

Inglewood, California
October 3, 2006

The City Council of the City of Inglewood, California held a regular meeting on Tuesday, October 3, 2006 in the Council Chambers in City Hall of said City.

Mayor Dorn called the meeting to order at the hour of 6:03 p.m. The Acting City Clerk announced the presence of a quorum as follows:

Present: Mayor Dorn, Council Members Price, Dunlap and Morales;
Absent: Council Member Franklin.

City officials and personnel present for closed session were:

Yakema Decatur	Acting City Clerk
Jerry Givens	Assistant City Administrator
Cal Saunders	Interim City Attorney
Margaret Baird	Administrative Assistant
Michael Calzada	Asst. to the City Administrator

134 **PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS ONLY.** Mayor Dorn inquired if there were any persons present who wished to address the City Council on any closed session items.

There was no response.

127.2 **COMMENTS BY MAYOR DORN.** Mayor Dorn stated that agenda item nos. CI-1 and CI-2 are pulled from the agenda.

Mayor Dorn recessed the City Council at the hour of 6:03 p.m. for closed session item nos. CS-1 and CS-2.

Following the Pledge of Allegiance to the flag of our Country and invocation by Mayor Dorn, the meeting was again called to order at the hour of 7:09 p.m.

City officials and personnel present were:

Yakema Decatur	Acting City Clerk
Jerry Givens	Assistant City Administrator
Cal Saunders	Interim City Attorney
Margaret Baird	Administrative Assistant
Michael Calzada	Asst. to the City Administrator
Wanda M. Brown	City Treasurer

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.

There was no response.

142.9 **PAYMENTS OF WARRANTS AND BILLS.** It was moved by Council Member Morales and seconded by Mayor Dorn that the demands presented to the City Council dated September 25, 2006 in the amount of \$6,018.75, dated September 26, 2006 in the amount of \$4,762.50, dated September 28, 2006 in the amount of 2,543,101.32 and dated September 28, 2006 in the amount of \$1,146,536.90 are hereby approved and the City Clerk is 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, Morales and Mayor Dorn;
Noes: Council Member Dunlap;
Absent: Council Member Franklin.

MINUTES. It was moved by Council Member Morales and seconded by Council Member

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Price that the minutes of the meeting of September 12, 2006 be approved as recorded. The motion was carried by the following roll call vote:

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

132 **CLAIMS DENIED.** Letters from the City Attorney's Office were presented, recommending denial of the following claims:

- a) Ronniesha Clark for personal injury on August 19, 2006.
- b) Linda Hooker for personal injury on May 5, 2006.

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

173 **AGREEMENT NO. 06-104 APPROVED MOTOROLA INCORPORATED.** Staff report dated October 3, 2006 was presented recommending approval of a two (2)-year agreement with Motorola, Incorporated, which provides for the continued maintenance of the Police Mobile Data Network and infrastructure.

It was moved by Council Member Morales and seconded by Council Member Price that Agreement No. 06-104 be approved in the amount of \$105,704.16 (billed annually in the amount of \$52,852.08). The motion was carried by the following roll call vote:

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

173 **AGREEMENT NO. 06-105 APPROVED – OFFICE OF TRAFFIC SAFETY – RESOLUTION NO. 06-103 ADOPTED – BUDGET AMENDMENT.** Staff report dated October 3, 2006 was presented recommending approval of an agreement with the Office of Traffic Safety (OTS), adoption of a resolution accepting OTS funds and authorization to purchase equipment approved by OTS.

It was moved by Council Member Morales and seconded by Council Member Price that the City Council does hereby 1) Approve agreement; 2) that Resolution No. 06-103, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
INGLEWOOD, CALIFORNIA ACCEPTING A \$305,388 GRANT FROM
STATE OFFICE OF TRAFFIC SAFETY

be adopted; 3) Authorize the purchase of an equipment trailer and evidential PAS devices; and 4) Direct that the balance of \$132,194 be included in the proposed 2007-2008 fiscal year budget. The motion was carried by the following roll call vote:

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

177 **PUBLIC HEARING SET – AMENDMENTS TO THE LAND USE ELEMENT MAP OF THE INGLEWOOD GENERAL PLAN (GPA-06-01).** Staff report dated October 3, 2006 was presented requesting that a public hearing be set to consider proposed amendments to the Land Use Element Map of the Inglewood General Plan (GPA-06-01) to change the land use designations from "Commercial" to "Commercial Residential" for those C-2 and C-2A zoned properties on Manchester Boulevard generally bounded by Ash Avenue to the West and Eucalyptus Avenue to the East, and C-2A zoned properties located on the East Side of La Cienega Boulevard, bounded by the North Side of Century Boulevard to the South and the 405 Freeway off-ramp to the North.

Mayor Dorn ordered the matter set for public hearing on October 24, 2006 at 7:00 p.m.

177 **PUBLIC HEARING SET – PROPOSED AMENDMENTS TO ARTICLES 7 AND 7.1 OF CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE.** Staff report dated

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October 3, 2006 was presented requesting that a public hearing be set to consider proposed amendments to Articles 7 and 7.1 of Chapter 12 of the Inglewood Municipal Code to allow mixed use development in the C-2 and C-2A zones on Manchester Boulevard bounded by the West Side of Ash Avenue to the West, the East Side of Fir Avenue to the East, and including those C-2 and C-2A zoned properties located immediately North and South of Manchester Boulevard on Ash Avenue, Oak Street, Cedar Avenue, Inglewood Avenue, Eucalyptus Avenue and Fir Avenue that are contiguous to properties that front on Manchester Boulevard.

Mayor Dorn ordered the matter set for public hearing on October 24, 2006 at 7:00 p.m.

- 132.6 **CLOSED SESSION – ROBERTO FRANCISCO WILLIS VS. CITY OF INGLEWOOD ET AL.** Closed session - Confidential - Attorney/Client Privileged; Pending Litigation, Government Code Section 54956.9(a); Roberto Francisco Willis vs. City of Inglewood, et. al., USDC Case No. CV-05-3976 ABC (JWJx).

Discussion held; Discussion given; No further action taken.

- 132.6 **CLOSED SESSION – INGLEWOOD RETIRED POLICE RESERVE OFFICERS ASSOCIATION VS. CITY OF INGLEWOOD.** Closed session - Confidential - Attorney/Client Privileged; Pending Litigation, Government Code Section 54956.9(a); Inglewood Retired Police Reserve Officers Association vs. City of Inglewood; LASC Case No. YC 048075.

Discussion held; Instructions given to Council; No further action taken.

- 219 **VERBAL REPORTS – CITY TREASURER.** The City Treasurer reported that she recently made an investment purchase on behalf of the City for \$1M. She welcomed and read names of students participating in the City Treasurer's Intern Program.

- 127.2 **INITIATIVE BY COUNCIL MEMBER PRICE RECOMMENDING ORDINANCE NO. 00-08 BE AMENDED TO INCLUDE THE CITY TREASURER IN THE COVERAGE OF MEDICAL BENEFITS FOR RETIRED COUNCIL MEMBERS.** This item was pulled from the agenda.

- 127.2 **INITIATIVE BY COUNCIL MEMBER MORALES PERTAINING TO MEASURE IT TO BE VOTED ON AT THE NOVEMBER 7, 2006 ELECTION.** This item was pulled from the agenda.

- 214.1 **PUBLIC HEARING HELD – PROPOSED AMENDMENTS TO CHAPTERS 9 AND 12 OF THE INGLEWOOD MUNICIPAL CODE TO REVISE STANDARDS FOR CONVERTING RESIDENTIAL APARTMENTS TO CONDOMINIUMS, COMMUNITY APARTMENTS OR COOPERATIVES – ORDINANCE NO. 06-18 INTRODUCED.** The Acting City Clerk announced that the next scheduled matter was a public hearing to consider the adoption of proposed amendments to Chapters 9 and 12 of the Inglewood Municipal Code to revise the standards for converting residential apartments to condominiums, community apartments or cooperatives, that notice of this hearing has been given in the time, form and manner as required by law, the affidavit is on file, the complete file of the Planning Commission was present and no communication was received on the matter.

The Assistant City Administrator presented staff report dated October 3, 2006 submitting background information.

Mayor Dorn ordered the staff report dated October 3, 2006 received and filed.

Wanda Williams, Senior Planner, stated that this matter is for proposed amendments to Chapter 9 and 12 of the IMC to revise both the current moving and relocation fees paid to tenants affected by condominium conversion units and the condominium conversion tax.

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She commented that staff is also recommending miscellaneous procedural code changes. She further commented that the Planning Commission held two hearings to receive public input regarding staff's proposal to amend the moving and relocation costs currently paid to tenants. She indicated that the current amount of \$1000 was established in the 1980's and has not been adjusted. She further commented that staff referred back to the consumer price index and is proposing an increase to \$2,455 and for families with children, handicap or senior households, an increase to \$3,077. She further stated that staff is also recommending that the condominium conversion tax be increased from \$250 to \$600. In regards to the miscellaneous building requirements, she commented that the interior sound noise level would be reduced to 45 decibels for all converted units, minimal security, a mandatory building inspection to address fire, electrical, mechanical, earthquakes, property maintenance codes and that a mold inspection be conducted. Finally, she stated that a negative declaration was prepared pursuant to the California Environmental Quality Act.

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

Paul Russell, District 2, commented that this is a positive move for the City and he is glad to see that the funding is being increased to relocate tenants who are being displaced due to condo conversion. He stated that he is aware that the rates being paid were set back in the 80's and he was hopeful that in the future the City would take into account the increase in costs and increase the rates accordingly. Lastly, he spoke concerning the Mayor of Huntington Beach going to prison along with the Title Officer and Real Estate Broker due to illegal condo conversions. He stated that what the City Council is doing reinforces the City's desire to have this carry out on a legal basis and not follow the example of Huntington Beach.

No other persons wishing to address the City Council on this matter, Mayor Dorn declared the public comment section closed at the hour of 7:19 p.m.

Council Member Price thanked staff for bringing this matter to the City Council's attention. He stated that these Chapters have not been amended for many years and he thinks this would provide greater service to tenants who are relocated and place the responsibility on those who are seeking these conversions. He expressed his support for the proposed increase and relocation benefits and requested that staff review what the miscellaneous changes are.

Wanda Williams stated that the miscellaneous changes would require that all condominium conversions be insulated to a maximum interior noise level of 45 decibels. She commented that prior to the proposal of the code amendments, there was no rush to make repairs; but now with the proposed requirement of a more thorough building inspection, when items such as fire, electrical, mechanical and others are identified, the property owner must comply. Ms. Williams also commented that another change requires that utilities must be underground. Lastly she stated that requirement can be waived by the Community Development Director if a determination is made in consultation with the Public Works Department to be unfeasible.

Council Member Price asked that staff discuss about the air conditioning power and smoke detector.

Wanda Williams commented that in regards to security measures, the City would require fire suppression, secured garages and that properties being well lit at night.

Council Member Price inquired if security measures on the projects have to be gated.

Wanda Williams stated that would be at the discretion of the Planning Commission and public input at the public hearings. She commented that staff would sit down with the developers during the preliminary stages and look at their proposals to identify basic security measures that staff felt are needed to be implemented.

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Council Member Price stated that these changes are long over due and are beneficial to potential tenants and developers. He also stated that it is a positive way to move and he intends to support it.

Council Member Dunlap thanked Ms. Williams and Mr. Curry for working on this matter. She commented that this is a very critical correction to be made to the Planning codes and was hopeful it would alleviate some of the problems the City is experiencing with condo conversions. She commented that some of these buildings are occupied by seniors who cannot afford the repairs and because money was not set aside and some buildings are falling apart, they do not have the funding to make those repairs. She stated that this would alleviate some of that by ensuring that those buildings are in better shape and she would like to see something stronger meaning that certain percentage of the sales prices of each unit are set aside for future capital improvements.

Council Member Morales thanked Ms. Williams for doing a good job and stated there were areas where the fees could be looked at and be adjusted to current rates. He commented that at first it was beneficial for someone to come in and purchase an apartment building, have it converted and then sell it without having to live up to certain building codes. He stated there was no motivation for developers to come in and build new homes in compliance with building standards and it is important for the City Council to insure that those residents who have resided in the City for a while, especially the elderly and larger families, are taken care of.

Mayor Dorn thanked Ms. Williams and stated this is long over due. He stated he is pleased with the work that Ms. Williams has done.

It was moved by Mayor Dorn and seconded by Council Member Morales that further reading be waived. The motion was carried by the following roll call vote:

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

Noes: None;

Absent: Council Member Franklin.

Thereupon, Ordinance No. 06-18, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING ARTICLE 10 OF CHAPTER 9 AND ARTICLE 22.1 OF CHAPTER 12 OF THE INGLEWOOD MUNICIPAL CODE TO REVISE MOVING AND RELOCATION FEES, REVISE BUILDING MAINTENANCE AND REPAIR REQUIREMENTS, REVISE THE CONDOMINIUM CONVERSION TAX PER UNIT, PROVIDE A UNIFORM ELIGIBLE TENANT DEFINITION AND PROVIDE OTHER MISCELLANEOUS CONDOMINIUM CONVERSION CHANGES

was introduced was Mayor Dorn.

214.5

CONTINUED PUBLIC HEARING – OVERTURNING THE PLANNING COMMISSION’S DENIAL OF SPECIAL USE PERMIT NO. 1022 – RESOLUTION NO. 06-104 ADOPTED. The Acting City Clerk announced that the next scheduled matter is a continued public hearing to consider an appeal to the Planning Commission's denial of Special Use Permit No. 1022 (SP-1022) for the co-location of a wireless rooftop

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telecommunications facility with three panel antennas on an existing 8,350 square-foot two-story office/warehouse building on M-1 (Light Manufacturing) Zoned property at 917 West Hyde Park Boulevard, that notice of this hearing has been given in the time, form and manner as required by law, the affidavit is on file, the complete file of the Planning Commission was present and no communication was received on the matter.

The Assistant City Administrator presented staff report dated October 3, 2006 submitting background information on the matter.

Mayor Dorn ordered the staff report dated October 3, 2006 received and filed.

Wanda Williams, Senior Planner, commented that this matter is a continuation of an appeal to Special Use Permit No. 1022 at 917 West Hyde Boulevard, to allow staff to gather additional information and clarify some issues that were raised by the applicant and others at the meeting of September 19, 2006. She stated there are five telecommunication facilities at this site including four operators as was indicated at the previous meeting and it is consistent with what has been previously recorded. She also commented that Council Member Morales had inquired whether sample schemes or alternate designs could be provided to show how telecommunications are mounted on the ground, roof or on monopoles the council packets contain photographs to show alternative design types. She further stated that an issue was raised about the weight and whether or not the roof would be structurally adequate to accommodate the proposed antennas and it has been determined from speaking with some of the large telecommunication providers in other cities that an antenna weighs 20 to 40 pounds. Ms. Williams went on to say that the telecommunication provider pays the normal business license tax for the site and in addition, the City establishes a Utility Users Tax which is charged to any user. Finally, she stated that the City Council had every opportunity to either uphold the Planning Commission Denial of the Special Use Permit or based upon appropriate findings, overturn that determination.

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

Speaker (No Name Given) gave the Acting City Clerk additional information for distribution to the Mayor and City Council. She commented that these are figures provided by their accounting department based upon the proposed sites to be built in Inglewood. She stated that they are looking for a company owned store to build in Inglewood and they have received commitments from eight vendors as well as three existing wireless service stores who would be selling their products. She spoke concerning the location map and commented that out of the seven sites that are being proposed, one has already been approved, another will be going to the Planning Commission tomorrow night and the others are still pending. Lastly, she stated that there is a letter signed by a structural engineering certifying that the antennas and screening can be supported on the existing roof along with the current equipments already there. She requested the City Council overturn the Planning Commission's denial.

Speaker (No Name Given) stated that she would like to reiterate that the antennas would be enclosed and would not be seen from the street level so; there is no unsightly proliferation. She commented that they have submitted color simulation to the Planning Commission and the City Council and that this location is the best place that can provide the desired coverage. Lastly, she commented that it is their desire to work amicably with the City Council and the residents by providing consistent, reliable and low cost wireless service in the area.

Paul Russell, District 2, stated that he had been at the site and the only issue the City Council has to face is unsightly proliferation. He commented that the questions staff responded to were immaterial and irrelevant and the Planning Commission had to decide based on the zoning and did not have to concern themselves with the structural fixtures or the revenues. He further stated that it is a two-story building with the ground floor above 25 feet about the street level which is higher than some of the neighboring structures. He also

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stated that when he visits City Hall, he could see antennas and he isn't sure whether they are unsightly but they are certainly a proliferation. Finally, he commented that from reading the staff report the Planning Commission approved six Special Use Permits for this building and he inquired what has changed since the approval because it is not indicated.

Ethel Austin, District 1, stated that she has been looking at the map and she agrees the Planning Commission's decision should be overturned. She commented that the City does need a low budget telecommunication company and that she is prepared to switch from Verizon to this new company.

Diane Sambrano stated it is interesting that the excuse for the denial was due to unsightly proliferation. She spoke concerning buses parked on dirt along Prairie Avenue, redevelopment weed patch, signs on top of signs, banners hanging from posts and trees advertising sales that are over and election signs being displayed three years after the election.

No other persons wishing to address the City Council on this matter, Mayor Dorn declared the public comment section closed at the hour of 7:42 p.m.

Council Member Price thanked Ms. Williams for the presentation. He stated that he has had a chance to review the materials and testimonies that have been presented and based on those findings he is prepared to support overturning the Planning Commission's decision. He commented that it is consistent with the General Plan and he does not think it will cause any additional impact on public services. He further commented that the issues about the site line have been adequately addressed and that the City Council encourages new businesses and technologies and he thinks this project represents both. He also commented that it is impressive that there is a projection of \$2.4 million dollars within four years and that this company would be employing twenty plus personnel and hopefully providing some innovative cost efficient telecommunication service.

Council Member Dunlap thanked Ms. Williams for the staff report and she inquired whether there would be something consistent for Special Use Permit applicants to come back to the Planning Commission to make sure that everything is in order.

Wanda Williams stated that the most effective way to ensure that a property owner or applicant applies with a Special Use Permit is through code enforcement. She commented that in regards to having conditions requiring that applicants come back to the Planning Commission after five years is frowned upon by most cities unless the property owner has a history of violating conditions.

Council Member Dunlap stated if there is a change in technology once the approval is given it is forever as long as the applicant complies with the initial requirement. She suggested that it would be better for the City to have something done to allow for technology changes and what has been permitted today might be frowned upon five years from now.

Wanda Williams stated that technology is changing and the site is not being fully utilized. She also stated that the FCC could also step in and require that a cell site be modified.

Council Member Dunlap stated should the City Council determine there is something different than they would like to have, control could be lost. She commented that she is prepared to support this item and she is thinking whether this condition would be included in the Special Use Permit process.

Wanda Williams commented that if the City Council desires it could direct staff to go back and take a look at the issue in terms of applying periodic review for Special Use Permits.

Council Member Dunlap stated that one year does not seem like enough time and pointed out that there should be an opportunity to revisit it thereby allowing the City more control with regards to its development. Finally, she requested from Mr. Givens that staff look into that.

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Council Member Morales stated that he has no problem with having a review in five or ten years as long as businesses are not put through new requirements and since everyone has spoken on this issue he is leaning towards supporting the applicant. He inquired whether the findings were based on new information.

Mayor Dorn inquired from the Interim City Attorney, Cal Saunders, if this a De Nova hearing or if it is a hearing that is usually handled as an appellate hearing were one is restricted to the information that the Planning Commission had.

Cal Saunders, Interim City Attorney stated that it is a De Nova hearing. He stated that he prepared a written memorandum but due to an oversight the City Council did not get the document. He apologized and commented that he would make sure the City Council gets it tomorrow.

Mayor Dorn stated that this matter should be overturned. He expressed his concerns about requiring a five or ten year review to Special Use Permits and commented that it is a form of probation which is not needed. He expressed his support in overturning the decision and stated that there are findings available for the City Council to act upon. Finally, he stated that it is not unsightly and there is not an abundance of antennas in the area.

It was moved by Mayor Dorn and seconded by Council Member Morales that Resolution No. 06-104, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, OVERTURNING THE PLANNING COMMISSIONS DENIAL OF AND APPROVING A SPECIAL USE PERMIT TO AMY JULIEN, FOR METRO PCS/ROYAL STREET COMMUNICATIONS, TO ALLOW THE CO-LOCATIONS FACILITY WITH THREE PANEL ANTENNAS ON AN EXISTING 8,350 SQUARE-FOOT INDUSTRIAL OFFICE/WAREHOUSE BUILDING, ON M-1 (LIGHT MANUFACTURING) ZONED PROPERTY AT 917 WEST HYDE PARK BOULEVARD

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

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

Noes: None;

Absent: Council Member Franklin.

114.26 **APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES - DR. MARTIN LUTHER KING JR. DAY PLANNING COMMITTEE.** Upon the recommendation of Council Member Dunlap, Mayor Dorn appointed Robert McGee and Norma Smith to the Dr. Martin Luther King Jr., Day Planning Committee, representing Councilmanic District 2, for a term of two years. (There was no roll call)

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 spoke concerning apartment conversions and commented that there were a few things he does not quite understand. He also spoke concerning agenda item no. CI-1, initiative by Council Member Price recommending Ordinance No. 00-08 be amended to include the City Treasurer in the coverage of medical benefits for retired Council Members and commented that he is sorry to see the item pulled from the agenda.

Roosevelt Douglas, District 3, expressed his disappointment with agenda item nos. CI-1 and CI-2 being pulled from the agenda. He read a letter dated July 12, 1984 commending City

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Administrator, Joseph Rouzan.

Milton Brown spoke concerning agenda item no. CI-1, initiative by Council Member Price recommending Ordinance No. 00-08 be amended to include the City Treasurer in the coverage of medical benefits for retired Council Members.

Diane Sambrano spoke concerning agenda item no. CI-1, initiative by Council Member Price recommending Ordinance No. 00-08 be amended to include the City Treasurer in the coverage of medical benefits for retired Council Members, council salaries, Measure IT and Resolution No. 04-77, modifying the City's residential incentive policy for various city employees.

Terry Boysaw, Block Club Captain, District 2, Highland Community Watch, spoke concerning agenda item no. CI-1, initiative by Council Member Price recommending Ordinance No. 00-08 be amended to include the City Treasurer in the coverage of medical benefits for retired Council Members and thanked the following persons for their support with a recent block club party, True Vine Baptist Church, Pastor Austin Williams, Mayor Dorn, Mrs. Joyce Dorn, Wanda Brown, Jerry Givens and Public Works staff.

There being no further business to be presented, Mayor Dorn declared the meeting adjourned in honor of the father of former Council Member Jose Fernandez at the hour of 8:09 p.m.

Acting City Clerk

Approved this _____ day of _____, 2006

Mayor