Inglewood, California

November 9, 1999

The City Council of the City of Inglewood, California held a regular meeting on Tuesday, November 9, 1999 in the Council Chambers in City Hall of said City.

Mayor Dorn called the City Council and Redevelopment Agency to order for a closed session meeting at the hour of 6:02 p.m. The City Clerk/Secretary announced the presence of a quorum as follows:

Present: Mayor/Chairman Dorn, Council Members/Members Dunlap and

Fernandez;

Absent: Council Member/Member Horton; (Arrived at 6:15 p.m.)

Absent: Council Member/Member Kirkley.

Mayor/Chairman Dorn declared the meeting recessed for a closed session at the hour of 6:06 p.m.

Following the Pledge of Allegiance to the flag of our Country and invocation by Reverend Theodore Solomon, Calvary Christian Fellowship Church, Mayor Dorn again called the meeting to order at the hour of 7:20 p.m. with a quorum present except Council Members Dunlap and Kirkley.

City officials and personnel present were:

Hermanita V. Harris City Clerk

Wanda Brown City Treasurer

Joseph T. Rouzan, Jr. CityAdministrator

Charles E. Dickerson City Attorney

Margaret Baird Stenographer Clerk

PROCLAMATION - INGLEWOOD CELEBRATES A CALL FOR PEACE DAY ON NOVEMBER 20, 1999. Mayor and Council presented a proclamation in recognition of Peace Day to Delia Council, Executive Director, Inglewood Coalition for Drug and Violence. Delia Council thanked Mayor and Council for the proclamation and encouraged peace in the City. She invited everyone to attend memorial service for victims of violence on November 20, 1999 at Darby Park.

Council Member Dunlap arrived in the Council Chambers at the hour of 7:23 p.m.

145.5 EMERGENCY ITEM - APPLICATION FOR CHANGE OF CONTROL OF CABLE TELEVISION FRANCHISE FROM MEDIA ONE GROUP, INC. TO AT&T CORP. Mayor Dorn commented that an emergency arose subsequent to posting of the agenda that this matter needed to be added to the agenda and required action.

It was moved by Council Member Dunlap and seconded by Council Member Fernandez that the City Council does hereby find that an emergency exists pursuant to the Inglewood Municipal Code and the matter added to the agenda. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Dunlap, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Member Kirkley.

PUBLIC COMMENTS - AGENDA ITEMS. Mayor Dorn inquired if there were any persons present who wished to address the City Council on any item on the agenda.

Pamela Corante spoke concerning item no. 10A, resolution authorizing transfer of Cable Television Franchise.

Mark Sinaguglia spoke concerning item no. 10A, resolution authorizing transfer of Cable Television Franchise.

Council Member Dunlap left the Council Chambers at the hour of 7:30 p.m.

Paul Russell, District 2, spoke concerning item no. 10A, resolution authorizing transfer of Cable Television Franchise; no. 6, award of contract for Parking Structure #2 and no. 9, Ordinance No. 99-34.

Council Member Dunlap returned in the Council Chambers at the hour of 7:33 p.m.

Michael Benbow spoke concerning item no. 10A, resolution authorizing transfer of Cable Television Franchise.

Diane Sambrano, District 4, spoke concerning item no. 6, award of contract for Parking Structure #2 and no. 16, initiative by Council Member Fernandez regarding Executive Directives 99-01 and 99-02.

Callie Jones, District 1, spoke concerning item no. 16, initiative by Council Member Fernandez regarding Executive Directives 99-01 and 99-02.

142.9 PAYMENTS OF WARRANTS AND BILLS. It was moved by Council Member Fernandez and seconded by Mayor Dorn that the demands presented to the City Council dated November 4, 1999 in the amount of \$1,760,615.06 are hereby approved and the City Clerk hereby authorized to certify upon said registers that said demands are so approved. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Member Kirkley;

Not Voting: Council Member Dunlap.

215 PUBLIC HEARING - AMENDMENT TO THE LAND USE ELEMENT MAP OF THE INGLEWOOD GENERAL PLAN. The City Clerk announced the next scheduled matter was a public hearing to consider an amendment to the Land Use Element Map of the Inglewood General Plan to redesignate the property located at 6500 South La Cienega Boulevard from ALow-Density Residential@ to ACommercial@, that notice of this hearing was given in time, form and manner as required by law, affidavit of publication was on file, the complete file of the Planning Commission was present at this hearing and written communication was received from the following:

Mike Triggs, Strategic Communications Partnership requesting continuance of the public hearing.

The City Administrative Officer presented staff report dated November 9, 1999 submitting background information on the matter.

Mayor Dorn ordered the staff report dated November 9, 1999 received and made a part of the file.

Council Member Dunlap moved that the public hearing be continued.

Sheldon Curry, Senior Planner gave a brief summary of the proposed zone change. He commented that the subject site is presently vacant and that the applicant wanted to change the zone from low density residential to commercial. He further commented that the applicant had indicated that if granted the change he would do some renovation to the site in order to upgrade the present facility. Finally, he commented that if Council should grant the change, it would open it up to some other commercial uses, some of which may have adverse impact to the community.

Council Member Dunlap left the Council Chambers at the hour of 7:48 p.m.

Mayor Dorn inquired if there were any persons present who wished to address the Council on this matter.

Johnny Inghram spoke concerning the location of the property and commented that whatever the property is rezoned for, he hoped would not create a negative impact on the area.

Paul Russell, District 2, commented that the staff report was excellent and that it was his understanding that the zoning is certainly in the best interest of the City. He further commented that he hopes that Council will take action tonight.

No persons wishing to address the City Council on this matter, Mayor Dorn declared the public hearing closed at the hour of 7:51 p.m.

Council Member Fernandez commented that the staff presentation was excellent and those comments made by the residents show that they understand the issue. He further commented that there are safe guards in place by changing the zoning and that it would be compatible for the area. Finally, he commented that it is a good process as there are checks and balances and whatever the applicant plans to do Council will have an opportunity to review it and that the issue could be resolved tonight.

Council Member Horton commented that he hoped the issue could be resolved tonight but he disagreed that Council should proceed to allow the change from low density to high density without first doing an EIR. He encouraged his colleagues not to support the change.

Mayor Dorn commented that he felt Council would be making a terrible mistake to change the zone and this would create a traffic hazard in the area. He further commented

that he realized that if Council was to adopt the Resolution, there would be some safety issues in place but he could not support it.

It was moved by Mayor Dorn and seconded by Council Member Horton that the City Council does hereby deny the proposed request to amend the Land Use Element Map. The motion was carried by the following roll call vote:

Ayes: Council Member Horton and Mayor Dorn;

Noes: None;

Absent: Council Members Dunlap and Kirkley;

Not Voting: Council Member Fernandez.

PARKING STRUCTURE #2 ELEVATOR DESIGN SERVICES. At the request of the City Administrative Officer this item was pulled from the agenda.

MINUTES. It was moved by Council Member Horton and seconded by Council Member Fernandez that the minutes of the meeting of October 5, 1999 be approved as recorded. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Members Dunlap and Kirkley.

SUMMONS AND COMPLAINT. It was moved by Council Member Horton, seconded by Council Member Fernandez and carried that the City Council does hereby approve, ratify and confirm the action of the City Clerk in referring to the City's claims administrator, Summons and Complaint from the following:

- a) Kim Elam for personal injury for May 5, 1998.
- b) Jaime Hernandez for personal injury on June 5, 1999.
- 132 CLAIMS DENIED. Letters from the City's claims administrator were presented, recommending denial of the following claims:
- a) Aurora Andico for personal injury on September 11, 1998.
- b) Jose E. Garcia for personal injury on October 4, 1998.
- c) Lizvelleryn Garcia for personal injury on October 4, 1998.
- d) Alvas Jeffrey for personal injury on February 7, 1999.
- e) Ella Seamster for property damage on March 1, 1999.
- f) Vernice Wilson for personal injury on May 18, 1999.
- g) Theodore R. Johnson for property damage on March 14, 1999.

It was moved by Council Member Horton, seconded by Council Member Fernandez and carried that the above listed claims be denied.

AGREEMENT NO. 99-468 APPROVED - CITY OF ANAHEIM. Staff report dated November 9, 1999 was presented recommending approval of Job Training Agreement renewal with the City of Anaheim for dislocated worker services provided under the PAN III Project. Grant Funds.

It was moved by Council Member Horton and seconded by Council Member Fernandez that Agreement No. 99-468 with the City of Anaheim be approved. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Members Dunlap and Kirkley.

AGREEMENT NO. 99-469 APPROVED COUNTY OF SAN BERNARDINO. Staff report dated November 9, 1999 was presented recommending approval of Job Training Agreement renewal with the County of San Bernardino for dislocated worker services provided under the PAN III Project. Grant Funds.

It was moved by Council Member Horton and seconded by Council Member Fernandez that Agreement No. 99-468 with the County of San Bernardino be approved. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Members Dunlap and Kirkley.

ORDINANCE NO. 99-34 - TOWING BUSINESS. There was no motion.

173.13 RESOLUTION NO. 99-134 ADOPTED - RESOLUTION APPROVING AND EFFECTUATING UNDERSTANDING REACHED WITH IMEO. It was moved by Council Member Horton and seconded by Council Member Fernandez that Resolution No. 99-134, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA APPROVING AND EFFECTUATING THE UNDERSTANDING REACHED WITH REPRESENTATIVES OF THE CITY=S VARIOUS EMPLOYEE AND MANAGEMENT GROUPS PURSUANT TO THE STATE MEET AND CONFER LAWS

be adopted. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Members Dunlap and Kirkley.

145.5 RESOLUTION NO. 99-135 ADOPTED - AUTHORIZING TRANSFER OF CABLE TELEVISION FRANCHISE. Staff report dated November 9, 1999 was presented authorizing transfer of Cable Television Franchise.

It was moved by Mayor Dorn and seconded by Council Member Fernandez that Resolution No. 99-135, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AUTHORIZING AND CONSENTING TO THE TRANSFER OF CONTROL OF A CABLE TELEVISION FRANCHISE BY MEDIAONE GROUP, INC. TO AT&T

be adopted. The motion was carried by the following roll call vote:

Ayes: Council Members Horton, Fernandez and Mayor Dorn;

Noes: None;

Absent: Council Members Dunlap and Kirkley.

132.6 CLOSED SESSION. Closed session with legal counsel - Cal Compact Group v. City of Inglewood - Anticipated Litigation - (Government Code Section 54956.9 (b)

132.6 CLOSED SESSION. Closed session with legal counsel - City of Inglewood v. Board of Airport Commissioners - Pending Litigation - (Government Code Section 54956.9)

There was no action taken.

There was no action taken.

132.6 CLOSED SESSION. Closed session with legal counsel - Simpson v. City of Inglewood - Existing Litigation (Government Code Section 54956.9(a)

There was no action taken.

127.2 COUNCIL INITIATIVES:

INITIATIVE BY COUNCIL MEMBER FERNANDEZ REGARDING EXECUTIVE DIRECTIVES 99-01 AND 99-02 OF OCTOBER 18, 1999 AND OCTOBER 25, 1999. Council Member Fernandez commented that as a senior member of Council, he has an obligation to bring up this issue in an open forum and hoped that this would create a debate to get a clear understanding as there are some confusion in the community and the organization. He further commented that to his knowledge, no Mayor has ever issued an Executive Order and expressed concerns about the interpretation of the Charter. He also commented that the Charter Study Commission needs to take a look at the issue because the situation could become dangerous. He read excerpts from Executive Directive 99-02 and expressed concerns about giving the City Administrator orders to destroy avigation easements. He again reiterated that no one favors avigation easements but that Council needs to find another way of resolving the issue and have a procedure to follow.

Council Member Horton commented that from a procedural prospective he does not feel that any member of this Council should have the authority to issue an Executive Order to establish policy and if a policy is to be established, it has to be brought before Council. He further commented that he has read the Charter and it was his understanding that the Mayor has the authority to supervise but not direct staff in regards to establishing policy. In reference to the easement issue, he commented that it is a very passionate issue and Council must have a strategy in dealing with it and that no Member should have the unilateral authority to issue Executive Orders. Finally, he commented that the matter should be sent to the City Attorney for his opinion.

Mayor Dorn commented that he issued the Executive Directives for a purpose and this has been well served. He further commented that the City Administrative Officer would not destroy any record other than what is stated in the Directives and that all portions of the Directives will be followed. He also commented that the Charter states very clearly that the Mayor has the authority to supervise and issue orders and as the Chief Executive Officer of the City, the only way that could be changed is by election. Finally, he commented that Council has the authority with three votes to change any Executive Order that the Chief Executive Officer issues.

It was the consensus of Council to request the City Attorney to find out if the Mayor has a unilateral authority to issue an Executive Order.

127.2 COUNCIL INITIATIVES:

Council Member Horton:

Commented that the actions that Council has taken in reference to the easement issue has been influential and proper and that it is appropriate for Council to listen to the will of the people.

In reference to the Mayor=s executive order, he commented that it was a good political move but there are dangers for one individual to have unilateral authority.

In reference to problems at the Imperial Crenshaw shopping center, he commented that a number of citations had been issued and that the problem is now under control.

In reference to problems at Darby Park, he commented that he had met with Matt Robinson and staff is working on some strategies.

In reference to noise mitigation, he commented that if the threshold can be reduced and Title 21 is eliminated in good faith, every house in the City can be insulated

Council Member Fernandez:

In reference to sound insulation, he commented that he concurs with his colleagues remarks and reiterated that the contours need to be widened. He further commented that easements are illegal and requested the City Attorney to prepare an opinion on any legality to see if there are any flaws.

In reference to executive directives, he again reiterated his concerns about unilateral actions by any elected official and commented that it sets a bad precedent and once its being set it undermines an entire system that has been in place for more than 80 years. He commented that Council must look at what it is doing to make sure that the process is maintained in a way where there are checks and balances.

Mayor Dorn:
In reference to executive directives, he commented that according to the City Charter he is the Chief Executive Officer of the City and that the Charter gives the CEO certain responsibilities.
In reference to avigation easement, he commented that this will be solved by an agreement or a lawsuit.
Mayor Dorn declared the meeting recessed at the hour of 8:32 p.m.
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Mayor Dorn again called the meeting to order at the hour of 8:34 p.m.

Mayor Dorn again called the meeting to order at the hour of 8:34 p.m.

134 PUBLIC REMARKS. Mayor Dorn inquired if there were any persons present who wished to address the City Council on any matter connected with City business not elsewhere considered on the agenda.

Johnny Inghram commented that the meeting was very professional and that staff, Mayor and Council are doing a good job. He spoke concerning the avigation easements and hoped that at some point there will be a resolution that will be in the best interest of the

residents. He expressed his concerns regarding condensation on his windows at his residence.
Velma Slaughter, District 1, expressed her concerns regarding agenda item no. 16. She spoke concerning LAXEN, avigation easements and Title 21.
Marilyn Douroux, District 1, spoke concerning persons trying to sell her food stamps in a grocery store; prostitution; heavy trucks in the neighborhood; gang activities at Darby Park and filth at Vincent Park.
Paul Russell, District 2, thanked staff for removing graffiti on Beach Avenue. He spoke concerning item no. 10A; the Mayors Executive Directives; and avigation easements.
Elizabeth Khoury, District 1, spoke concerning item no. 16, avigation easements and Title 21.
Diane Sambrano, District 4, spoke concerning the Mayor=s Executive Directives.
There being no further business to be presented, Mayor Dorn declared the meeting adjourned at the hour of 9:06 p.m.
City Clerk

Approved this	day of	, 1999
Mayor		