

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD SEPTEMBER 12, 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.

Pat Feldman-Donaldson, President of the Chamber of Commerce and Member of the Hawthorne Ministerial Association, gave the evening's invocation. Girl Scout Troop #106 led the Pledge of Allegiance.

Mayor Guidi presented a Certificate of Merit to Girl Scout Troop #106 for their service to the community as the Color Guard for tonight's meeting.

Mayor Pro Tem Catano called Candi Fuller, William Davis, Yvette Johnson and Darlene Love to the podium and read a Proclamation celebrating National Alcohol and Drug Addiction Recovery Month.

Mayor Guidi showed a videotape remembering September 11, 2001. It was a remembrance ceremony in honor of those who lost their lives in the terrorist attacks. The Fire Department along with Elected Officials and City Employees reunited to remember 9/11 on September 11, 2006.

Mayor Pro Tem Catano called Mary Laquet for a presentation regarding the new city website.

1.

Mayor Guidi recessed the City Council meeting to conduct a **closed session** Conference with Labor Negotiator pursuant to Government Code Section 54957.6. Agency Negotiator: Jeff Freedman - Employee Organizations: All Employee Groups.

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 Labor Negotiator pursuant to Government Code Section 54957.6. Agency Negotiator: Jeff Freedman - Employee Organizations: All Employee Groups and announced that the Negotiator had been advised and no action had been taken.

1.a

Mayor Guidi recessed the City Council meeting to conduct a **closed session** Conference with Legal Counsel: Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case). The Council will decide whether to litigate if the attorney-client privilege applies to closed sessions that occurred between April 2004 and April 2006 regarding performance evaluations for the City Manager (Gov. Code 54957) and labor negotiations for the City Manager (Gov. Code 54957.6).

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1.b

This Closed Session was not held.

Optional Closed Session - Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: S&W v. City of Hawthorne, (Case No. BC 343 974).

1.c

Authorize settlement in the case entitled S&W Towing & Storage Corp. ("S&W") v. City of Hawthorne ("City"), [Conversion/Breach of Contract] and City's related cross-complaint against S&W, [Breach of Contract and violations of California False Claims Act], (Case No. BC 343974). Both S&W and City each agree to a mutual dismissal and release of all claims.

RECOMMENDATION: Approve settlement in the S&W lawsuit, [Case No. BC 343 974] for a mutual dismissal of both S&W's Complaint and City's Cross-Complaint as well as a mutual release of claims. Authorize Mayor and/or Mayor Pro Tem to execute document entitled "Settlement Agreement and Full Release of Claims" on behalf of City, subject to City Attorney approval as to form.

Councilmember Lambert moved, seconded by Councilmember Parsons, that this Settlement be approved.

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

NOES: None. ABSENT: Mayor Guidi.

2.

Under oral communications **Darlene Love** inquired on whom to call regarding the park on the end of 120th where a grassy area beyond the fence has become unsightly. **Allen Richards** spoke on remembering 9/11 and asked that all leaders work together to fight terrorism. **Mai Dunbar** spoke on the dental assistant program available through Centinela Valley Adult School. Anyone interested can call 310-263-3165. Unidentified speaker inquired on the status of H&C Disposal Company due to reading an article stating that their services had been terminated.

3.

Under Elected Officials Reports and Recommendations:

Mayor Guidi moved, seconded by Councilmember Parsons that Ms. Olivia Valentine be appointed to the Planning Commission.

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

NOES: None.

Councilmember **Parsons** urged the community to read up on the propositions so that they will be informed voters on November 7th.

Councilmember **Lambert** announced that the Chamber of Commerce will have their first dinner at the Ayres Hotel on September 20th from 5:30 pm to 7:30 pm. Cost is \$20 for members and \$25 for non-members. For more information, call 310-676-1163. Also announced that VFW Post #2075 will hold a breakfast on September 17th from 9am to 11am. Cost is \$6.

Councilmember **Velez** thanked all the staff that attended the 9/11 remembrance at the fire station. Thanked Ms. Lisa Miller, Business License and Code Enforcement Director, for her work last week as acting City Manager and Chris Burrus, Code Enforcement Officer, for his work at a certain trailer park that is now under the city's jurisdiction.

Councilmember **Catano** attended four ribbon cutting ceremonies including King Donuts. Thanked Ms. Lisa Miller, Business License Director, for keeping him informed regarding city happenings and Damien Smith for working over and beyond to make sure a certain project was done right.

City Treasurer **Lubenec** congratulated Mike Heffner, the new Interim Police Chief and Mary Laquet for the great new city website.

City Clerk **Reyes** attended the 9/11 Foundation Fund at Rio Hondo Golf Course, the Gardena Jazz Festival, the Compton 1st Gospel Festival and the King Donut grand opening.

4.

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

5.

Councilmember Lambert moved, seconded by Councilmember Velez, that the reading of the City Council minutes of the regular meeting of August 22, 2006 be waived and that they be approved and adopted.

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

NOES: None. ABSENT: Mayor Guidi.

6.

Councilmember Lambert moved, seconded by Councilmember Velez, to waive full readings of resolutions and ordinances on September 12, 2006's agenda.

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

NOES: None. ABSENT: Mayor Guidi.

7.

City Clerk Angie Reyes English announced that this was the time and place for the Public Hearing on Consolidated Annual Performance Evaluation Report (CAPER) for Program Year 2005.

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

No one spoke under oral comments.

Mayor Pro Tem Catano ordered to close the public portion of the hearing. MOTION CARRIED.

NO ACTION NEEDED TO BE TAKEN AT THIS TIME.

8.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 187609-187708 ; 361440-361833

Warrant Totals: \$ 1,636,353.54 ; \$ 2,909,000.17

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

NOES: None. ABSENT: Mayor Guidi.

Resolutions and Ordinances.

9.

RESOLUTION NO. 7061.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING AMENDMENT NO. 6 TO JOINT POWERS AGREEMENT WITH THE INDEPENDENT CITIES LEASE FINANCE AUTHORITY AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Councilmember Lambert moved, seconded by Councilmember Velez, that Resolution No. 7061 be approved and adopted.

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

NOES: None. ABSTAIN: Mayor Guidi.

10.

ORDINANCE NO. 1860. (2nd 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.

THIS ORDINANCE WAS PULLED BY THE CITY ATTORNEY AT THE COUNCIL MEETING.

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

11.

Approve to Authorize the City Manager to issue Purchase Orders for purchase of certain equipment and /or services.

12.

Approve Progress Payment No. 3 due to Griffith Company, P. O. Box 2150, Santa Fe Springs, Ca 90670-0159 for Rosecrans/Aviation Intersection Widening Project in the amount of \$463,744.05 funded by the Federal Demo and SAFETEA-LU funds Account # 286-5502-000-4773.

13.

Approve to Award of Contract to Universal Waste Systems of Santa Fe Springs, Ca. to Collect Waste and Recyclables at all City Facilities.

14.

Approve Plans and Specifications for the Street Tree Trimming Project – the 3 Year Contract and Authorize the project to be advertised for bids, with a return date of October 10, 2006.

15.

Approve Installation of Speed Humps on 132nd and 130th Street between Inglewood Avenue and Ramona Avenue.

16.

Approve proposal from Buxton/Community ID for services related to the marketing of retail sites for a cost of \$70,000. The cost of the services to be borne as an administrative expense under CDBG.

Councilmember Parsons moved, seconded by Councilmember Lambert, that items 11, 12, 13, 14, 15 and 16 of the City Manager's consent calendar be approved.

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

NOES: None. ABSENT: Mayor Guidi.

9/12/06

TABLED ITEM

Appeal Hearing – Appeal of Planning Commission Resolution No. PC 2006-17 that approved Conditional Use Permit 2006CU07. Planning Department's declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to Direct Staff as deemed appropriate.

Motion to remove the Tabled Item:

Councilmember Lambert moved, seconded by Councilmember Parsons, to **remove** this item from the table.

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

After a brief discussion, Councilmember Lambert moved, seconded by Councilmember Velez, **to continue** until the next meeting.

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

17.

Mayor Pro Tem Catano adjourned the meeting at 9:00 p.m. in the memory of Tony Wright.

Angie Reyes English , City Clerk