MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD MAY 22, 2007.

Mayor Guidi called the City Council, Community Redevelopment Agency, Parking Authority, and Housing Authority meeting to order jointly and concurrently at 6:05 p.m. in the City Council Chambers of City Hall, 4455 West 126th Street, Hawthorne, California.

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

Civil Service Commissioner Darlene Love gave the evening's invocation. The Hawthorne Police Officers Color Guard led the Pledge of Allegiance.

Mayor Pro Tem Velez presented Proclamations honoring Hawthorne Police Officers Jeffrey Rand and Jose Saldana for their dedicated and loyal service to our country while serving in Iraq.

Councilmember Lambert presented a Proclamation to the Hawthorne Veterans of Foreign Wars Post 2075 Ladies Auxiliary thanking them for their 75 years as a premier Hawthorne good neighbor.

Mayor Guidi called Richard Lundquist and Alan McKenzie from Plaza El Segundo who presented a check to the Hawthorne Education Foundation. Mr. Jan Vogel, President of the Hawthorne Education Foundation and Mr. Donald Carrington, Hawthorne School District Superintendent received $750,000 on behalf of the Foundation.

Mayor Guidi presented a brief video on events held around the city.

1.

Closed Session: Conference with Legal Counsel - Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b)(1) of Section 54956.9 (One potential case). [District Attorney Investigation – City approved developments located at Imperial Highway & Freeman Avenue]

This closed session was not held by the City Council.

2.

Mayor Pro Tem **Velez** thanked all those who worked on the events from the video. Attended the Child Health and Safety Fair, which had a great turnout. Announced that May 15th was Police Officer Memorial Day, which is honored by wearing a blue ribbon in support of the dedicated men and women of the police force.

Councilmember **Catano** thanked Rosalinda Martinez for the great job in getting all the prizes for the Safety Fair raffle. Went to Sacramento to lobby elected officials for transportation, streets and a bike path.

Councilmember **Parsons** asked for a report on how the new trash contractor is doing. Announced that on June 1st Allied Waste will take over the commercial hauling. Inquired on the new accounting rules for long term obligations such as health insurance for retirees. Attended the K-9 dinner. Requested a monthly report on how many calls we get for service outside Hawthorne for the helicopter and how much money we receive for the new program.

Councilmember **Lambert** attended city events and thanked Rosalinda Martinez for the Safety Fair. Congratulated Mayor Guidi for being reappointed to the Architectural Board.

Mayor **Guidi** asked that the public support and stand behind the Council in order to continue the great things happening in the city. Thanked the public and the business owners that are investing in the community. Mayor Guidi talked about his action/discussion item:

- Re-launch Hawthorne Police Department's helicopter program.

Stated that the Hawthorne helicopter will only fly in Hawthorne airspace. If any other city uses the helicopter, they will have to pay first.

Mayor Guidi moved, seconded by Councilmember Catano, to re-launch Hawthorne Police Department's helicopter program.

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

Mayor Guidi also stated that he has received many complaints regarding loitering and inquired if we have an ordinance regarding this issue. Also inquired on ordinances or restrictions regarding massage parlors. Announced that the city has been working with MTA and has received $3million for the Crenshaw Blvd. improvement. An additional $800,000 to supplement this project may also be available from the South Bay Council of Governments. Stated that the FAA has tentatively allocated $4,000,965 towards the Hawthorne Airport Runway reconstruction project.

City Treasurer **Lubenec** stated the city is moving forward and that it is very kid and business orientated.

3.

Under oral communications, **Robert Steinhauer**, 12841 Jefferson Ave., asked that the celebration of Independence Day not be curtailed by reducing the time that safe and sane fireworks may be included in that celebration. If the citizens of Hawthorne need restrictions on when and how they celebrate Independence Day, then that should be brought before the community at the next public election rather than by resolutions. **Allen Richards**, 13828 S. Ramona Ave., feels fireworks on July 4th should be extended until midnight instead of 10p.m. Also suggested that we just get rid of fireworks altogether like other cities in the South Bay or that the city, the chamber of commerce and private industry could come up with the money to have a fireworks display at a local high school. Inquired on what happened to the recycling center at 118th Street by Ralph's. Inquired on what would happen to the Ramona Neighborhood picnic if Ordinance 1890 passes, as it would ban propane barbeques in city parks. **Ferris Schick,** 3712 W. 147th St., asked that the police department figure out a way to tell how long an RV has been parked on a street as he recently returned from a trip and had only parked his RV for an hour when a citation was already being written before the 48 hour time limit that is allowed for parking. **Robert Ferrell** feels it is an error to enforce a restriction to stop setting off fireworks at 10 pm when they are allowed to be sold until midnight. Suggested the helicopter be used to spot the use of illegal fireworks. Would like to see an Applebee's restaurant in the city. **Alex Monteiro**, 12413 Ramona Ave., thanked Arnie Shadbehr for writing a letter to Southern Pacific Railway but reported that they have not yet responded to the letter and that there is still vandalism happening in his complex. **Frances Stiglich**, 11534 Gale Ave., feels the city clerk position does not have enough to do and suggested just appointing the deputy city clerk. Reported loitering at the train depot near Eucalyptus. Wants a hospital to come back to the city instead of building more housing on the previous hospital lot that is now closed. **Ileana Talumez**, 4431 132nd #2, asked for assistance from the city because she is being harassed and taunted by people and is the victim of a community hater Internet network. **Vincent Buono** 4751 W. 137th St., asked if something could be done regarding zoning ordinance 17.38.050 as it does not allow homeowners to develop their property. **Darlene Love** reported on a large truck that parks at 119th and Van Ness.

4.

Mayor 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 Mayor Guidi, that the reading of the City Council minutes of the regular meeting of May 8, 2007 be waived and that they be approved and adopted.

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

6.

Councilmember Lambert moved, seconded by Mayor Guidi, to waive full readings of resolutions and ordinances on May 22, 2007's agenda.

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

7.

Deputy City Clerk Dicrisci announced that this was the time and place for the Public Hearing on Zone Text Amendment 2006ZA03 [Planning Commission Resolution No. PC 2006-015] and amendment to Title 17 (Zoning), Chapter 17.04 Definitions, Chapter 17.14 R-1 Low Density Residential Classification, Chapter 17.16 R-2 Medium Density Residential Classification, Chapter 17. 18 R-3 High Density Residential Classification, Chapter 17.19 R-4 Maximum Density Residential Classification, Chapter 17.20 Supplementary Use and Bulk Requirements for all Residential Zones, Chapter 17.38 Non-Conforming Buildings and Uses, and Chapter 17.42 Yard and Open Spaces, of the Hawthorne Municipal Code, CEQA Determination: Negative Declaration.

Planning Department's declaration publication filed. No written communications were received. Call for oral comments. Motion-close hearing. Motion to instruct the City Attorney to prepare necessary Ordinance.

Mayor Guidi called for oral comments.

No one indicated a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed. MOTION CARRIED.

Mayor Guidi moved, seconded by Councilmember Lambert, to instruct the City Attorney to prepare necessary Ordinance for the next meeting.

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

8.

Mayor Guidi called the staff from Coffman and Associates for a presentation regarding the Hawthorne Municipal Airport Master Plan.

Deputy City Clerk Dicrisci announced that this was the time and place for the Public Hearing on Final Environmental Impact Report for the Hawthorne Municipal Airport Master Plan and the Hawthorne Airport Master Plan – Jack Northrop Field.

Planning Department's declaration publication filed. No written communications received. Call for oral comments. Motion-close hearing. Motion to approve Resolution No. 7108 and Resolution No. 7109.

Mayor Guidi called for oral comments.

No one indicated a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed. MOTION CARRIED.

RESOLUTION NO. 7108.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HAWTHORNE MUNICIPAL AIRPORT MASTER PLAN (SCH # 2005101024), MAKING FINDINGS OF FACT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING PROGRAM.

Mayor Guidi moved, seconded by Councilmember Velez, that Resolution No. 7108 be approved and adopted.

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

RESOLUTION NO. 7109.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE HAWTHORNE MUNICIPAL AIRPORT MASTER PLAN, MAKING FINDINGS OF FACT AND OVERRIDING CONSIDERATION PURSUANT TO CEQA, ADOPTING A MITIGATION MONITORING PROGRAM, IMPOSING CONDITIONS, AND MAKING FINDINGS IN SUPPORT THEREOF.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7109 be approved and adopted.

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

9.

This item was pulled before the Council meeting.

10.

Deputy City Clerk Dicrisci announced that this was the time and place for the Public Hearing on extending Interim Urgency Ordinance No 1856, prohibiting the establishment of medical marijuana dispensary uses in all zones of the City for a period of twelve (12) months. CEQA determination: Categorically Exempt.

Planning Department's declaration publication filed. No written communications received. Call for oral comments. Motion-close hearing. Motion to approve Ordinance No. 1889.

Mayor Guidi called for oral comments.

No one indicated a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed. MOTION CARRIED.

ORDINANCE NO. 1889.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, EXTENDING INTERIM ORDINANCE NO. 1856, PROHIBITING THE ESTABLISHMENT AND OPERATION OF MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF HAWTHORNE FOR A PERIOD OF TWELVE (12) MONTHS, PENDING THE COMPLETION OF A STUDY OF ZONING REGULATIONS THAT ARE NEEDED TO ALLEVIATE A CURRENT AND ACTUAL THREAT TO THE PUBLIC HEALTH, SAFETY AND WELFARE, AND DECLARING THE URGENCY THEREOF.

Councilmember Lambert moved, seconded by Councilmember Velez that Ordinance No. 1889 be approved and adopted.

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

11.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 189018-189077 ; 371570-372416

Warrant Totals: $ 835,484.54 ; $ 2,481,762.15

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

Resolutions and Ordinances.

12.

RESOLUTION NO. 7110.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION AND REQUESTING CONSOLIDATION WITH THE GOVERNING SCHOOL BOARD ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2007 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND ESTABLISHING CERTAIN PROCEDURES FOR THE CONDUCT THEREOF AND REQUESTING THAT THE BOARD OF SUPERVISORS ISSUE INSTRUCTIONS TO THE REGISTRAR-RECORDER TO TAKE ANY AND ALL STEPS NECESSARY FOR THE HOLDING OF THE CONSOLIDATED ELECTION.

Councilmember Lambert moved, seconded by Mayor Guidi, that Resolution No. 7110 be approved and adopted.

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

13.

RESOLUTION NO. 7111.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, RE-APPOINTING COUNCILMEMBER GINNY LAMBERT AS THE CITY'S REPRESENTATIVE ON THE SOUTH BAY CITIES COUNCIL OF GOVERNMENTS ("SBCOG") AND APPOINTING MAYOR LARRY GUIDI AS ALTERNATE REPRESENTATIVE ON THE SBCOG GOVERNING BOARD.

Mayor Guidi moved, seconded by Mayor Guidi, that Resolution No. 7111 be approved and adopted.

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

14.

RESOLUTION NO. 7112.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY STREET LIGHTING ASSESSMENTS FOR FISCAL YEAR 2007-2008 AND SETTING TUESDAY, JUNE 12, 2007 AT 6:00 P.M. AS THE TIME AND DATE OF A PUBLIC HEARING.

Councilmember Lambert moved, seconded by Mayor Guidi that Resolution No. 7112 be approved and adopted.

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

Ordinances.

15.

ORDINANCE NO. 1888. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING SECTIONS 8.34.120 B AND 8.34.180 F OF THE HAWTHORNE MUNICIPAL CODE RELATING TO PRESCRIBED TIMES TO USE SAFE AND SANE FIREWORKS AND POSTING SIGNS OF SUCH USAGE RESTRICTION IN EACH FIREWORKS BOOTH.

Councilmember Lambert moved, seconded by Councilmember Velez, that Ordinance No. 1888 be approved and adopted.

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

Under discussion, Councilmember Lambert requested her comments for the record.

"There's a conflict of interest in the state and all over the United States, really. We celebrate Earth Day for the purpose of keeping the skies clean and the earth clean and the air and second hand smoke and not polluting all the airs and then and we're confronted with just the opposite on 4th of July of polluting the very air that we're trying to protect. And that doesn't make sense to me either. So we have groups that approach us on Earth Day. We just got through celebrating Earth Day and I'm concerned, you know, you tell people they can't smoke but second hand smoke gets to your children and what do you think this is doing? It's making an awful mess in our city. I just wanted to have you think about that because we're in conflict of what we all profess to believe that we want to protect our trees and our earth with clean air. So please put that into your brains and think about it. I realize that perhaps those non-profits who are using this as their major fundraiser may be hurt by it but I just want to put that on the record because it's an important issue. We can't be in favor of saving the earth and the air and on the other hand polluting it. So you all have to make up your mind what you really want".

16.

ORDINANCE NO. 1890. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING THE FOLLOWING SECTIONS TO THE HAWTHORNE MUNICIPAL CODE: SECTION 2.22.130 (T) PROHIBITING PROPANE BARBECUES IN CITY PARKS AND ADDING 2.22.130 (U) PROHIBITING JUMPERS IN CITY PARKS.

Ordinance No. 1890 was introduced by title only by Councilmember Lambert.

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

17.

Approve Progress Payment No. 1 to Martinez Landscape Company, 12357 San Fernando Road, Sylmar, Ca 91342 for Abatement of Weeds and General Maintenance in the amount of $100,000.00 from Prop C Account # 285-3400-000-4550; $90,000.00 from Prop C Account #285-3400-000-4553; $31,564.80 from Sidewalks Funds Account #220-4106-000-4548; $35,575.90 from Street Gas Tax Account #220-4106-000-4540; and 100,000.00 from Street Fund Account # 225-4106-000-4540; Total $357,140.70.

18.

Approve the Opposition to AB 640, which mandates a split replenishment assessment (RA) for groundwater Recharge in both Central and West Coast Basins and authorize the Mayor to execute the attached letter of opposition on the City's behalf.

19.

Approve the Legal Retention Agreement with Proskauer Rose LLP re: Law Enforcement Inquiry Relating to the City's Approval of Developments Located at Imperial Highway and Freeman Avenue and authorize City Manager to execute Agreement pursuant to Hawthorne Municipal Code Section 2.04.040 (M).

Councilmember Lambert moved seconded by Mayor Guidi that this item be approved.

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

20.

Approve Installation of Speed Humps on 131st Street between Inglewood Avenue and Ramona Avenue.

Councilmember Lambert moved, seconded by Mayor Guidi that items Nos. 17-18 and 20 the City Manager's consent calendar be approved.

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

21.

Mayor Guidi adjourned the meeting at 9:10 p.m.

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Monica Dicrisci
Deputy City Clerk