MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD JULY 22, 2008.

Mayor/Chairman Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meetings 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 Juarez, Lambert, Parsons, Mayor Guidi.
Absent: Councilmember Catano (excused).

Patricia Feldman from Olivet Lutheran Church gave the evening's invocation. Pastor Phil Cookes led the Pledge of Allegiance.

Mayor Guidi presented videos on the 2nd Annual Italian Festival and the Teen Challenge/Mayor Guidi Car Show.

Mayor Guidi introduced His Royal Highness Igwe Orizu III of Nnewi, Nigeria who is visiting the City of Hawthorne to see about the possibility of sister city hood. A Proclamation honoring HRH was also presented. Pat Donaldson from the Hawthorne Chamber of Commerce also presented a plaque to HRH.

Mayor Guidi wished Councilmember Lambert a Happy Birthday and invited everyone to the lobby for cake in her honor.

1.

Under oral communications **Alex Monteiro** spoke on the fees being charged to non-profits who do events at city parks. **Phil Cookes** thanked the City and the Council for their involvement in the Teen Challenge Car Show. Asked to consider passing the Ordinance on tonight's agenda regarding reduced fees for non-profit groups. **Barbara Johnson**, Manager of Wiseburn Library, asked for everyone's support to stop the state senate from looking at local money to balance the state budget as this would affect city government, county government and it would directly affect the library. **Darlene Love** inquired on who owns the land at the end of Holly Park as it needs to be cleaned. Thanked Public Works Director Arnie Shadbehr for doing a nice job when things need to be done on the streets of Holly Park. **Nicholas Williams** requested four-way stop signs at Truro and 118th. **Debra White** spoke on an incident involving her son's arrest and asked that the arrest be abolished from his record if the findings are all false. **Karen Green** asked for help regarding problems at her apartment complex. **Anthony Tolliver**, **Michael Melon**, **Harim Vargas**, **Brianna, Kristy** and **Cindy** all spoke on the positive effect Teen Challenge has had on their lives and asked that the City support Teen Challenge. **Viviana Franco**, Executive Director of Lot to Spot, spoke on the park that they are trying to build at 118th & Doty. **Antoinette Pierce** asked that Council reconsider imposing fees on programs like Teen Challenge. **Francis Stiglich**, 11534 Gale Ave., reported on trash problems in her neighborhood and people taking recyclables out of the collection bins.

2.

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: Jag Pathirana - Employee Organization: Hawthorne Police Officers' Association.

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present except for Councilmember Catano who was excused. He announced that the **closed session** was to discuss a Conference with Labor Negotiator pursuant to Government Code Section 54957.6. Agency Negotiator: Jag Pathirana - Employee Organizations: Hawthorne Police Officers' Association and announced that Labor Negotiator was directed and that staff has been advised.

3.

Discussion/Action items:

- **Support of SB1420**

Councilmember **Lambert** discussed supporting SB1420, which would require restaurants to put a nutritional value on everything they serve.

Councilmember Parsons and Councilmember Juarez support SB1420 and requested a Resolution be brought back to the next meeting.

- **Water Conservation**

Due to the raising of taxes and money cuts by the Governor, Mayor Guidi wants to make sure we have a water conservation program in place.

- Pocket Park at 118th Street: Future city maintenance of the park

Councilmember Juarez explained the three phases of the park, which are acquisition, construction and maintenance. Maintenance being one of the stickling points as to why the city could not participate has now been taken care of by the Los Angeles Conservation Corp. They would support the maintenance of the park for an indefinite time. Councilmember Juarez suggested that after the park is in place for five years, then the City could take over the maintenance of the park.

Mayor moved, seconded by Councilmember Lambert, to **table** this item because he wants more information from staff.

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

City Attorney Shishido announced that there's no action taken at this time because it is 2-2 tabled item.

After some discussion Councilmember Juarez moved, seconded by Councilmember Parsons that the City provides maintenance after five years of existence at the pocket park at 118th Street and Doty, contingent upon the organization getting guarantees that they'll get the $300,000 for the purchase of the property.

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

- Excusing Councilmember Catano who is absent due to illness/disease

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

- Sister City – City of Nnewi, Nigeria

Councilmember Lambert moved seconded by Councilmember Juarez to create a Sister City.

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

Reports and Recommendations:

Councilmember Lambert would like to work with the South Bay COG Energy conservation Board to see if they would give us a break on the purchase of tankless water conservation tanks for homes if we bought them in quantities.

Councilmember Juarez thanked the creators of "One Person's Trash" for putting some items in Spanish. Received a copy of the new city atlas and suggested it be put on the city website. Asked that letters of

congratulations be sent to the five companies in the City that were given Certificates of Recognition by the Los Angeles County Sanitation District. Wants to put together a 5-year strategic plan. Would like a financial statement on the fireworks sales.

Mayor Guidi moved, seconded by Councilmember Lambert, to write a letter of support so that the hip-hop school can continue its charter.

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

4.

- Earthquake Insurance

Councilmember Lambert would like Council and the City to consider whether or not to purchase earthquake coverage for our major buildings. Explained that there is no insurance company that will give you more than $125 million for any incident, but it is in pools. If we joined a pool with other cities, we may get very little money for unknown damage. Proposed that we buy a $10 million policy for $65,000 on our own, the difference being that we would get the $10 million. Other options include a $20 million policy at $97,500 and a $30 million policy at $122,500. Requested that this item come back on the next agenda.

5.

The Certification of Compliance with Government Code Section 20903.

RECOMMENDATION: That the City Council adopt the Certification of Compliance with Government Code Section 20903 and elect to provide the benefits of Government Code 20903 to all eligible members who retire within the designated period.

Mayor Guidi moved, seconded by Councilmember Lambert, to approve this item.

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

6.

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

7.

Mayor Guidi moved, seconded by Councilmember Lambert, that the reading of the City Council minutes of the regular meeting of June 10, 2008 be waived and that they be approved and adopted.

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

Mayor Guidi moved, seconded by Councilmember Lambert, that the reading of the City Council minutes of the regular meeting of June 24, 2008 be waived and that they be approved and adopted.

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

8.

Mayor Guidi moved, seconded by Councilmember Lambert, to waive full readings of resolutions and ordinances on July 22, 2008's agenda.

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

9.

City Clerk, Angie English announced that this was the time and place to hold the public hearing on Ordinance No. 1932, - Zoning Code Amendment No. 2008ZA08 amending Section 17.20.090 Recreational Open Space and Section 17.20.100 Landscaping. Call for Planning Department presentation.

Planning Department‘s Declaration filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to Introduce Ordinance No. 1932.

Mayor Guidi called Harold Roth for a brief presentation. Mr. Roth said that currently the city’s ordinance does not require front yards to be maintained in residential areas. Basically this Ordinance is to require front yards to be maintained, landscaped and irrigated. He stated that under “fix the broken window” concept, Code Enforcement will be allowed to remedy small problems from forming and encourage continued investment and maintenance within the neighborhood.

Mayor Guidi called for public comments.

Under oral communications, Jose Gutieriez, 2526 W. 118th Pl., asked for clarification on what the process and fees will be for those neighbors who’s properties need maintenance.

Mayor Guidi ordered the public portion of the hearing closed.

ORDINANCE NO. 1932 (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 17.20.090 RECREATIONAL OPEN SPACE, SECTION 17.20.100 LANDSCAPING, AND MAKING FINDINGS IN SUPPORT THEREOF.

Ordinance No. 1932 was introduced by title only by Mayor Guidi.

10.

City Clerk Angie English announced that this was the time and place to hold the public hearing on Ordinance No. 1933, - Zoning Code Amendment No. 2008ZA07 amending Chapter 17.04 [Definitions], amending Section 17.20.160 [Accessory buildings, structures and uses], Adding Section 17.20.280 [Containers], amending Section 17.25.030 [Limitations on permitted uses], amending Section 17.26.030 [Limitations on Permitted uses], amending Section 17.28.030 [Limitations on Permitted uses], amending Section 17.30.020(68) [Permitted uses], amending Section 17.32.020(41) [Permitted uses], adding Section 17.32.020(44) [Permitted uses], amending Section 17.34.020(48) [Permitted uses], adding Section 17.34.020(52) [Permitted uses], and adding Section 17.34.020(53) [Permitted uses].

Planning Department‘s Declaration filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to Introduce Ordinance No. 1933.

Mayor Guidi called Harold Roth for a brief presentation. He said that canopies are currently not addressed in the zoning ordinance. The proposed ordinance will limit the use of canopies in residential zones to the rear yard and prohibit canopies on driveways and in setback areas. In commercial and industrial zones, canopies will be limited to covering walkways.

The proposed ordinance will restrict containers in residential zones to two one-week intervals per calendar year. The intention here is to accommodate storage “pods” and similar storage options that are becoming increasingly commonplace. The keeping of a shipping container on a permanent basis, such as an 8 foot by 10 foot model used as a tool shed, would be prohibited by this ordinance. In commercial zones and in the M-P and M-1 zones, containers are prohibited altogether by this ordinance. Containers will be permitted in the M-2, but not permitted to be stacked.

Mayor Guidi called for public comments.

Under oral comments, no one indicated a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed.

Councilmember Parsons requested a one-week extension with the approval of the Planning Department.

ORDINANCE NO. 1933 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING A CATEGORICAL EXEMPTION UNDER CEQA AND APPROVE ZONING TEXT AMENDMENT 2008ZA07, AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, AMENDING CHAPTERS 17.04 [DEFINITIONS], AMENDING SECTION 17.20.160 [ACCESSORY BUILDINGS, STRUCTURES AND USES], ADDING SECTION 17.20.280 [CONTAINERS], AMENDING SECTION 17.25.030 [LIMITATIONS ON PERMITTED USES], AMENDING SECTION 17.26.030 [LIMITATIONS ON PERMITTED USES], AMENDING SECTION 17.28.030 [LIMITATIONS ON PERMITTED USES], AMENDING SECTION 17.30.020(68) [PERMITTED USES], AMENDING SECTION 17.32.020(41) [PERMITTED USES], ADDING SECTION 17.32.020(44) [PERMITTED USES], AMENDING SECTION 17.34.020(48) [PERMITTED USES], ADDING SECTION 17.34.020(52) [PERMITTED USES], ADDING SECTION 17.34.020(53) PERMITTED USES. .

Ordinance No. 1933 was introduced by title only by Councilmember Juarez.

11.

City Clerk Angie English announced that this was the time and place to hold the public hearing on Resolution 7193 - self-certifying completion of local requirements for conformance with Los Angeles County Congestion Management Program (CMP). Planning Department's declaration publication filed. No written communications. Call for Planning Department presentation. Call for oral comments. Motion-close hearing. Motion to approve Resolution No. 7193.

Planning Department‘s Declaration filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to Introduce Ordinance No. 1933.

Mayor Guidi called Harold Roth for a brief presentation. He said that the Congestion Management Program is a state-mandated program designed to address regional transportation needs in a comprehensive manner by linking transportation, land use and air quality decisions. The annual report provided information on building permits issued by the City during the prior year.

Mayor Guidi called for public comments.

Under oral comments, no one indicated a desire to be heard.

Mayor Guidi ordered the public portion of the hearing closed.

RESOLUTION NO. 7193

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT FOR 2008, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

Councilmember Lambert moved, seconded by Councilmember Parsons, that Resolution No. 7193 be approved and adopted.

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

12.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 189597-189664 ; 387613-388096 ; 189665-189672 ; 388098-388827

Warrant Totals: $839,740.59 : $ 2,113,779.22 : $ 760,771.85 ; $ 2,618,771.49

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

Resolutions and Ordinances.

13.

RESOLUTION NO. 7175

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2008; REQUESTING CONSOLIDATION OF SAID ELECTION WITH THE STATEWIDE ELECTION; REQUESTING THE ASSISTANCE OF THE COUNTY REGISTRAR OF VOTERS IN CONDUCTING SAID ELECTION; SUBMITTING A MEASURE TO THE QUALIFIED ELECTORS OF THE CITY AT THAT ELECTION WITH RESPECT TO THE CITY'S COMMUNICATIONS USERS' TAX (UTILITY USERS' TAX); AND DECLARING THE EXISTENCE OF AN EMERGENCY NECESSITATING SUCH ACTION.

Councilmember Juarez moved, seconded by Councilmember Lambert, that Resolution No. 7175 be approved and adopted.

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

14.

RESOLUTION NO. 7192

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING AND AUTHORIZING THE POLICE DEPARTMENT TO UNDERTAKE PROJECTS WITH THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL ("ABC") TO IMPACT ALCOHOL RELATED CRIMINAL ACTIVITY IN THE CITY AND TO ACCEPT $51,743.00 IN FUNDS FROM THE GRANT ASSISTANCE PROGRAM ("GAP") ADMINISTERED BY THE ABC.

Mayor Guidi moved, seconded by Councilmember Lambert , that Resolution No. 7192 be approved and adopted.

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

15.

RESOLUTION NO. 7194

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA RESTRICTING CURB PARKING ON SEVERAL STREETS THAT ARE ADJACENT TO SCHOOLS IN HAWTHORNE.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7194 be approved and adopted.

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

16.

RESOLUTION NO. 7195

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DESIGNATING AND AUTHORIZING CERTAIN CITY EMPLOYEES TO APPEAR FOR AND ON BEHALF OF THE CITY IN ANY LITIGATION IN THE SMALL CLAIMS COURT WHEREIN THE CITY OF HAWTHORNE IS A PARTY.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7195 be approved and adopted.

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

17.

ORDINANCE NO. 1924 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADDING SECTIONS 2.24.115 AND 2.24.116 TO THE HAWTHORNE MUNICIPAL CODE RELATING TO FEE & DEPOSIT EXEMPTIONS FOR CITY AND OTHER GOVERNMENT SPONSORED ACTIVITIES AND REDUCED FEE REQUIREMENTS FOR NON-PROFIT GROUPS AND OTHER ORGANIZATIONS APPLYING FOR PERMITS TO USE CITY OF HAWTHORNE PARK FACILITIES.

Ordinance No. 1924 was introduced by title only by Mayor Guidi.

18.

ORDINANCE NO. 1930 (2nd 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. 2008ZA04, AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, AMENDING CHAPTER 17.04 [DEFINITIONS], ADDING CHAPTER 17.17 [DENSITY BONUSES], AMENDING SECTION 17.36.010(U) [UNCLASSIFIED USES], ADDING SECTION 17.58.060 [OFF-STREET PARKING], AND AMENDING CHAPTER 17.68 [APARTMENT CONVERSION PROJECTS].

Mayor Guidi moved, seconded by Councilmember Juarez, that Ordinance No. 1930 be approved and adopted.

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

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

19.

Approve Progress Payment # 7 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 $263,103.30 funded from AB 1600 Funds Account # 410-4601-000-4730 and General Fund Account # 100-4109-000-4730.

20.

Approve Progress Payment # 3 and Final Acceptance to the current contract with PTM General Engineering Services, Inc. 5942 Acorn St Riverside, CA 95504-1040 for the Hawthorne Blvd Traffic Signal Modification Project, Project No. 07-06 in the amount of $75,285.81 funded from Gas Tax Account # 220-4106-000-4547.

21.

Approve the Purchase of certain Los Angeles County Flood Control easement right-of-way for the purpose of street widening at the intersection of Crenshaw Boulevard and 120th Street, Project No. 07-05 and authorize the City Manager to execute the transaction documents on behalf of the City.

22.

City Manager to execute the First Amendment to the Franchise Agreement for Residential, Commercial and Roll-off Refuse Collection and Disposal Service between the City of Hawthorne and Allied Waste Services.

MOTION TO TABLE

Councilmember Juarez moved, seconded by Councilmember Parsons, to table this item until the next meeting.

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

23.

Approve Agreement with PB Americas, Inc. for the preparation of Initial Study/Mitigated Negative Declaration related to the development of the proposed self storage facility at West 120th Street.

24.

Approve to authorize the City Manager to issue a Purchase Order to purchase certain equipment and/or services - Cisco Router.

Mayor Guidi moved, seconded by Councilmember Parsons that items 19, 20, 21, 23 and 24 of the City Manager's consent calendar be approved.

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

25.

CONTINUED ITEM

Housing Authority Annual Plan Program (Fiscal Year 2008-2009) and the Administrative Plan. Public Hearing held June 24, 2008. Motion to approve Plans.

Councilmember Juarez moved, seconded by Councilmember Parsons, to remove this continued item from the table.

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

Mayor Guidi moved, seconded by Councilmember Juarez, that the Plans be approved.

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

25.

Mayor Guidi adjourned the meeting at 9:15 due to a lack of a quorum.

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Angie Reyes English
City Clerk