MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD SEPTEMBER 8, 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.

Pastor Phil Cookes from South Bay Celebration Church gave the evening's invocation. Youth Commissioner Ammar Kahf led the Pledge of Allegiance.

1.

Under oral communications, **Aimee Dudovitz**, 10940 Wilshire Blvd., Suite 2000, LA, attorney with Strumwasser & Woocher representing the Centinela Valley Union High School District, and **Jose Fernandez**, Centinela Valley Superintendent, gave background on what is going on with the Wiseburn unification. Centinela believes that any decision made by the State Board of Education should include giving every citizen in Hawthorne the right to vote on whether succession should go forward or not, that unification would cause Lawndale High (a top 400 performing school in the States) to close and that it would cause taxes in the community to go up greatly. **Patricia Donaldson**, President and CEO of Hawthorne Chamber of Commerce, met with Mayor Guidi and Councilmember Juarez who both assured her that they would run a clean campaign. **Alex Monteiro**, 12413 Ramona Ave., announced that the Lions picnic will be held at Holly Park this Saturday from 11am to 3pm. Food donations are appreciated. Announced that on November 14th at 11:30am, the Hawthorne Presidents Council will meet at the West Basin Municipal Water District in El Segundo where a tour of the plant will also be given. Stated that he is running for City Council and that is website is up and running. **Pat Carey**, 4588 W. 130th St., announced that he is running for the office of City Clerk. **Dan Turner**, 3311 Pacific Coast Hwy, of AutoNation, spoke against the proposed raising of business fees. **Rita Neimeyer**, 617 S. PCH, with Automotive Group, spoke against the proposed raising of business fees. **Gary Premeaux**, South Bay Ford President, spoke against the proposed raising of business fees. **Steve Wood**, 5100 Rosecrans, representing South Bay Ford, spoke against the proposed raising of business fees. **Gary Galbraith**, 5100 W. Rosecrans, South Bay Ford, spoke against the proposed raising of business fees. **Darlene Love** announced that their K-6 charter school opened today and appreciates all the help the church was given to get it ready. **Kyle Orleman** announced that she was selling entertainment books as fundraisers for local veterans in the community. Cost is $30 per book and can be ordered at www.vva53.org. **Alex Vargas**, 11974 York Ave. invited everyone to attend the North Hawthorne Community Association meeting on the 14th at 6:30pm. Announced that he is a candidate for City Council and his website is www.alexvargs.org. **Phil Cookes,** 12920 Cordary Ave., thanked everyone for the car show and announced that Teen Challenge will hold a golf tournament fund raiser on October 5th at La Mirada Golf Course at 1pm. Cost is $150 with lunch and dinner included. Also stated that Teen Challenge has a thrift store in Lynwood that will pick up donations at your home. **Francis Stiglich** spoke regarding a safety concern involving her neighbor's driveway.

1. a

Mayor Guidi recessed the City Council meeting to conduct a **Closed Session**: Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: James Crockett v. City of Hawthorne, et al., Case No.CV08-06364 GAF (CTx)).

Mayor Guidi called the City Council meeting back to order following recess with all Councilmembers present. He announced that the closed session was to discuss a closed session Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: James Crockett v. City of Hawthorne, et al., Case No.CV08-06364 GAF (CTx)). City Attorney Russell Miyahira stated that an action will be taken on item 16 of the City Attorney's consent calendar.

CITY ATTORNEY'S CONSENT CALENDAR

16.

A settlement has been reached in the case entitled James Crockett v. City of Hawthorne, et. al, Case No.CV08-06364 GAF (CTx).

RECOMMENDATION: That the City Council authorize and approve the settlement in the James Crockett lawsuit and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiff James Crockett and his attorneys, Jonas & Driscoll, within seven days after the settlement is approved by the City Council.

Councilmember Parsons moved, seconded by Councilmember Lambert to approve the Settlement in the case entitled James Crockett v. City of Hawthorne, et. al, Case No.CV08-06364 GAF (CTx).

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

2.

Elected Officials Reports and Recommendations:

Councilmember **Parsons** announced that their will be a ceremony in honor of 9/11 this Friday at 9am at the fire station on Grevillea and El Segundo. Announced that the County Prosecutors Association is going to have a tutorial on the Brown Act on Thursday, October 1st from 10am to 12pm at the Metropolitan Water District boardroom in downtown Los Angeles. This Thursday, September 10th there will be a Census 2010 meeting at 6pm at the Hawthorne Memorial Center. Community leaders will help to get the word out on how important it is to get an accurate count of everybody living in Hawthorne so that we get our fair share of federal money.

Councilmember **Lambert** inquired on the feasibility of chalk marking the parking spots on Hawthorne Blvd. Also asked that an overgrown shrub at 130th and Shoup be looked into as it has already caused a safety issue with two children. Inquired on whether city employees are wearing ID badges while on the job.

Mayor **Guidi** stated that he walked the mall with the mall owner and a potential developer interested in the site. If they were to turn this into a business campus, it is estimated that 4,000 jobs could come to the city. The good news is that right now housing is off the table for the site.

Councilmember **Juarez** attended the Chamber Installation breakfast where the recipients of the Ned Chaffee award and Citizen of the Year were announced. He congratulated Nelson Rios of Advanced Party Rentals, the recipient of the Ned Chaffee award and Bob Marcella who was chosen as Citizen of the Year. Asked for a moment of silence to honor Captain Tedmund Hall and Specialist Arnaldo Quinones, firefighters who gave their lives battling the Station Fire last month. Congratulated Coach Kathy Gore and the seven members of the South Bay Swim Team who recently qualified for the Southern California Junior Olympics. The swim team practices at the Hawthorne City Pool. Asked that residents not dump their over-the-counter and prescription drugs down the drain as this hurts the environment. Instead you can take them to our local CVS, Walgreens or Target where they will properly dispose of them. Reported that the California Highway Patrol and the Hawthorne Police Department have been working together due to a CAL GRIP grant and have made an increase in traffic stops, arrests, citations and vehicle impounds as well as assisting in many incidents. Inquired on whatever became of the memo on the city Youth Commission. Announced that Hawthorne Dentistry and Braces at 13935 Hawthorne Blvd. has received a grant that will provide free braces to children 11 to 18 years old based on income requirements. For more information, contact Lucy Alejandre at 310-973-6438.

Discussion/Action Items:

- Council Members Returning Their “Police Like” Identification Badges to Chief of Police (Parsons)

Councilmember Parsons spoke on how a while back the State Attorney General issued an opinion that said only people in law enforcement should carry a badge that looks like you are in law enforcement. Recently the State Attorney General clarified that opinion and said only people who are in a law enforcement-like capacity, which could be code enforcement and animal control, should be carrying badges like this. Councilmember Parsons suggested that his colleagues turn in their badges back to the Chief of Police.

Councilmember Parsons moved, seconded by Councilmember Juarez, to return their badges back to the Chief of Police. There was no vote taken at this time.

Councilmember Parsons then moved, seconded by Councilmember Juarez, to turn badges in and have them mounted on a plaque.

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

- Temporary suspension of Development Impact Fees (Guidi)

Due to a recent article that stated Hawthorne had a 16% unemployment rate, Mayor Guidi is looking for a way to create more business for the community and a way to bring in new development and jobs to the community. But due to increased development impact fees, several projects have stalled so he suggested the temporary suspension of development impact fees. Three or four projects could be rolling now if the developers didn't have to pay the development impact fees.

Mayor Guidi moved, seconded by Councilmember Lambert, to temporarily suspend development impact fees.

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

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 August 25, 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 September 8, 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.: 190063-190088 : 402504-402769

Warrant Totals: $784,655.02 : $1,658,199.55

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

7.

Deputy City Clerk Dicrisci announced that this was the time and place for the Public Hearing and approval of Consolidated Annual Performance Evaluation Report (CAPER) for CDBG, HOME, and ADDI funds.

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.

Councilmember Juarez moved, seconded by Councilmember Lambert, to approve Consolidated Annual Performance Evaluation Report (CAPER) for CDBG, HOME, and ADDI funds.

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

8.

Deputy City Clerk Dicrisci announced that this was the time and place for the Public Hearing on Revised Ordinance No. 2009ZA03, an Amendment to Title 17 (Zoning) of the Hawthorne Municipal Code, amending Section 17.38.065 (Discontinuation of a legal non-conforming use) and Section 17.38.210 (Nonconforming parking, loading and stacking facilities).

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

Mayor Guidi called for public comments.

Under oral communications, Mike Talleda, 14147 Hawthorne Blvd., spoke regarding a rental unit that has an issue with parking and hopes this ordinance will solve the issue.

Mayor Guidi closed the public portion of the hearing.

REVISED ORDINANCE NO. 1947 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, AMENDING SECTION 17.38.065 DISCONTINUATION OF A LEGAL NONCONFORMING USE, AMENDING SECTION 17.38.210 NONCONFORMING PARKING, LOADING, AND STACKING FACILITIES, AND MAKING FINDINGS IN SUPPORT THEREOF TO ALLOW CHANGES OF USE TO OCCUR, IRRESPECTIVE OF THE EXISTING NONCONFORMING PARKING, WITHIN THE C-2 (LOCAL COMMERCIAL) ZONE, SUBJECT TO A CONDITIONAL USE.

Ordinance No. 1947 was introduced by title only by Councilmember Lambert.

ORDINANCES

9.

ORDINANCE NO. 1954. (1ST Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 5.27.010 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO LICENSE FEES FOR NEW CAR DEALERS.

Ordinance No. 1947 was introduced by title only by Councilmember Lambert.
The City Manager, Jag Pathirana, presented the following agenda and requested approval of the indicated recommendations:

10.

Approve the Plans and Specifications and authorize the Director of Public Work's to advertise for bids with a return date of October 13, 2009 for the ESPL 5253(015) (Project # 08-04)

RECOMMENDATION: That the City Council approve the Plans & Specifications and authorize the Director of Public Works to advertise for bids with a return date of October 13, 2009.

11.

Approve to accept the bid and award the construction Contract for the City Street Improvement Project (Project # 09-01) FEDERAL STIMULUS # ESPL – 5253 (15) to All American Asphalt of Corona, CA, the lowest responsive and responsible bidder

12.

Approve Agreement between the City of Hawthorne and Tetra Tech for Construction Observation Services for Sewer Improvement Project #08-04 and authorize the City Manager to execute it on behalf of the City.

13.

Approve Agreement between the City of Hawthorne and KOA Corporation for Construction Observation Services for City-wide Street Improvement Project ESPL 5253(015) and authorize the City Manager to execute it on behalf of the City.

14.

Approve Agreement between the City of Hawthorne and Twining Infrastructure to Provide Quality Assurance Material Testing Services In Conjunction With the City-wide Street Improvement (Project # 09-01) ESPL 5253(015) to comply with Federal Funding Requirements and authorize the City Manager to execute it on behalf of the City.

15.

Approve Agreement between the City of Hawthorne and Ninyo & Moore to provide quality control material testing including field compaction and laboratory testing for the City-wide Street Improvement (Project # 09-01)

TABLED ITEM

ORDINANCE NO. 1952. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING TITLE 2, CHAPTERS 2.18, 2.32, 2.34, 2.36, 2.46 AND 2.54 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO ADMINISTRATION, CIVIL SERVICE AND PERSONNEL.

Councilmember Lambert moved, seconded by Councilmember Juarez, that Ordinance No. 1952 be removed from the table.

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

After discussion, Ordinance No. 1952 was introduced by title only by Councilmember Lambert.

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

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Angie Reyes English
City Clerk