

Inglewood, California
December 17, 2002

The City Council of the City of Inglewood, California held a regular meeting on Tuesday, December 17, 2002 in the Council Chambers in City Hall of said City.

Following the Pledge of Allegiance to the flag of our Country and invocation by Mayor Dorn, he called the meeting to order at the hour of 7:08 p.m. The Deputy City Clerk announced the presence of a quorum as follows:

Present: Mayor Dorn, Council Members Price, Dunlap and Johnson;
Absent: Council Member Fernandez.

City officials and personnel present were:

Gloria J. McCoy	Deputy City Clerk
Wanda Brown	City Treasurer
Mark Weinberg	Deputy City Administrator
Emmerline Foote	Interim City Attorney
Margaret Baird	Administrative Secretary

180 **SPECIAL COMMENDATION – 2001-2002 ADVANCED PLACEMENT WORLD HISTORY CLASS AT MORNINGSIDE HIGH SCHOOL.** Mayor and Council presented a proclamation to Christina Varela, Teacher, Morningside High School in recognition of academic achievements by students in the City. Ms Varela thanked Mayor and Council for their support and introduced some of the students.

180 **HOLIDAY CAMPAIGN RESOLUTION – NATIONAL KIDNEY FOUNDATION OF SOUTHERN CALIFORNIA.** Mayor Dorn read a proclamation in recognition of the National Kidney Foundation. Mayor Dorn commented that the proclamation would be presented at a later time.

134 **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.

Paul Russell, District 2, spoke concerning closed session items, CA-3 and CA-2.

Diane Sambrano spoke concerning Holiday Campaign Resolution on behalf of National Kidney Foundation of Southern California and item nos. 3, CA-2, CA-3, CS-4 and R-3.

142.9 **PAYMENTS OF WARRANTS AND BILLS.** It was moved by Council Member Price and seconded by Council Member Johnson that the demands presented to the City Council dated December 11, 2002 in the amount of \$2,460,323.16 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 Price, Johnson and Mayor Dorn;
Noes: Council Member Dunlap;
Absent: Council Member Fernandez.

156 **AGREEMENT NO. 02-172 APPROVED – CITY OF PALO ALTO.** Staff report dated December 17, 2002 was presented recommending approval of agreement with the City of Palo Alto to provide parking citation processing services.

It was moved by Council Member Price and seconded by Council Member Johnson that Agreement No. 02-172 with the City of Palo Alto be approved. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;

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Absent: Council Member Fernandez.

- 142.4 **REPORT OF PURCHASES.** Memorandum dated December 17, 2002 was presented from Finance Director, Nick D. Rives, listing items recommended to be purchased from vendors indicated. It was moved by Council Member Price and seconded by Council Member Johnson that the purchases be approved. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

ADVERTISING PAGES IN THE INGLEWOOD AIRPORT AREA CHAMBER OF COMMERCE ANNUAL BUSINESS DIRECTORY. Staff report dated December 17, 2002 was presented authorizing payment of the City's advertising pages in the Inglewood Airport Area Chamber of Commerce annual business directory in the amount of \$12,000.

It was moved by Council Member Price and seconded by Council Member Johnson that the City Council does hereby approve payment. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

- 202 **FINAL TRACT MAP NO. 53714 APPROVED – 3049-3055 W. 104TH STREET.** Staff report dated December 17, 2002 was presented recommending approval of Final Tract Map No. 53714 for a proposed eight-unit condominium project at 3049-3055 W. 104th Street, subject to conditions .

It was moved by Mayor Dorn and seconded by Council Member Dunlap that the following Tract Map be approved:

Final Tract Map No. 53714 – 3049-3055 W. 104th Street

The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

- 142 **AGREEMENT NO. 02-173 APPROVED – IN TOUCH.** Staff report dated December 17, 2002 was presented recommending approval of Settlement Agreement and General Release between the City of Inglewood and In Touch in the amount of \$16,476.11 over five fiscal years including the current fiscal year.

It was moved by Mayor Dorn and seconded by Council Member Price that Agreement No. 02-173 with In Touch be approved. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

- 131 **LETTER OF INTEREST TO ACQUIRE REAL PROPERTY.** Staff report dated December 17, 2002 was presented authorizing the City Administrator to send a letter of interest to acquire real property to the County of Los Angeles Treasurer and Tax Collector's Office in conjunction with the County's sale of tax defaulted properties.

It was moved by Mayor Dorn and seconded by Council Member Price that the City Council does hereby authorize the City Administrator to send a letter of interest to acquire real property to the

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County of Los Angeles Treasurer and Tax Collector's Office in conjunction with the County's sale of tax defaulted properties. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

101 **VERBAL REPORTS – DEPUTY CITY ADMINISTRATOR.** The Deputy City Administrator reported that during the weeks of October 15 through December 10, 2002 attendance at the council meetings were averaging 36 persons, with the peak period being October 22 with the average attendance of approximately 80 persons. In reference to the Governors proposed budget to use Housing Set-Aside Funds, he commented that there were two additional areas that would affect the City and these were the gas tax funds and capital funds.

127.2 **COUNCIL INITIATIVES:**

114.5 **HUMAN AFFAIRS COMMISSION APPOINTMENT.** Mayor Dorn appointed the following as members of the Human Affairs Commission, representing the City at Large, for the term ending November 2006.

Carolyn Wilder
Khalid Shah
Michael Benbow
Renee F. Dorn
Patricia Bankhead

It was moved by Mayor Dorn and seconded by Council Member Johnson that the City Council does hereby approve, confirm and ratify the appointments. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

114.5 **HUMAN AFFAIRS COMMISSION APPOINTMENT.** Upon the recommendation of Council Member Price, Mayor Dorn appointed Marshae Kinney as a member of the Human Affairs Commission, representing Councilmanic District No. 1 for the term ending April , 2005.

It was moved by Council Member Price and seconded by Mayor Dorn that the City Council does hereby approve, ratify and confirm the appointment. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

214.1 **PUBLIC HEARING – AMENDMENTS TO IMC ARTICLES 7 AND 21 OF CHAPTER 12 TO ALLOW CAR WASH USES ANCILLARY TO SERVICE STATION USES IN THE C-2 (GENERAL COMMERCIAL) ZONE, SUBJECT TO SPECIAL USE PERMIT – ORDINANCE NO. 02-36 INTRODUCED.** The Deputy City Clerk announced that the next scheduled matter was a public hearing to consider proposed amendments to the text of Articles 7 and 21 of Chapter 12 of the IMC to allow car wash uses ancillary to service station uses in the C-2 (General Commercial) Zone, subject to special use permit approval, that notice of this hearing has been given in the time, form, and manner as required by law, the affidavit was on file, the complete file of the Planning Commission was present and no communication was received on the matter.

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The Deputy City Administrator presented staff report dated December 17, 2002 submitting background information.

Sheldon Curry, Planning Manager, commented that this public hearing was to consider amendments to the IMC to allow car wash uses ancillary to service station uses in the C-2 zone, subject to Special Use Permit approval. He further commented that by amending the IMC the City could provide opportunities for new and existing service stations to enhance the service they provide and increase the economic viability of service stations. He also commented that no automated car wash building or structure would be located within twenty-five (25) feet of any public street right-of-way or within twenty-five (25) feet of a residential zoned or developed property to ensure that appropriate space is provided between the car wash and adjacent land uses and to mitigate any potential impact the proposed project may have on adjacent properties.

Mayor Dorn ordered the staff report dated December 17, 2002 received and filed.

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

Diane Sambrano commented that the staff report was not made available to the public.

No other persons wishing to address the City Council on this matter, Mayor Dorn declared the public comment section closed at the hour of 7:58 p.m.

Council Member Price expressed support for the amendments and commented that these were flexible. He inquired whether there would be any distraction to traffic.

Council Member Dunlap inquired how staff arrived at the distance of 25 feet from residential properties and expressed concerns about the difference given to the community. She expressed support for the amendments and commented that she would like for staff to come up with alternatives to give residents a chance to make complaints should problems arise.

Sheldon Curry, Planning Manager, commented that the distance of 25 feet is typical with other cities and that the walls to the car wash would be of masonry structure.

The Deputy City Clerk read the title of Ordinance No. 02-36; whereupon it was moved by Mayor Dorn and seconded by Council Member Price that further reading be waived. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;

Noes: None;

Absent: Council Member Fernandez.

Thereupon, Ordinance No. 02-36, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING ARTICLES 7 AND 21 OF CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE TO ALLOW CAR WASH USES ANCILLARY TO SERVICE STATION USES IN THE C-2 (GENERAL COMMERCIAL) ZONE, SUBJECT TO SPECIAL USE PERMIT APPROVAL

was introduced by Mayor Dorn.

214.1

PUBLIC HEARING – AMENDMENTS TO THE TEXT OF ARTICLE 11.1 OF CHAPTER 12 OF THE IMC TO ALLOW GAS STATION SALES AS AN ANCILLARY COMPONENT TO A RETAIL USE SUBJECT TO SPECIAL USE PERMIT –

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ORDINANCE NO. 02-37 INTRODUCED. The Deputy City Clerk announced that the next scheduled matter was a public hearing to consider amendments to the text of Article 11.1 of Chapter 12 of the IMC to allow gas station sales as an ancillary component to a retail use subject to special use permit approval, to modify the minimum gross floor area requirements for single-tenant and multiple-tenant retail sales uses, and to establish certain standards for shopping centers on M-1L (Limited Manufacturing) Zoned properties, that notice of this hearing has been given in the time, form, and manner as required by law, the affidavit was on file, the complete file of the Planning Commission was present and no communication was received.

The Deputy City Administrator presented staff report dated December 17, 2002 submitting background information.

Mayor Dorn ordered the staff report dated December 17, 2002 received and filed.

Sheldon Curry, Planning Manager, commented that this was a public hearing to amend the IMC to allow gas station sales as an ancillary component to a retail use subject to Special Use Permit approval. He commented that Costco wanted to add a gas station to the existing retail store and that this would be good for business flexibility and diversity and gave a brief description of the proposed zone changes.

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

Paul Russell, District 2, expressed his concerns that residents in the adjacent area were not notified about the zone change and commented that the staff report was not available for public participation. He also commented that it was good that the City was having flexibility on zoning because the City needed the tax base and that the Planning Commission needs to study the zoning within the City.

Diane Sambrano commented that the staff report was not available for the public to participate and expressed her concerns regarding zone changes within the City.

Dale Goldsmith commented that Costco was proposing to construct a gasoline fueling facility adjacent to the existing store on Century Boulevard and that this facility would consist of fuel pumps which would be fully automated and self serve for Costco members only. He also commented that this facility would sell only gas and nothing else that is associated with a typical gas station. In reference to safety concerns and liability issues, he commented that he would like for Council to make changes to the ordinance with regards to providing restrooms at the facility and since the fueling station would be in close proximity to Costco warehouse, there were adequate restrooms provided.

No other persons wishing to address the City Council on this matter, Mayor Dorn declared the public comment section closed at the hour of 8:18 p.m.

Council Member Johnson commented that because of security concerns she would like to amend Section 12-32.10 (e) by adding “providing however, that these requirements shall not apply to members-only fueling facilities where restrooms are conveniently located in a nearby building on the same site”.

Council Member Dunlap commented that she supports the expansion of the existing business but was concerned that by permitting these changes the City was opening itself up to additional gas stations. She inquired whether there were other businesses in the City that might want to consider having these types of business.

Council Member Price expressed his support for the project and commented that this was flexible and business friendly. He thanked staff for working diligently with this project.

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It was moved by Council Member Johnson and seconded by Mayor Dorn that Section 12-32.10 (e) be amended by adding “providing however, that these requirements shall not apply to members-only fueling facilities where restrooms are conveniently located in a nearby building on the same site”. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

The Deputy City Clerk read the title of Ordinance No. 02-37; whereupon it was moved by Mayor Dorn and seconded by Council Member Price that further reading be waived. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

Thereupon, Ordinance No. 02-37, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING ARTICLE 11.1 OF CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE TO ALLOW GAS STATION SALES AS AN ANCILLARY COMPONENT TO A RETAIL USE SUBJECT TO SPECIAL USE PERMIT APPROVAL, TO MODIFY THE MINIMUM GROSS FLOOR AREA REQUIREMENTS FOR SINGLE-TENANT AND MULTIPLE-TENANT RETAIL SALES USES, AND TO ESTABLISH CERTAIN STANDARDS FOR SHOPPING CENTERS ON M-1L (LIMITED MANUFACTURING) ZONED PROPERTIES

was introduced by Mayor Dorn.

PUBLIC HEARING – REVISED YEAR 2002 DRAFT HOUSING ELEMENT – RESOLUTION NO. 02-94 ADOPTED. The Deputy City Clerk announced that the next scheduled matter was a public hearing to consider the Draft Housing Element, that notice of this hearing has been given in the time, form, and manner as required by law, the affidavit was on file, the complete file of the Planning Commission was present and no communication was received on the matter.

The Deputy City Administrator presented staff report dated December 17, 2002 submitting background information.

Mayor Dorn ordered the staff report dated December 17, 2002 received and filed.

Sheldon Curry, Planning Manager, commented that the City had received notification from the California Department of Housing and Community Development (HCD) informing the City that revisions to the Housing Element were required to comply with the State’s housing element law and that those comments had to be addressed. He spoke concerning concerns rose in reference to regional housing and commented that all areas had been addressed and that the changes had been made in the report.

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

Diane Sambrano commented that there was no staff report presented for public participation.

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Martina Guilfoil, Inglewood Neighborhood Housing Services, commented that funding for housing rehabilitation needs to be increased in order to develop additional multiple-family units. She also commented that homeownership was an important strategy and that the First-Time Owners Assistance Program must be continued to assist persons who want to own homes and that additional condominiums were necessary.

No other persons wishing to address the City Council on this matter, Mayor Dorn declared the public comment section closed at the hour of 8:34 p.m.

Council Member Price commented that homeownership in the City was important and it is a good opportunity to look at commercial areas for single-family dwelling.

Council Member Johnson commented that she would like to see affordable housing available in the City.

Council Member Dunlap inquired how many persons were in attendance at the Planning Commission meetings. She commented that she had not received any report addressing the Section 8 Program and expressed concerns for housing needs for seniors and the elderly. In reference to LA Vets housing, she requested clarification of figures contained the CAPER report.

It was moved by Mayor Dorn and seconded by Council Member Price that Resolution No. 02-94, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING THE GENERAL PLAN BY ADOPTING A REVISED YEAR 2000 DRAFT HOUSING ELEMENT

be adopted. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Johnson and Mayor Dorn;
Noes: Council Member Dunlap;
Absent: Council Member Fernandez.

131 **JOINT PUBLIC HEARING – REPLACEMENT HOUSING AGREEMENT WITH BOURNE DEVELOPMENT, LLC FOR DEVELOPMENT OF FIVE SINGLE-FAMILY DETACHED TOWNHOUSE CONDOMINIUM UNITS.** This item was removed from the agenda.

Mayor Dorn declared the meeting recessed at the hour of 8:46 p.m.

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Mayor Dorn again called the meeting to order at the hour of 9:06 p.m.

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Mayor Dorn declared the meeting recessed at the hour of 9:06 p.m. for a closed session.

Mayor Dorn again called the meeting to order at the hour of 10:20 p.m. with all members present except Council Member Fernandez.

132.6 **CLOSED SESSION – WAYNE P. HIGGINS VS. CITY OF INGLEWOOD.** Closed session – Attorney/Client Privileged – Wayne P. Higgins v. City of Inglewood Update, Pending Litigation, Government Code Section 54956.9(a).

It was moved by Mayor Dorn and seconded by Council Member Price that the City Council does hereby approve, confirm and ratify settlement in the amount of \$40,000. The motion was carried

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by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

- 132.6 **CLOSED SESSION –HOWARD & TOURE VS. CITY OF INGLEWOOD.** Closed session – Attorney/Client Privileged – Howard & Toure v. City of Inglewood, Update, Pending Litigation, Government Code Section 54956.9(a).

It was moved by Council Member Price and seconded by Council Member Johnson that the City Council does hereby approve, confirm and ratify settlement in the amount of \$25,000. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

- 132.6 **CLOSED SESSION – SETTLEMENT LAWSUIT OF ERNEST J. FRANCESCHI, JR. VS. CITY OF INGLEWOOD.** Closed session – Attorney/Client Privileged – Settlement of Lawsuit of Ernest J. Franceschi, Jr. v. City of Inglewood, Case No. BC263543, Pending Litigation, Government Code Section 54956.9(a).

It was moved by Mayor Dorn and seconded by Council Member Johnson that the City Council does hereby approve, confirm and ratify settlement in the amount of \$10,000. The motion was carried by the following roll call vote:

Ayes: Council Members Price, Dunlap, Johnson and Mayor Dorn;
Noes: None;
Absent: Council Member Fernandez.

- 132.6 **CLOSED SESSION.** Closed session – Attorney/Client Privileged – Pending Litigation, Personnel matter, Government Code Section 54956.9(a)

The City Attorney reported that the City Council does hereby authorize rejection of settlement and pursuit of defense.

- 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.

Paul Russell, District 2, spoke concerning item no. 3, accountability, council attendance and council meeting times.

Diane Sambrano spoke concerning verbal reports by Deputy City Administrator, council meeting times, posting of agenda on the City's web page, moratorium and minutes.

Milton Brown thanked staff for giving him an opportunity to videotape Christmas messages to be aired on the public channel. He spoke concerning the Christmas home decoration contest and commented that he would have like to video tape the students who were in attendance at the meeting.

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Gilbert Mathieu, District 4, spoke concerning televising council meetings, appointments to boards and commissions, collecting unclaimed funds on behalf of the City and council meeting times.

Roosevelt Douglas, District 3, thanked staff for taking care of a problem and wished everyone happy holidays.

Willie Agee wished everyone happy holidays.

There being no further business to be presented, Mayor Dorn declared the meeting adjourned at the hour of 10:50 p.m.

Deputy City Clerk

Approved this _____ day of _____, 2003

Mayor

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