MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD JULY 10, 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, Parsons, Velez, Mayor Guidi.
Absent: None.

Pat Feldman-Donaldson, Hawthorne Chamber of Commerce President, gave the evening's invocation. Officer Sean Galindo led the Pledge of Allegiance.

Mayor Guidi acknowledged the Hawthorne Community Television staff for the honors they received at the 2007 SCAN NATOA-STAR awards held in May. This year they won three 1st place awards and four 2nd place awards.

A video promoting the 3rd Annual Teen Challenge/Mayor Larry Guidi Car Show was shown. It will be held on July 14th.

1.

Under Elected Officials Report and Recommendations:

Councilmember **Velez** thanked Walt Dixon for reminding the Council that the 85th Anniversary of the city's incorporation is on July 12th. Reported on the status of the police helicopter stating that it passed the FAA inspection in June of 2007 and was flown to Whiteman Airport where it was thoroughly inspected and serviced. While being inspected it was noted that some parts were defective so replacement parts have been ordered. Due to this unexpected extra work, the helicopter will not be ready until the end of July.

Councilmember **Catano** attended the 2nd Annual Moose Lodge Horseshoe Tournament. Asked if there is way we can get together with Yvonne Burke's office, the county, and see if anything can be done about the fireworks on the county side.

Councilmember **Lambert** attended the Fusion opening. Congratulated Arnie Shadbehr for the fine job he did on presenting an appeal to the SBCOG for extra money for a project on Crenshaw.

Mayor **Guidi** reported that in the area where he lives the fireworks situation was 150% better this year. There were less fireworks related calls this year compared to last year. Approximately 200lbs of illegal fireworks were confiscated. Fifty-four citations were issued totaling $35,000. Received a letter from the County Assessor's office identifying Hawthorne as one of 10 cities that had the greatest magnitude of change in assessed valuation for 2007. South Bay Ford now sells Lincoln and Mercury. Announced the opening of a little Italian restaurant on Rosecrans near Ramona that serves great food. Received a petition from parents who live between Yukon and Kornblum on 135th Street by Zela Davis School requesting speed humps.

Councilmember **Parsons** congratulated the cable staff on their awards. Fireworks were a lot better this year. Suggested issuing press releases on positive things that happen in the city.

City Treasurer **Lubenec** congratulated the HCTV staff for their awards. Thanked the police task force for stopping by the fireworks stands every couple of hours to make sure everything was all right.

City Clerk **English** congratulated Larry Bender and the Hawthorne Cable and staff. Reported that the town hall on June 29th regarding the proposed jet fuel pipeline was well attended. The Assemblymember will continue to have town halls throughout the month of December. Announced that this Saturday is "Day at the Races" for seniors. Also, there is a homeowner, senior and renter's assistance tax credit booklets that are available through the Assembymember's office at 310-412-6400. Announced that we are having an election this year in November and the filing period will open on July 16th to August 10th.

2.

Under oral communications **Eddye Chapman**, 4310 W. 132nd St. #C requested a change in the hours for the community garden in order to give gardeners more flexibility and the opportunity to work in their gardens earlier in the morning before business hours when the weather is more permissible for working outside. **Jose Garcia** is not against housing at Prestige Villas but doesn't like the specific plan as it's laid out**.** **Steven Silver**, Attorney for HPOA, spoke against ordinance 1895 which would expand the amount of time that an individual could be reinstated into a former position. **Patricia Donaldson**, Owner of Abacus Security Services and President of the Chamber of Commerce, spoke in favor of housing at the RFK property as it would boost revenues for the city plus the Chamber gets a lot of phone calls from people that want to move into new homes. **Gordon Michael Meego**, 4535 W. 141st St., spoke against the Prestige Villas project as the specific plan would be contrary to the basic requirements of the Hawthorne Building Code. Feels this is more like a condominium project than a single family detached home project. **Don Harris**, 5412 W. 134th Pl., spoke in favor of Prestige Villas as it would be a good opportunity for Hawthorne to be on the leading edge and to attract the type of home buyers that we would want to have as citizens to come into our city to plant roots and invest in our city. **Alex Vargas**, 11981 S. York Ave., spoke against Prestige Villas. Feels it is another effort to bring the scourge of high density housing to the neighborhood with utter disregard to the well being of its community and the people who live within that community. Asked that the City Council reject this proposal for Prestige Villas, reject all three resolutions presented today related to Prestige Villas, reject all future attempts to bring high density housing to RFK, to maintain their pledge to keep a moratorium on all types of high density housing throughout the city and to continue to be creative and look for alternate uses for this site. **Francis Stiglich** spoke against Prestige Villas. Stated that half of the people did not even know this was going in. **Marti Dorouge,** 134th St., requested speed humps. **Grace Hanes**, 4632 W. 134th St., presented a petition for speed humps and stated that there was a hit and run accident on July 3rd and if there had been speed humps, the accident could have been prevented. **Sylvio Arapeke** spoke in support of Prestige Villas. Does not feel the density of the project would bring crime because people who qualify for these home's price range would not be involved in criminal activity. **Lily Fernandez**, 11322 Firmona, spoke against the project. **Allan Amble**, 11519 Gale Ave, opposes project because of issues with an antiquated sewer system, shortage of police officers, limited access for fire trucks and shortage of parking. **Nelson Saldivar**, Gale Ave., stated that a $500,000 dollar house in the area would take two or three families living in the same house to pay the mortgage. **Torgen Navarez**, 4685 116th St., opposes this housing project because it would bring more problems and population. **Carl Swerver** feels this type of community that is being developed is ideal for families and Hawthorne.

3.

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

4.

Mayor Guidi moved, seconded by Councilmember Catano, that the reading of the City Council minutes of the regular meeting of June 26, 2007 be waived and that they be approved and adopted.

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

5.

Mayor Guidi moved, seconded by Catano, to waive full readings of resolutions and ordinances on July 10, 2007's agenda.

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

6.

The City Clerk, Reyes English announced that this was the time and place to publicly receive, open and declare sealed bids for Hawthorne Municipal Airport Improvement Project.

Public Works Department submitted declaration of publication, which was ordered filed.

The Public Work's Director requested that this item be continued until the next meeting.

7.

City Clerk Angie Reyes English announced that this was the time and place for the Public Hearing on Confirming and Approving Diagram and Assessment Contained in the Engineer's Report, and Levying Assessment for Improvement of the Street Lighting System (Landscaping and Street Lighting Act of 1972) for the Fiscal Year ending June 30, 2008. Public Work's Department declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to Approve Resolution No.7126.

Under oral comments, no one expressed the desire to address this topic.

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

RESOLUTION NO. 7126

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA CONFIRMING AND APPROVING THE DIAGRAM AND ASSESSMENT CONTAINED IN THE ENGINEER'S REPORT AND LEVYING ASSESSMENT FOR IMPROVEMENT OF THE STREET LIGHTING SYSTEM (LANDSCAPING AND STREET LIGHTING ACT OF 1972) FOR THE FISCAL YEAR ENDING JUNE 30, 2008.

Mayor Guidi moved, seconded by Councilmember Parsons that Resolution No. 7126 be approved and adopted.

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 Catano, that the following warrants, properly audited and signed, be paid.

Warrants Nos.: 189181-189278 ; 373611-373929

Warrant Totals: $ 825,312.36 ; $ 2,169,476.64

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

Resolutions and Ordinances.

9.

RESOLUTION NO. 7121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PRESTIGE VILLAS SPECIFIC PLAN PROJECT (SCH # 2006121040), MAKING FINDINGS OF FACT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING PROGRAM.

MOTION TO CONTINUE

Councilmember Pablo moved, seconded by Councilmember Lambert to continue this item until August 21, 2007 council meeting.

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

10.

RESOLUTION NO. 7122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. 2006GP03, AN APPLICATION BY RAMONA GARDENS, LLC, TO CHANGE THE LAND USE DESIGNATION FROM GC (GENERAL COMMERCIAL) TO HDR (HIGH DENSITY RESIDENTIAL) FOR APPROXIMATELY 8 ACRES OF PROPERTY BOUNDED BY RAMONA AVENUE TO THE WEST, 116TH STREET TO THE NORTH, 118TH STREET TO THE SOUTH, AND GREVILLEA AVENUE TO THE EAST, RELATING TO THE PRESTIGE VILLAS SPECIFIC PLAN PROJECT, AND MAKING FINDINGS IN SUPPORT THEREOF.

MOTION TO CONTINUE

Councilmember Pablo moved, seconded by Councilmember Lambert to continue this item until August 21, 2007 council meeting.

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

11.

RESOLUTION NO. 7123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING THE PRESTIGE VILLAS SPECIFIC PLAN (SPECIFIC PLAN NO. 2007SP01), AN APPLICATION BY RAMONA GARDENS, LLC, RELATING TO APPROXIMATELY 8 ACRES OF PROPERTY BOUNDED BY RAMONA AVENUE TO THE WEST, 116TH STREET TO THE NORTH, 118TH STREET TO THE SOUTH, AND GREVILLEA AVENUE TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF.

MOTION TO CONTINUE

Councilmember Pablo moved, seconded by Councilmember Lambert to continue this item until August 21, 2007 council meeting.

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

12.

RESOLUTION NO. 7125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ESTABLISHING A FOUR-WAY STOP AT THE INTERSECTION OF FREEMAN AVENUE AND 116TH STREET.

Mayor Guidi moved, seconded by Councilmember Catano, that Resolution No. 7125 be approved and adopted.

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

13.

ORDINANCE NO. 1895. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING SECTION 10.36.015 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO ENFORCEMENT OF PARKING VIOLATIONS BY CODE ENFORCEMENT AND ANIMAL CONTROL OFFICERS.

Mayor Guidi moved, seconded by Councilmember Lambert that Ordinance No. 1895 be approved and adopted.

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

14.

ORDINANCE NO. 1896. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING SECTION 1.22.010 OF THE HAWTHORNE MUNICIPAL CODE REGARDING THE REMOVAL OF GRAFFITI AND MASSAGE VIOLATIONS FROM THE SCHEDULE OF INFRACTIONS AND ADDING SECTION 8.14.020 (A&B) [LITTERING] TO THE INFRACTION SCHEDULE.

Councilmember Catano moved, seconded by Mayor Guidi that Ordinance No. 1896 be approved and adopted.

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

15.

ORDINANCE NO. 1899. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING SECTION 8.14.020 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO THE DUTY OF TENANTS AND PROPERTY OWNERS TO REMOVE WASTE FROM ADJOINING SIDEWALK.

Mayor Guidi moved, seconded by Councilmember Lambert that Ordinance No. 1899 be approved and adopted.

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

16.

ORDINANCE NO. 1898. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING SECTION 2.40.080 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO EMPLOYEE REINSTATEMENT FROM RESIGNATION.

Ordinance No. 1898 was introduced by title only by Councilmember Lambert.

17.

ORDINANCE NO. 1897 (1st Reading)

AN ORDINANCE OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING ZONE CODE AMENDMENT NO. 2007ZA07 AND CHANGE OF ZONE NO. 2006CZ07, APPLICATIONS BY RAMONA GARDENS, LLC, TO AMEND THE HAWTHORNE ZONING ORDINANCE TO REFER TO THE PRESTIGE VILLAS SPECIFIC PLAN AS THE APPLICABLE LAND USE DOCUMENT FOR APPROXIMATELY 8 ACRES OF PROPERTY BOUNDED BY RAMONA AVENUE TO THE WEST, 116TH STREET TO THE NORTH, 118TH STREET TO THE SOUTH, AND GREVILLEA AVENUE TO THE EAST, TO AMEND THE ZONING MAP FROM C-3 (GENERAL COMMERCIAL) TO PVSP (PRESTIGE VILLAS SPECIFIC PLAN) FOR THE SAME PROPERTY, AND MAKING FINDINGS IN SUPPORT THEREOF.

MOTION TO CONTINUE

Councilmember Pablo moved, seconded by Councilmember Lambert to continue this item until August 21, 2007 council meeting.

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

18.

ORDINANCE NO. 1901. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING SECTION 5.02.030, 5.02.100 and 5.10.080 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO CONTENTS OF BUSINESS LICENSE, CONFIDENTIALITY OF BUSINESS LICENSE APPLICATION FINANCIAL & PERSONAL INFORMATION, AND REVOCATION OF BUSINESS LICENSE.

Ordinance No. 1901 was introduced by title only by Mayor Guidi.

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

19.

Sale of City property – Assessor's Parcel Nos. 4055-021-901, 4048-004-915, and 4055-008-901, located North side of West 120th Street, South of Interstate 105, West of Crenshaw Boulevard, and East of Kornblum Avenue (across from Hawthorne Municipal Airport)

RECOMMENDATION: That the City Council direct staff to draw up agreement for the sale of the subject property as per the May 17, 2007 proposal submitted by RDC and for the City Manager to execute same, subject to complying with government code requirements for selling surplus City property.

Councilmember Lambert moved, seconded by Councilmember Catano to pull this item.

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

20.

Sale of City property – Old Police Department Building and related lots (Grevillea and West 126th Street).

RECOMMENDATION: That the City Council direct staff to draw up agreement for the sale of the subject property to the Olson Company and for the City Manager to execute same, subject to complying with government code requirements for selling surplus City property.

THIS ITEM WAS PULLED BY THE CITY MANAGER

21.

Approve Amendment of Adopt-A-Storm Drain Agreement between the City and Adopt-a-Storm Drain and authorize the City Manager to execute amendment to said agreement.

Mayor Guidi moved, seconded by Councilmember Velez to approve the amendment of the existing agreement between the City and Adopt-a-Storm Drain and authorize the City Manager to execute amendment to said agreement.

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

22.

Approve Progress Payment No. 3 to Martinez Landscape Company, 12357 San Fernando Road, Sylmar, CA 91342 for Abatement of Weeds and General Maintenance. $176,380.00 from Street Fund Account # 225-4106-408-4775; $17,207.30 from SB 821 Account # 225-4106-408-4574; Total $193,587.30.

23.

Approve of new Employee Classifications of Business License Technician, Human Resources Technician, Gang Analyst, Mechanic, Police Administrative Technician and Utility Coordinator & Fleet Supervisor.

24.

Approve to Ratify the following City of Inglewood appointments to the South Bay Workforce Investment Board (SBWIB). Mr. Samuel Bingham, principal of the Samuel Bingham Insurance Agency, Mr. Ray Snowden, principal of the Snowden insurance Agency; and Mr. Norm Cravens, representative of the Hollywood Park Casino as private sector business representatives.

Mayor Guidi moved, seconded by Councilmember Catano that items No. 22, 23 and 24 of the City Manager's consent calendar be approved.

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

The City Attorney, Glen Shishido presented the following agenda and requested approval of the indicated recommendations:

25.

A mediated settlement has been proposed in the case entitled Eligio Rebolledo & Bryan Alvarez, A Minor by his Guardian ad Litem, Maria Rebolledo v. City of Hawthorne and Michael Effler, et. al, (TC020114) in the amount of $87,500.00 for Eligio Rebolledo and $12,500.00 for minor Bryan Alvarez.

RECOMMENDATION: That the City Council approve and authorize the settlement of the Eligio Rebolledo & Bryan Alvarez lawsuit in the amount of $87,500 for Eligio Rebolledo and $12,500 for Bryan Alvarez and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiffs Eligio Rebolledo, Bryan Alvarez and The Owen A. Silverman Law Firm, 23224 Crenshaw Boulevard, Torrance, CA 90505, no later than July 15th, 2007.

Councilmember Lambert moved seconded by Mayor Guidi to authorize this settlement in the case of Eligio Rebolledo & Bryan Alvarez, A Minor by his Guardian ad Litem, Maria Rebolledo v. City of Hawthorne and Michael Effler, et. al, (TC020114) in the amount of $87,500.00 for Eligio Rebolledo and $12,500.00 for minor Bryan Alvarez.

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

26.

Mayor Guidi recessed the City Council meeting to conduct an **Optional closed session** – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Eligio Rebolledo & Bryan Alvarez, A Minor by his Guardian ad Litem, Maria Rebolledo v. City of Hawthorne and Michael Effler, et. al, (Case No. TC020114).

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 an optional closed session on a Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Eligio Rebolledo & Bryan Alvarez, A Minor by his Guardian ad Litem, Maria Rebolledo v. City of Hawthorne and Michael Effler, et. al, (Case No. TC020114). The City Attorney, Glen Shishido announced that action was going to be taken on item No. 25 on the city Attorney's consent calendar. It was requested that this item be approved.

27.

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

27.a

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

33.

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)(1) of Section 54956.9 (One potential case). [District Attorney Investigation -- Related to City Council approval of real estate developments located at 3947 W. Imperial Highway & 11337 Freeman Avenue.]

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present except for Councilmember Velez and the City Attorney Glen Shishido. He announced that the closed session was to discuss a closed session on a 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 -- Related to City Council approval of real estate developments located at 3947 W. Imperial Highway & 11337 Freeman Avenue.] The Assistant City Attorney Russell Miyahira announced that no action was taken at this closed session, however he announced that action was going to be taken on agenda item No. 34.

34.

Waiver of the Attorney-Client Privilege arising out of District Attorney Investigation of City Council approval of real estate developments located at 3947 W. Imperial Highway & 11337 Freeman Avenue. Specifically, waiver of the Attorney-Client Privilege pertaining to (1) transactional documents, which are copies of drafts and proposed language of documents and resolutions related to transfer, rezoning or condemnation occurring at 3947 W. Imperial Highway and 11337 Freeman Avenue located in or near the boundary of the City of Hawthorne; (2) attorney E-mails, which are communications among the City's attorneys or between city officials and outside counsel; and (3) Conversation between City Attorney and Councilmember related to Councilmember's status as tenant of Developer.

RECOMMENDATION: That the City Council Approve & Authorize the limited attorney-client privilege selectively in that the waiver applies to the produced documents and conversation between the Councilmember and the City Attorney, solely for use in the current District Attorney Investigation of the City Council approvals of the projects located at 3947 W. Imperial Highway and 11337 Freeman Avenue and also that the waiver of the privilege is preserved as to all other legal matters.

Mayor Guidi moved, seconded by Councilmember Catano that item No. 34 be approved.

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

35.

Mayor Guidi adjourned the meeting at 9:15 p.m.

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Angie Reyes English
City Clerk