

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD AUGUST 22, 2006.**

Mayor/Chairman Guidi called the City Council, Community Redevelopment Agency, Parking Authority, and Housing Authority meeting to order jointly and concurrently at 6:06 p.m. in the City Council Chambers of City Hall, 4455 West 126th Street, Hawthorne, California.

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

Father Gene Buhr from St. Joseph's Church gave the evening's invocation. Girl Scout Troop # 750 led the Pledge of Allegiance.

Mayor Guidi presented a Certificate of Merit to Troop #750 for their service to the community as the Color Guard for tonight's meeting.

1.

Closed Session: Conference with Legal Counsel – Anticipated Litigation. Significant Exposure to Litigation pursuant to subdivision (b) (1) of Section 54956.9 (1 potential case).

The City Council did not hold this closed session.

2.

Under oral communications **Frances Stiglich** inquired why the Police Chief was given \$175,000 after he retired. Feels the senior center should have a committee.

3.

Under Elected Officials Reports and Recommendations:

City Treasurer **Lubenec** attended the Hollyglen Homeowner's meeting, the Lemoli Homeowner's meeting, the Chamber of Commerce Wine Tasting Event and the Islamic Center opening.

City Clerk **English** attended the credit union grand opening.

Councilmember **Velez** apologized for not being able to attend the Islamic Center event and other events in the city.

Councilmember **Lambert** attended the Westcom Credit Union opening, the VFW Spaghetti dinner, Lion's meeting, BBQ Sunday at the Muslim Center and the Chamber Mixer.

Councilmember **Catano** attended the Hollyglen BBQ, the Westcom Credit Union opening and the Islamic Center event. Thanked Planning Director Harold Roth for the information given to him regarding sustainable communities.

Mayor **Guidi** apologized for not attending city events as he was out of town. Thanked his colleagues for the good job they did in his absence.

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 Lambert, that the reading of the City Council minutes of the regular and special meeting of August 8, 2006 be waived and that they be approved and adopted.

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

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NOES: None.

6.

Mayor Guidi moved, seconded by Councilmember Lambert, to waive full readings of resolutions and ordinances on August 22, 2006's agenda.

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

NOES: None.

7.

City Clerk Angie Reyes English announced that this was the time and place for the Appeal Hearing of Planning Commission Resolution No. PC 2006-17 that approved Conditional Use Permit 2006CU07.

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

Under oral comments, Steve Pickney, 11433 Hawthorne Blvd., spoke on behalf of Maria Chavez, owner of El Fogon Restaurant. After some discussion, this applicant is willing to sit down and work with the City or the Planning Department to meet the requirements that are being suggested.

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

After discussion, Mayor Guidi moved, seconded by Councilmember Lambert **to table** this item until the next City Council meeting.

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

NOES: None.

8.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 187505-187608 ; 360635-361439

Warrant Totals: \$ 732,296.62 ; \$ 2,025,064.73

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

NOES: None.

Resolutions and Ordinances.

9.

RESOLUTION NO. 7056.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING THE CHANGE OF NAME OF BROADWAY AVENUE BETWEEN PRAIRIE AVENUE AND CRENSHAW BOULEVARD TO JACK NORTHROP AVENUE.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7056 be approved and adopted.

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

NOES: None. ABSTAIN: None.

10.

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RESOLUTION NO. 7057.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE DESTRUCTION OF DUPLICATE ARREST REPORTS (DATED JANUARY 01, 2002 THROUGH AUGUST 15, 2004) FOR CLOSED PROSECUTION CASES PURSUANT TO RESOLUTION NO. 6832. Motion to adopt.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7057 be approved and adopted.

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

11.

RESOLUTION NO. 7058.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ACKNOWLEDGING RECEIPT OF A DEPOSIT RELATIVE TO THE FORMATION OF A COMMUNITY FACILITIES DISTRICT, AND AUTHORIZING AND DIRECTING ACTIONS WITH RESPECT THERETO – PACIFIC GLEN. Motion to adopt.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7058 be approved and adopted.

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

12.

RESOLUTION NO. 7059.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING THE EXECUTIVE DIRECTOR OF THE SOUTH BAY WORKFORCE INVESTMENT BOARD TO EXECUTE CONTRACTS AND OTHER DOCUMENTS FOR THE GATEWAY COLLABORATIVE PROJECT ON BEHALF OF THE CITY OF HAWTHORNE.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7059 be approved and adopted.

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

13.

RESOLUTION NO. 7060.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT FOR 2006, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7060 be approved and adopted.

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

14.

ORDINANCE NO. 1863. (2nd Reading)

AN ORDINANCE OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING ZONE TEXT AMENDMENT 2006ZA06, AMENDING THE ZONING ORDINANCE, SECTIONS 17.25.080, 17.26.080, 17.28.080, 17.30.070, 17.32.070, AND 17.34.080 OF THE HAWTHORNE MUNICIPAL CODE, RELATING TO EXTERIOR COLORS.

Councilmember Velez moved, seconded by Councilmember Parsons, that Ordinance No. 1863 be approved and adopted.

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

NOES: None.

15.

ORDINANCE NO. 1860. (1st Reading)

AN ORDINANCE OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT FOR THE CENTURY BUSINESS CENTER DEVELOPMENT PROJECT AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance No. 1860 was introduced by title only by Mayor Guidi.

The City Manager, Jag Pathirana, presented the following agenda and requested approval of the indicated recommendations:

16.

Approve to begin the process to terminate the commercial and residential refuse franchise agreements with H&C Disposal Company.

17.

Staff is seeking the City Council's authorization to issue Purchase Orders for purchase of certain equipment and /or services.

RECOMMENDATION: Authorize the City Manager to authorize the issuance of the Purchase Orders.

The City Manger pulled this item before the Council Meeting.

18.

Approval of Funding Agreement for CDBG Funds and Funding Approval and HOME Investment Partnerships Agreement for Program Year 2006, July 1, 2006 to June 30, 2007 and Authorize the City Manager to execute all documents, subject to City Attorney approval as to form.

19.

Approval of a two year Agreement between the City of Hawthorne and Access Community Housing, Inc. for the use of \$1,150,000 HOME funds – Leslie Zepeda Memorial Neighborhood Improvement Program Access Community Housing Inc will be serving as a CHDO (Community Housing Development Organization) for the City. The Agreement is for concentrated housing rehabilitation on the northside of Hawthorne. The approval authorizes the City Manager to execute all documents, subject to City Attorney approval as to form.

20.

Approve Progress Payment No. 2 and Final Acceptance due to Rural Contracting, 9502 E. Main St., Meza, Az 85207 for Hawthorne Municipal Airport Improvement Project Phase VII & VIII, Federal A.I.P Project No. 3-06-0101-07 & 08 in the amount of \$155,571.30 funded from FAA Funds No. 3-06-0101-07 & 08(Account #520-3500-3505-259).

21.

Approve Agreement between the City of Hawthorne and John L. Hunter & Associates, Inc for Consultant Services relating to the Implementation of the City's NPDES (Municipal Storm Water) Permit for the Term of two years and Authorize the City Manager to execute it on behalf of the City.

22.

Approve to Issue a request for Proposals for Consultant to prepare a Municipal Sewer System Master Plan.

23.

Approve Amendment No. 1 to Agreement No. 06-H150 to decrease the local square footage subleased by Axminster Medical Group, Inc on the 5th Floor of the South Bay Workforce Investment Boards Administrative Office. The decreased space is directly related to common areas that will not be used by the City's JTDD (South Bay Workforce Investment Board) and the Axminster Medical Group, Inc.

Councilmember Lambert moved, seconded by Councilmember Catano, that items 16, 18, 19, 20, 21, 22 and 23 of the City Manager's consent calendar be approved.

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

24.

The City Attorney, Glen Shishido, recommended that the claim filed against the City of Hawthorne on behalf of Catrece McGee alleging violation of civil rights, unlawful arrest and personal injuries by police be denied in its entirety.

Mayor Guidi moved, seconded by Councilmember Velez, that the claim filed against the City of Hawthorne on behalf of Catrece McGee alleging violation of civil rights, unlawful arrest and personal injuries by police be denied in its/their entirety.

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

25.

Authorize settlement in the case entitled Daniel Saulmon v. City of Hawthorne, (Case No. CV06-1639 RJK (FMOx)) in the sum of \$25,000.00 as payment in full for his claims arising from the events described in his complaint.

RECOMMENDATION: Authorize settlement in the Daniel Saulmon lawsuit in the amount of \$25,000.00 and authorize Finance Director to release warrant on or before August 9, 2006 payable to Daniel Saulmon and the Law Offices of Robert Mann and Donald W. Cook, and attorney Cynthia Anderson-Barker in the amount of \$25,000.00.

Councilmember Lambert moved, seconded by Councilmember Parsons to settle in the stated amount.

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

26.

Mayor Guidi recessed the City Council meeting to conduct a **closed session** Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: Daniel Saulmon v. City of Hawthorne, (Case No. CV06-1639 RJK (FMOx))

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 Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: Daniel Saulmon v. City of Hawthorne, (Case No. CV06-1639 RJK (FMOx)) and announced that action will be taken.

Councilmember Lambert moved, seconded by Councilmember Parsons to approve settlement in the amount of \$25,000.

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

26.

Mayor Guidi adjourned the meeting at 8:15 p.m. in the memory of Lilian Reagan, and John (Jack) Robert West.

Angie Reyes English , City Clerk