Ramon Madrigal and Alternate Member No. 3 Myla Rahman

Public Relations Commission

Declared vacant position by Juanita Smith, Community Representative

Veterans Affairs Commission

Patrick Billups to vacant position

Women's Issues Commission

Juanita Smith to Alternate Member No. 1 position

Youth Commission

Announced that commissioners Sergio Bailon, Jamie Esquivel and Roycelin Love were no longer qualified and thanked them for their service
Eden Rose Delos Santos to the Alternate Member No. 2 position
Jalen Navaro Sazon to regular position

Mayor/Agency Chairman/Authority Chairman Robles encouraged any youth to apply for the Youth Commission and anyone interested in other City commissions, committees or boards to visit the City Clerk's Office to check for any vacancies.

It was moved to ratify the appointments on motion of Robles, seconded by Hilton and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Hilton; and Council Member/Agency Member/Authority Board Member Hicks
Noes: None
Abstain: None
Absent: Council Member/Agency Member/Authority Board Member Santarina

Item No. 35. CONSIDER ADOPTION OF COMPLIANCE RESOLUTION NO. 17-121 & APPROVAL OF A SETTLEMENT AGREEMENT BY AND BETWEEN THE CITY OF CARSON & CHP ENTERPRISES, INC. (CITY COUNCIL)

Item No. 35 was heard after Item No. 31.

City/Agency/Authority Attorney Soltani summarized the staff report.

(Council Member/Agency Member/Authority Board Member Hilton exited the meeting at 8:54 P.M. and reentered the meeting at 8:56 P.M.)

Mayor/Agency Chairman/Authority Chairman Robles requested clarity on the addresses listed.

City/Agency/Authority Attorney Soltani stated that she met with CHP counsel and the owner. The settlement agreement, staff report, and resolution of compliance have extra addresses and the owner was not entirely certain of the exact addresses his operation is on.

City/Agency/Authority Attorney Soltani asked Council to approve the Settlement Agreement and compliance resolution subject to the City Attorney and staff work on exact addresses for portions on the Kott property. CHP Enterprises currently operates businesses and do not want to inadvertently enlarge the area. Upon amending, the clean copy will be submitted to the City Clerk's Office. Planning Manager Saied Naaseh could meet with owner after Council action.

City/Agency/Authority Attorney Soltani suggested the motion to waive further reading and adopt resolution. Regarding addresses on the portions of the real property south of Avalon Boulevard and 640 E. 213th Street in the City of Carson.

Council Member/Agency Member/Authority Board Member Hicks expressed concern of what the current state of property and extension.

Mayor/Agency Chairman/Authority Chairman Robles directed the City Manager and City Attorney to ensure that the property will be vacated on or before December 31, 2018 and not left with junk and mulch.

Rob Glushon, representing Luna and Glushon

Stated that part of the confusion of the address is who is responsible for mulch and other kinds of materials; Kott family parcels of which portions are subject to Glushon's client's lease, portion being leased will be left in good condition and will work with staff to clean up addresses; there are portions of property with the addresses subject to lease and portions that are not.

City/Agency/Authority Attorney Soltani addressed Council concerns and would add a provision that not just stopping use but everything be removed.

Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes referred to Page 3 of the staff report regarding Compliance Resolution of a fine up to one-thousand dollars (\$1,000); which does not specify per violation.

City/Agency/Authority Attorney Soltani stated that the \$1,000 fine was a one-time misdemeanor fee, per Carson Municipal Code, and Council could update the code.

Mayor/Agency Chairman/Authority Chairman Robles directed the City Attorney to update the Carson Municipal Code to include per violation. City/Agency/Authority Chairman Soltani stated that she would ensure that the Settlement Agreement is clear to fine up to \$1,000 per violation per day.

RECOMMENDATION:

1. WAIVE further reading and ADOPT Resolution No. 17-121, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, PROVIDING FOR AN EXTENDED COMPLIANCE PERIOD ON THE PART OF CHP ENTERPRISES, INC., WITH RESPECT TO REQUIREMENTS OF CONDITIONAL USE PERMIT NO. 881-11 TO CEASE ALL BUSINESS ACTIVITIES OCCURRING ON THAT CERTAIN REAL PROPERTY WHOSE COMMON STREET ADDRESSES ARE 21126, 21140, 21212 SOUTH AVALON BOULEVARD AND 640 EAST 213TH STREET IN THE CITY OF CARSON;" and
2. APPROVE that certain SETTLEMENT AGREEMENT by and between the City of Carson, CHP Enterprises, Inc., and AUTHORIZE THE CITY MANAGER TO EXECUTE the same following approval as to form by the City Attorney.

ACTION: It was moved to 1) Waive further reading and adopt Resolution No. 17-121; 2) Approve the Settlement Agreement with addresses on portions of the real property South of Avalon Boulevard and 640 E. 213th Street in the City of Carson which CHP Enterprises is currently operating their business; 3) Direct the City Manager and City Attorney to ensure that the property is vacated on or before December 31, 2018 and not left with junk and mulch; 4) City Attorney to add provision that the property not

just stop use but all materials discussed be removed; and 5) Direct the City Attorney to update the Carson Municipal Code to include per violation on motion of Robles, seconded by Santarina and unanimously carried by the following vote:

Ayes: Mayor/Agency Chairman/Authority Chairman Robles, Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes, Council Member/Agency Member/Authority Board Member Santarina, and Council Member/Agency Member/Authority Board Member Hilton
Noes: Council Member/Agency Member/Authority Board Member Hicks
Abstain: None
Absent: None

(Council Member/Agency Member/Authority Board Member Santarina requested to be excused from the meeting and exited the meeting at 9:06 P.M.)

ORDINANCE SECOND READING: (None)

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

ORAL COMMUNICATIONS (COUNCIL MEMBERS)

City Clerk/Agency Secretary/Authority Secretary Gause

Offered prayers and condolences to the families who lost their loved ones including those who were devastated by Harvey Hurricane in Houston, Texas and Louisiana and offered prayers for the families in Florida, Georgia and Caribbean who may be affected by Hurricane Irma and requested that this evening's meeting be adjourned in memory of the following individuals:

Nisam Sabarudin
Darrell Keyun Rodgers
Joseph Rayson
Moses Cole
Kelvin E. Waddis
Derrick Coleman
Bobby Glen Reliford
John Goolsby
Ada Shannon Williams

Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes

- Requested to revisit FPPC rules and regulations regarding 199 mailers.
- Inquired about schedule of town hall meetings. City Manager Farfsing stated that he was working with Executive Assistant Ginger Buesing to coordinate Town Hall meetings with Council's calendar.
- Stated that she was in favor of having two Town Hall meetings per month.
- Referred to her request to have Town Hall meeting flyers made and if staff was unable to produce she prefer they simply tell her.

Mayor/Agency Chairman/Authority Chairman Robles

- Referred to the Town Hall workshops for opportunity to hear from members of the community on option of regulating cannabis in the City which will be held on Saturday, September 23, 2017 at 10:00 A.M. at the Carson Community Center and on Thursday, September 28, 2017 at 6:00 P.M. at the Carson Community Center.

Council Member/Agency Member/Authority Board Member Hicks

- Announced that school and colleges are in session and reminded everyone be safe.

Council Member/Agency Member/Authority Board Member Hilton

- Praying for Houston.
- Hoping that all will work out for those affected by DACA.
- Referred to Town Hall meetings scheduled on September 23, 2017 and September 28, 2017 and looked forward to hearing everyone's voice.

Council Member/Agency Member/Authority Board Member Hicks

- Inquired about negotiations regarding old Applebee's and new restaurant coming. Director of Community Development John Raymond stated that he could not state publicly but it was architecturally a step up from Applebee's.
- Inquired about the status of John's Incredible Pizza. Planning Manager Saied Naaseh stated that he was working with all parties to schedule Planning Commission public hearing in October and that there are three tenants which are John's Incredible Pizza, Planet Fitness and Flor and Décor.

Council Member/Agency Member/Authority Board Member Hilton

- Referred to Whole Foods lowering their prices since taken over by Amazon and inquired if there was any way to write letter at request from Mayor and Council to solicit coming to the City. Mayor/Agency Chairman/Authority Chairman Robles directed Planning Manager Saied Naaseh to prepare letter.

Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Davis-Holmes

- Inquired if City can send a check for relief efforts to show united in effort; let residents know where to send donations and also look into donations from Jazz Festival event. City/Agency/Authority Attorney Soltani stated that she would look into her request to set something up to raise money and encourage businesses to donate money.

Council Member/Agency Member/Authority Board Member Hilton

- Suggested that residents get involved for relief effort on a Saturday. City/Agency/Authority Attorney Soltani stated that she would meet with the City Treasurer to properly set up relief effort.

Pilar Hoyos

Informed the City Council that Energy Transport Logistics is coordinating a relief of specific supplies for Houston and that she would be happy to work with the City and provide contact information.

City Clerk/Agency Secretary/Authority Secretary Gause requested to add City employee Manny Transeco to the Memorial Adjournment Requests list.

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

City/Agency/Authority Attorney Soltani announced the unfinished/continued closed session items earlier in the meeting.

RECESS TO CLOSED SESSION

The meeting was recessed at 9:51 P.M. by Mayor/Agency Chairman/Authority Chairman Robles to continued Closed Session.

RECONVENE TO OPEN SESSION

The meeting was reconvened at 11:05 P.M. by Mayor/Agency Chairman/Authority Chairman Robles with Santarina absent.

REPORT OF ACTIONS ON UNFINISHED OR CONTINUED CLOSED SESSION ITEMS

City/Agency/Authority Attorney Soltani provided the Closed Session Report as follows:

Council Closed Session Item No. 1

No reportable action was taken on four of the six cases.

Council Closed Session Item No. 3

No reportable action was taken.

Council Closed Session Item No. 5

No reportable action was taken.

ADJOURNMENT

The meeting was adjourned at 11:06 P.M., by Mayor/Agency Chairman/Authority Chairman Robles.

Mayor/Agency Chairman/Authority Chairman
Albert Robles

ATTEST:

City Clerk/Agency Secretary/Authority Secretary
Donesia L. Gause

APPROVED BY CARSON CITY
COUNCIL/SUCCESSOR AGENCY/
HOUSING AUTHORITY

09-19-2017

Approved as Submitted. AR/JH 5/0

Prepared by Joy Simarago, Deputy City Clerk