

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD MAY 26, 2009.**

Mayor/Chairman Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meeting to order jointly and concurrently at 6:00 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 Gene Buhr from St. Joseph's Church gave the evening's invocation. Allen Richards made a speech on the meaning of Memorial Day and said a prayer for the armed forces. Francis Stiglich led the Pledge of Allegiance

Don Dear from Division 5 of the West Basin Water District gave a presentation on the water situation in California. Despite the recent rainfall, reservoirs in California are down. The Metropolitan Water District is calling for a 10 to 15% reduction in water use. As a result, West Basin had decided to come up with a program where they control most of our water. They would return imported water to a supplemental supply instead of the major supply by implementing a program called "Water Reliability 20/20". Recycling efforts would be doubled from 30 million gallons a day up to 70 million gallons. Conservation efforts would be doubled, public education would be expanded and they would add 20 million gallons a day of ocean water desalination.

1.

Under oral communications, **Steve Simeral** of Simeral Realty requested that Council review the matter regarding a late fee imposed on a license fee that he contends was submitted in a timely manner, but misfiled by the license department. **Ferris Schick**, 3712 W. 147th St., spoke on the deplorable condition of the 3700 block of 147th street between Kornblum and Fonthill after a water main burst in the area a couple of months ago. He asked that the street be repaired. **Mohammad Farooquii**, A-1 Smog, 12205 Prairie Ave., spoke on a problem involving the back alley of his shop that was modified by the planning department thereby causing his door to be blocked. **Abdul Riaz** stated that when there are changes in the building, the tenant should be notified, but no one had notified the tenant. **Darlene Love** spoke on the poor turnout at last week's election. Suggested workshops on elections in order to motivate voters. Reported that a vacant house on 115th & Van Ness looks blighted. Also reported that the corner of 120th going east has a lot of trash on it. **Allen Richards**, 13828 Ramona Ave. spoke on the importance of voting. **Phillip Jones** reported that he has seen people going into the vacant house on 115th & Van Ness. Reported that airplanes from LAX are flying closer and closer to his home near Imperial and 115th Street. **Francis Stiglich** thanked the city for improving her area, but doesn't think affordable housing will upgrade her area. Feels there should be a law banning trash cans from sitting in front yards. **Jose Gutierrez**, President of Holly Park Homeowners Association, stated that the safety committee in Holly Park does a wonderful job of walking the neighborhood and reporting safety and health hazard conditions. Congratulated Curren Price, Jr. on being elected to the 26th Senate seat. **Alex Monteiro** thanked everyone for supporting the K9 dinner on May 21st. So far \$5,300 have been raised for the K9 dinner. Announced that on June 6th the 14th Annual Hawthorne Health & Sports Fair in conjunction with the 7th Annual 5K Run/Walk for the Hawthorne School District Nutrition Network will be held at the Memorial Center at 8am.

2.

Under Elected Officials Reports and Recommendations:

Councilmember Catano was excused from elected officials reports and recommendations.

Discussion/Action Items:

- Earthquake Insurance (Lambert)

Due to the three recent earthquakes that the city experienced, Councilmember Lambert inquired on the feasibility of purchasing earthquake insurance. The cost of earthquake insurance has gone up about 15% from last year putting it now at \$200,000 a year for a certain number of buildings at a 10% deductible. Funds from a dividend may be available to pay the premium, but that would be a policy decision from the Council. It would be looked at on year to year basis were the insurance to be purchased.

5/26/09

- Stop signs at 142nd Street & Kornblum Ave (Guidi)

Mayor Guidi stated that there was a correction for this stop sign. It is for 142nd and Ramona, not Kornblum. He requested the council's support on this issue. Councilmember Lambert moved, seconded by Councilmember Juarez to put a stop sign on 142nd Street and Ramona Avenue. The City Attorney Miyahira said it be agendized for the next meeting.

- Budget Update (Pathirana)

City Manager Pathirana gave a brief budget update. Revenues for next year are projected to be \$50.9million, which is a million dollar reduction in general fund revenues. Sales tax continues to be the single largest source of revenue for the general fund. For next year we are looking at just over \$10 million, which is half a million reduction in sales tax revenue. Motor vehicle licensing fees, utility user taxes and business licenses revenues have gone up. In summary, we are looking at a \$1million reduction in revenues to the general fund for the next fiscal year. The general fund spending plan for next year is \$53.3 million. We are looking at a \$2.4 million general fund deficit.

Councilmember **Lambert** congratulated Hollyglen resident Gerry Orleman on being elected treasurer by the Vietnam organization. Attended a surprise party for a 90 year old WW2 veteran who was at Iwo Jima. Thanked Bob Marcella for cooking at the K9 Dinner and thanked everyone who participated. Attended Olivia Valentine's reception for volunteerism, which was held last week at the Dorothy Chandler Pavilion. Attended the Veteran's Day service at the VFW. Thanked Arnie Shadbahr for the Public Works Week barbeque. Thanked the superintendent who changed the dress code for the elementary school kids, but is still concerned with the inappropriate way some high school students are dressing.

Councilmember **Parsons** attended the memorial service that was put on by the VFW and the American Legion. Commented how sad it is that we are losing our veterans and encouraged folks to spend time with a veteran as they have a lot of history they can teach. Anyone wishing to report noisy LAX aircraft can call 310-646-6473 or go to www.lawa.org. Reported that the city recently hit their goal of having 100 police officers. Would like to see more events posted on the city's website calendar. Inquired if the non-profits can use the city symbol without it being an official sanctioned event by the city and if the event is not sponsored by the city, should the non-profit be using a city hall number as an information source. Commented that it is shameful that the state will be taking \$1.1 million of the city's property tax to fix their problems.

Councilmember **Juarez** congratulated Olivia Valentine and Virgie Kitchens for their volunteerism awards from the Board of Supervisors. Attended the Yoshinoya restaurant grand opening which was also attended by the President and CEO of Yoshinoya who flew in from Japan for the event. Thanked Alex Monteiro for all the work he did in putting together the K9 dinner. Commemorative coins of past police dogs are being sold as a fundraiser; anyone interested in purchasing one can contact the police department K9 department. Attended the Memorial Day functions and encouraged anyone who knows a veteran to have them join the American Legion or the Veterans of Foreign Wars organizations. Thanked the police chief for the report on "Gifts for Guns".

Mayor **Guidi** would like the city council to consider finding the people that are trying to go back to a part-time State and Senate Legislature so we can write a letter of support. Would like to know how many people are reading the city's website. Stated that the superintendent of Centinela is working very hard to bring change to the schools. Listed new businesses that are moving into the city such as Analyst Inc, Point Studios and S&M Automatic. A bakery and a pasta company are also in the works to come to Hawthorne.

Mayor Guidi moved, seconded by Councilmember Parsons to agendize for the next meeting non-monetary support for the Teen Challenge Car Show, the 5K Youth Run & Community Health Fair, the Italian Festival and Farmer's Market.

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 Parsons, that the reading of the City Council minutes of the regular meeting of May 12, 2009 be waived and that they be approved and adopted.

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

5.

Mayor Guidi moved, seconded by Councilmember Parsons, to waive full readings of resolutions and ordinances on May 26, 2009's agenda.

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

6.

City Clerk English announced that this was the time and place for the Public Hearing regarding the City of Hawthorne's application for funding under the Office of Justice programs' recovery act to assist local law enforcement to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crime and to support youth mentoring.

City Clerk's Department's declaration publication was ordered filed. No written communications were received.

Mayor Guidi called for public comments.

Under oral communications, no one expressed a desire to be heard.

Mayor Guidi closed the public portion of the hearing.

Councilmember Juarez moved, seconded by Councilmember Lambert, to approve the Acceptance of a Grant from the Bureau of Justice Assistance and authorize the City Manger to execute all documents necessary to receive the grant.

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

7.

City Clerk English announced that this was the time and place for the Public Hearing and approval of proposed third amendment to Consolidated Plan and Annual Action Plan for Program Year 2008 – additional Community Development Block Grant funding under of the American Recovery and Reinvestment Act of 2009 (CDBG-R).

Planning Department's declaration publication was ordered filed. No written communications were received.

Mayor Guidi called for public comments.

Under oral communications, no one expressed a desire to be heard.

Mayor Guidi closed the public portion of the hearing.

Councilmember Juarez moved, seconded by Mayor Guidi, to approve third amendment to Consolidated Plan and Annual Action Plan for Program Year 2008 – additional Community Development Block Grant funding under of the American Recovery and Reinvestment Act of 2009 (CDBG-R) and authorize the City Manager to execute all required documents.

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

Warrants Nos.: 189893-189894 : 398465-399232

Warrant Totals: \$ 760,812.73 ; \$2,481,765.29

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

Resolutions and Ordinances.

9.

RESOLUTION NO. 7256

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL CITY PROPERTY TAX FUNDS ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA.

Mayor Guidi moved, seconded by Councilmember Parsons, that Resolution No. 7256 be approved and adopted.

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

10.

RESOLUTION NO. 7257

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO LEVY STREET LIGHTING ASSESSMENTS FOR FISCAL YEAR 2009-2010 AND SETTING TUESDAY, JUNE 9, 2009 AT 6:00 P.M. AS THE TIME AND DATE OF A PUBLIC HEARING.

Mayor Guidi moved, seconded by Councilmember Parsons, that Resolution No. 7257 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:

11.

Approve to Award the contract to the lowest responsive and responsible bidder for 135th Street Improvement Project (Project #08-02) FEDERAL # STPL- 5253 to Sequel Contractors, Inc. of Santa Fe Springs, CA.

12.

Approve Progress Payment No. 1 due to Martinez Landscape Company, 12337 San Fernando Road, Sylmar, Ca 91342 for 2008 City Wide Concrete Improvement Project in the amount of \$350,605.80.

Approve the Agreements with Public Service providers for use of CDBG and HOME funds – Annual Action Plan for Program Year 2009, July 1, 2009 to June 30, 2010 for the following providers:

- a. Richstone Center \$1,000
- b. CA Youth Karate Club \$1,000
- c. Moneta Gardens Improvement \$1,000
- d. Housing Rights Center \$40,800

The approval authorizes the Mayor to execute the four Agreements.

Mayor Guidi moved, seconded by Councilmember Parsons, that item 11 and 12 of the City Manager’s consent calendar be approved.

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

13.

Approve the Agreements for use of HOME and CDBG funds – Annual Action Plan for Program Year 2009, July 1, 2009 to June 30, 2010 with the following Agencies:

- a. Moneta Gardens Improvement
 Security Deposit Program
 \$75,000 (HOME)
- b. Behavioral Health Services
 Tenant based Rental Assistance
 \$36,000 (HOME)
- c. Access Community Housing
 Leslie Zepeda Memorial Neighborhood Improvement Program
 \$350,000 (HOME)
 \$25,000 (CDBG)
 \$25,000 (CDBG – Program Income)

The approval authorizes the Mayor to execute the four Agreements.

This item was separated in two parts, the whole City Council will vote on part a and c which are Moneta Gardens and Access Community Housing

Mayor Guidi moved, seconded by Councilmember Juarez, to approve part A and C of item 13 on the agenda.

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

After the first vote on Item 13 on the agenda, the City Council voted on part B which is Behavioral Health Services. Councilmember Catano left the room at the time of this vote due to the fact that he is on the Board of Directors of this institution.

Councilmember Parsons moved, seconded by Mayor Guidi, to approve part B of item 13 on the agenda.

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

14.

The Acting City Attorney, Russell Miyahira, presented the following agenda and requested approval of the indicated recommendation:

The Acting City Attorney, Russell Miyahira, recommended that the claim on behalf of Claimant Estate of Gloria Albertina Gonzalez-Escalante alleges that a dangerous condition of public property existed at the intersection of Hawthorne Boulevard and Lennox Boulevard. Claimant was killed in a pedestrian v. auto accident. The intersection is not located in the City of Hawthorne. The Acting City Attorney recommended to the City Council that this claim be denied in its entirety.

Councilmember Lambert moved, seconded by Mayor Guidi, that the claim on behalf of Claimant Estate of Gloria Albertina Gonzalez-Escalante alleges that a dangerous condition of public property existed at the intersection of Hawthorne Boulevard and Lennox Boulevard be denied in its entirety.

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

15.

TABLED ITEM

RESOLUTION NO. 7255

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA REPEALING RESOLUTION NO. 7000 RELATING TO POLICY PERMITTING BANNERS ON THE PUBLIC RIGHT-OF-WAY. Motion to adopt.

Councilmember Lambert moved, seconded by Mayor Guidi, that Resolution No. 7255 be removed from the table.

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

Mayor Guidi moved, seconded by Councilmember Parsons that Resolution No. 7255 be tabled again.

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

16.

Mayor Guidi adjourned the meeting at 8:10 p.m.

Angie Reyes English
City Clerk