MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD MARCH 23, 2010.

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 English, Juarez, Lambert, Vargas, Mayor Guidi.
Absent: None.

Kathy Wagner from Child Evangelist Fellowship Church gave the evening's invocation. Commissioner Ammar Kahf led the Pledge of Allegiance.

Councilmember English presented Certificates of Recognition to City Emergency Preparedness Coordinator Claudio Taniguchi and to Los Angeles County Fire Department Battalion Chief Derrick Wagoner, Captain Antonio Duran, Firefighter Specialist Carlos Arianos, Specialty Firefighter Yusef Duran and Utility Driver Danny Gutierrez in recognition of their leadership and service to the Spanish CERT 2010 training course benefiting Hawthorne. Over 40 Spanish speaking participants in the course graduated this past Saturday.

Mayor Pro Tem Juarez presented a Proclamation to Carlos Diaz, Aviation Little League President, in honor of Aviation Little League's 50th Anniversary of service to the youth of our community.

Dave Nadu and Norm Bauer of OPIS Network presented a video overview of the workshop they did with the City of Santa Ana in January; it is also a representation of the workshop they will be doing with Hawthorne. They are helping cities across California take a proactive approach to strengthening business and entrepreneurs who make them happen. Their economic plan is to work together to empower and transform 100 businesses in 100 days.

Mayor Pro Tem Juarez presented a Proclamation to Hawthorne Library manager Don Rowe in honor of National Library Week 2010 which is held from April 11 to April 17.

Mayor Pro Tem Juarez and Councilmember Lambert presented a Proclamation to Chapter 53 Vice President Kurt Gillett of the Vietnam Veterans of America in honor of "Welcome Home Vietnam Veterans Day".

Councilmember Vargas presented Certificates of Recognition to Gary Washington and Demar Bingham on the occasion of their appointment to the Hawthorne Youth Commission and on their designation as Hawthorne Teen Center Youth Council leaders.

1.

Under oral communications **Angela Gibson**, AT&T Community Relations Director, formally introduced herself to the Council and the community. Currently, AT&T is embarking on a project to upgrade their network in order to be able provide high speed internet access and advanced TV. **Pat Donaldson**, Chamber of Commerce, announced that there will be a trip to Stateline on March 29th from 6am to 6pm and an Easter egg hunt for underprivileged children on April 3rd at 12pm at the Memorial Center. Introduced and presented a plaque to new Chamber member Odell Body, owner of APlus Technology. **Jason Boze,** a representative of HAX, spoke about incidents that occurred at the HAX facility when they hosted a purported reunion event which turned into a "dance party" advertised on the internet. **Alex Monteiro** expressed condolences for Walt Dixon's family. Announced that if you receive a short form and a long form questionnaire from the census, fill and mail both back. If you need help with the census form, you can go to St. Joseph, Zela Davis School, Jefferson School, El Camino Center or the Islamic Center of Hawthorne. A census kickoff festival will be held on April 10th from 10am to 4pm at the Memorial Center in conjunction with Earth Day. On April 22nd there will be a money management seminar at the Memorial Center Venus Room from 5pm to 7pm. Volunteer Appreciation Day will be held on April 25th at 2pm. The Hawthorne School District will hold a spelling bee on March 24th at Washington Middle School at 6pm. **Mike Talleda,** President 9/11 Help America Foundation, introduced the foundation to the community. The foundation helps wounded soldiers and is located at 14147 Hawthorne Blvd. They will be holding a golf tournament on May 11th. **Darlene Love** read a poem entitled "If Tomorrow Never Comes". **Gordon Mego** announced that the conference scheduled for April

17th to reopen JFK Hospital has been cancelled. As a way to remember city historian Walt Dixon, suggested a city museum. **Jessica Ulloa** reported that a mechanic shop is taking up parking spaces in the 122nd Street neighborhood between Prairie and York leaving no parking for the residents. Also requested a stop sign on York. **Sean Walsh**, Hollyglen Homeowners Association President, reported on the first neighborhood council meeting. **Francis Stiglich** feels that only English should be spoken at Council meetings. **Allen Richards** gave a brief history of Walt Dixon's life in the service.

2.

Under Elected Officials Reports and Recommendations:

Discussion/Action Items:

- Direct the Planning Commission to begin action, including scheduling Public Hearing, to repeal the third amendment to the CBC Specific Plan which allowed Convention Center Uses due to significant police response required as a result of HAX sponsoring Rave Party on March 6, 2010. (Juarez)

Mayor Guidi recused himself on this discussion/action item.

After discussion Councilmember Juarez moved seconded by Councilmember English to begin action, including scheduling Public Hearing, to repeal the third amendment to the CBC Specific Plan which allowed Convention Center Uses.

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

- Robert Kennedy Hospital - proposed workshop (Lambert)

Councilmember Lambert thanked Mr. Mego for pursuing the idea of holding a workshop to reopen RFK Hospital, but feels he jumped the gun on this issue since there was no discussion with the three owners. When and if the owners do decide to do something, they will call a meeting themselves. Asked that Mr. Mego cease and desist regarding this issue.

- No smoking in City parks. (Guidi)

This item is currently still being drafted.

Councilmember **English** asked that the City Manager to look into how the city is supposedly sponsoring the 100 Businesses in 100 Days event. Attended the open house at Providence Little Company of Mary Medical Institute at 116th and Hawthorne. Offered condolences to Walt Dixon's family and friends and asked if the City Manager could provide the use of the Memorial Center for a possible repast or memorial. Also wants to look into possibly naming one of the rooms in the Memorial Center in his honor; the room would display the memorabilia he has collected over the years. Asked that the various Commissions report to the Council on what they are working on. Stated that if we need to speak a language so that folks understand what Council is doing, so be it. Thanked the organizations and agencies with regards to CDBG funding and HOME funds; it is her hope to provide additional assistance and looks forward to seeing what additional monies are remaining from HOME funds that eventually could be given out to those agencies that are deserving.

Councilmember **Vargas** met with the Ramona Homeowners Association group and congratulated them for their efforts and strong leadership. Asked for an update on the Gold's Gym situation, the Holiday Parade and term limit issues. The basketball invitational is scheduled for May 8th and the list of invitees will be released soon. Attended the Hawthorne Math and Science talent show; is interested in bringing some of that talent to city events. Requested to see a certain police survey in its entirety. Announced that there is a book by Walt Dixon that gives a history of Hawthorne.

Mayor **Guidi** reminded everyone that the Hawthorne Community Earth Day Festival will be held on April 10th in conjunction with the Census kickoff. Attended the Women's Club meeting as a speaker and

the Chamber business breakfast. Announced that the Italian American Museum of Los Angeles Historic Italian Foundation will hold a Big Band/Broadway Night at the Warner Grand Theater in San Pedro.

City Clerk **Huber** announced that in an effort to communicate with the public, he has started a column in the Journal entitled "Hawthorne Happenings", to give citizens an update on events happening in Hawthorne.

Mayor Pro Tem **Juarez** attended the Chamber Breakfast Mixer. Announced that the Registrar Recorder's office is looking for precinct workers; this can pay from $80 to $175 a day. Anyone interested should call 800-815-2666. Attended the Wiseburn Watch community association meeting where information was given on how to get an emergency survival guide. Attended the neighborhood association meeting. Asked that everyone complete the census. Stated that any residents who had damage to their electrical equipment during the recent power surge should contact Marvin Jackmon at 310-783-9341. Congratulated SpaceX for acquiring another commercial satellite contract. Announced that the Bunny Breakfast will be held on March 27th at the Memorial Center. The community dinner to help the canine program will be held on May 20th; tickets are available at the city. Asked for the status of the appraisal for the New Journey property. Inquired if the city will get a report on how to deal with the early release of the convicted criminals. Asked for report on in-pavement lighting from Public Works. Met with Arman Gabay regarding the mall and would like to move forward with LA Plan to do a cost study; will agendize for the next meeting. Spoke in remembrance of Walt Dixon and suggested putting a name plate on his chair in the chamber. Made a recommendation to nominate Walt Dixon for the Older American Recognition Day.

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 Lambert, that the reading of the City Council minutes of the regular meeting of March 9, 2010 be waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

5.

Mayor Guidi moved, seconded by Councilmember Lambert, to waive full readings of resolutions and ordinances on March 23, 2010's agenda.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, 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.: 190471-190477 ; 408949-409666

Warrant Totals: $842,661.92 ; $5,218,405.48

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

7.

RESOLUTION NO. 7298

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE DESTRUCTION OF POLICE DEPARTMENT INTERNAL AFFAIRS FILES (FROM JANUARY 1, 2004 TO DECEMBER 31, 2004) PURSUANT TO RESOLUTION NO. 7170.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7298 be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

8.

Councilmember English and Mayor Guidi recused themselves on this item.

RESOLUTION NO. 7299

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO ELECTED OFFICIALS WHO ARE NOT CALPERS MEMBERS AND FIXING THE EMPLOYER'S CONTRIBUTION AT AN AMOUNT EQUAL TO OR GREATER THAN THAT PRESCRIBED BY SECTION 22892 (b) OF THE GOVERNMENT CODE.

Councilmember Lambert moved, seconded by Councilmember Vargas, that Resolution No. 7299 be approved and adopted.

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

RESOLUTION NO. 7300

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7300 be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

PUBLIC HEARING

9.

City Clerk Huber announced that this was the time and place for the Public hearing on the Proposed Ordinance No. 1970 to revise the schedule for Development Impact Fees for the City of Hawthorne. Development Impact Fees are charged to developers in connection with both residential and non-residential developments to mitigate the costs associated with additional capital and infrastructure needs attributed to new developments. The proposed revised Development Impact Fees schedule is based upon a March 2010 study (the "Study") which projects developmental growth in the City through the year 2025. The Study separates the Development Impact Fees into three component fee parts related to the following public facility needs: (1) police, (2) parks, and (3) traffic. Notice of the Public Hearing was published in the Herald Tribune on March 11th and 18th 2010 pursuant to Government Code Sections 66018 and 66019.

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

Mayor Guidi called for public comments.

Under oral comments **Allen Richards** asked that these fees be reconsidered as there is a tremendous difference in what is intended and what the current fee is. **Phillip Jones** spoke in favor of lowering fees to get businesses to come to the city. **Francis Stiglich** feels fees are being dropped too much

Mayor Guidi ordered to close the public portion of the hearing. MOTION CARRIED.

ORDINANCE NO. 1970 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADOPTING A REVISED SCHEDULE OF DEVELOPMENT IMPACT FEES TO BE CHARGED TO DEVELOPERS IN CONNECTION WITH NEW DEVELOPMENTS (AB 1600 FEES).

Ordinance No. 1970 was introduced by title only by Councilmember Lambert.

10.

City Clerk Huber announced that this was the time and place for the Public hearing on Receipt of CDBG applications for Funding, Program Year 2010 (July 1, 2010 to June 30, 2011).

Planning Department's declaration publication filed. Direct Staff to prepare the Preliminary Annual Action Plan and commence 30-day public comment period to begin on March 29, 2010. Direct Staff to modify the proposed programs to be funded and their corresponding funding levels.

Mayor Guidi called for public comments.

Under oral comments **Allen Richards** questioned whether the Hollyglen application was applied for by an individual or applied for by the approval of a committee. **Ed Lynch**, Executive Director/Founder of Mychal's Learning Place, spoke on the history of Mychal's and their hopes for the population they serve. **Elizabeth Gonzales** spoke in support of Mychal's Place. **John Merryman**, South Bay Family Health Care, thanked Council for the consideration they've been given for block grant funding. **Alex Monteiro** stated that all the programs being funded under CDBG currently are worthy causes that protect the city and the citizens of Hawthorne and to keep an open mind that housing development should also go to the CHODO. **Robin Walsh** spoke on proposal to provide senior transportation to Hollyglen and North Hawthorne. **Roland Delrey,** Executive Director IT For Kids, spoke in support of Mychal's Learning Place. **Sean Walsh** asked that we continue to do much better in reaching out to the community and be open in how we get information out to everyone.

Mayor Guidi ordered to close the public portion of the hearing.

Councilmember Lambert moved, seconded by Councilmember Vargas to direct staff to prepare the Preliminary Annual Action Plan and commence 30-day public comment period to begin on March 29, 2010 and also direct staff to modify the proposed programs to be funded and their corresponding funding levels.

At Councilmember Vargas' suggestion, CDBG Code Enforcement would be reduced to $350,664 and the $50,000 from that program would be sent to South Bay Family Health Care $15,000, Mychal's learning place $20,000, Providence Little Company of Mary $15,000. On the HOME side, Access Community Housing would be reduced to $400,000 and the city's tenant based rental assistance program would be funded at $306,000. At Mayor Pro Tem Juarez' suggestion, Behavioral Health Services will be reduced to $20,000 and St. Margaret's Center will be funded at $16,000. At Councilmember English's suggestion, Access Community Housing would be reduced to $400,000 and the $50,000 will be reallocated to eligible programs among Moneta Gardens Improvement Inc, Richstone Center and Hollyglen Homeowners Association

Councilmember Vargas moved, seconded by Councilmember English to accept the changes made.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

ORDINANCES

11.

ORDINANCE NO. 1968 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.06.140 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO THE ORDER OF BUSINESS FOR CITY COUNCIL MEETINGS.

Councilmember Lambert moved, seconded by Mayor Guidi, that Ordinance No. 1968 be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

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

12.

Approve Retention Agreement with Coco Traffic Planners, Inc. re: performing traffic study for Mixed Use Overlay and R-4 Maximum Density Zone Change and authorize the Mayor & or City Manager to execute Agreement.

13.

Approval of Program Supplemental Agreement No. 010-N to Administering Agency-State Agreement No. 07-5253R and authorize the Director of Public Works to execute the agreement and all future supplemental agreements on the City's behalf.

14.

Approval of Program Supplemental Agreement No. 011-N to Administering Agency-State Agreement No. 07-5253R and authorize the Director of Public Works to execute the agreement and all future supplemental agreements on the City's behalf.

15.

Approve Progress Payment No. 1 due to Martinez Landscape Company, 12337 San Fernando Road, Sylmar, Ca 91342 for Weed Abatement, Landscape, and General maintenance (Project #08-08)- 2nd Year in the amount of $296,479.00.

Councilmember Vargas moved, seconded by Councilmember Juarez, to approve item 12 through 15 of the City Manager's consent calendar.

ROLL CALL-AYES: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
NOES: None.

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

16.

The Acting City Attorney, Russell Miyahira, recommended that the Settlement of Isaac Zimerman regarding property damage claim arising out of a city employee crashing into claimant's gate b e approve in the amount of $8, 500.

Councilmember Lambert moved, seconded by Councilmember Juarez, that the settlement of Isaac Zimerman regarding property damage claim arising out of a city employee crashing into claimant's gate b e approve in the amount of $8, 500.

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

17.

The Acting City Attorney, Russell Miyahira, recommended that the Claim of Alla Afremova age 74, alleging that he slipped and fell at 5877 San Vicente Boulevard, Los Angeles, California as a result of a dangerous condition of public property and suffered unknown injuries be denied in his entirety.

Councilmember Lambert moved, seconded by Councilmember Juarez, that the claim of Alla Afremova age 74, alleging that he slipped and fell at 5877 San Vicente Boulevard, Los Angeles, California as a result of a dangerous condition of public property and suffered unknown injuries be denied in his entirety.

18.

Mayor Guidi adjourned the meeting at 11:19pm. Allen Richards closed in memory of City Historian Walt Dixon.

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Norbert A. Huber
City Clerk