

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD APRIL 13, 2004.**

Mayor/Chairman Guidi called the City Council, Community Redevelopment Agency and Parking Authority meeting to order jointly and concurrently at 6:00 p.m. in the City Council Chambers of the City Hall, 4455 West 126th Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
Absent: None.

Pastor George Magdalany of Hope Chapel gave the evening's invocation. The Pledge of Allegiance was led by Abe Tavera of Gold's Gym.

Sheriff Lee Baca spoke on a proposed initiative that would help restore lost funds to the LA County Police Department. It would consist of a high-end sales tax where the average consumer would pay \$6 a month. It would be a system that everyone participates in. The funding from the initiative would total about \$500 million countywide. It would be split three ways with the LA Police Dept, the LA Sheriff Dept. and other police departments. Hawthorne minimally would receive \$4.3 million in additional public safety funds.

Mayor Guidi presented a Certificate of Recognition to City Clerk Daniel D. Juarez for his completion of the IIMC Master Municipal Clerk academy program, earning him a Master Municipal Clerk designation.

Mayor Guidi presented Certificates of Appreciation to Code Enforcement Officers Don Krause and Jeremy Selga for their dedication, assistance and support to enhance the image of the Hawthorne community and for providing services beyond the call of duty. Also recognized were Code Enforcement Officers Chris Burrus and Steve Bjoralt.

The public drawing for fireworks stands was held. Out of 13 applicants, the following eight were chosen by random drawing: Kiwanis Club of Hawthorne, The Italian Club, St. Joseph Catholic Church, AYSO Region 21, Hawthorne Lions Club, Hawthorne Youth Football Cheerleading, Los Angeles Teen Challenge and California Youth Karate Club.

Councilmember Catano introduced Charles Bowie, his new commissioner for the Parks and Recreation Commission.

Councilmember Parsons called President Charles Herbertson of the Kiwanis Club and President Jan Vogel of the Rotary Club to the podium for the passing of the trophy. The trophy went to the Rotary for winning the annual softball game. The score was 25 to 14.

1.

Mayor Guidi recessed the City Council meeting to conduct a closed session regarding - Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case).

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present. He announced that the closed session was to discuss a closed session regarding Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case) and no action was taken and staff advised.

2.

Mayor Guidi recessed the City Council meeting to conduct a closed session regarding - Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case).

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present. He announced that the closed session was to discuss Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case) and no action was taken and staff has been advised.

3.

Mayor Guidi recessed the City Council meeting to conduct a closed session regarding -. Conference with Legal Counsel – Initiation of Litigation pursuant to Government Code Section 54956.9 (one case)

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present. He announced that the closed session was to discuss Conference with Legal Counsel – Initiation of Litigation pursuant to Government Code Section 54956.9 (one case) and no action was taken and staff has been directed.

4.

Under Elected Officials reports/recommendations.

Councilmember **Velez** thanked various members of staff and the community for their involvement: Lt. Valdez for cleaning up and patrolling an area near the Ayres Hotel that was having problems with transients. Mickey Winters and her staff for the Easter breakfast they put on for the kids this weekend. Cindy Macha of the Western Museum of Flight for having the Easter bunny flown in and Pastor Wise of Del Aire Assembly of God and his staff for the Easter egg hunt.

Councilmember **Velez** attended a meeting of the Leslie Zepeda Community Improvement Program last week that had a good turnout. Also thanked the Code Enforcement team for their help in cleaning up at the meeting.

Councilmember **Velez** asked the Finance Director, Director Shally Lin to give a brief update on the budget process.

Councilmember **Catano** thanked staff and the community for holding various Easter activities throughout the City.

Councilmember **Catano** thanked the Hawthorne Lions Club for the coloring contest held at the library.

Councilmember **Catano** thanked Mr. Jan Vogel of SBWIB for putting on a job fair to help teens get summer jobs.

Councilmember **Lambert** apologized for not being able to attend the Easter community functions, but thanked everybody who participated.

Councilmember **Lambert** announced that Dorothy Perry of the Senior Center has arranged for a free trip to the Aquarium in Long Beach for the seniors. Anyone interested can contact Dorothy Perry.

Councilmember **Parsons** announced that he has an opening on the Planning Commission.

Councilmember **Parsons** will broadcast information on his cable show regarding an initiative to keep local monies local. It will air on Time Warner Cable on channel 6 on April 19th at 8 pm.

Councilmember **Parsons** stated that progress is being made to keep the noise level down at LAX. They have gone from a stage 4 noise standard to a stage 3.

Councilmember **Parsons** clarified that the article in the Daily Breeze stating that the Hawthorne Airport was going to be turned into a jet port for an April Fools joke.

Councilmember **Parsons** announced that at their last meeting, the Wiseburn School Board Trustees voted not to move Cabrillo School to 134th Street.

Councilmember **Parsons** announced that the Bodger Park Homeowners Association is up and running. They had their second meeting last week to approve their bylaws and dues. Anyone in Bodger Park who would like to get involved can contact Councilman Parsons.

Mayor **Guidi** wished everyone a belated happy Easter.

Mayor **Guidi** announced that Toyota Motors is sponsoring a safety seatbelt checkup on April 24th from 10 am to 1 pm. For more information, contact Rosalinda Martinez or call 310-222-6860.

Mayor **Guidi** announced that the Public Works Department is putting together “Save the Planet in our Backyard” on April 17th at the Memorial Center. For more information, contact Monica McClanahan at 310-970-7910.

Mayor **Guidi** thanked Steven Atain for the improvements made at Hollyglen Park.

Mayor **Guidi** would like for the County to take back the trailer parks.

Mayor **Guidi** thanked Lt. Valdez for his work in cleaning up the neighborhood area of Gale and Eucalyptus in conjunction with the Leslie Zepeda Neighborhood Improvement Program.

Mayor **Guidi** presented pictures of neighborhoods where there are parking shortages to better understand why there are problems with parking. Mayor Guidi asked that staff look for a solution to help ease parking issues in the neighborhoods.

Mayor **Guidi** asked that staff look into the Long Beach State internship program so that college students might intern at City Hall under various departments such as Finance and Planning.

City Clerk **Juarez** attended the Hawthorne Parks and Recreation Foundation Golf Tournament in Murrieta. Monies raised help the Parks and Recreation Department support their various programs.

City Clerk **Juarez** thanked the cable tv employees for filming the various Easter events on Saturday. This gives the citizens an opportunity to see the various events that take place in the City.

City Clerk **Juarez** announced that the Hawthorne and Wiseburn libraries will hold a bake sale this Saturday.

City Clerk **Juarez** announced that the 22nd Annual Volunteer Appreciation Day will be held on April 25th.

City Treasurer **Lubenec** thanked staff and organizations that put on holiday festivities on Saturday.

City Treasurer **Lubenec** reminded everyone that taxes are due in 48 hours.

City Treasurer **Lubenec** announced that there will be an Air Fair on August 14th.

Mayor **Guidi** thanked Mr. Jan Vogel and the Economic Development team for putting together the State of the City Address.

5.

Under oral communications, Carol Willbanks, 13723 Rossburn, announced that the annual Easter egg hunt on Rossburn Street was very successful. Forty children participated. Spoke in opposition of removing letter grade signs. **Allen Richards**, 13828 S. Ramona, feels the decision to keep or remove the letter grade signs should be based on how many formal complaints were received in favor or against. Thanked Sgt. Kauffman for responding and taking action to a complaint concerning an issue in the parking lot behind Rite Aid on Hawthorne Blvd. Asked that electronics be recycled by taking them the Hyperion recycling center instead of leaving them on the curb. Advised that when you put trash bins on the curb, make sure the wheels face towards the street. **Brent Morgan**, if he does not see a letter grade on a restaurant, will not go there. Stated that Bodger Park Neighborhood Association, of which he is president, held a great meeting on March 29 and spoke on traffic problems in the neighborhood. The next association meeting is scheduled for mid July. **Jeanette Ryan**, 5441 Wiseburn, spoke in favor of keeping the grading system. **Cindy Parsons**, 5428 W. 140th St., gave an update on the Wiseburn school rebuilding project and thanked the Council and City Staff for their help in reviewing the traffic study and environmental report on this project. Provided Council with copies of comment letters that the Hollyglen Homeowners Association submitted on behalf of the residents to let Council know what the community's issues are with this project. Reminded everyone of the upcoming “Rock Around the Block” fundraiser event for the Wiseburn School District to be held April 24th at Dana School. Sponsors are still needed. Spoke in favor of keeping letter grades posted. **Mary Franklin**, 5351 Wiseburn Ave., is against removing letter grades, but asked for explanation on why it is being considered. **Ronnie Manson**,

opposes letter grades. **Stan Gidaszewski**, 4934 W. 119 St., would not eat at a restaurant that doesn't post letter grades. **Jerry Jamgotchian**, doesn't feel there is a viable reason to eliminate letter grading system. **Abdul Rabay**, 13201 Hawthorne Blvd., would prefer a pass or fail system to a letter grade system. **Gary Evans**, 13344 Hawthorne Blvd., is opposed to restaurant grades.

No one else indicated a desire to be heard.

Mayor/Chairman Guidi ordered oral communications closed.

6.

Mayor/Chairman Guidi recessed the Community Redevelopment Agency, Parking Authority and Housing Authority meetings to conduct the meeting of the City Council.

7.

Councilmember Parsons moved, seconded by Councilmember Lambert, that the reading of the City Council minutes of the regular meeting of March 9, 2004 and the regular meeting of March 23, 2004 be waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
NOES: None. ABSTAIN: None.

8.

Councilmember Parsons moved, seconded by Councilmember Lambert, to waive full readings of resolutions and ordinances on April 13, 2004's agenda.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
NOES: None. ABSTAIN: None.

9.

City Clerk Daniel D. Juarez announced that this was the time and place for the public hearing on Final Consolidated Plan/Action Plan for Program Year 2004, July 1, 2004 to June 30, 2005. Motion-close hearing. Motion to Approve/ Motion to Authorize the City Manager to execute all application forms and certification and its submission to HUD

The City Clerk submitted declaration of publication which was ordered filed. No written communications were received.

Under oral comments, Jerry Jamgotchian spoke in opposition.

No one else indicated a desire to be heard.

Mayor Guidi ordered to close the public portion of the hearing.

Mayor Guidi moved, seconded by Councilmember Catano to Approve the Final Consolidated Plan/Action Plan for Program Year 2004, July 1, 2004 to June 30, 2005 and that the City Manager be authorized to execute all application forms and certification and its submission to HUD.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
NOES: None. ABSTAIN: None.

10.

The City Treasurer submitted a financial statement regarding warrants.

Councilmember Parsons moved, seconded by Councilmember Lambert, that the following warrants, properly audited and signed, be paid.

Warrants Nos.: 181296-181499 ; 323802-324432

Warrant Totals: \$1,543,851.76 ; \$ 3,176,857.81

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
NOES: None. ABSTAIN: None.

Resolutions and Ordinances.

11.

RESOLUTION NO. 6866.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SETTING FORTH ITS DETERMINATION THAT THE PUBLIC NECESSITY, HEALTH, SAFETY, OR WELFARE REQUIRES THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT ON 120TH STREET FROM YORK AVENUE TO 1900 FEET WEST OF CRENSHAW BLVD. AND ON PRAIRIE AVENUE FROM 120TH STREET TO 116TH STREET AND ESTABLISHING MARCH 23, 2006 AS THE DATE FOR EXISTING UTILITIES TO BE REMOVED AND PLACED UNDERGROUND.

Councilmember Parsons moved, seconded by Councilmember Lambert, that Resolution No. 6866 be approved and adopted.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
NOES: None. ABSTAIN: None.

12.

RESOLUTION NO. 6869.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, MAKING FINDINGS AND UPHOLDING THE APPROVAL BY THE ZONING AND PLANNING COMMISSION OF A CONDITIONAL USE APPLICATION FOR A FITNESS CENTER ON THE PROPERTY LOCATED AT 4949 AND 4917 WEST 147TH STREET.

This item was pulled by the City Manager.

13.

RESOLUTION NO. 6870.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF GRANT APPLICATION TO THE SOUTHERN CALIFORNIA AIR QUALITY MANAGEMENT DISTRICT.

Councilmember Parsons moved, seconded by Councilmember Lambert, that Resolution No. 6870 be approved and adopted.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.
NOES: None. ABSTAIN: None.

14.

ORDINANCE NO. 1795. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, REPEALING CHAPTER 8.10 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO LETTER GRADE INSPECTION SCORE SYSTEM FOR FOOD ESTABLISHMENTS AND FOOD HANDLER'S CERTIFICATIONS.

Mayor Guidi moved this item for discussion seconded by Councilmember Catano. After discussion the City Council agreed **not** to approve the passing of Ordinance No. 1795.

ROLL CALL-AYES: None.

NOES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.

The City Manager, Richard Prentice, presented the following agenda and requested approval of the indicated recommendations:

15.

Approval of Project Location Amendment – Section 108 Loan to Muscle Improvement Inc (Gold's Gym).

RECOMMENDATION: That the City Council Approve the Final Consolidated Plan, Annual Plan Program Year 2003 Project Loan Amendment for Section 108 Loan Guarantee to Muscle Improvement Inc (Gold's Gym). Project will be located at 4917 West 147th Street, Hawthorne.

This item was pulled by the City Manager

16.

Approve to Award Project to Sequel Contractors, Inc of Santa Fe Springs, Ca for Local Street Improvements in the amount of \$574,600.00 funded by State Gas Tax and \$110,000.00 from Traffic Congestion.

17.

Approve Progress Payment No. 5 due to Los Angeles Engineering, Inc 4141 Temple City Blvd, Rosemead Ca 91770 for Glasgow Strip Improvements in the amount of \$97,422.50 from Proposition 40 per Capita funds, Account # 100-6115-4223.

18.

Approve Progress Payment No. 4 due to Los Angeles Engineering, Inc 4141 Temple City Blvd, Rosemead, Ca 91770 for Eucalyptus Park Improvements in the amount of \$149,553.02 from Account # 100-6113-4227.

19.

Approve that the Legal Confidential from Fox & Sohagi, LLP, dated March 2, 2004 regarding Sale of Corporate Shares of Imperial Projects, Inc and Impact on Legal Nonconforming Status and requested that the City Council Waive Attorney Client Privilege/Work Product Doctrine and release above Legal Confidential to the Public.

20.

Approve to Authorize the City Manager to execute all amendments and related agreements related to the contract soft system upgrade between Eden Systems and the City of Hawthorne concerning the upgrade to the City's financial software system. The City has used Eden software since 1999.

21.

Approve M&A Gabae's proposal to pay off bond indebtedness on the Hawthorne Plaza Parking Structure in exchange for City's waiver of all claims regarding any premiums or other sums related to earthquake insurance obtained for the Hawthorne Plaza Parking Structure and paid for by the City.

Councilmember Lambert moved, seconded by Councilmember Velez, that items 16 through 21 of the City Manager's agenda be approved.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.

NOES: None. ABSTAIN: None.

22.

The City Attorney, Glen Shishido, recommended that the Settlement of Claim of Lawrence Walker in the amount of \$12,000.00 be Approve.

Councilmember Lambert moved, seconded by Councilmember Catano, that the Settlement of Claim of Lawrence Walker in the amount of \$12,000.00 be Approve.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Parsons, Velez, Mayor Guidi.

NOES: None. ABSTAIN: None.

23.

Mayor Guidi recessed the City Council meeting to reconvene meetings of the Community Redevelopment Agency, Parking Authority and Housing Authority.

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present.

24

Mayor Guidi adjourned the meeting at 12:35 a.m.

Daniel D. Juarez, MMC
City Clerk