The City Council of the City of Inglewood, California held a special meeting on Tuesday, May 11, 2010 in the Council Chambers in City Hall of said City.

Mayor Pro-Tempore Tabor called the meeting into joint session with the Redevelopment Agency at the hour of 10:00 a.m. The Clerk/ Secretary announced the presence of a quorum as follows:

Present: Mayor Pro-Tempore/Vice Chairman Tabor, Council

Members/Members Dunlap and Franklin;

Absent: Council Member/Member Morales.

City officials and personnel present for closed session were:

Yvonne Horton City Clerk

Sheldon Curry Acting City Administrator

Cal Saunders City Attorney
Tunisia Johnson Administrative Aide

- 127 <u>MAYOR PRO TEMPORE/VICE CHAIRMAN TABOR COMMENTS</u>. Mayor Pro Tempore/Vice Chairman Tabor announced that agenda item no. CS-4 was being pulled from the agenda.
- 134 <u>PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS ONLY.</u> Mayor Pro Tempore/Vice Chairman Tabor inquired if there were any persons present who wish to address the City Council/Redevelopment Agency on any closed session items.

Kimberly Riley spoke concerning agenda item no. CS-3, review of public employee discipline/dismissal/release.

Mayor Pro Tempore/Vice Chairman Tabor recessed the City Council/Redevelopment Agency at the hour of 3:06 p.m. for closed session item CS-1 -CS-3, CS-5 - CS-7 and CSR-1 -CSR-2.

\*\*\*\*\*\*

Following the Pledge of Allegiance to the flag of our Country and the invocation by Pastor Gregory Dixon, Mayor Pro Tempore Tabor called the meeting to order at the hour of 7:03 p.m. with all Council Members present.

City officials and personnel present were:

Yvonne Horton City Clerk

Sheldon Curry Acting City Administrator

Wanda M. Brown
Cheryl Moore
Cal Saunders
City Treasurer
Deputy City Clerk
City Attorney
Administrative Aide

180 PRESENTATION – HONORING INGLEWOOD RESIDENT MARGARET MILLER ON HER 90<sup>TH</sup> BIRTHDAY. Mayor Pro Tempore Tabor read a proclamation honoring Margaret Miller on her 90<sup>th</sup> Birthday.

Margaret Miller thanked the City Council and the City of Inglewood for the honor.

PRESENTATION – HONORING MISS CITY OF INGLEWOOD – MONET BAGNERIS. Mayor Pro Tempore Tabor read a proclamation honoring Monet Bagneris on being crowned Miss Inglewood.

Monet Bagneris, Miss Inglewood thanked the City Council for the honor. Miss Inglewood gave a recap of upcoming events she will be attending and representing the City of Inglewood.

134 <u>PUBLIC COMMENTS - AGENDA ITEMS.</u> Mayor Pro-Tempore Tabor inquired if there were any persons present who wish to address the City Council on any item on the agenda.

The following persons addressed the City Council regarding agenda item no. CI-1, Initiative by Mayor Pro Tempore Tabor requesting that staff be directed to draft an ordinance prohibiting smoking in Inglewood Public Parks:

Gloria Davis

Denise Lamb

Dean Martinez

Stan Miles

Steven Henderson

Ethel Austin

Michael Benbow

Gil Mathieu

Raynald Davis

Willie Agee

Leroy Fisher

Anna LaRosa

Bill Widner

Demetri McKay

Mike Stevens

Diane Sambrano spoke concerning agenda item no. 1, payment of the bills.

PAYMENTS OF WARRANTS AND BILLS- PAYMENT OF WARRANT NOS. 478215 AND 478302 NOT APPROVED. It was moved by Council Member Morales and seconded by Council Member Franklin that the demands presented to the City Council dated May 5, 2010 in the amount of \$1,369,527.30 with the exception of warrant numbers 478215 and 478302 and dated May 5, 2010 in the amount of \$9,885.39 are hereby allowed 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 Morales, Franklin; Mayor Pro-Tempore Tabor

Noes: Council Member Dunlap.

PUBLIC HEARING HELD - RESOLUTION NOT ADOPTED -AN APPEAL TO 131.8 THE PLANNING COMMISSION'S DENIAL OF SPECIAL USE PERMIT NO.1105 (SP-1105) TO ALLOW A PORTION OF THE DANIEL FREEMAN HOSPITAL <u>SITE TO BE USED AS A CHURCH ASSEMBLY HALL AND RELATED USES ON</u> AN APPROXIMATELY 17.22 ACRE R-M (RESIDENTIAL AND MEDICAL) ZONED PROPERTY AT 333 NORTH PRAIRIE AVENUE AND FOR SPECIAL USE PERMIT APPROVAL TO ALLOW THE ALTERATION OF THE FORMER HOSPITAL FACILITIES TO CHURCH USES WITH A COST IN EXCESS OF \$20,000 IN THE R-M MEDICAL OVERLAY ZONE. The City Clerk announced the next scheduled matter is a continued public hearing to consider an appeal to the Planning Commission's denial of Special Use Permit No. 1105 (SP-1105) to allow a portion of the Daniel Freeman Hospital site to be used as a church assembly hall and related uses on an approximately 17.22 acre R-M (Residential and Medical) zoned property at 333 North Prairie Avenue and for special use permit approval to allow the alteration of the former hospital facilities to church uses with a cost in excess of \$20,000 in the R-M medical overlay zone, that notice of this hearing has been given in the time, form and manner as required by law, the complete file of the planning commission was present and the affidavit is on file and no communications have been received.

Sheldon Curry, Acting City Administrator presented the staff report submitting background information on the matter.

Mayor Pro Tempore Tabor ordered the staff report received and filed.

Wanda Williams, Planning and Building Director presented a brief oral report.

Mayor Pro-Tempore Tabor inquired if there were any persons present who wish to address the City Council on this matter.

The following persons spoke in support of overturning the Planning Commission's denial of Special Use Permit No. 1105:

**Alvin Jones** 

Gregory Dixon

Victor Fifer

Larry Goodman

**Brandon Williams** 

**Dennis Wesley Horton** 

Phyllis Lewis

Don Scott

Roosevelt Douglas

Raynald Davis

Myron Mabrie

Minnie Jones

Cora Fann

Dr. Calhoun

John Hampton

Darryl Goines

Shelly Williams

Pauline Flannigan

**Kevin Ross** 

Dr. Essex Alexander

**David Rice** 

Gil Mathieu

Ethel Austin

Milton Brown

The following persons spoke in support of upholding the Planning Commission's denial of Special Use Permit No. 1105:

Carolyn Juarez

Mike Stevens

Michael Benbow

Leroy Fisher

Lynette Lewis

Willie Agee

Diane Sambrano

The following persons spoke regarding the Planning Commission's denial of Special Use Permit No. 1105:

Gil Mathieu

**Ethel Austin** 

Milton Brown

Mayor Pro Tempore Tabor closed the public comment portion at the hour of 9:45 p.m.

Mayor Pro Tempore Tabor recessed the City Council Meeting for a five minute break at 9:46 p.m.

\*\*\*\*\*\*

Mayor Pro Tempore Tabor reconvened the City Council Meeting at 9:54 p.m.

Mayor Pro Tempore Tabor commented he is a member of First Church of God. Mayor Pro

Tempore Tabor inquired from the City Attorney, if he had a legal conflict of interest concerning this issue?

Cal Saunders, City Attorney advised Mayor Pro Tempore Tabor that according to California Law he does not have a legal conflict of interest.

Mayor Pro Tempore Tabor commented although the City Attorney made the determination there would be no conflict of interest for him to participate in the discussion, he has decided for ethical reasons to recuse himself from the discussion and the vote.

Mayor Pro Tempore Tabor appointed Council Member Morales to chair the discussion and the vote.

Mayor Pro Tempore Tabor left the Council Chambers at the hour of 10:06 p.m.

Council Member Dunlap stated she would like to have the following information from the staff report included in the record, the staff report dated May 11, 2010 prepared by Wanda Williams, Planning and Building Director, stated "the California Supreme court has previously held that a Planning Commission or City Council may not discriminate when approving a special use permit. Under the California Government Code, land use planning is not an all-or-nothing proposition and therefore the Planning Commission cannot prevent reasonable use of the property, if the Zoning Code and R-M Overlay Zone regulations permit those uses."

Following the discussion, it was moved by Appointed Mayor Pro Tempore Morales and seconded by Council Member Franklin that the City Council does hereby overturn the Planning Commission's denial of Special Use Permit 1105 with the following appropriate findings being made. The motion was carried by the following roll call vote:

Ayes: Council Members Dunlap, Franklin and Appointed Mayor Pro Tempore

Morales;

Noes: None:

Absent: Mayor Pro Tempore Tabor.

Appointed Mayor Pro Tempore Morales recessed the City Council meeting for a five minute break at the hour of 10:17 p.m.

\*\*\*\*\*\*

Appointed Mayor Pro Tempore Morales reconvened the City Council meeting at the hour of 10:23 p.m.

Mayor Pro Tempore Tabor returned to Council Chambers at the hour of 10:24 p.m.

MINUTES. It was moved by Council Member Dunlap and seconded by Council Member Franklin that the minutes of the meeting held March 23, 2010 and March 29, 2010 be approved as recorded. The motion was carried by the following roll call vote:

Ayes: Council Members Dunlap, Morales, Franklin and Mayor Pro Tempore Tabor;

Noes: None.

131.50 AGREEMENT NO. 10-40 APPROVED – WYLE LABORATORIES – RESOLUTION NO. 10-53 AMENDING THE 2009-2010 FISCAL YEAR BUDGET. Staff report dated May 11, 2010 was presented recommending award of a contract for architectural and engineering (design) services for the Residential Sound Insulation Program and adopt a resolution amending the 2009-2010 fiscal year budget.

It was moved by Council Member Dunlap and seconded by Council Member Franklin that the City Council does hereby approve 1) Agreement No. 10-40 Wyle Laboratories in the amount of \$1,547,614 Agreement No. 10-40; and 2) Resolution No. 10-53 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING THE 2009/2010 ANNUAL

#### **BUDGET**

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

Ayes: Council Members Dunlap, Morales, Franklin and Mayor Pro Tempore Tabor;

Noes: None.

131.50 <u>AGREEMENT NO. 10-41 APPROVED – NSA CONSTRUCTION.</u> Staff report dated May 11, 2010 was presented recommending award of a contract for Residential Sound Insulation/Phase VII, Group 16.

It was moved by Council Member Dunlap and seconded by Council Member Franklin that the City Council does hereby approve 1) Agreement No. 10-41 to low bidder NSA Construction Inc, in the amount of \$966,000.00, Agreement No. 10-41; and 2) Approve a 10% contingency fund in the amount of \$96,600. The motion was carried by the following roll call vote:

Ayes: Council Members Dunlap Morales, Franklin and Mayor Pro Tempore Tabor;

Noes: None.

131.50 <u>AGREEMENT NO. 10-42 APPROVED – NSA CONSTRUCTION.</u> Staff report dated May 11, 2010 was presented recommending award of a contract for Residential Sound Insulation/Phase VIII, Group 9-J.

It was moved by Council Member Dunlap and seconded by Council Member Franklin that the City Council does hereby approve 1) Agreement No. 10-42 to the low bidder, NSA Construction Group, Inc. in the amount of \$868,000 Agreement No. 10-42; and 2) Approve a 10% contingency fund in the amount of \$86,800. The motion was carried by the following roll call vote:

Ayes: Council Members Dunlap Morales, Franklin and Mayor Pro Tempore Tabor;

Noes: None.

CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS SEIU; IMEO; IEO; IPOA; IPMA; IPCMA. Closed session – Confidential – Attorney/Client Privileged; Conference with Labor Negotiators, Government Code Section 54957.6; Employee Organizations: Service Employees International Union (SEIU); Inglewood Management Employees Organization (IMEO); Inglewood Executive Organization (IEO); Inglewood Police Officers Association (IPOA); Inglewood Police Management Association (IPMA); Inglewood Police Civilian Management Association (IPCMA); Negotiators for the City: Sheldon Curry, Acting City Administrator, and MaryBeth Allen, Human Resources Director.

Discussion held; no final action taken.

132.6 <u>CLOSED SESSION – LABOR AND EMPLOYMENT ISSUES.</u>

No closed session was held on this item.

132.6 <u>CLOSED SESSION –LAX NORTH AIRFIELD STUDY AND VARIANCE ISSUE</u>.

No closed session held on this item.

132.6 <u>CLOSED SESSION – FARMERS INSURANCE AS A SUBROGEE FOR</u>
BRIARWOOD CONDOMINIUMS.

This item was pulled from the agenda.

132.6 <u>CLOSED SESSION – SOUTHERN CALIFORNIA EDISON AN OTHER REVENUE</u>
<u>SOURCES.</u> Closed session - Confidential - Attorney/Client Privileged; Potential
Litigation, Government Code Section 54956.9(b)(1); Southern California Edison and other
Revenue Sources.

Discussion held; no final action taken.

132.6 <u>CLOSED SESSION – JACQUELINE FORD.</u> Closed session - Confidential -

Attorney/Client Privileged; Potential Litigation, Government Code Section 54956.9(a) Jacqueline Ford.

Discussion held; no final action taken.

132.6 <u>CLOSED SESSION – WORKERS COMPENSATION CASE OF JULIAN YSAIS.</u> Closed session - Confidential - Attorney/Client Privileged; Potential Litigation, Government Code Section 54956.9(a); Workers Compensation case of Julian Ysais.

It was moved by Council Member Franklin and second by Council Member Morales that the City Council does hereby authorize a settlement. The motion was carried by the following roll call vote:

Ayes: Council Members Dunlap, Morales, Franklin and Mayor Pro Tempore Tabor;

Noes: None

Mayor Pro Tempore Tabor recessed the City Council and called the Redevelopment Agency to order at the hour of 10:25 p.m.

\*\*\*\*\*\*

Mayor Pro Tempore Tabor reconvened the City Council at the hour of 10:26 p.m.

- 126 <u>VERBAL REPORTS CITY CLERK</u>. The City Clerk provided a recap of a focus group she attended at the Registrar/Recorder regarding new voting systems. She commented the Registrar/Recorder Dean Logan was in attendance and she enjoyed the group and will keep the Council abreast of all the changes coming down the pipeline.
- 219 <u>MONTHLY TREASURERS REPORT</u>. Staff report dated May 11, 2010 was presented. Submitting the Monthly Treasurer's Report for the month ending March 31, 2010.

Vice Chairman/Mayor Pro Tempore Tabor ordered the report received and filed.

219 <u>VERBAL REPORTS – CITY TREASURER</u>. The City Treasurer provided a recap on bonds she purchased on behalf of the City and Redevelopment Agency.

Mayor Pro Tempore Tabor recessed the City Council and called the Redevelopment Agency to order at the hour of 10:37 p.m.

\*\*\*\*\*\*

Mayor Pro Tempore Tabor reconvened the City Council at the hour of 10:38 p.m.

# 127.2 **COUNCIL INITIATIVE:**

### **Mayor Pro Tempore Tabor:**

Initiative by Mayor Pro Tempore Tabor requesting that staff be directed to draft an ordinance prohibiting smoking in Inglewood Public Parks.

Following discussion, the City Attorney was directed to prepare an ordinance with direction to clarify in the ordinance smoking only not barbeques.

114.25 APPOINTMENTS TO BOARDS, COMMISSION AND COMMITTEES – BLUE RIBBON POLICE OVERSIGHT COMMITTEE. Upon the recommendation of Council Member Dunlap, Mayor Pro Tempore Tabor appointed Shawn Miller to the Blue Ribbon

Police Oversight Committee representing Councilmanic District No. 2 for the term ending June 2013. The motion was carried by the following roll call vote:

Ayes: Council Members Dunlap, Morales, Franklin and Mayor Pro Tempore Tabor;

Noes: None.

134 <u>PUBLIC REMARKS.</u> Mayor Pro Tempore Tabor inquired if there were any persons present who wish to address the City Council on any matter connected with City business not elsewhere considered on the agenda.

Mike Stevens commented something should be put in place so that Daniel Freeman will not be left standing like the white elephant Forum.

Leroy Marshall commented on the City of Inglewood using the e-verify system to ensure all workers in Inglewood are legal and should be working in the City.

Talia Smith commented on the current financial and the proposed lay-off implementation plan.

Ethel Austin commented on politicians not respecting the citizens and continuously bringing outsiders into the City of Inglewood.

Wayne Spencer commented on the quarterly meeting of the South Bay Workforce Employment Board.

Willie Agee commented he is disappointed with the City Council not giving the Commission's the respect they deserve.

Lynette Lewis commented staff morale is low; people are leaving and this is a good house cleaning.

Micheal Benbow invited everyone to attend a Candidate's Forum on May 20 at Morningside High School.

Gil Mathieu inquired who is going to enforce no smoking in the parks; this is just another law on the books with no teeth.

Raynald Davis commented on the choices the City Council is making for the community.

Johnny Ingram commented on the scheduled Candidate's Forums, he encouraged all the candidates to take part.

Leroy Fisher commented on the scheduled Candidate's Forums, he encouraged all the candidates to attend.

Diane Sambrano commented on two City Commissions that have not met for over two years and inquired what the point to have the Commissions is.

Milton Brown commented on presenting the Candidate's Forums on public television.

Bill Widner commented on how injustice he was treated by the Section 8 Program and Inglewood Housing.

Ethel Austin commented on politicians not respecting the citizens and continuously bringing outsiders into the City of Inglewood.

There being no further business to be presented, Mayor Pro Tempore Tabor declared the meeting adjourned in honor of William Elkins, DeLawrence Jackson, Lena Horne, Mary McGregor, Paul Delan, Matthew Forney at the hour of 11:37 p.m.

	City Clerk
Approved this 15 <sup>th</sup> day of June, 2010	
Mayor Pro Tempore Tabor	