

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD MAY 27, 2008.**

Mayor/Chairman Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meeting to order jointly and concurrently at 6:10 p.m. in the City Council Chambers of City Hall, 4455 West 126th Street, Hawthorne, California.

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

Pastor Martir Vasquez from St. George's Church gave the evening's invocation. Mr. Mark Hardison led the Pledge of Allegiance.

Dick Huhn of the Hawthorne Parks & Recreation Foundation presented a check for \$30,000 to the city. Three thousand dollars will be used towards lockers for the sports center, \$15,000 will be used towards equipment for the teen center and \$12,000 will be used towards lockers at the municipal pool.

Mayor Guidi presented a short video on the upcoming Italian Festival. The festival will be held on June 14th at Hawthorne Memorial Park. The Bocce tournament will start at 8am and the festival will begin at 10am.

1.

Discussion/Action Items:

- Elected Officials stipends/compensation (Juarez)

As a way to help the budget deficit, Councilmember Juarez proposed that Council's stipends be voluntarily deferred until we are in a stronger budget position. This would save just under \$70,000. It was decided that each Councilmember would decide on their own whether to defer their stipend.

- Park Patrol Program (Guidi)

Due to an increase in gang and drug activity in the parks, Mayor Guidi discussed the idea of forming a park patrol program. The program would not create another position nor would it be an overtime position, but rather an operational position where an officer would just be put on duty.

Councilmember Lambert moved, seconded by Councilmember Parsons, to form a Park Patrol Program.

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

- Community Events (Pathirana)
 - Community Events -Costs for City participation - Examples:
 - Children's Safety Awareness day;
 - Hometown Holiday Parade;
 - Teen Challenge Car Show;
 - State of the City;
 - President's Council events;
 - Rock-around the Block
 - Health and Sports Fair
 - City HOA sponsored events
 - State Senator/Assembly member outreach events
 - Earth Day

Due to budget woes, City Manager Pathirana asked for Council's direction on how to proceed regarding community events that involve city staff's regular work time or overtime. Generally these events involve cost of police, public works and city manager staff.

Mayor Guidi moved, seconded by Councilmember Lambert, that until the budget is stable there will be no fees waived for any city event.

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

Under Elected Officials Reports and Recommendations:

Councilmember **Juarez** attended the K9 Dinner, the 51 Sheros event, the Public Works Week celebration, the Budget Workshop and the VFW Memorial. Congratulated the volunteers from the Richstone Center who received recognition for all their hard work. Congratulated the Hawthorne and Wiseburn School Districts on their API scores. Requested that a resolution be prepared in honor of National Safety Council Month, which is next week. Let the community know that the Hawthorne police department is aggressively enforcing the state protection law "Click It or Ticket. Asked for support of AB 844 regarding metals that are being stolen and then sold to recycling facilities. Congratulated the VFW for the article in the Daily Breeze and asked the community to support the post. The post is currently in need of professionals that can do carpentry and piping work. Announced that the Kiwanis fair starts this Thursday and goes through Sunday. The Rotary Club will hold Las Vegas Night on June 6th from 6pm to 11pm at the RFK building. Congratulated Mayor Guidi on his new grandchild.

Councilmember **Parsons** reminded everyone that safe and sane fireworks can only be used on July 4th. There will be a \$1,000 fine for using illegal fireworks. Toured the old site of the Cockatoo Hotel and announced that three top-notch hotels that will target the LAX traveler will be coming to this site. They include Candlewood, Holiday Inn Express and Comfort Suites. The hotels will also have free shuttles to and from the airport. Attended the Memorial service and the VFW. The VFW is looking for new members.

Councilmember **Lambert** was disappointed to hear that not many people attended the budget workshop and suggested that in the future these meetings could be incorporated into the regular council meetings. Asked that we think about the veterans and the VFW as they are in need of donations for their center. .

Councilmember **Catano** commended Rosalinda Martinez for getting all the prizes that were given away at the Children's Safety Awareness Day. Had the honor of being an escort at the Shero awards.

City Clerk **English** apologized for not being able to attend the budget workshop. Attended most of the events that were mentioned earlier.

City Treasurer **Lubenec** attended the K9 dinner, the Children's Safety Awareness Day and the Memorial Day event. Reiterated that the boulevard is looking very nice.

Mayor **Guidi** clarified that the funds for the boulevard came from Prop. C funds. Announced that the Rotary Club will be having a Las Vegas Night on June 6th from 6pm to 11pm at the RFK building, 4500 W. 116th St. Congratulated Jan Vogel for being named CSU Dominguez Hills Alumni Advocate of the Year. Hawthorne United Methodist Church will celebrate it's 60th Anniversary on June 7th at 11am, 4754 W. 120th St. Thanked Chief Heffner and City Manager Jag Pathirana for taking control of Doty Ave. and the situation at the Doty Ave. liquor store. Thanked Monica McClanahan for organizing the donation bins for the troops in Iraq. Thanked Rosalinda Martinez for the Home Depot Children's Safety Awareness Day and everybody who volunteered and supported the event.

Mayor Guidi requested the following for the record:

Mayor Guidi: What is the liability of a Councilmember if they've been confronted that there's been some kind of breach or attack? What is our responsibility as a Councilmember? To report? Are we supposed to report that or is that a personnel matter?

City Attorney Shishido: A breach or attack regarding?

Mayor Guidi: In other words, an attack, a verbal attack, harassment or anything. Are we to report it or we just stay out of it?

City Attorney Shishido: Among Councilmembers or between employees?

Mayor Guidi: Between employees and Councilmembers.

City Attorney Shishido: No, you definitely want to stay out of this. The reason is that the City Council hires just two employees and that may be contrary to what the public understands. They think as that article pointed out that many times the public views the Council as a board of directors, a CEO of a company, but it doesn't have that relationship at all. It hires and fires only two employees. All the rest of the employees are governed by the and managed by the City Manager and that's a city manager form of government.

Mayor Guidi: So we have immunity, right? If something would ever come up and they say "I told that person this happened" we have immunity to that?

City Attorney Shishido: Yes

Mayor Guidi: Okay, so

City Attorney Shishido: They have a right of course to, you know, bring up items with you. But really, a personnel matter should go to the City Manager. You should direct them to the City Manager.

Mayor Guidi: Allright. Allright. But I just want to make sure that we have immunity to being sued because we knew.

City Attorney Shishido: Yes. And when you do that, you will have legislative immunity.

2.

Under oral communications, **Carmelo Aguilera** asked what can be done about the code that does not allow commercial vehicles to park in residential areas. He feels he has received unfair citations because his van has no advertising on it. **Ralph Kussner**, 13803 Eucalyptus Ave., questioned why the American flag was not on display this year for Memorial Day. Questioned whether the Mayor still supports measures A & H since Hawthorne schools, according to a Daily Breeze article, have not met the suggested state level of 800. **Carol DeVusser** complemented the Council on how nice Hawthorne Blvd. looks. **Darlene Love** also complemented the boulevard and asked that something be done about Broadway east. **Allen Richards**, 13828 Ramona, thinks it's great that Council is considering giving up their stipends for a year, but feels that the non profits can survive on their own for a year.

3.

Mayor/Chairman 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 Juarez, that the reading of the City Council minutes of the regular meeting of May 13, 2008 be waived and that they be approved and adopted.

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

NOES: None.

5.

Mayor Guidi moved, seconded by Councilmember Juarez, to waive full readings of resolutions and ordinances on May 27, 2008's agenda.

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

NOES: None.

6.

The City Clerk, Reyes English announced that this was the time and place for the public hearing for Change of Zone Application No. 2008CZ02, changing the zoning for 14016 through 14024 Lemoli Avenue from H (Horticultural) to R-2 (Medium Density Residential).

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

Mayor Guidi called for public comments.

No one expressed a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed.

ORDINANCE NO. 1923. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING CHANGE OF ZONE APPLICATION NO. 2008CZ02, A CITY INITIATED APPLICATION TO CHANGE THE ZONING OF PROPERTIES AT 14016 THROUGH 14024 LEMOLI AVENUE, FROM HORTICULTURAL (H) TO MEDIUM-DENSITY RESIDENTIAL (R-2), AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance No. 1923 was introduced by title only by Councilmember Parsons.

7.

The City Clerk Reyes English announced that this was the time and place for the Continuation of **Public Hearing** on Appeal Application No. 2008AA02, appealing the February 6, 2008 Planning Commission action recommending denial of Unclassified Use Permit No. 2007UU01, to allow a recycling redemption center at 11873 Hawthorne Boulevard (Ralph's Plaza). Motion to open Public Hearing. Motion to continue Public Hearing until June 24, 2008, as requested by applicant.

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

Councilmember Parsons motioned to continue the public hearing until June 24, 2008, seconded by Councilmember Juarez but a vote was not taken.

Under oral comments **Enrique Vasquez** of Sloan Vasquez representing TOMRA requested a continuance due to property owners and other important people not being able to attend today. TOMRA applied for a UUP but was denied because of problems with vagrants, loitering and illegal disposal of material at the facility. Appealed for reconsideration of decision to operate a recycling center. Councilmember **Catano** stated that there is a safety issue in the area because of the people that congregate there. Mayor **Guidi** stated that the community that has complained about this is happy it's gone. Councilmember **Parsons** stated that it is a nuisance and the center had a long time to clean it up. Councilmember **Lambert** feels it is a health issue to have the center outside. Councilmember **Juarez** would prefer it inside.

No one else expressed a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed.

Councilmember Lambert moved, seconded by Councilmember Juarez, to deny the request to allow a recycling redemption center at 11873 Hawthorne Boulevard (Ralph's Plaza).

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

NOES: None.

8.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 189590-189592 ; 385826-386610

Warrant Totals: \$ 745,538.31 \$2,760,209.51

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

Resolutions and Ordinances.

9.

RESOLUTION NO. 7173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO LEVY STREET LIGHTING ASSESSMENTS FOR FISCAL YEAR 2008-2009 AND SETTING TUESDAY, JUNE 10, 2008 AT 6:00 P.M. AS THE TIME AND DATE OF A PUBLIC HEARING.

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7173 be approved and adopted.

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

10.

RESOLUTION NO. 7176

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO LEVY WEED ABATEMENT ASSESSMENTS AND SETTING A HEARING DATE FOR SUCH PROPOSED STREET LIGHTING ASSESSMENTS.

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7176 be approved and adopted.

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

11.

ORDINANCE NO. 1921. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING SECTION 2.06.240 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO TIME LIMIT FOR INDIVIDUAL COUNCILMEMBER REPORTS DURING CITY COUNCIL MEETINGS.

Councilmember Lambert moved, seconded by Councilmember Catano that Ordinance No. 1921 be approved and adopted.

ROLL CALL-AYES: Councilmembers Catano, Lambert, Mayor Guidi.
NOES: Councilmember Juarez, Parsons.

12.

ORDINANCE NO. 1922. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING CHANGE OF ZONE APPLICATION NO. 2008CZ01, A CITY-INITIATED APPLICATION TO CHANGE THE ZONING OF PROPERTIES AT 4777 AND 4787 WEST 120TH STREET, FROM GENERAL COMMERCIAL (C-3) TO HIGH-DENSITY RESIDENTIAL (R-3), AND MAKING FINDINGS IN SUPPORT THEREOF.

Councilmember Catano moved, seconded by Mayor Guidi that Ordinance No. 1922 be approved and adopted.

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

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

13.

Approve Progress Payment # 6 to All American Asphalt P.O. Box 2229, Corona, CA 92878-2229 for the 2007 Street Improvement Project, No. 07-03, Federal #STPL-5253(10) in the amount of \$487,504.93 funded from Federal # STPL-5253 (10), Account # 289-5502-412-4773 and PROP C Account # 289-5502-416-4773.

14.

Approve Extension of existing agreement between the City of Hawthorne and Tetra Tech, Inc. to conduct additional Investigations and update Municipal Sewer System Master Plan.

15.

Approve Progress Payment # 5 to the current contract with the California Commercial Pools, Inc. 2255 E. Auto Centre Dr. Glendora, CA 91740-6721 for the Hawthorne Municipal Pool Renovation Project, Project No. 06-01 in the amount of \$150,480.00 funded from Proposition 40 Account # 100-6115-000-4231.

16.

Approve Progress Payment #8 due to Martinez Landscape Company, 12337 San Fernando Road, Sylmar, Ca 91342 for the Abatement of Weeds and General Maintenance in the amount of \$191,301.50.

17.

Approve to authorize City Manager to issue Purchase Order to purchase certain equipment and/or services – Security System for the Airport.

18.

Approve to Award Contract to the lowest responsible bidder for the Hawthorne Memorial Center Building Roof Rehabilitation Project (Project No. 08-03) to Solar Integrated Technologies, Inc. of Los Angeles, CA

19.

Approve to authorize City Manager to issue Purchase Order to purchase certain equipment and/or services – Motorcycles (3) for the Police Department.

20.

Approve Request for renewal of Bingo Permit for Veterans of Foreign Wars, Post 2075 for 2008.

21.

Approval of Agreements for use of HOME and CDBG funds – Annual Action Plan for Program year 2008, July 1, 2008 to June 30, 2009 with the following Agencies:

a. Moneta Gardens Improvement
Security Deposit Program
\$50,000 (HOME)

b. Access Community Housing
Leslie Zepeda Memorial Neighborhood Improvement Program
\$312,506 (HOME)
\$24,550 (CDBG)

The approval authorizes the Mayor to execute the two Agreements.

22.

Approval of Agreement with Moneta Gardens Improvement Inc. for use of HOME funds, ECHO Housing Program – Annual Action Plan for Program year 2008, July 1, 2008 to June 30, 2009 and authorize the Mayor to execute the agreement.

23.

Approve to Ratify the City of Inglewood Mayor and City Council Reappointments to the South Bay Workforce Investment Board. The following re-appointments are as follows: Mr. Norm Cravens, Hollywood Park Racetrack, Business Private Sector Seat 11; Mr. Wayne Spencer, Trans American Protection, Business Private Sector Seat 12; MS. Patricia Bennet, P&J's Unique Bookkeeping & Tax Services, Business Private Sector Seat 13; and Mr. Charles Harkey, Inglewood Tickets, Business Private Sector Seat 14.

Mayor Guidi moved, seconded by Councilmember Catano that items 13 and 23 of the City Manager's consent calendar be approved.

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

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

24.

Application by Herman Coleman and Mertis Curry to Present a Late Claim.

Mayor Guidi moved, seconded by Councilmember Lambert that the Application by Herman Coleman and Mertis Curry to Present a Late Claim be denied in its entirety.

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

25.

Application by Latiera Corry, a minor, by and through her Guardian Ad Litem, Mertis Curry to Present a Late Claim.

Mayor Guidi moved, seconded by Councilmember Lambert, that the Application by Latiera Corry, a minor, by and through her Guardian Ad Litem, Mertis Curry to Present a Late Claim be granted.

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

26.

Claim by Latiera Corry, a minor, by and through her Guardian Ad Litem, Mertis Curry for damages allegedly caused by the wrongful death of minor's mother.

Mayor Guidi moved, seconded by Councilmember Lambert, that the Application by Latiera Corry, a minor, by and through her Guardian Ad Litem, Mertis Curry for damages allegedly caused by the wrongful death of minor's mother be denied.

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

27.

Approve to Waive the attorney-client privilege with respect to a certain (single) legal confidential memorandum entitled “Duties and Responsibility of Councilmembers,” dated April 30, 2008 (as requested by members of the City Council at the City Council meeting of April 22, 2008.)

Mayor Guidi moved, seconded by Councilmember Lambert to Waive the attorney-client privilege with respect to a certain (single) legal confidential memorandum entitled “Duties and Responsibility of Councilmembers,” dated April 30, 2008 (as requested by members of the City Council at the City Council meeting of April 22, 2008.)

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

28.

Mayor Guidi adjourned the meeting at 8:30 p.m.

Angie Reyes English
City Clerk

5/27/08