Inglewood, California
February 28, 2006

The City Council of the City of Inglewood, California held a regular meeting on Tuesday, February 28, 2006 in the Council Chambers in City Hall of said City.

Mayor Dorn called the meeting to order at the hour of 6:13 p.m. The City Clerk announced the presence of a quorum as follows:

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

City officials and personnel present were:

Yvonne Horton	City Clerk
Wanda M. Brown	City Treasurer
Jerry Givens	Asst. City Administrator
Anita C. Willis	City Attorney
Yakema Decatur	Administrative Assistant
Alice McKee	Administrative Assistant

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.

Mayor Dorn recessed the City Council at the hour of 6:13 p.m. for Closed Session Item Nos. CS-1 through CS-3.

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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 7:04 p.m. with a quorum present.

180 **PROCLAMATION – MARCH 2, 2006 AS "INGLEWOOD UNIFIED SCHOOL DISTRICT FATHER'S READ ACROSS AMERICA DAY."** Mayor Dorn read a proclamation proclaiming March 2, 2006, as "Inglewood Unified School District Father's Read Across America Day." Mayor Dorn presented a plaque to Kathy Stewart, President, Inglewood Teachers' Association.

Kathy Stewart thanked the City Council and invited Mayor and Council along with residents of the City to visit any school in the Inglewood Unified School District to volunteer and read a book to the students.

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, 2nd District, spoke concerning agenda item nos. 4, O-1, O-2 and PH-1.

Johnny Ingraham spoke concerning agenda item nos. O-1, Ordinance No. 06-02 imposing a 0.5% transaction and use tax for law enforcement purposes to be administered by the State Board of Equalization, and O-2, Ordinance No. 06-03 amending Chapter 5, Article 6 of the Inglewood Municipal Code.

Willie Agee spoke concerning agenda item nos. 5, adoption of resolutions approving the submissions of Grant Applications to the California Department of Parks and Recreation for the Per Capita Grant Program and the Roberti-Z'Berg Block Grant Program, O-1, Ordinance No. 06-02 imposing a 0.5% transaction and use tax for law enforcement purposes to be administered by the State Board of Equalization, and PH-1 continued public hearing to consider an appeal to the Planning Commission's denial of Special Use Permit No. 1008 (SP-1008).

Diane Sambrano spoke concerning agenda item no. O-1, Ordinance No. 06-02 imposing a 0.5% transaction and use tax for law enforcement purposes to be administered by the State Board of Equalization.

Milton Brown spoke concerning agenda item no. O-1, Ordinance No. 06-02 imposing a 0.5% transaction and use tax for law enforcement purposes to be administered by the State Board of Equalization.

142.9 **PAYMENTS OF WARRANTS AND BILLS.** It was moved by Council Member Morales and seconded by Council Member Price that the demands presented to the City Council dated February 15, 2006 in the amount of $1,994,363.31 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, Franklin and Mayor Dorn;
Noes: Council Member Dunlap.

MINUTES. It was moved by Council Member Morales and seconded by Council Member Price that the minutes of the meetings of February 7, 2006 and February 14, 2006 be approved as recorded. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

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

a) Bonnie Estrada for property damage on February 18, 2005.
b) Maria Ramirez for property damage on August 10, 2005.

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

131 **AGREEMENT NO 06-23 APPROVED – WILLDAN ASSOCIATES.** Staff report dated February 28, 2006 was presented recommending approval of an agreement with Willdan Associates to provide building inspection services.

It was moved by Council Member Morales and seconded by Council Member Price that Agreement No. 06-23 be approved in the amount of $100,000. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

171 **RESOLUTION NO. 06-18 ADOPTED – APPROVING THE APPLICATION FOR**

GRANT FUNDS FOR THE ROBERTI-X' BERG-HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM; RESOLUTION NO. 06-19 ADOPTED – APPROVING THE GRANT APPLICATION FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2002. Staff report dated February 28, 2006 was presented recommending adoption of resolutions approving the submission of Grant Applications to the California Department of Parks and Recreation for the Per Capita Grant Program and the Roberti-Z'Berg-Harris Block Grant Program through the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2002 (2002 Resources Bond Act).

It was moved by Council Member Morales and seconded by Council Member Price that Resolution No. 06-18 entitled:

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG – HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2002 FOR IMPROVEMENTS TO VARIOUS INGLEWOOD PARKS

be adopted and that Resolution No. 06-19 entitled:

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE PER CAPITA GRANT PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2002 FOR IMPROVEMENTS TO VARIOUS INGLEWOOD PARKS.

be adopted. The motion was carried by the following vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

183.50 **AGREEMENT NO. 06-24 APPROVED – LAYNE CHRISTENSEN.** Staff report dated February 28, 2006 was presented recommending approval of an agreement with Layne Christensen for the redevelopment of water well no. 4 per bid B-871.

It was moved by Council Member Morales and seconded by Council Member Price that the City Council does hereby 1) Approve Agreement No. 06-24 in the amount of $67,926; and 2) Approve contingency finds for this project in the amount $10,189. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

140.75 **ORDINANCE NO. 06-02 ADOPTED – IMPOSING 0.5% TRANSACTIONS AND USE TAX FOR LAW ENFORCEMENT PURPOSES.** It was moved by Council Member Morales and seconded by Council Member Dunlap that Ordinance No. 06-02 entitled:

> AN ORDINANCE OF THE PEOPLE OF THE CITY OF INGLEWOOD IMPOSING A 0.5% TRANSACTIONS AND USE TAX FOR LAW ENFORCEMENT PURPOSES TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

which was introduced at the meeting of February 14, 2006, be adopted. The motion was

carried by the following roll call vote:
Ayes: Council Members Price, Morales, Franklin and Mayor Dorn;
Noes: Council Member Dunlap.

127.2 166 214.1 **ORDINANCE NO. 06-03 ADOPTED – AMENDING CHAPTER 5, ARTICLE 6 OF THE IMC (PAYMENT OF REWARDS).** It was moved by Council Member Morales and seconded by Council Member Franklin that Ordinance No. 06-03 entitled:

> AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING CHAPTER 5, ARTICLE 6 OF THE INGLEWOOD MUNICIPAL CODE.

which was introduced at the meeting of February 14, 2006, be adopted. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

123.6 **CLOSED SESSION – ONE CASE.** Closed session – Confidential – Attorney/Client Privileged, Anticipated Litigation pursuant to California Government Code Section 549656.9(b)(1); one case.

Direction was provided to staff.

132.6 **CLOSED SESSION – SONIA VELASQUEZ VS. SOUTHERN CALIFORNIA GAS COMPANY, ET AL.** Closed session – Confidential – Attorney/Client Privileged; Pending Litigation, Government Code Section 54956.9(a), Sonia Velasquez vs. Southern California Gas Company, et al. LASC Case No. YC051368.

It was moved by Council Member Morales and seconded by Council Member Franklin that the City Council does hereby confirm, approve and ratify the settlement in the amount of $1,500. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

132.6 173.13 **CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATOR.** Closed session – Confidential – Attorney/Client Privileged; Conference with Labor Negotiator, Government Code Section 54957.6; Employee Organizations: Service Employees International Union; Inglewood Management Employees Organization; Inglewood Police Association; Negotiator for the City: Jeff Muir, Assistant City Administrator.

Update provided. Direction provided to staff with regard to IPA.

140.75 **RESOLUTION NO. 06-20 ADOPTED – REQUESTING CONSOLIDATION OF THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 6, 2006.** It was moved by Council Member Morales and seconded by Council Member Franklin that Resolution No. 06-20 entitled:

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON JUNE 6, 2006 WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THAT DATE AND TO RENDER SPECIFIED SERVICES TO THE CITY RELATED TO THE ELECTION PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

be adopted. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;

Noes: None.

214.5 **PUBLIC HEARING CONTINUED – SPECIAL USE PERMIT NO. 1008 (SP-1008) GRANTED – BEAUTY SALON AT 517 WEST MANCHESTER BOULEVARD; RESOLUTION NO. 06-21 ADOPTED – OVERTURN OF THE PLANNING COMMISSIONS DENIAL OF A SP-1008.** The 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. 1008 (SP-1008) for a beauty salon at 517 West Manchester 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 is present and no communications have been received on the matter.

The City Administrator presented staff report dated February 14, 2006 submitting background information on the matter.

Mayor Dorn ordered the staff report dated February 14, 2006 received and filed.

Sheldon Curry, Planning Manager, briefly commented that since the last meeting on February 14, 2006, the applicant has complied with what Council has asked. He commented that the owner has reduced the fence from 8 feet to 6 feet and that officers were sent out everyday to ensure that the owners were not conducting business as requested by the City Council.

Mayor Dorn commented that he was contacted by a shop owner who opposed the business opening in that location.

Cynthia Mulcer, shop owner commented that there was some miscommunication. She commented that she was under the impression that the business in question was a salon that was trying to open in the same lot where her shop is located. She further commented that she is not opposed to the opening of this beauty salon.

Council Member Morales commented that when this item was brought before the City Council two weeks prior, the focus was on the ordinance which addresses similar use businesses located within 300 feet from each other. He commented that he reviewed the ordinance and formed a judgment as to its intent which is to ensure that the City is not bombarded with beauty salons. He stated that he has personally driven to the location of the beauty salon and commended the owners on rectifying the responsibilities given to them by the City Council. He further stated that the beauty salon across the street from the applicant clearly has a different clientele. He stated that the current ordinance in force does not address specific issues with regards to the same businesses, serving totally different clientele. He also stated that the intent of the ordinance would not be kept if Council chooses to not allow this business to continue. He inquired whether there is a penalty in place if Council grants a Special Use Permit to a business that has been operating without a license.

Sheldon Curry stated there is no such penalty in the zoning code.

Council Member Morales commented that this issue needs to be addressed. He further stated that the City Council should not appear to be granting permits to businesses that have been operating in the City without a license. However, he continued, since there is no such rule in force where a penalty can be assessed before the permit is granted, the City needs to address the issue before it happens again. He stated that by upholding the Planning Commission's denial, he doesn't feel that the Council will be fulfilling the intent of the original ordinance. He commented that remedies need to be established so that businesses are not encouraged to do business in lieu of obtaining a license, but he doesn't think losing a business is a good option either. He stated that although the Planning Commission was correct in following the law based on the given criteria, it is the job of the City Council to consider all circumstances, and he will support letting the business continue in the City and will vote to over the denial.

Council Member Franklin commented that he wants to ensure that the beauty salon is qualified and in compliance before he supports overturning the denial.

Sheldon Curry stated that the business is in compliance.

Mayor Dorn stated continuing the matter was the right thing to do. He commented that if the issue would have been voted on at the last City Council meeting, the permit would not have been granted. He stated that the continuance gave the Council time to investigate. He commented that although the Planning Commission was 100% correct, the City Council has authority to take in all considerations. He commented that he will also support setting aside the Planning Commission's decision.
Council Member Dunlap inquired if it was a Brown Act Violation to allow one person to speak from the public and not others.

Anita Willis, City Attorney, stated that because the public hearing is continued and the public comments portion was closed at the last meeting, it would not be a violation. She further stated that since the Mayor let one person speak, he should re-open the public comment portion to allow other members to address the City Council on the matter if they so choose.

Mayor Dorn inquired if there were any person present who wanted to address the City Council on the matter.

There was no response.

Mayor Dorn closed the public comment portion.

The City Attorney stated that if the Council is going to go thru with the motion of granting the Special Use Permit, they need to review the draft resolution, prior to voting.

**** * The City Clerk disseminated the draft resolution to the City Council for review. * ****

Council Member Dunlap inquired how this action would affect the ordinance currently in force.

The City Attorney stated that each Special Use Permit is considered on a case by case basis. She also stated that the ordinance is not a complete denial. She commented that the ordinance requires that the applicant come before the City Council, who in turn can consider the facts and determine if granting a permit is appropriate.

Council Member Price commented that he will be supporting the City Council action to overturn the Planning Commission's denial. He further urged the City Administrator to quickly address the loop hole that has been discovered regarding businesses not operating with a license because he doesn't want to send mixed signals.

It was moved by Council Member Morales and seconded by Council Member Franklin that the City Council does hereby find appropriate findings to overturn the Planning Commission's denial of Special Use Permit No. 1008 (SUP 1008). The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

Thereupon, it was moved by Mayor Dorn and seconded by Council Member Franklin that Resolution No. 06-21 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, OVERTURNING THE PLANNING COMMISSION'S DENIAL AND APPROVING A SPECIAL USE PERMIT REQUEST BY SANDRA CLAYTON FOR A BEAUTY SALON WITHIN

300 FEET OF A SIMILAR USE ON A C-2A (AIRPORT COMMERCIAL) ZONED PROPERTY AT 517 WEST MANCHESTER BOULEVARD.

be adopted. The motion was carried by the following roll call vote:
Ayes: Council Members Price, Dunlap, Morales, Franklin and Mayor Dorn;
Noes: None.

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.

Willie Agee spoke concerning illegal garage conversions and stated that the City needs to address the problem.

Diane Sambrano spoke concerning perception of a speaker who talk's about how City funds are spent, airport noise, fair education for all and being compared to other South Bay Cities.

Frederick Davis spoke concerning the day laborers by Costco, beauty schools who do business not far from other beauty salons, parked vehicles blocking the sidewalks, and illegal parking in the city. He further requested that the meeting be adjourned in memory of Stephanie Sharise Jamerson.

There being no further business to be presented, Mayor Dorn declared the meeting adjourned in memory of Stephanie Sharise Jamerson at the hour of 8:14 p.m.

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City Clerk

Approved this _____day of _____, 2006

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Mayor