MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD MAY 24, 2005

Mayor/Chairman Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meeting to order jointly and concurrently at 6:04 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.

Deacon Tom Moske of St. Joseph's gave the evening's invocation. Al Richards led the Pledge of Allegiance.

A presentation was made by Civica Software to show what they do for different cities throughout California in regards to maintaining websites.

1.

Mayor Guidi recessed the City Council meeting to conduct a closed session Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation. Title: City Manager.

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 Public Employee Performance Evaluation. Title: City Manager and the City Attorney stated that there were no reportable action and that the City Manager was advised.

2.

Under Elected Official reports and recommendations:

Councilmember **Lambert** continued to thank everyone for their cards and telephone calls.

Councilmember **Lambert** attended the Beach Boys Dedication Ceremony.

Councilmember **Lambert** attended the ribbon cutting of the Gale/Eucalyptus event.

Councilman **Catano** attended the Leslie Zepeda dinner.

Councilman **Catano** attended the Home Depot Child Safety Awareness event and thanked Rosalinda Martinez for all her work on the event.

Councilman **Catano** attended the canine dinner.

Councilman **Catano** attended the Hawthorne Community 5K Walk and Run.

Councilman **Catano** attended the International Mall Developer's Convention.

Councilmember **Parsons** announced that LA Airforce Base was not on the list for base closures and thanked the Attorney and Planning Departments for all their hard work on this project.

Councilmember **Parsons** walked and completed the Hawthorne Community 5K Walk and Run.

Councilmember **Parsons** attended the Bodger Park Homeowner's Association meeting.

Councilmember **Parsons** announced that an ordinance will be voted on that will crack down on illegal fireworks and limit the hours that you can use safe and sane fireworks.

Councilmember **Velez** attended all previously mentioned events.

Councilmember **Velez** expressed concern regarding tour buses that are visiting the Beach Boys monument. Asked for a way to allow the tour buses through, but at the same time not hinder the neighborhood.

Councilmember **Velez** asked for support to install a stop sign at Kornblum and 119th where the monument is located. Councilmember Velez also asked that the curb in front of the monument be painted red so that cars don't park in front of the monument.

Councilmember **Velez t**hanked Lisa Miller and her team for cleaning up a lot of the code enforcement issues related to the Leslie Zepeda project. Also thanked Mr. Arnie Shadbehr and his crew and Chief Port and the officers that also worked on this project.

Councilman **Catano** thanked Lisa Miller and her staff and Mr. Arnie Shadbehr and his staff for beautifying the airport neighborhood in preparation for the dedication ceremony for the Beach Boys monument.

Councilmember **Velez** thanked the police department for driving people back to the Memorial Center after they got stranded at the Beach Boys dedication ceremony.

Mayor **Guidi** attended all previously mentioned events.

Mayor **Guidi** inquired on the status of the museum opening.

Mayor **Guidi** expressed concern regarding vandalism to the Beach Boys monument and in the Leslie Zepeda neighborhood and suggested that cameras be installed there to keep an eye on the situation. He would also like an ordinance put together that would fine the parents of juveniles that cause destruction to city owned property.

Mayor **Guidi** encouraged the public to attend Memorial Day events in the city to honor the men and women who have served in the military. Events will be held on May 30th at the Memorial Center and afterwards buffets will be held at VFW Post #2075 located at 4563 131st St. and at the American Legion Post #314 located at 14121 Prairie Ave.

Mayor **Guidi** announced that a blood drive will be held on June 7th at City Hall. For more information, contact Rosalinda Martinez at 349-2902.

Mayor **Guidi** thanked staff and council for the great reviews that they received at the International Convention of Shopping Centers. The only complaint was that property is too expensive to buy in Hawthorne.

City Clerk **Juarez** attended various events in the city and recognized the Public Works, Cable TV and Police Departments for making these events happen and keeping them safe for all to attend.

City Clerk **Juarez** announced that soccer sign-ups for the new season will be held on June 4th and 5th at Dana cafeteria.

City Treasurer **Lubenec** attended various events in the city and thanked the Mayor and staff for making these events bigger and better.

Mayor **Guidi** thanked Rosalinda Martinez for putting together the Home Depot event and for her work with youth and other projects outside the city.

Mayor **Guidi** thanked Monica McClanahan for her recent work with Calvary Chapel South Bay.

Under oral communications, **Allen Richards** asked the council to consider reducing the number of groups that sell fireworks from ten to eight due to limited funds that were received by the groups after the fireworks were sold. **DeKai Amonrasi** would like Eucalyptus Park be a permanent solid surface so senior citizens could have a flatter space to walk. Stated that the turn signal at Imperial and Hawthorne is hard to see when making a left turn. **Frances Stiglich** thanked the public works department for the nice work they did on Gale Ave. but stated that there is a problem with beer parties at the parking lot.

Mayor/Chairman Guidi ordered oral communications closed.

4.

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

5.

Mayor Guidi moved, seconded by Councilmember Parsons, that the reading of the City Council minutes of the regular meeting of May 10, 2005 be waived and that they be approved and adopted.

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

6.

Mayor Guidi moved, seconded by Councilmember Parsons, to waive full readings of resolutions and ordinances on May 24, 2005's agenda.

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

7.

City Clerk Daniel D. Juarez announced that this was the time and place for the **public hearing** on Consideration of Negative Declaration for various zone text amendments and public hearing re: zone text amendment Nos. 2005ZA01, 2005ZA07, 2005ZA08, 2005ZA09, and 2005ZA10 and Zone Text Amendments 2005ZA01 to 2005ZA10.

The Planning Department submitted declaration of publication, which was ordered filed. No written communications were received.

Under oral comments, no one indicated a desire to be heard.

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

Mayor Guidi moved, seconded by Councilmember Lambert, that the City Attorney be instructed to prepare the necessary ordinance.

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

Councilmember Lambert requested the following entered as a change and asked that this be put for the record.

"I have one very small correction. On page 3 of 4 which is exhibit A under 17.48.020 they're talking about the height and the location of walls and fences. And number one under that category, I've already spoke to Mr. Roth, by the way. A1, that's kind of redundant because number five gives you the same information for the first 18 inches, so we don't need it listed twice. And the community already did approve five feet see through fence in their front yards. So that's just a minor correction".

8.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 184652-184741 ; 342444-343329

Warrant Totals: $774,954.49 ; $ 2,298,078.28

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

Resolutions and Ordinances.

9.

RESOLUTION NO. 6957.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING TO THE ADMINISTRATIVE CITATION SCHEDULE FOR VIOLATIONS OF THE HAWTHORNE MUNICIPAL CODE.

Mayor Guidi moved, seconded by Councilmember Parsons, that Resolution No. 6957 be approved and adopted.

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

10.

ORDINANCE NO. 1815. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING CHAPTER 8.34 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO FIREWORKS.

Councilmember Catano moved, seconded by Councilmember Parsons , that Ordinance No. 1815 be approved and adopted.

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

11.

ORDINANCE NO. 1816. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, TO AMEND SECTIONS 1.20.010, 1.22.010, 1.23.011A, 1.23.012A, 1.23.012B, 5.74.172, 6.04.083, 6.04.101, 6.12.150, ADD SECTIONS 1.20.030 AND 1.20.040 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO ADMINISTRATIVE HEARING AND ADMINISTRATIVE PENALTIES.

Mayor Guidi moved, seconded by Councilmember Lambert, that Ordinance No. 1816 be approved and adopted.

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

12.

PULLED

13.

ORDINANCE NO. 1817. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING CHAPTER 6.25 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO THE ABATEMENT OF BARKING DOGS AS A NUISANCE AND REPEALING SECTION 6.24.110.

Ordinance No. 1817 was introduced by title only by Councilmember Parsons.

14.

ORDINANCE NO. 1818. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING CHAPTER 12.31 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO DEPOSIT OF BULKY WASTE ON SIDEWALKS, STREETS AND PUBLIC RIGHT OF WAY.

Ordinance No. 1818 was introduced by title only by Mayor Guidi.

15.

ORDINANCE NO. 1819. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, TO AMEND SECTION 5.06.040 A & B OF THE HAWTHORNE MUNICIPAL CODE RELATING TO INCREASING APPLICATION PROCESSING FEE BY $5.00.

MOTION TO TABLE

Mayor Guidi moved, seconded by Councilmember Parsons, that Ordinance No. 1819 be tabled until the next meeting.

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

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

16.

Approve to Authorize the City Manager to execute agreement with Civica Software for the design and development of an Internet website and website interface system for the City of Hawthorne.

17.

Approve Public Service Agreements for CDBG and HOME Funds, Program Year 2005 with the following Agencies and Authorize the Mayor to execute said Agreements:

CDBG

Behavioral Health Services $1,000 ; California Youth Karate Club $ 1,000 ; Centinela Youth Services $1,000 ; His Cutting Edge $1,000 ; Moneta Gardens Improvement $1,000 ; P.A.T.H $1,000 ; South Bay Family Healthcare Ctr. $1,000.

HOME

Housing Rights Center $38,850.

18.

Approve Progress Payment No. 5 to Martinez Landscape Co.14862 Ryan Street, Sylmar Ca 91342, for Abatement of Weeds and General Maintenance in the amount of $10,000 from Street Fund Account #288-41-4106-4540; $14,888.80 from Weed Abatement Account # 225-4106-408-4546; $15,697.25 from Gas Tax Account # 220-4106-000-4548 and $15,000 from CDBG Account # 727-4860-723-4779; Total $55,585.25.

19.

Approve Proposed Cooperative Agreement between the Cities of Hawthorne and Lawndale for Construction of a New Traffic Signal at the intersection of Rosecrans Avenue and Prairie Avenue.

Mayor Guidi moved, seconded by Councilmember Parsons, that items l6 through 19 of the City Manager's agenda be approved.

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

NOES: None. ABSTAIN: None.

20.

The City Attorney, Glen Shishido, recommended that the claim filed against the City of Hawthorne on behalf of Esther Obierikponah alleging police negligence when she was rear ended by a police vehicle during a chase of a suspect, causing accident on Century Boulevard, City of Inglewood, resulting in personal injuries and property damages be denied in its entirety.

Mayor Guidi moved, seconded by Councilmember Parsons, that the claim filed against the City of Hawthorne on behalf of Esther Obierikponah alleging police negligence when she was rear ended by a police vehicle during a chase of a suspect, causing accident on Century Boulevard, City of Inglewood, resulting in personal injuries and property damages be denied in its entirety.

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

a.

Authorize settlement in the case entitled Sandra Smith v. City of Hawthorne, et al, (Case No. YC 049 548) in the sum of $75,000.00 as payment in full for her claims arising from the events described in her complaint.

RECOMMENDATION: Authorize settlement in the Sandra Smith lawsuit in the amount of $75,000.00 and authorize Finance Director to release warrant on or before June 3, 2005 payable to Sandra Smith and the Law Offices of John Sweeny in the amount of $75,000.00.

Mayor Guidi moved seconded by Councilmember Parsons to Authorize settlement in the case entitled Sandra Smith v. City of Hawthorne, et al, (Case No. YC 049 548) in the sum of $75,000.00 as payment in full for her claims arising from the events described in her complaint.

b.

Mayor Guidi recessed the City Council meeting to conduct a closed session regarding Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: Sandra Smith v. City of Hawthorne, et al., Case No. YC 049 548.

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 Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: Sandra Smith v. City of Hawthorne, et al., Case No. YC 049 548 and the City Attorney stated the following " Mr. Mayor, the City Council with a vote of 5-0 authorized settlement in the Sandra Smith vs. City of Hawthorne case. It's case no. YC049548. We'll disclose the settlement agreement as well as the particulars when the plaintiffs sign the settlement agreement and the release. That's it, thanks".

21.

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.

22.

The meeting was adjourned at 9:30 p.m. in memory of Venus Vernita Cowley-Clark, William Chaney, Harry Evans and Mary Kathryn Stiglich.

Daniel D. Juarez, MMC
City Clerk