Inglewood, California February 24, 2004

The City Council of the City of Inglewood, California held a regular meeting on Tuesday, February 24, 2004 in the Council Chambers in City Hall of said City.

Mayor Dorn called the meeting to order at the hour of 4:09 p.m. The City Clerk announced the presence of a quorum as follows:

Present: Mayor Dorn, Council Members Morales and Franklin;

Absent: Council Members Price and Dunlap.

City officials and personnel present were:

Yvonne Horton

Wanda Brown

City Clerk

City Treasurer

Mark F. Weinberg

City Administrator

Emmerline Foote

Margaret Baird

City Attorney

Administrative Secretary

134 <u>PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS ONLY.</u> 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 declared the City Council recessed at the hour of 4:09 p.m. for closed session.

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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 7:13 p.m. with a quorum present.

Council Member Price arrived in the Council Chambers at the hour of 7:15 p.m.

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 spoke concerning agenda item nos. O-2, Ordinance No. 04-07, increasing rates at parking structures and lots in the City of Inglewood, 6, award of contract for Residential Sound Insulation/Phase VI, Group 3 and O-1, Ordinance No. 04-02, amending Sections 2-152.65 through 2-152.67 of the IMC relating to duties and powers of the Citizen Police Oversight Commission.

Diane Sambrano spoke concerning agenda item nos. 6, award of contract for Residential Sound Insulation/Phase VI, Group 3 and O-2, Ordinance No. 04-07, increasing rates at parking structures and lots in the City of Inglewood.

Frederick Davis spoke concerning agenda item nos. O-1, O-2, CA-1 and R-2.

Roosevelt Douglas, District 3, spoke concerning agenda item no. O-2, Ordinance No. 04-07 increasing rates at parking structures and lots in the City of Inglewood.

Council Member Price left the Council Chambers at the hour of 7:21 p.m.

Council Member Dunlap left the Council Chambers at the hour of 7:23 p.m. and returned at 7:25 p.m.

142.9 **PAYMENTS OF WARRANTS AND BILLS.** It was moved by Council Member Morales and seconded by Council Member Franklin that the demands presented to the City Council dated February 18, 2004 in the amount of \$2,323,019.69 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 Morales, Franklin and Mayor Dorn;

Noes: Council Member Dunlap; Absent: Council Member Price.

MINUTES. At the request of the City Clerk, the Minutes of the meeting held on December 11, 2003 were removed from the agenda.

- 132 <u>CLAIM DENIED.</u> Letter from the City's claims administrator was presented, recommending denial of the following claim:
 - a) Antonio & Maria Raymundo for personal injury on March 14, 2003.

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

ANNUAL BLANKET PURCHASE ORDER FOR POLICE UNIFORMS AND EQUIPMENT APPROVED. Staff report dated February 24, 2004 was presented recommending approval of the annual blanket purchase order for Police uniforms and equipment per Bid B-832 in the amount of \$135,003.

It was moved by Council Member Franklin and seconded by Council Member Morales that the City Council does hereby approve purchase with Long Beach Uniform via Purchase Order Contract. The motion was carried by the following roll call vote:

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

Noes: None;

Absent: Council Member Price.

103.3 **RESIDENTIAL SOUND INSULATION/PHASE IV, GROUP 8**. Staff report dated February 24, 2004 was presented recommending award of contract for Residential Sound Insulation/Phase IV, Group 8 in the amount of \$1,083,911.

This item was removed from the agenda.

MONTHLY FINANCIAL REPORT. Staff report dated February 24, 2004 was presented, submitting the Monthly Financial Report for the month ending December 31, 2003.

It was moved by Council Member Franklin, seconded by Council Member Morales and carried that the above listed report be received and filed.

142.4 **REPORT OF PURCHASES.** Memorandum dated February 24, 2004 was presented, listing items to be purchased from vendors indicated. It was moved by Council Member Franklin and seconded by Council Member Morales that the purchases be approved. The motion was carried by the following roll call vote:

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

Noes: None:

Absent: Council Member Price.

<u>MINUTES</u>. It was moved by Mayor Dorn and seconded by Council Member Franklin that the minutes of the meeting of January 6, 2004 be approved as recorded. The motion was carried by the following roll call vote:

Ayes: Council Members Morales, Franklin and Mayor Dorn;

Noes: None;

Absent: Council Member Price; Not Voting: Council Member Dunlap.

103.3 **AWARD OF CONTRACT – RESIDENTIAL SOUND INSULATION/PHASE VI, GROUP 3.** Staff report dated February 24, 2004 was presented recommending award of contract for Residential Sound Insulation/Phase VI, Group 3 in the amount of \$1,209,000.

Council Member Price returned to the Council Chambers at the hour of 7:27 p.m.

Council Member Dunlap commented for the record her objection that the City Council is not taking care of single-family owner occupied homes as other cities do.

It was moved by Council Member Franklin and seconded by Council Member Morales that the City Council does hereby award contract to Karabuild Development. The motion was carried by the following roll call vote:

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

Noes: None.

103.3 ORDINANCE NO. 04-02 AMENDING SECTIONS 2-152.65 THROUGH 2-152.67 OF THE IMC RELATING TO THE DUTIES AND POWERS OF THE CITIZEN POLICE OVERSIGHT COMMISSION.

This item was removed from the agenda.

214.1 ORDINANCE NO. 04-07 ADOPTED – INCREASING RATES AT PARKING

183 <u>STRUCTURES AND LOTS IN THE CITY OF INGLEWOOD.</u> It was moved by Council Member Franklin and seconded by Council Member Morales that Ordinance No. 04-07 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD, CALIFORNIA, AMENDING SECTION 3-89 OF THE INGLEWOOD MUNCIPAL CODE AND ESTABLISHING PARKING RATES

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

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

Noes: None.

147 <u>INFORMATIONAL PRESENTATION BY MR. RICH BAEDECKER ON THE</u> GAMING REVENUE ACT OF 2004 (SCA 10).

There was no action taken.

132.6 <u>CLOSED SESSION – APPOINTMENT OF CITY ATTORNEY.</u> Closed session – Confidential – Personnel Exception, Gov't Code Section 54957, appointment of City Attorney.

An update was provided to the City Council; there was no action taken.

132.6 CLOSED SESSION – COALITION FOR A BETTER INGLEWOOD V. CITY OF INGLEWOOD, ET AL. Closed session – Confidential – Attorney/Client Privileged; Pending Litigation, Gov't Code Section 54956.9 (a); Coalition for a Better Inglewood v. City of Inglewood, et al; LASC Case No.: BS087433

An update was provided to the City Council; there was no action taken.

132.6 CLOSED SESSION – BALLOT INITIATIVE RELATING TO THE "HOME STRETCH AT HOLLYWOOD PARK". Closed session – Confidential – Attorney/Client Privileged; Pending Litigation; Gov't Code Section 54956.9(b)(1): ballot initiative related to proposed development of project known as the "Home Stretch at Hollywood Park"

An update was provided to the City Council; there was no action taken.

132.6 CLOSED SESSION – LABOR NEGOTIATIONS WITH POLICE DEPARTMENT

(POLICE OVERSIGHT COMMISSION). Closed session – Confidential –

Attorney/Client Privileged; Anticipated Litigation, Gov't Code Section 54957.6(a) and (b): meeting with City's representatives on labor negotiations with Police Department (Police Oversight Commission).

This matter is to be brought back on March 9, 2004

CLOSED SESSION – UTILITY USER TAX EXEMPTION. Closed session - Confidential - Attorney/Client Privileged; Anticipated Litigation, Gov't Code Section 54956.9 (b): approve settlement agreement and general release related to Utility User Tax Exemption.

It was moved by Council Member Franklin and seconded by Council Member Morales that the City Council does hereby approve, confirm and ratify settlement in the amount of \$250,000. The motion was carried by the following roll call vote:

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

Noes: None.

132.6 <u>CLOSED SESSION – PATRICIA SURJUE ET AL. V. CITY ET AL.</u> Closed session – Confidential – Attorney/Client Privileged; Pending Litigation, Gov't Code Section 54956.9(a); Patricia Surjue et al v. City et al; Case No.: CV-02-5489 SOJ (VBKx).

An update was provided to the City Council; there was no action taken.

132.6 <u>CLOSED SESSION - SYLVIA BEDROSSIAN.</u> Closed session - Confidential - Attorney/Client Privileged; Personnel Matter within Gov't Code Section 54957; in the matter of Sylvia Bedrossian.

This matter is to be brought back on March 16, 2004.

132.6 <u>CLOSED SESSION – DESHAWN LOVE V. CITY OF INGLEWOOD, ET AL.</u> Closed session - Confidential - Attorney/Client Privileged; Pending Litigation, Gov't Code Section, 54956(a); Deshawn Love v. City of Inglewood, et al, USDC Caser No.: CV03-9320 CBM (JWJx)

It was moved by Mayor Dorn and seconded by Council Member Morales that the City Council does hereby authorize the City Attorney's Office to send a Reservation of Rights Letter to Officer Bijan Darvish for the appointment of legal counsel and deny indemnification at this time. The motion was carried by the following roll call vote:

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

Noes: None.

132.6 <u>CLOSED SESSION – AKILAH ARTIAGA V. CITY OF IGNLEWOOD.</u> Closed session - Confidential - Attorney/Client Privileged; Pending Litigation, Gov't Code Section 54956.9(a); Akilah Artiaga v. City of Inglewood, USDC Case No.: SACV 03-801 CJC [formerly CV 02-07408 SVW (RCx)]

It was moved by Mayor Dorn and seconded by Council Member Franklin that the City Council does hereby authorize that the City Attorney's Office to send a Reservation of Rights Letter to Officer Bijan Darvish for the appointment of legal counsel and deny indemnification at this time. The motion was carried by the following roll call vote:

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

Noes: None.

132.6 CLOSED SESSION – JACQUELINE SHEROW. Closed session - Confidential - Attorney/Client Privileged; Pending Litigation, Gov't Code Section 54956.9(a): [Proposed] Worker's Compensation Settlement with Jacqueline Sherow.

It was moved by Council Member Franklin and seconded by Mayor Dorn that the City Council does hereby approve, confirm and ratify settlement in the amount of \$70,000. The motion was carried by the following roll call vote:

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

Noes: None;

Not Voting: Council Member Morales.

125.2 AGREEMENT NO. 04-26 APPROVED – SAMUEL H. BROWN, ESQ. Staff report dated February 24, 2004 was presented recommending approval of agreement with Samuel H. Brown, Esq., for continued legal services.

It was moved by Mayor Dorn and seconded by Council Member Franklin that Agreement No. 04-26 be approved. The motion was carried by the following roll call vote:

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

Noes: None.

AGREEMENT NO. 04-27 APPROVED – LINER, YANKELEVITZ, SUNSHINE & REGENSTREIF, LLP. Staff report dated February 24, 2004 was presented recommending approval of amendment to Agreement No. 03-55 with Liner, Yankelevitz, Sunshine & Regenstrief, LLP, for continued legal services.

It was moved by Mayor Dorn and seconded by Council Member Franklin that Agreement No. 04-27 be approved. The motion was carried by the following roll call vote:

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

Noes: None.

219 <u>MONTHLY TREASURER'S REPORT.</u> Staff report dated February 24, 2004 was presented, submitting the Monthly Treasurer's Report for the month ending January 31, 2004.

Mayor Dorn ordered the report received and filed.

219 <u>VERBAL REPORTS – CITY TREASURER.</u> The City Treasurer gave a report of the collective earnings for all entities.

Mayor Dorn recessed the City Council at the hour of 8:28 p.m.

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Mayor Dorn reconvened the City Council at the hour of 8:36 p.m.

JOINT PUBLIC HEARING SET – RECEIVING THE PROPOSED SIXTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTURY REDEVELOPMENT PROJECT – RESOLUTION NO. 04-17 ADOPTED. Staff report dated February 24, 2004 was presented requesting approval of a) resolution receiving the proposed Sixth Amendment to the Redevelopment Plan for the Century Redevelopment Project, and b) consenting to a joint public hearing on the proposed Sixth Amendment to the Redevelopment Plan for the Century Redevelopment Project.

It was moved by Council Member Franklin and seconded by Mayor Dorn that Resolution No. 04-17, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INGLEWOOD RECEIVING THE PROPOSED SIXTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTURY REDEVELOPMENT

PROJECT, AND CONSENTING TO AND CALLING A JOINT PUBLIC HEARING ON THE PROPOSED SIXTH AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE CENTURY REDEVELOPMENT PROJECT

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

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

Noes: Noes.

PUBLIC HEARING HELD – RENEWAL OF UNION PIPELINE COMPANY FRANCHISE AGREEMENT. The City Clerk announced that the next scheduled matter was a public hearing to consider renewal of Union Pipeline Company Franchise Agreement, that notice of this hearing has been given in the time, form and manner as required by law, the affidavit was on file and no communication was received.

The City Administrator presented staff report dated February 24, 2004 submitting background information on the matter.

Mayor Dorn ordered the staff report dated February 24, 2004 received and filed.

Mark Weinberg, City Administrator, commented that back in 1954 the Union Oil Company California entered into a 40 year agreement with the City to construct a 12 inch pipeline to carry crude oil between what was then called Freeman Boulevard from Centinela Avenue to 95th Street. He also commented that the pipeline was constructed to handle approximately 20,000 barrels of crude oil per day and in 1991 the City was contacted in order to get an extension. The California Public Utilities Code grant cities the right to provide these kinds of franchises, which are exempt from, provisions under the CEAQ Act. He further commented that although crude oil is being transported in these pipes, there are ample safe guards in place to make sure this is done safely including a 24 hour monitoring and a 2 hour response in the event there are problems. Under the prior franchise agreement, the City received 2% of the annual gross receipts of the cost of crude oil that was flowing through the pipes and the new agreement would allow the City to charge a per lineal foot. Finally, he commented that the City receives about \$1,450 annually from this agreement and that would increase to about \$3,200.

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

Paul Russell, District 2, spoke concerning a railroad derailment some years ago in San Bernardino County and in the cause of doing repairs caused a major problem. He commented that he had concerns about monitoring but after reading the staff report, he felt better. He also commented that even though the City is on the Inglewood/Newport Earthquake Fault, there have been no problems over the years considering the City has experienced two major earthquakes.

No other persons wishing to address the City Council on the matter, Mayor Dorn declared the public comment section closed at the hour of 8:45 p.m.

Council Member Price commented that since the pipeline was constructed in 1955 to transport 20,000 barrels per day what was the current capacity of the pipeline.

Shad Rezai, General Manager, commented that the City does not have data on this.

Council Member Price commented that it appears the pipeline is used to transport oil and inquired if there were any provisions in place after these pipes are no longer in use whether it could be used for something else.

Charles Lech commented that the pipeline carries crude oil from Torrey Station in Ventura to the Torrance facility and then to the Los Angeles refinery in Carson. He further commented that currently 3,000 barrels an hour is carried out from the Torrey Station and there are some lines in the L.A. Basin that feed into these lines.

Council Member Price commented that he was curious in identifying the capacity of these pipelines whether or not the capacity had been increased or whether they are still the same since construction. He inquired how the pipelines would be used after transporting oil.

Charles Lech commented that it is used exclusively for crude oil transmission.

Council Member Price inquired if that's the only use is being requested for at this time.

Dennis Doherty commented that this is for crude oil only and any changes would have to be brought to the Council's attention.

Council Member Dunlap commented that under the new formula compensation to the City would be \$3,200 annually which is approximately \$300 monthly and inquired whether this is a typical compensation or based on the Southern California Utilities Code.

Dennis Doherty commented that the Public Utilities Commission regulates this. He also commented that this is a common carrier pipeline meaning that anyone owning a oil well may go to an oil company and ask to ship there products using the oil companies pipelines and that request has to be granted.

Council Member Dunlap inquired if there is a change in the fee schedule under the California Public Utilities Code and the City has a 10 year agreement with the oil company, does the City receive the higher amount or are they locked into a particular fee schedule.

Emmerline Foote, Interim City Attorney, commented that she believed the contract calls for the fees to be consistent with the Public Utilities Code. She also commented that around 1994 when the agreement was about to expire, the fees had been changed and she believed the agreement accommodated for that.

Council Member Dunlap requested clarification in reference to liability.

Emmerline Foote commented that the City was indemnified per Section 11 of the agreement.

Charles Lech commented that this was the reason why these types of agreements is beneficial to the City and they would be accepting all responsibilities for the operation of these lines as written in the agreement.

Emmerline Foote commented that under Section 12 of the agreement they are required to meet insurance requirements and also agree to indemnify the City and even if the insurance fails, they have a secondary obligation to indemnify the City for any unfortunate events.

Council Member Morales commented that some of these pipes have been in use for a long time and in the staff report it states the last time they were inspected was in 2000 and inquired how often should they be inspected and how accurate the system was.

Charles Lech commented that currently the pipelines are tested every five years. They used to hydro test the lines but these are now performed by internal lines inspection.

Council Member Morales inquired what does that mean.

Charles Lech commented that these are right of way surveys and cathodic protection surveys.

Dennis Doherty commented that the lines are checked internally rather than using the old method by placing water into the lines and putting through pressure to see if there are any leaks. He also commented that these tests are done at a much larger expense because it would be a huge expense should anything happen. He further commented that these tests are carried out more often than is required by the agencies in Washington that the California State Fire Marshal control them.

Council Member Morales inquired how often has an accident occurred using these tests.

Charles Lech commented there were more abnormalities in the past when they use to hydro test the lines but with the internal line inspection, data is provided which enables them to go in and make repairs. He also commented that upon completion of the tests, engineers review the criteria after which a report is made and the location is identifiable.

Council Member Franklin commented that with the capacity of 3,000 gallons per hour, the maximum capacity could be as high as 72 with a 24 hour operation.

Charles Lech replied no. He commented that the Torrance facility had the capacity to transport about 3,000 barrels an hour.

Dennis Doherty commented that there is less oil being produced in California and even though the capacity is large, they do not have the need to transport as much product through the lines.

Council Member Franklin inquired that since crude oil is flowing at a fast velocity, isn't a lot of friction created as well as wear and tear on the lines internally which may cause them to break.

Charles Lech commented that this was the reason why tests are run. He further commented that when the internal line inspections are carried out, it provides additional information that shows wall thickness and abnormalities.

Dennis Doherty commented that oil is a wonderful lubricant, which provides its own lubrication for going through the lines so there is no real friction going through which might cause any difficulty.

Council Member Franklin commented that these pipelines have been underground for at least 50 years and inquired what the life expectancy was.

Dennis Doherty commented that whenever there is a problem some of these pipes have been replaced and it was amazing to see how cleaned these pipes were. He also commented that they have been able to sell these pipes usually in the central valley of California who in turn would clean them up and use them to transport water. He further commented that the only concern they might have is for someone using a piece of machinery to go in and hit the line.

Council Member Franklin inquired what the depth was.

Charles Lech commented that this particular pipeline was about 5 feet.

Mayor Dorn commented that this pipeline goes down La Cienega and Century Boulevard and inquired where it goes from there.

Shad Rezai commented that the City doesn't have any plans from that point and that the oil company would have that information.

Charles Lech commented that the pipeline continues south on La Cienega into Torrance.

Mayor Dorn inquired whether it goes round Century Boulevard.

Charles Lech replied no.

Mayor Dorn inquired whether those businesses and those affected on La Cienega have been notified about these high-pressure lines running down the area. He commented that although the Franchise Agreement Ordinance allows for the transportation of oil, petroleum, gas, gasoline and other hydrocarbon substances, only crude oil has been transported however, it does allow for all those others. He also commented that since this is a high-pressure pipeline the community should be made aware of this and have an opportunity to come before Council and indicate whether or not this is something they support.

Shad Rezai commented that this public hearing was advertised through the City Clerk's Office.

Mayor Dorn commented that people do not normally read the newspaper for these types of advertisements and he has seen how persons in other communities go up in arms about these pipelines running through there community. He also commented that in the past, persons were not aware about it and probably no one really knows but before an agreement is reached, he would like to give those individuals who may be affected an opportunity to be made aware.

Shad Rezai commented that with this public hearing notice everyone is informed.

Mayor Dorn commented that this pipeline could be very dangerous especially with earthquakes and so far the City has been lucky. He also commented that buildings were now being retrofitted because of earthquakes and inquired whether these kinds of precautions were being taken.

Shad Rezai commented that in reference to safety, that was something for the oil company to answer.

Charles Lech commented that he would have to refer to representatives in there organization and he couldn't say exactly the last time its been done. He also commented that advertisements were posted in newspapers as well as pamphlets in geographical areas where these pipelines run. Finally, he commented that the state fire marshal requires them to do pipeline markings, which they have done.

Council Member Dunlap requested that the public hearing be continued and that notices be sent out to all property owners adjacent to the pipelines with perhaps the oil company incurring the expenses.

Mayor Dorn commented that if this was a motion he would second it. He also commented that Council has an obligation to the community and he wants to make certain that businesses and residents along those lines have been notified and be given an opportunity to be heard.

Council Member Dunlap commented that this public hearing be continued for 30-45 days to allow staff time to prepare and that it would be in the public's interest that properties in the L.A. area and Inglewood area be contacted.

Council Member Franklin inquired what the remedy was.

Mayor Dorn commented that it all depends on what the people had to say and he inquired what was the City gaining from this.

Council Member Franklin inquired what the remedy was if persons were opposed with it.

Mayor Dorn commented that one remedy would be for it to be closed off or provide those affected with some assurance. He also commented that perhaps the pipes could be retrofitted the same way as buildings and that he does want the public to feel comfortable with this before he votes.

Charles Lech commented that representatives from the oil company could provide additional information.

Mayor Dorn commented that this might be helpful at the public hearing and he knows what happened in one community when they found out that this high-pressure line was going through its community.

It was the consensus of the City Council that the public hearing be continued at an appropriate time.

134 <u>PUBLIC REMARKS.</u> 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 the discussion this evening about the gaming revenue act and a brochure from Hollywood Park referencing jobs.

Diane Sambrano, District 4, spoke concerning a brochure from Hollywood Park referencing jobs, business and salary for Council.

Frederick Davis spoke concerning parking on Arbor Vitae, Morningside High School winning a game and upcoming blackhawk games.

Roosevelt Douglas, District 3, spoke concerning parking on Arbor Vitae and slot machines.

There being no further business to be presented, Mayor Dorn declared the meeting adjourned at the hour of 9:44 p.m.

			City Clerk
Approved this	day of	, 2004	
 Mayor			