



## **CITY OF CARSON**

### **MINUTES CARSON CITY COUNCIL SPECIAL MEETING APRIL 26, 2019**

**12:00 P.M.**

#### **CALL TO ORDER:**

The meeting was called to order at 12:08 P.M. by Mayor Pro Tem Cedric Hicks in the Helen Kawagoe Council Chambers, Carson City Hall, located at 701 E. Carson Street, Carson, California 90745.

#### **ROLL CALL:**

City Clerk Donesia Gause-Aldana noted the roll:

#### **Council Members Present:**

Mayor Pro Tem Cedric Hicks, Council Member Lula Davis-Holmes, and Council Member Jim Dear

#### **Council Members Absent:**

Mayor Albert Robles and Council Member Jawane Hilton

#### **Other Elected Officials Present:**

Donesia Gause-Aldana, City Clerk and Monica Cooper, City Treasurer

#### **Also Present:**

John Raymond, Acting City Manager; Chris Neumeyer, Assistant City Attorney; David Roberts, Assistant City Manager; Saied Naaseh, Director of Community Development; and Gilbert Marquez, City Engineer

#### **Also Absent:**

Sunny Soltani, City Attorney; Maria Williams-Slaughter, Director of Public Works; Faye Moseley, Director of Human Resources and Risk Management; Tarik Rahmani, Director of Finance

## **ORAL COMMUNICATIONS FOR MATTERS LISTED ON THE AGENDA (MEMBERS OF THE PUBLIC)**

Carrie Scoville, President of San Pedro Democratic Club - Item No. 1

Read a letter in opposition of Ganas Academy Charter School co-location proposal at Catskill Elementary. Urged the City Council to support the resolution.

Pat Skaniel, Former Harbor Area Chair of United Teachers Los Angeles – Item No. 1

Spoke in opposition of Ganas Academy Charter School co-location proposal at Catskill Elementary. Urged the City Council to support the resolution.

Speaker - Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

Speaker, San Pedro Resident - Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

Ida Taylor - Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

Sakshi Jain, Founder of Ganas Academy - Item No. 1

Encouraged City Council to vote no on the resolution.

Jasmine Reeves, Business Operations Manager for Ganas Academy - Item No. 1

Encouraged City Council to vote no on the resolution.

Irvin Gonzalez , Ganas Academy Parent - Item No. 1

Encouraged City Council to vote no on the resolution.

Richard Vaughn, Former Carson Resident - Item No. 1

Spoke about parents having the right to choose what's in the best interest of their children.

Ebony Wheaton, Director of Facilities for California Charter School Association – Item No. 1

Spoke in support of charter school and the co-location proposal. She encouraged City Council to vote no on the resolution.

Charlotte Brimmer, Magnolia Charter School Board Member– Item No. 1

Spoke in support of charter school and the co-location proposal. She encouraged City Council to vote no on the resolution.

Carlos Morales, School Site Council Member Catskill Elementary – Item No. 1

Spoke in opposition of Ganas Academy Charter School co-location proposal at Catskill

Elementary.

Alicia Baltazar Catskill Elementary Parent Volunteer– Item No. 1

Spoke in opposition of Ganas Academy Charter School co-location proposal at Catskill Elementary.

Marinelle Panoya– Item No. 1

Spoke in opposition of Ganas Academy Charter School co-location proposal at Catskill Elementary.

Rick Pulido, Community Activist and Environmentalist – Item No. 1

Spoke in support of the resolution opposing the co-location proposal at Catskill Elementary. In addition, he spoke about terminating the consultant contracts to make up for the budget deficit.

Carolina Hernandez – Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

Jaime Monteclaro, Attorney – Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

Jessica Scalante – Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

Janice Lenard, Former Catskill Elementary Employee – Item No. 1

Spoke in support of approving a resolution opposing the co-location proposal at Catskill Elementary.

**DISCUSSION: (Items 1-4)**

**Item No. 1. 2019-419      CONSIDER RESOLUTION NO. 19-086, A RESOLUTION SUPPORTING THE PARENTS, TEACHERS AND STUDENTS OF CATSKILL ELEMENTARY SCHOOL IN THEIR OPPOSITION TO THE APPROVAL OF LOS ANGELES UNIFIED SCHOOL DISTRICT APPROVING THE CO-LOCATION OF A PRIVATE CHARTER SCHOOL ON THEIR CAMPUS (CITY COUNCIL)**

Acting City Manager Raymond provided a brief staff report.

Council Member Dear made a motion to adopt Resolution No. 19-086 and was seconded by Davis-Holmes.

Council Member Dear requested staff to place on the City's website and send a copy to LAUSD, Superintendent Area 1 and Area 2 prior to May 1, 2019.

Council Member Davis-Holmes inquired if Mayor Pro Tem Hicks can sign the resolution in Mayor Robles absence.

Assistant City Attorney Neumeyer confirmed that Mayor Pro Tem Hicks may sign.

Council Member Davis-Holmes informed the audience that the issue should be taken up with Los Angeles Unified School District. In addition, she inquired of Ganas Academy if their interest was originally to be placed in Wilmington. She noted that she supports the residents and she supports the resolution opposing the co-location proposal.

Ganas Academy Founder Sakshi Jain responded to Council Member Davis-Holmes stating the Ganas Academy Proposition 39 application requested a Wilmington area school however the Los Angeles Unified School District chose the Catskill Elementary location instead.

Mayor Pro Tem Hicks stated the concerns of the audience should be with Los Angeles Unified School District.

Recommendation:

1. ADOPT RESOLUTION NO. 19-086, A RESOLUTION SUPPORTING THE PARENTS, TEACHERS AND STUDENTS OF CATSKILL ELEMENTARY SCHOOL IN THEIR OPPOSITION TO THE APPROVAL OF LOS ANGELES UNIFIED SCHOOL DISTRICT APPROVING THE CO-LOCATION OF A PRIVATE CHARTER SCHOOL ON THEIR CAMPUS (CITY COUNCIL)
2. DIRECT staff to send an approved copy of this resolution to the Los Angeles Unified School District Board prior to May 1.

ACTION: It was moved to approve staff recommendations to adopt Resolution No. 19-086 on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

Ayes:	Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear
Noes:	None
Abstain:	None
Absent:	Mayor Robles, and Council Member Hilton

**Item No. 2. 2019-420      TERMINATE OR AMEND CONSULTANT RETAINER AGREEMENTS TO PROVIDE ON-CALL ENGINEERING PROFESSIONAL SERVICES TO THE ENGINEERING DIVISION OF THE PUBLIC WORKS DEPARTMENT (CITY COUNCIL)**

Acting City Manager Raymond provided a brief staff report.

Mayor Pro Tem Hicks inquired about the amendment process for a Consultant Retainer Agreement.

Assistant City Attorney Neumeyer responded stating both parties must agree to the amendment of the Consultant Retainer Agreement; and that the consultants have agreed to the amendment.

Council Member Davis-Holmes inquired about any legal ramifications.

Both Assistant City Attorney Neumeyer and Acting City Manager Raymond responded.

Council Member Dear spoke supporting the Consultant Retainer Agreement amendments.

Council Member Davis-Holmes directed the incoming City Manager to review all City contracts as part of their first assignment.

Recommendation: TAKE the following actions:

KOA Corporation

1. DIRECT staff to proceed with termination under Section 7.7, "Termination Prior to Completion of Term," of the Consultant Retainer Agreement with KOA Corporation to provide On-Call Engineering Professional Services for the term of April 2, 2019 through June 30, 2021, in an amount not-to-exceed \$500,000.00.

or

2. APPROVE Amendment No. 1 to Consultant Retainer Agreement with KOA Corporation to provide On-Call Engineering Professional Services for the term of April 2, 2019 through June 30, 2021, amending the not-to-exceed amount from \$500,000.00 to \$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.

or

3. DIRECT staff to prepare a different amendment to the Agreement on other terms.

or

4. AFFIRM the original Agreement and take no action.

John M. Cruikshank Consultant Inc.

5. DIRECT staff to proceed with termination under Section 7.7, "Termination Prior to Completion of Term," of the Consultant Retainer Agreement with John M. Cruikshank Consultant Inc., to provide On-Call Engineering Professional Services for the term of April 2, 2019 through June 30, 2021, in an amount not-to-exceed \$500,000.00.

or

6. APPROVE Amendment No. 1 to Consultant Retainer Agreement with John M. Cruikshank Consultant Inc., to provide On-Call Engineering Professional Services for the term of April 2, 2019 through June 30, 2021, amending the not-to-exceed amount from \$500,000.00 to \$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.

or

7. DIRECT staff to prepare a different amendment to the Agreement on other terms.

or

8. AFFIRM the original Agreement and take no action. P.A. Arca Engineering, Inc.,

9. DIRECT staff to proceed with termination under Section 7.7, "Termination Prior to Completion of Term," of the Consultant Retainer Agreement with P.A. Arca Engineering, Inc., to provide On-Call Engineering Professional Services for the term of April 2, 2019 through June 30, 2021, in an amount not-to-exceed \$500,000.00.

or

10. APPROVE Amendment No. 1 to Consultant Retainer Agreement with P.A. Arca Engineering, Inc., to provide On-Call Engineering Professional Services for the term of April 2, 2019 through June 30, 2021, amending the not-to-exceed amount from \$500,000.00 to \$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.

or

11. DIRECT staff to prepare a different amendment to the Agreement on other terms.

or

12. AFFIRM the original Agreement and take no action.

#### General Recommendations

13. AUTHORIZE and DIRECT the Mayor to execute the proposed Amendment(s) to the Consultant Retainer Agreements following approval as to form by the City Attorney (pursuant to adoption of Recommendation No's 2, 6 and/or 10).

14. AUTHORIZE and DIRECT 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 engineering professional services as long as the total compensation for all three on-call engineering consultant services shall not exceed \$375,000 per fiscal year. Amendments causing on-call engineering consultant services compensation to exceed \$375,000 per fiscal year shall require further City Council approval.

#### ACTION:

It was moved to direct staff to proceed with recommendations Nos. 2, 6, 10, 13 and 14 to terminate the Consultant Retainer Agreement under Section 7.7, "Termination Prior to Completion of Term" on

motion of Davis-Holmes, seconded by Dear and unanimously carried by the following vote:

Ayes:	Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear
Noes:	None
Abstain:	None
Absent:	Mayor Robles and Council Member Hilton

**Item No. 3. 2019-421      TERMINATE OR AMEND CONSULTANT RETAINER AGREEMENT TO PROVIDE ON-CALL ARCHITECTURAL PROFESSIONAL SERVICES TO THE ENGINEERING DIVISION OF THE PUBLIC WORKS DEPARTMENT (CITY COUNCIL)**

Acting City Manager Raymond provided a brief staff report

Mayor Pro Tem Hicks inquired about specific projects that are currently being worked and services being rendered by the contractor.

City Engineer Gilbert Marquez provided a brief status report on projects currently being worked by the contractor.

Acting City Manager Raymond noted the specifics related to architectural needs for a grant proposal. In addition to explaining the city's internal process with contracts and purchase orders.

Council Member Dear inquired about the City's ability to negotiate cost with a contractor when the City is locked into a not-to-exceed contract.

Council Member Davis-Holmes inquired about the responsive bidders, why Carson firms are not participating in the bid process, and current projects that are preventing the City from going out for re-bid.

Assistant City Attorney Neumeyer noted that City Council may continue the contract to the extent of work currently being provided.

Discussion ensued about how the current contract can be amended to continue with work currently being provided and allow staff to go out for re-bid.

Assistant City Attorney Neumeyer provided options to the City Council on how to proceed with the current contract while seeking other contractors.

Council Member Davis-Holmes made a motion to amend the Consultant Retainer Agreement and re-open the bid process, seconded by Council Member Dear.

Council Member Dear inquired about signing authority of Mayor Pro Tem Hicks for contracts; Westberg and White was the firm that worked on the Juanita Millender-McDonald Community Center; and if there are restrictions on having one firm. He concurred with Council Member Davis-Holmes to re-bid for this item and to direct staff to seek out other architectural firms.

City Engineer Marquez responded to Council Member Dear's inquiry.

Recommendation: TAKE the following actions:

1. DIRECT staff to proceed with termination under Section 7.7, "Termination Prior to Completion of Term," of a Consultant Retainer Agreement with Westberg and White, Inc. to provide On-Call Architectural Professional Services for the term of April 2, 2019 through June 30, 2021, in an amount not-to-exceed \$500,000.00.

or

2. APPROVE Amendment No. 1 to Consultant Retainer Agreement with Westberg and White, Inc. to provide On-Call Architectural Professional Services for the term of April 2, 2019 through June 30, 2021, amending the not-to-exceed amount from \$500,000.00 to \$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.

or

3. DIRECT staff to prepare a different Amendment to the Agreement on other terms.

or

4. AFFIRM the additional Agreement and take no action.

5. AUTHORIZE the Mayor to execute Amendment No. 1 following approval as to form by the City Attorney.

ACTION: It was moved to direct staff to proceed with recommendations Nos. 2, and 5 to terminate the Consultant Retainer Agreement under Section 7.7, "Termination Prior to Completion of Term" and re-open bid process on motion of Davis-Holmes, seconded by Hicks and unanimously carried by the following vote:

Ayes: Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes: None

Abstain: None

Absent: Mayor Robles, and Council Member Hilton

### **MEETING WENT INTO RECESS**

The meeting was recessed at 2:02 P.M. by Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Hicks.

### **RECONVENE TO OPEN SESSION**

The meeting was reconvened at 2:08 P.M. by Mayor Pro Tem/Agency Vice Chairman/Authority Vice Chairman Hicks with all members previously noted present.



**Item No. 4. 2019-422      TERMINATE OR REVIEW AMENDMENT NO. 1 TO THE AGREEMENT WITH MDG ASSOCIATES, INC. TO PROVIDE CDBG GRANT-FUNDED PROGRAM ADMINISTRATION SERVICES (CITY COUNCIL)**

Acting City Manager Raymond provided a brief staff report.

Council Member Davis-Holmes inquired about the total cost of the Community Development Block Grant and how much of the grant is being used for contractors.

Director Naaseh noted the Community Development Block Grant is \$800,000 a year and \$190,000 of it is being used for MDG Associates contract. He noted the reduction of the contractor hours which in turn will reduce the contract amount.

Council Member Davis-Holmes directed staff to amend the contract for one year and bring back a comprehensive overview of the Community Development Block Grant program.

Discussion ensued about contract amendments and decided that a comprehensive report should be brought back to the 2<sup>nd</sup> City Council Meeting in October 2019.

Recommendation:            TAKE the following actions:

1. DIRECT staff to proceed with termination under Section 7.7, "Termination Prior to Completion of Term," of Amendment No. 1 to an Agreement with MDG Associates, Inc. to provide technical assistance services for the City's CDBG program, which adds a total of \$154,200 to the contract over 5 years.
- or
2. DIRECT staff to prepare an Amendment to the Agreement on other terms.
- or
3. AFFIRM the Amendment No. 1 to the Agreement and take no action.

ACTION:                        It was moved to direct staff to proceed with recommendations No. 2 to approve as a one year contract in the amount of \$222,300 to expire June 30, 2020, approved as to form by the City Attorney and to be brought back for review during the September 17, 2019 City Council meeting on motion of Davis-Holmes, seconded by Hicks and unanimously carried by the following vote:

Ayes:                            Mayor Pro Tem Hicks, Council Member Davis-Holmes, and Council Member Dear

Noes:                            None

Abstain:                        None

Absent:                         Mayor Robles, and Council Member Hilton

## ORAL COMMUNICATIONS (COUNCIL MEMBERS)

### Council Member Dear

Spoke about a Press Release from Attorney General Becerra regarding Inland Starr. He is concerned that the City Council was not briefed on this matter.

### Council Member Davis-Holmes

Inquired about an individual named 'Gina' identified in the Press Release. She was also concerned the City Council was not apprised of this issue.

Director Naaseh noted 'Gina' is a CSG Consultant working on the project on behalf of the City.

### Council Member Davis-Holmes

Inquired about an article in the Los Angeles Times discussing the Southern California Edison proposed rates. She requested the City Attorney draft a letter opposing the rate increase.

Acting City Manager Raymond noted that Carson residents are now apart of the Clean Power Alliance. He provided a brief synopsis on how Carson residents may be affected by the proposed rate increases.

## ADJOURNMENT

The meeting was adjourned at 2:37 P.M. by Mayor Pro Tem Hicks.

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Mayor Albert Robles

ATTEST:

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City Clerk Donesia Gause-Aldana

APPROVED BY CARSON CITY COUNCIL/SUCCESSOR AGENCY/ HOUSING AUTHORITY	
08-06-2019	
Approved as Submitted.	AR/JD 5/0