

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD AUGUST 11, 2009.**

Mayor 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.

Teresa Santillan from Hawthorne Methodist Church gave the evening's invocation. Patricia Feldman of the Chamber of Commerce led the Pledge of Allegiance.

1.

Under oral communications, **Don Burkholder** 13734 Grider Ave., complained about the traffic situation in his neighborhood caused by the addition of new lanes and parking spaces at Peter Burnett School. **Don Harris** announced that world class motivational speaker Nick Vujicic will be coming to Hawthorne on September 25th. The event will be held at the Memorial Center from 7 to 9. Tickets will be available at City Hall, Teen Challenge and the Chamber of Commerce. **Jehad Jesri** of Lawndale questioned why his taxi received a \$100 parking ticket when there were no signs stating that commercial vehicles could not park in the area he was in. **Patricia Donaldson**, President and CEO of the Chamber of Commerce, announced that they will hold their Chamber Installation at the Memorial Center on August 27th at 7:30am. On August 29th, there will be a wine tasting event at Union Bank (El Segundo & Hawthorne) from 1pm to 3pm. Thanked the Hawthorne Police Department for their motorcycle police officers that are now on El Segundo between Van Ness and Crenshaw to deter speeding in the morning. **Ali Delawala**, owner of Rally's, 12812 S. Hawthorne Blvd., requested that the ordinance regarding temporary signs be put on the agenda to reconsider the current 30 day rule on banners as 30 days is not enough time for a business to advertise for the whole year. **Francis Stiglich** questioned whether she can ask police officers details regarding incidents that happen near her home. **Nilo Michelin**, Hawthorne School Board, thanked public servants Pablo Catano and Gary Parsons for their support and their service to the community. **Darlene Love**, 2003 W. 116th St., also questioned police incidents in her neighborhood.

2.

Elected Officials Reports and Recommendations:

Councilmember **Parsons** attended the CERT (Community Emergency Response Training) refresher course. Stated that the farmers market at 135th and Aviation is still thriving every Saturday from 9am to 1pm. Asked that the City Manager bring back a proposal on how to get apartment owners and managers more involved in the Crime Free Multi Housing Program. Asked if something can be done to support business owners against crime such as sending an officer out to businesses and having them check things such as security, lighting, locks and video systems. This would also help develop a relationship between the business owner and the police department. Thanked the So. Cal Water rep. that helped deal with the bad tasting water at an apartment building. Councilmember Parsons announced that he has chosen not to seek re-election and looks forward to seeing a very clean, competitive race based on the issues and visions to improve the city.

Councilmember **Lambert** inquired if we still have an ordinance that requires numbers on commercial rooftops and how much compliance there is regarding this ordinance. On Saturday, attended Supervisor Mark Ridley Thomas' meeting regarding the reopening of Martin Luther King Hospital. Clarified that banners are not for all businesses but rather for those that are 501C3.

Councilmember **Juarez** announced that a free program to provide medical care started this morning at the Forum and will continue through August 18th. The Assembly race will take place on September 1st. Those that wish to vote in that election and are not registered voters need to register by August 17th. Inquired if the reports from organizations that participated in the fireworks stands are ready.

Mayor **Guidi** attended the RAM (Remote Area Medical) press conference at the Forum and reported on how at 3:30 am already 3,000 people were waiting for medical attention when only 1,500 could be helped in one day. Regarding the whole new health care or health plans, it has not been taken into consideration

that many hospitals are closed. We need to get a letter to the health care committee in Washington and voice our opinion that there is a lot of money they're producing, if they could send some of that money to Inglewood, South Central and Hawthorne to reopen our hospitals. Invited everyone to attend and support new business Del Rey Grill on Hawthorne Blvd. and Imperial this Friday at 4:30pm. Commented that after all the hard work the city and the employees did to help balance the budget, a few days later the state took away \$1.2 million and then another \$2.6 million so now the city is about \$3.8 million back in the red. Stated that he would not support taxes as it would destroy the community. Would like to agendaize for the next meeting regarding the reopening of the budget to address this issue.

Discussion/Action Items:

- SB 696 – AQMD to restart issuing air permits to businesses and public agencies (Juarez)

Councilmember Juarez stated that while SB 696 doesn't really affect Hawthorne, it does affect the businesses around the South Bay whose air we do breathe. This bill was brought forth by Senator Rod Wright and it is for the CEQA exemptions which will allow businesses to issue credits. This will insure that it does not affect the regional economy as well as jobs not being impacted. There is support from the South Bay City of Governments. Asked for the Council's concurrence and would like the City Manager to write a letter of support to Alex Padilla, Chairman of the Senate State Utilities and Communications Committee.

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 Lambert, that the reading of the City Council minutes of the regular meeting of July 28, 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 Lambert, to waive full readings of resolutions and ordinances on August 11, 2009's agenda.

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

6.

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.: 190015-190040 : 401490-401741

Warrant Totals: \$998,009.92 : \$1,603,384.40

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

7.

Approve Treasurer's Investment Report for quarter ended June 30th 2009.

Mayor Guidi moved, seconded by Councilmember Lambert, that the Investment Report be approved.

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

NOES: None.

PUBLIC HEARINGS

8.

City Clerk English announced that this was the time and place for the Public Hearing and adoption of Resolution No. 7280, self-certifying the completion of local requirements for conformance with Los Angeles County Congestion Management Program (CMP)

Planning Department's declaration publication 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.

RESOLUTION NO. 7280

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, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7280 be approved and adopted.

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

NOES: None.

ORDINANCES

9.

ORDINANCE NO. 1943 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA GRANTING TO GOLDEN STATE WATER COMPANY, A CALIFORNIA CORPORATION, A FRANCHISE TO USE, OR TO LAY & USE, PIPES & APPURTENANCES FOR TRANSMITTING & DISTRIBUTING WATER FOR ANY & ALL PURPOSES UNDER, ALONG, ACROSS OR UPON THE PUBLIC STREETS, WAYS, ALLEYS & PLACES, AS THE SAME MAY NOW OR MAY HEREAFTER EXIST, WITHIN THE CITY OF HAWTHORNE.

Mayor Guidi moved, seconded by Councilmember Juarez, that Ordinance No. 1943 be approved and adopted.

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

NOES: None.

10.

ORDINANCE NO. 1946. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA REPEALING CHAPTER 9.30 OF THE HAWTHORNE MUNICIPAL CODE ("HMC") AND ENACTING A NEW CHAPTER 9.30 RELATING TO STREET BANNERS.

Ordinance No. 1946 was introduced by title only by Mayor Guidi.

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

11.

Approve Progress Payment # 8 to Trimming Land Co. Inc., located at 10513 Dolores Ave., South Gate, Ca 90280 for Street Tree Trimming (Project # 06-03) in the amount of \$43,930.00 to be charged to Account #100-4111-000-4051 in the amount of \$152,561.70 from Street fund Account # 225-106-000-4540..

12.

Progress Payment No. 4 and Final Payment due to Martinez Landscape Company Inc., located at 12337 San Fernando Road, Sylmar, California for 2008 City-Wide Concrete Improvement Project (Project # 08-06) in the amount of \$152,561.70 from Street fund Account # 225-106-000-4540..

13.

Approve the Installation or upgrade of school signs on 120th Street, Truro Avenue and the surrounding School Improvement areas to increase driver awareness of school and restrict pedestrians from crossing 120th St. at Truro Ave. and authorize the Director of Public Works to work with Hawthorne School District on this matter.

14.

Approve Progress Payment # 1 to Sequel Contractors, Inc, 13546 Imperial Highway, Santa Fe Spring, CA 90670 for 135th Street Improvement Project, Project No. 08-02, Federal # STPL-5253(013) in the amount of \$179,685.00.

15.

Approve Agreement between the City of Hawthorne and SIR-GEO the Geomatic Company to provide Topographical Surveying Services of Hawthorne Boulevard from El Segundo Boulevard to Rosecrans Avenue and authorize the Public Works Director to execute it on behalf of the City.

16.

Approve Amendment No. 1 to Agreement No. 4673-001 between the City of Hawthorne's JTDD/South Bay Workforce Investment Board (SBWIB), and the State of California (Employment Development Department) 001and authorize the Mayor to execute it on behalf of the South Bay Workforce Investment Board. This is an extension of an existing sublease agreement for space at the South Bay One-Stop Business and Career Center, Inglewood located at 110 S. La Brea Avenue in the City of Inglewood, California.

17.

Approve Second 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 and authorize the City Manager to execute the Second Amendment to the Franchise Agreement between the City of Hawthorne and Allied Waste Services.

18.

Approve Lease Agreement with Hawthorne Airport LLC for the Lease of a hangar at the Airport to house the Hawthorne Police Helicopter and authorize the City Manager to execute the agreement and authorize the City Attorney to make any minor revisions to helicopter lease agreement.

Mayor Guidi moved, seconded by Councilmember Lambert, that items 11 through 18 of the City Manager’s consent calendar be approved.

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

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

19.

The Acting City Attorney, Russell Miyahira, recommended that the settlement agreement has been reached in the claim entitled Alex Rivera v. City of Hawthorne (Claim No. 43-08) be approved and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiff Alex Rivera and his attorney, Geraldine G. Ly, Esq., The Law Offices of Real, Hernandez & Ly, 1212 N. Broadway, Suite 250, Santa Ana, California 92701 (714-542-4100), within seven days after the settlement is also approved by the ICRMA Board.

Councilmember Juarez moved, seconded by Mayor Guidi, that the settlement agreement in the claim entitled Alex Rivera v. City of Hawthorne (Claim No. 43-08) be approved and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiff Alex Rivera and his attorney, Geraldine G. Ly, Esq., The Law Offices of Real, Hernandez & Ly, 1212 N. Broadway, Suite 250, Santa Ana, California 92701 (714-542-4100), within seven days after the settlement is also approved by the ICRMA Board.

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

Optional Closed Session – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case) Name of Claim: Alex Rivera v. City of Hawthorne Claim No: 48-08.

THIS OPTIONAL CLOSED SESSION WAS NOT HELD

Councilmember Lambert requested her comments for the record.

“I just wanted to put on the record that I think we all up here have had these gouging suits up to here and some how or other either we do better with the with your negotiator or we look at the other side where they may be a problem. So I think we all feel the same way that this money doesn’t grow on grass so and also I wondered if you can provide us with a copy of what monies are in there now and how much have we spent since this budget has been in effect, okay, and how much would be left”.

20.

Mayor Guidi adjourned the meeting at 7:45 p.m.

Angie Reyes English
City Clerk