



## Legislation Details (With Text)

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**File #:** 2019-363      **Version:** 1      **Name:**  
**Type:** Discussion      **Status:** Agenda Ready  
**File created:** 3/28/2019      **In control:** City Council  
**On agenda:** 4/2/2019      **Final action:**  
**Title:** CONSIDERATION OF RESCISSION OF RESOLUTION NO. 15-115, A RESOLUTION THAT WAS ADOPTED BY THE CITY COUNCIL IN CONNECTION WITH AN INDEPENDENT ADMINISTRATIVE INVESTIGATION OF THE FORMER CITY CLERK IN 2015

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution 15-115, 2. Resolution Rescinding Reso. No. 15-115 (JD)

Date	Ver.	Action By	Action	Result
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## Report to Mayor and City Council

Tuesday, April 02, 2019

Discussion

### SUBJECT:

**CONSIDERATION OF RESCISSION OF RESOLUTION NO. 15-115, A RESOLUTION THAT WAS ADOPTED BY THE CITY COUNCIL IN CONNECTION WITH AN INDEPENDENT ADMINISTRATIVE INVESTIGATION OF THE FORMER CITY CLERK IN 2015**

### I. SUMMARY

This item is on the agenda through the Mayor at the request of Councilmember Dear. Councilmember Dear is requesting that Resolution No. 15-115, adopted by the City Council in 2015 in connection with a certain independent administrative investigation into the then City Clerk, be rescinded in its entirety.

### II. RECOMMENDATION

TAKE the following actions:

1. Review and Provide Direction.

### **III. ALTERNATIVES**

TAKE such other action as the City Council deems appropriate consistent with the requirements of law.

### **IV. BACKGROUND**

When Councilmember Dear was serving the City in the capacity of City Clerk, a certain administrative investigation was conducted by an independent third-party investigator, Maria Aarvig of Aarvig & Creason, LLP. The City Council adopted the following resolution in connection with or resulting from the investigation and related administrative proceedings, as follows:

- Resolution No. 15-115, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ADOPTING AND IMPOSING CERTAIN REMEDIAL MEASURES ARISING OUT OF AND BASED UPON RESOLUTION NO. 15-114 CENSURING CITY CLERK JIM DEAR FOR CONDUCT UNBECOMING OF A CARSON ELECTED OFFICIAL AND FOR VIOLATIONS OF ETHICAL PRINCIPLES APPLICABLE TO ANY CARSON ELECTED OFFICIAL.

The foregoing resolution is attached hereto as Exhibit 1.

This item is on the agenda through the Mayor at the request of Councilmember Dear. Councilmember Dear is requesting that the foregoing resolution be rescinded in its entirety, such that it shall be of no further force or effect.

The City Council is requested to review the matter and provide further direction. If the Council is inclined to rescind the foregoing resolution at this time, it may adopt the proposed resolution attached hereto as Exhibit 2.

### **V. FISCAL IMPACT**

None.

### **VI. EXHIBITS**

1. Resolution No. 15-115, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ADOPTING AND IMPOSING CERTAIN REMEDIAL MEASURES ARISING OUT OF AND BASED UPON RESOLUTION NO. 15-114 CENSURING CITY CLERK JIM DEAR FOR CONDUCT UNBECOMING OF A CARSON ELECTED OFFICIAL AND FOR VIOLATIONS OF ETHICAL PRINCIPLES APPLICABLE TO ANY CARSON ELECTED OFFICIAL (pp. 3-7)
2. Resolution No. 19-077, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, RESCINDING RESOLUTION NO. 15-115, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, ADOPTING AND IMPOSING CERTAIN REMEDIAL MEASURES ARISING OUT OF AND BASED UPON RESOLUTION NO. 15-114 CENSURING CITY CLERK JIM DEAR FOR CONDUCT UNBECOMING OF A CARSON ELECTED OFFICIAL AND FOR VIOLATIONS OF

ETHICAL PRINCIPLES APPLICABLE TO ANY CARSON ELECTED OFFICIAL (pp. 8-9)

1.

Prepared by: John Raymond, Acting City Manager