

Inglewood, California
November 2, 2007

The City Council of the City of Inglewood, California held a special meeting on Friday, November 2, 2007 in the Council Chambers in City Hall of said City.

Mayor Dorn called the meeting to order at the hour of 2:06 p.m. The City Clerk announced the presence of a quorum as follows:

Present: Mayor Dorn, Council Members Tabor, Dunlap, Morales and Franklin;
Absent: None.

Following the Pledge of Allegiance to the flag of our Country and invocation by Mayor Dorn, the meeting was called to order.

City officials and personnel present were:

Yvonne Horton	City Clerk
Jeff Muir	Acting City Administrator
Cal Saunders	City Attorney
Aisha Phillips	Administrative Assistant
Tunisia Johnson	Administrative Aide

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

There was no response.

140.81 **UTILITY USERS TAX – RESOLUTION NO. 07-118 ADOPTED.** Staff report dated November 2, 2007 was presented amending Section 5 and Exhibit “A” of Resolution No. 07-97 pertaining to the Utility Users’ Tax Measure which is to be submitted to the voters at the Special Municipal Election on February 5, 2008.

It was moved by Council Member Morales and seconded by Mayor Dorn that Resolution No. 07-118 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA AMENDING SECTION 5 AND EXHIBIT “A” OF RESOLUTION NO. 07-97 PERTAINING TO THE UTILITY USERS’ TAX MEASURE WHICH IS TO BE SUBMITTED TO THE VOTERS AT THE SPECIAL MUNICIPAL ELECTION ON FEBRUARY 5, 2008

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

Ayes: Council Members Tabor, Morales, Franklin and Mayor Dorn;
Noes: Council Member Dunlap.

189 **WASTE MANAGEMENT LABOR DISPUTE.** Staff report dated November 02, 2007 was presented pertaining to the status on Waste Management’s labor dispute and service.

Angela Williams, Acting Environmental Specialist gave a brief report stating that the labor dispute with Waste Management has been settled. She introduced Susan Mutter, Director of Public Affairs for Waste Management, who further gave information about the labor dispute. She confirmed that the labor dispute has been ratified and they are 90% caught up with picking up commercial and multi-family trash. She stated that Waste Management plans to restore service the end of the night.

126.2 **VERBAL REPORTS – CITY CLERK.** The City Clerk stated that the Arguments and

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Impartial Analysis are due November 19, 2007 by 5:30 p.m. and the Rebuttals are due November 28, 2007 by 5:30 p.m. She also stated that she has received several phone calls from constituents complaining about the sound system at the City Council meetings.

214.1 **PUBLIC HEARING CONTINUED – EXTENSION OF THE MORATORIUM ESTABLISHED BY ORDINANCE NO. 07-20 – ORDINANCE NO. 07-24 INTRODUCED AND ADOPTED.**

Mayor Dorn announced that a continued public hearing to consider the extension of the moratorium established by Ordinance No. 07-20 (adopted September 18, 2007) during which time no building permits, business licenses, or business tax certificates will be granted for indoor swap meets or indoor shopping malls and inquired if any City Council Members would like to speak on this matter. He also announced that the public comment section was closed.

Council Member Tabor asked the Mayor if he would allow Robert Freilich an opportunity to give the City Council a brief presentation.

Mr. Freilich stated that this project is good for the City of Inglewood and that Mr. Lee has complied with all of the City's regulations and would like to move forward with the project. Finally, he stated that they look forward to being part of this community and participating in city activities.

Council Member Dunlap inquired whether an overview of the project can be presented to the City Council.

Bruce Lee, owner of the property located at 230 North Market Street, gave a brief presentation of the project.

Council Member Tabor stated that this project is not the subject of the moratorium but the land use issue needed to be discussed.

Mayor Dorn asked Council Member Tabor to explain his last statement.

Council Member Tabor commented that the moratorium will allow the City to have more input on swap meets and indoor shopping malls coming into the city.

Council Member Morales inquired how his vote would impact this project.

Council Member Dunlap stated that she would like to hear from redevelopment staff to answer some questions.

Mayor Dorn stated that if this moratorium is approved, it would place Mr. Lee's project on hold.

Council Member Tabor inquired how long the City Council can extend the moratorium.

Sheldon Curry, Director of Planning stated that the moratorium can be extended for up to 10 months and 15 days.

Council Member Tabor inquired if there was a process by which this project could be considered by the City Council if the moratorium is passed.

Sheldon Curry stated that it depends on the City Councils decision. He also commented that should the City Council approve the moratorium excluding this project, then Mr. Lee can move forward.

Council Member Dunlap stated that she would like to have someone from the Redevelopment Agency give a brief presentation to the City Council.

Mayor Dorn commented that a presentation from staff would not help the City Council because Mr. Lee has followed all of the rules.

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Council Member Morales inquired if any tenants have been identified for this project.

Dr. Yang, architect for the project, stated that this project would be a mall of about 29 stores maximum depending on the tenants that lease and what type of space they need. He also stated that each store would have their own identity and he gave a brief overview of the tenant design and commented that no kiosk would be in the mall. Finally he stated that trash reciprocals, trees and benches would be considered for the mall depending on the determination of the Fire Marshall.

Council Member Tabor stated that he doesn't oppose the project but what he proposes is that the City Council be responsible for the developments of standards that would exist when projects come before the City Council. He also stated that the design standards of this project are not the same design standards as the City. He further stated that during this moratorium the City Council could discuss the issue of having an indoor shopping mall and make the decision as to what conditions and standards it would allow. He commented that the project may not be in the best interest of the people to move forward at this time and that the moratorium would not stop, but it may be better served if the City Council shared their input to these types of projects.

Council Member Morales expressed his support for the moratorium but he would like to vote to exempt this project from the moratorium. He also stated that Mr. Lee should work closely with Council Member Tabor.

Council Member Dunlap stated that a moratorium is needed to put standards in place for shopping malls and swap meets coming to the city. She also stated that the project is nice and offers many great ideas.

Mayor Dorn stated that he likes the project and that this project has followed all of the rules and guidelines. He also stated that he would only support having a moratorium if Mr. Lee's project is exempt.

It was moved by Council Member Tabor and seconded by Council Member Morales that the City Council does hereby extend the moratorium for 45 days and exempt the proposal of Inglewood Plaza but that the developer work with planning staff and provide in writing verbal commitments made today before receiving their building permits.

Council Member Dunlap inquired with the City Attorney if the City Council can vote to exclude Mr. Lee's project even though it's not on the agenda to be voted on and also if commitments can be placed in writing.

Cal Saunders, City Attorney stated that the City Council cannot bind Mr. Lee to verbal commitments not produced in writing but if the City Council chooses to exempt Mr. Lee's project from the moratorium they can do so.

Council Member Tabor inquired from the City Attorney if the City Council cannot bind Mr. Lee to a written agreement can this project be brought back next week.

Cal Saunders stated that it is up to the City Council.

Sheldon Curry stated that shopping malls can be built by what is called "by right" because there is no discretionary action involved.

Council Member Morales inquired how the City can hold Mr. Lee accountable for their commitments in writing.

Cal Saunders stated that if this hearing is postponed the moratorium is lifted as of today and that any developers wanting to build a shopping mall or swap meet could do so.

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Council Member Tabor stated he would like the developer to submit his commitment in writing and have him come back to the City Council once the Planning Department receives it and the City Council could vote to exclude Mr. Lee's project from the moratorium. He also stated that he would like to move forward with having a moratorium.

Council Member Franklin inquired from Sheldon Curry and Jessie Lewis if any other projects are in the hopper before the City Council votes to approve exempting projects presented to the planning department prior to September 18, 2007.

Sheldon Curry and Jessie Lewis stated that they are not aware of any prior projects.

Attorney Freilich stated that the plans that have been presented to the City Council are the plans they will go forward with and that they will put in writing their commitments and submit them in an affidavit form.

Sheldon Curry stated that a developer cannot change their plans once the plans have been submitted and approved by the Planning Department.

Council Member Tabor rescinded his motion and Council Member Morales concurred.

The City Clerk read the title of Ordinance No. 07-24 whereupon it was moved by Council Member Tabor and seconded by Council Member Morales that further reading be waived.

Thereupon, Ordinance No. 07-24 entitled:

AN EMERGENCY ORDINANCE OF THE CITY OF INGLEWOOD,
CALIFORNIA, EXTENDING FOR A PERIOD OF 3 MONTHS A
TEMPORARY MORATORIUM DURING WHICH TIME NO BUILDING
PERMITS, BUSINESS TAX CERTIFICATES, OR BUSINESS LICENSES
SHALL BE GRANTED TO INDOOR SWAP MEETS OR INTERIOR
SHOPPING MALLS

was introduced by Council Member Tabor.

It was moved by Council Member Tabor and seconded by Council Member Morales that the City Council does hereby allow the Inglewood Plaza Group located at 230 North Market Street to be exempt from Ordinance No. 07-24 entitled:

AN EMERGENCY ORDINANCE OF THE CITY OF INGLEWOOD,
CALIFORNIA, EXTENDING FOR A PERIOD OF 3 MONTHS A
TEMPORARY MORATORIUM DURING WHICH TIME NO BUILDING
PERMITS, BUSINESS TAX CERTIFICATES, OR BUSINESS LICENSES
SHALL BE GRANTED TO INDOOR SWAP MEETS OR INTERIOR
SHOPPING MALLS

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

Ayes: Council Members Tabor, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

It was moved by Council Member Tabor and seconded by Council Member Dunlap that the City Council does hereby exempt the Inglewood Plaza Mall, located at an address commonly known as 230 North Market Street, as proposed with a maximum first floor area of 22,500 square feet and a mezzanine area of 3,800 square feet from this moratorium ordinance. The motion was carried by the following roll call vote:

Ayes: Council Members Tabor, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

There being no further business to be presented, Mayor Dorn declared the meeting adjourned at the hour of 3:22 p.m.

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City Clerk

Approved this _____ day of _____, 2007

Mayor