

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD JUNE 10, 2008.**

Mayor Pro Tem Lambert 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, Mayor Pro Tem Lambert
Absent: Mayor Guidi (excused) Councilmember Parsons (excused)

Deacon Tom Moske from St. Joseph's church gave the evening's invocation. Girl Scout Shanté Doyle led the Pledge of Allegiance.

Councilman Catano presented a Certificate of Recognition to Shanté Doyle for her accomplishment in receiving the Girl Scout Council of Greater Long Beach prestigious Gold Award.

1.

Budget presentation – fiscal year 2008/09

City Manager Jag Pathirana gave a presentation on the budget that included:

Early retirement incentives – City Manager Pathirana would like to consider offering some early retirement incentives to some employees in order to avoid a layoff situation. Asked for authority from the Council to move forward to negotiate with employees for some early buyouts.

Councilmember Juarez moved, seconded by Mayor Pro Tem Lambert, to offer early retirement incentives.

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

Staff layoffs – City Manager Pathirana stated that the budget anticipates 10 positions being eliminated from the City. Eight from the general fund and two from non-general fund departments. If enough people accept early retirement packages, a layoff situation could be avoided.

MOTION TO TABLE

Mayor Pro Tem Lambert moved, seconded by Councilmember Juarez, to table this item.

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

Earthquake insurance – City Manager Pathirana stated that there is a recommendation from the City's Risk Manager to buy earthquake insurance for some of the City buildings. It was decided to bring this item back in two weeks.

Under Elected Officials Reports and Recommendations:

City Treasurer **Lubenec** attended the school district 5K Run and the Moneta Gardens Health Fair.

City Clerk **English** reported on events that were hosted by the Assemblymember. They included the Education Summit in collaboration with the Inglewood School District and a job fair in collaboration with the South Bay Work Investment Board, Jan Vogel and the Inglewood School District. Announced that the City Clerks Association general meeting will be held on June 13th at the Ayres Hotel. It is being hosted by the City of Hawthorne and the City Clerk's office. Thanked everyone who supported her for the June election where she ran for the Los Angeles County Central Committee.

Councilmember **Juarez** attended the Hawthorne Rotary's Las Vegas Night, the Hawthorne School District 5K Walk/Run, the Moneta Gardens Sports and Health Fair, the Hawthorne United Methodist Church 60th Anniversary Celebration and the Older Americans Recognition Day. Reported on an article

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in US Today on the one hundred best places to raise a family where the South Bay ranked number twenty-two. Announced that Hawthorne Science and Math Academy was just honored with a six-year accreditation. Sent out condolences to Police officer Philip Heald who passed away in May. After reading a report on 911 calls to parks, is not in favor of eliminating police positions. Is looking for anyone who is interested in being part of his Bocce team for the Italian Festival this weekend.

Councilmember **Catano** attended the Health Fair. On behalf of the Senator, attended Next Step in Lawndale, a health gym for those with physical limitations. Attended a picnic at Hollyglen Park for graduating 4 year olds from St. Joseph's Church. Asked for a way for residents to get clarification regarding street sweeping parking on holidays.

Mayor Pro Tem **Lambert** invited everyone to attend the Italian Festival on June 14th. Encouraged everyone and especially the business people of Hawthorne to attend the Chamber of Commerce Installation of Officers and Civic Awards Presentation on June 19th. Asked for clarification on hands free cell phone use, which will be implemented on July 1st. Encouraged Hawthorne to attend Lawndale's State of the City Address on June 25th. Announced that the Rotary and the Kiwanis will honor the police officers of Hawthorne and the firefighters of the year at Nat's Café on Friday. Asked for support on an upcoming UUT. Has received speeding complaints from residents on Bodger going north and south to Marine.

2.

Under oral communications, **Olivia Valentine**, 2519 W. 115th Pl., thanked the City Council for being very responsive to an email sent regarding an apparently abandoned building at Casimir and 118th St. **Elaine Magdalany**, 4727 W. 129th St., reported on the Victory Baptist Church property that has become an eyesore in her neighborhood. **Jose Gutierrez**, 2526 W. 118th Pl., congratulated Superintendent Don Carrington, the Hawthorne School District, the staff and the teachers on the passing of Measure H and Hawthorne Math and Science Academy for their high ranking score of 118 on the advanced placement tests. Reported on the low number of voter turnout. **Allen Richards**, 13828 Ramona Ave., thanked Councilman Juarez for the nomination that led to his being honored by the Los County Supervisorial District II on May 29th. Stated that in order to qualify for the school bond exemption, you must be 62 years old and apply every year. **Ben Garg** presented his case again regarding his building issues.

3.

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

4.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, that the reading of the City Council minutes of the regular meeting of May 27, 2008 be waived and that they be approved and adopted.

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

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

5.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, to waive full readings of resolutions and ordinances on June 10, 2008's agenda.

ROLL CALL-AYES: Councilmembers Catano, Juarez, Mayor Pro Tem Lambert.

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

6.

The City Clerk Reyes English announced that this was the time and place to hold this item being the 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 (1) refer back to Planning Commission for rehearing and consideration of (a) claims by the Applicant not considered by the Planning Commission,

including but not limited to, the Planning Director's administrative determination that the project is not an accessory permitted use and thus subject to an unclassified use permit, and, (b) new evidence, including but not limited to, property ownership issues pertaining to the site of the project; and (2) defer consideration of a City Council resolution containing findings until after the Planning Commission's determination of above.

RECOMMENDATION: Motion to (1) refer Appeal Application No. 2008AA02 back to the Planning Commission for rehearing and consideration of (a) claims by the Applicant not considered by the Planning Commission, including but not limited to the Planning Director's administrative determination that the project is not an accessory permitted use and thus subject to an unclassified use permit, and, (b) new evidence, including, but not limited to property ownership issues pertaining to the site of the project; and (2) also defer consideration of a City Council resolution containing findings until after the Planning Commission's determination.

Councilmember Juarez moved, seconded by Mayor Pro Tem Lambert, that this item be referred back to the Planning Commission.

ROLL CALL-AYES: Councilmembers Catano, Juarez, Mayor Pro Tem Lambert.

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

7.

The City Clerk, Reyes English announced that this was the time and place to hold the public hearing on Ordinance No. 1931 - Zoning Code Amendment No. 2008ZA05 deleting Section 17.35.250 [No Bond Required for Temporary Signs] in its entirety from the Hawthorne Municipal Code (HMC). Planning Department’s declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to Introduce Ordinance No. 1931.

Mayor Pro Tem Lambert called for public comments.

No one expressed a desire to be heard.

Mayor Pro Tem Lambert ordered the public portion of the hearing closed.

ORDINANCE NO. 1931

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE APPROVING A NOTICE OF EXEMPTION AND ZONING CODE AMENDMENT 2008ZA05 DELETING HAWTHORNE MUNICIPAL CODE SECTION 17.35.250 PERTAINING TO BOND REQUIREMENTS.

Ordinance No. 1931 was introduced by title only by Councilmember Juarez.

8.

The City Clerk Reyes English announced that this was the time and place to hold the Public Hearing – Ordinance No. 1927 - Zoning Code Amendment No. 2008ZA06 amending Section 17.58.040 (G). Accessible parking stalls. Planning Department’s declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to Introduce Ordinance No. 1927.

Mayor Pro Tem Lambert called for public comments.

No one expressed a desire to be heard.

Mayor Pro Tem Lambert ordered the public portion of the hearing closed.

ORDINANCE NO. 1927 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING A CATEGORICAL EXEMPTION UNDER CEQA AND AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, SECTION 17.58.040 (G) ACCESSIBLE PARKING STALLS.

Ordinance No. 1927 was introduced by title only by Councilmember Juarez.

9.

The City Clerk Reyes English announced that this was the time and place to hold the public hearing on Ordinance No. 1926, Zoning Code Amendment No. 2008ZA02 adding Chapter 17.41 Reasonable Accommodation for Individuals with Disabilities under the Fair Housing Amendments Act. Planning Department's declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to Introduce Ordinance No. 1926.

Mayor Pro Tem Lambert called for public comments.

No one expressed a desire to be heard.

Mayor Pro Tem Lambert ordered the public portion of the hearing closed.

ORDINANCE NO. 1926. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING A CATEGORICAL EXEMPTION UNDER CEQA AND AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, ADDING CHAPTER 17.41 REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES UNDER THE FAIR HOUSING AMENDMENTS ACT.

Ordinance No. 1926 was introduced by title only by Councilmember Catano.

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10.

The City Clerk Reyes English announced that this was the time and place to hold the public hearing on Ordinance No. 1929 - Zoning Code Amendment No. 2008ZA03 amending Section 17.04.260 Definition of Family. Planning Department's declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to Introduce Ordinance No. 1929.

Mayor Pro Tem Lambert called for public comments.

No one expressed a desire to be heard.

Mayor Pro Tem Lambert ordered the public portion of the hearing closed.

ORDINANCE NO. 1929 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING A CATEGORICAL EXEMPTION UNDER CEQA AND APPROVING ZONING TEXT AMENDMENT NO. 2008ZA03, AMENDING TITLE 17 [ZONING] OF THE HAWTHORNE MUNICIPAL CODE, AMENDING SECTION 17.04.260 [FAMILY].

Ordinance No. 1914 was introduced by title only by Mayor Pro Tem Lambert.

11.

The City Clerk Reyes English announced that this was the time and place to hold 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, 2009. Public Works Department's declaration publication filed. No written communications. Call for oral comments. Motion-close hearing. Motion to approve Resolution No. 7180.

Mayor Pro Tem Lambert called for public comments.

No one expressed a desire to be heard.

Mayor Pro Tem Lambert ordered the public portion of the hearing closed.

RESOLUTION NO. 7180

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, 2009.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, that Resolution No. 7180 be approved and adopted.

ROLL CALL-AYES: Councilmembers Catano, Juarez, Mayor Pro Tem Lambert.

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

12.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 189593-189594 ; 386611-386244

Warrant Totals: \$742,962.58 \$ 1,463,498.40

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

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

13.

Treasurer's Investment Report for quarter ended March 31st 2008.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, to approve the Treasurer's Investment Report for quarter ended March 31st 2008.

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

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

Resolutions and Ordinances.

14.

RESOLUTION NO. 7183

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING REMOVAL OF TWO-HOUR PARKING RESTRICTION ON THE WEST SIDE OF GREVILLEA AVENUE FROM 126TH STREET TO THE RAILROAD RIGHT-OF-WAY.

For the record, Mayor Pro Tem Lambert expressed concern that trucks would find empty spots to park in this residential area.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, that Resolution No. 7183 be approved and adopted.

ROLL CALL-AYES: Councilmembers Catano, Juarez, Mayor Pro Tem Lambert.

NOES: None. ABSENT: Councilmember Parsons, Mayor Guidi.

15.

RESOLUTION NO. 7184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA

PROCLAIMING JUNE 2008 AS NATIONAL SAFETY MONTH.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, that Resolution No. 7184 be approved and adopted.

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

16.

RESOLUTION NO. 7185

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA SUPPORTING ASSEMBLY BILL NO. 844, RELATING TO ADDITIONAL RECORD KEEPING AND IDENTIFICATION PROCEDURES AND NEW PAYMENT RESTRICTIONS FOR JUNK DEALERS AND RECYCLERS PURCHASING SCRAP METAL.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, that Resolution No. 7185 be approved and adopted.

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

17.

RESOLUTION NO. 7186

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE DESTRUCTION OF MISCELLANEOUS FINANCE DIVISION RECORDS PURSUANT TO RESOLUTION NO. 7170 AND GOVERNMENT CODE § 34090.

Mayor Pro Tem Lambert moved, seconded by Councilmember Catano, that Resolution No. 7186 be approved and adopted.

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

18.

RESOLUTION NO. 7187

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADOPTING AND ESTABLISHING A FEE FOR A FIREWORKS BOOTH PERMIT FEE IN THE AMOUNT OF \$300.00 PURSUANT TO HAWTHORNE MUNICIPAL CODE § 8.34.090 (G).

MOTION TO TABLE

Councilmember Juarez moved seconded by Councilmember Lambert to table Resolution No. 7187 until the next meeting.

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

19.

ORDINANCE NO. 1923. (2nd 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.

Councilmember Juarez moved, seconded by Councilmember Catano that Ordinance No. 1923 be approved and adopted.

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ROLL CALL-AYES: Councilmembers Catano, Juarez.
NOES: None. ABSTAIN: Mayor Pro Tem Lambert.

This item will come back at the next meeting.

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

20.

Approve Progress Payment # 6 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 \$316,529.10 funded from Proposition 40 Account # 100-6115-000-4221 and LA County Grant Account # 100-6104-000-4229.

21.

Approve Progress Payment # 7 and Final Acceptance 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 \$19,206.63 funded from PROP C Account # 289-5502-416-4773.

22.

Approve Speed Humps Installation on Kornblum Avenue between El Segundo Boulevard and 132nd Street.

23.

Approve to reappoint the following nominees to the South Bay Workforce Investment Board (SBWIB): Ms. Jackie Honore, representing the Los Angeles Job Corps Center; and Ms. Susie Yellowhorse-Jensen, representing the Southern California Indian Center, to serve an additional 4-year term of office commencing July 1, 2008, and ending June 30, 2012. nominees to the South Bay Workforce Investment Board

Councilmember Juarez moved, seconded by Councilmember Catano to approve the City Manager's consent calendar.

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

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

24.

A Settlement has been proposed in the case entitled Tiffany Dixon alleging personal injuries and property damage to her vehicle when a collision occurred with a vehicle driven by a city employee.

Councilmember Juarez moved, seconded by Councilmember Catano, that a Settlement proposed in the case entitled Tiffany Dixon alleging personal injuries and property damage to her vehicle when a collision occurred with a vehicle driven by a city employee be approved.

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

25.

The City Attorney, Glen Shishido, recommended that the claim filed against the City of Hawthorne on behalf of Cornell Mitchell alleging unlawful arrest by Hawthorne Police for “Driving under the Influence” be denied in its entirety.

Councilmember Juarez moved, seconded by Councilmember Catano, that the claim filed against the City of Hawthorne on behalf of Cornell Mitchell alleging unlawful arrest by Hawthorne Police for “Driving under the Influence”.

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

26.

Mayor Pro Tem Lambert adjourned the meeting at 8:00 p.m.

Angie Reyes English
City Clerk