MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD MAY 11, 2010.

Mayor Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meeting to order jointly and concurrently at 6:04 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers English, Juarez, Lambert, Vargas, Mayor Guidi.
Absent: None.

Deacon Tom Moske from St. Joseph's Church gave the evening's invocation. Civil Service Commissioner Manuel Balboa led the Pledge of Allegiance.

Licensing Supervisor Lisa Miller conducted the drawing for the six fireworks booths. Eight organizations were eligible. The six chosen were Hawthorne Imperial Lions Club, Jim Thorpe/American Little League, Los Angeles County Teen Challenge, Hawthorne Parks and Recreation Foundation, Moneta Gardens Improvement Inc. and South Bay Celebration Assembly of God. The six chosen were then drawn again to determine the order in which they choose their locations. The order was Moneta Gardens Improvement Inc., Parks and Recreation Foundation, Lions Club, Teen Challenge, Jim Thorpe Little League and South Bay Celebration Assembly of God. Veterans of Foreign Wars, Post 2075 and American Legion Post 314 automatically operate booths and get first choice for locations. The American Legion chose Northgate Plaza at the corner of Rosecrans and Prairie; the VFW chose Albertson's at 12630 Hawthorne Blvd.; Moneta Gardens Improvement chose the Rosecrans location near Qudoba and Carl's Jr.; Parks and Recreation Foundation chose 11873 Hawthorne Blvd.; Lion's Club chose Ocean Gate Plaza at 14300-14500 Ocean Gate; Teen Challenge chose the Marshall's lot at 14400 Inglewood; Jim Thorpe Little League chose the Bally's lot at 5107 El Segundo at Ocean Gate and South Bay Celebration Assembly of God chose the southwest corner of Crenshaw and El Segundo at 12800 Crenshaw.

Shad Rezai, the District Manager Southwest Division for Golden State Water Company, gave a presentation regarding water issues. The company has been in operation since 1929 and serves 75 communities in 10 counties of California, one of those areas being Hawthorne. They are regulated by the California Public Utilities Commission, the California Department of Health and the U.S. Environmental Protection Agency. They meet and exceed all federal and state drinking water standards from the United States Environmental Protection Agency and the California Department of Public Health and submit monthly water quality reports to the CDPH. Recent complaints have come from the Fusion development regarding odor and from the Hollyglen neighborhood regarding color and odor. The complaints that Golden State has received have been addressed, field investigations have been done and there has been communication with the residents. All reports of color and odor have been addressed. All complaints need to be submitted to Golden State's 800 number, 800-999-4033, which is in operation 24 hours a day, seven days a week. Proactive measures such as flushing and valve inspection are done by Golden State. Mr. Rezai suggested setting up a town hall meeting in order to have better dialogue with their customers and the concerns they have. Mayor Pro Tem Juarez read a letter into the record from Marilyn Taylor of Hollyglen who could not be at the meeting concerning water quality problems with Golden State Water.

Jeff Lee of Lee Homes gave an update on Central Park, the development on 120th and Van Ness. They have had a five year relationship with the city and look forward to a continued relationship. They have tried to move diligently with the project in spite of the trying times in housing and real estate. They are now starting to see some movement in the area and have been approached by several of the large publicly traded builders to sell the property but that fell through. At this point Lee Homes is considering developing the property.

1.

Under oral communications **Ike Mbelu** and **Solo Azuoma** invited the Mayor and Council to the All Saints Anglican Church building grand opening at 12pm on May 22 at 3801 W. 132nd Street. **Sean Walsh**, 5444 W. 140th St., announced that the farmers market is doing well and invited everyone to come. Reported that the Neighborhood Council will meet on May 17th at the Hawthorne Police Department Community Room from 7pm to 9pm; for more information contact Sean at 310-714-3056 or Sean.Walsh24@yahoo.com. **Mike Castillo** from Assemblyman Bradford's office invited everyone to the Education Community Forum this Thursday from 5pm to 7pm at Inglewood City Hall. **Oliver Kunitake** spoke on the predictability of trends. **Pat Donaldson**, President of the Chamber, announced that there will be a fundraiser at Chili's where 15% of the sales will go to non-profits for the holidays for

Hawthorne's children; it will be held on May 13th. On May 14th there will be a mixer for city employees at 360. The chamber will hold a stimulus program on May 18th at 5:30 pm.; for more information, contact the Chamber. Stated that in the 12 years the Chamber has been at its location and the 16 years she's lived near Chester Washington Golf course, she has never had a problem with Golden State Water. **Darlene Love** asked that the weeds at Van Ness and Crenshaw at 120th be cut. **Alex Monteiro** thanked all the city staff and citizens that participated in the Relay for Life on May 1st and 2nd. Thanked Public Works Director Arnie Shadbehr for the work on Prairie Ave. which is looking fantastic. **Stephen Johnson**, President of Fusion HOA, 5400 149th Pl., #3 clarified that one call from them that comes from their property management company represents 280 homes so even if it's one call coming in, they are the only people that pay the water bill. The individual residents are all sub metered and then they bill the individual residents. **Hanna Bentley**, Fusion resident, submitted water test results from Fusion resident Carrie Fowler. **Suzanne Tagros**, Fusion resident, complained of stinky, smelly water ongoing for the past year and bumps on her arms. **Amber Bryan**, 5512 W. 149th Pl., #5, has experienced skin disorders, mildew smells associated with the washer and dryer and sulphur-like smells from both sinks in her master bathroom. **Kim Flynn**, 5401 W. 149th Pl., #4 has experienced sulfurous odors for 9 to 12 months. **Erin Monroe,** 5406 W. 149th Pl., #9, has also experienced mildewy towels and skin problems related to the water. **Selinda Vasquez** 5405 #5, has noticed a rotten egg-like smell over a year ago and has experienced skin issues. **George Avalos**, 5405 W. 149th, stated that he and other residents have done their own water testing and all the results have come out consistently bad**.** **Jennifer Newman**, 5406 #6, submitted toxicity reports she had made through a private lab and has also experienced skin problems. **Demar Bingham,** Vice President Hawthorne Teen Center and City Youth Commissioner, spoke on Brazilian Jiu Jitsu, a free class that is being given at the Teen Center and the Student/Police Dialogue which familiarizes kids with how the police department works. Invited Council to attend the dialogue on May 13th from 4pm to 6pm. **Gary Washington**, President Hawthorne Teen Center and City Youth Commissioner, announced that a financial literacy workshop will be available to teens on May 12th from 4pm to 6pm. The teen center will also have summer programs such as basketball, volleyball, dodge ball and field trips. **Greg Fallon**, 5412 W. 149th St., was disappointed with the presentation. Would have preferred to hear that the problem had been found and this is what's being done to fix it. **Robin Walsh**, 5444 W. 140th St., reported that in four years of living at her home, Golden State has flushed the hydrant on her street only within the last few months. **Kyle Orleman**, 5237 Wiseburn, requested that someone from the city be at her house tomorrow when a water representative has promised to look at the water situation at her home. Is concerned that a sinkhole may be forming in front of her home. Asked that the city and the charitable organizations that sell fireworks for fundraising give some consideration to finding an alternative to selling fireworks as the noise from fireworks are a major trigger for people who suffer from post traumatic stress disorder. Thanked the police for the terrific job they did in catching the people who were breaking in at Hollyglen.

2.

There were no Discussion/Action Items

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

3.

Councilmember Juarez moved, seconded by Councilmember Lambert, that the reading of the City Council minutes of the special meeting of April 15, 2010 and the regular meeting of April 27, 2010 be waived and that they be approved and adopted.

Special meeting of April 15, 2010.

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

Regular meeting of April 27, 2010.

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

4.

Councilmember Juarez moved, seconded by Councilmember Lambert, to waive full readings of resolutions and ordinances on May 11, 2010's agenda.

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

5.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 190187-190193 ; 410810-411095

Warrant Totals: $757,475.53 ; $8,865,861.82

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

6.

RESOLUTION NO. 7306

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO LEVY WEED ABATEMENT ASSESSMENTS AND SETTING A PUBLIC HEARING DATE ON JUNE 22, 2010 AT 6:00 P.M. FOR SUCH PROPOSED ASSESSMENTS.

Councilmember Juarez moved, seconded by Councilmember Lambert, that Resolution No. 7306 be approved and adopted.

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

PUBLIC HEARING

7.

City Clerk Huber announced that this was the time and place for the Public hearing on Proposed Ordinance No. 1972 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 an April 2010 study (the "Study") which projects developmental growth in the City through the year 2025. The Study separates the Development Impact Fees into four component fee parts related to the following public facility needs: (1) police, (2) parks and parkland acquisition, (3) traffic and (4) storm drain. Notice of the Public Hearing was published in the Herald Tribune on April 29th and May 6, 2010 pursuant to Government Code Sections 66018 and 66019.

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

Public Works Director Arnie Shadbehr explained that the proposed impact fee program is to ensure that new development can partially pay for capital costs associated with growth. The base year for this study is 2009. Existing populations and dwelling unit estimates are from the California Department of Finance and existing employment is from the California Employment Development Department. The occupant density is also from the California Department of Finance.

Mayor Pro Tem Juarez called for public comments.

Under oral comments **Dara Mir**, President of 9 to 5 Seating, asked for development fees to be reduced. **Gino Apachella**, representing Dynamic Sports, inquired why fees for new development were being

charged as he is moving into an existing building and doing remodeling. **Jeff Lee** would appreciate anything that can be done to lower the fees that would help them develop their property.

Mayor Pro Tem Juarez ordered to close the public portion of the hearing. MOTION CARRIED.

ORDINANCE NO. 1972 (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').

This item was continued until the next City Council meeting.

8.

City Clerk Huber announced that this was the time and place for the Public hearing on approval of Five Year Consolidated Plan for Program Years 2010-2014.

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

Mayor Pro Tem Juarez called for public comments.

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

Mayor Pro Tem Juarez ordered to close the public portion of the hearing. MOTION CARRIED.

Councilmember Lambert moved, seconded by Mayor Pro Tem Juarez, to approve the Five Year Consolidated Plan for Program Years 2010-2014 and authorize the City Manager to sign the application, certifications and all related documents and to submit same to HUD.

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

ORDINANCES

9.

ORDINANCE NO. 1971 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.22.120 AND CHAPTER 8.48 OF THE HAWTHORNE MUNICIPAL CODE AND ADDING SECTIONS 2.22.125, 2.22.126, 2.22.135, 9.38.140, 9.38.150, 9.39.190, AND 10.80.252A RELATING TO THE PROHIBITION OF SMOKING IN PARKS, CITY BUILDINGS, AREAS ADJACENT THERETO, COMMUNITY EVENTS, AIRPORT SPECIAL EVENTS AND PARADES, AND DELINEATING PENALTIES FOR VIOLATION OF SAID PROHIBITIONS.

Mayor Pro Tem Juarez moved, seconded by Councilmember Lambert, that Ordinance No. 1971 be approved and adopted.

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

The Interim City Manager, James Mitsch, presented the following agenda and requested approval of the indicated recommendation:

10.

Approve to Ratify reappointments /appointments the following to the South Bay Workforce Investment Board (SBWIB): Mr. Richard McNish of the South Bay Economic Development Partnership; Dr. Mildred Garcia, President, California State University, Dominguez Hills; Mr. Dwight Radcliff, United

States Veterans Initiative; Ms. Yvonne Mallory and Ms. Yvette Johnson representing the City of Gardena; to serve a 4-year term of office commencing July 1, 2010, and ending June 30, 2014.

It is also recommended that the Mayor and City Council ratify the following appointments/reappointments to the South Bay Workforce Investment Board (SBWIB): Mr. Brian Raber and Mr. Dobard (Private Sector) in Carson; Mr. Thomas M. Fallo, Superintendent/President, El Camino Community College; to serve a 4-year term of office commencing July 1, 2010, and ending June 30, 2014

11.

Approve the Request for Proposals for Refuse and Recycling Collection Services for City Facilities Contract authorize the Director of Public Works to advertise for proposals with a return date of June 8, 2010.

12.

Approve and authorize the Director of Public Works to extend the bid opening date from May 25, 2010 to June 8, 2010 for Crenshaw Boulevard Improvement project (project # 08-05) federal project # HPLUL - 5253(018), MTA PC25

13.

Approve Progress Payment #4 due to Vasilj, Inc. 15531 Arrow Highway, Irwindale, Ca 91706 for Sewer Improvement Project 2009-2011(Project # 08-04) in the amount $285,948.60.

14.

Approve Progress Payment No. 2 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 $366,744.94.

Councilmember Lambert moved, seconded by Councilmember Vargas, to approve items 10 through 14 of the City Manager's consent calendar.

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

15.

The Acting City Attorney, Russell Miyahira, recommended that the claim filed on behalf of Javier De Arlos in the amount of $6,500 for damages to his vehicle when a city tree fell on top of his 2002 Civic be approve.

Councilmember Lambert moved, seconded by Mayor Pro Tem Juarez, that the claim filed on behalf of Javier De Arlos in the amount of $6,500 for damages to his vehicle when a city tree fell on top of his 2002 Civic be approve.

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

16.

Under Elected Officials Reports and Recommendations. Appointment/Reappointments. Removals to commissions/committees and boards.

- Appointments of Sean Walsh, Olivia Valentine and Levi R. Stockton to the LAX Advisory Board Committee (Guidi)

Mayor Guidi did not take any action on this item.

Councilmember **Vargas** reported that the Hawthorne Unity Basketball Invitational was held this past Saturday and was a great success. The tournament was won by New Journey Ministries. Visited the senior center and deejayed for them this past Friday.

Councilmember **English** apologized for being late due to her just coming back from her daughter's college graduation. Assured the public that the city wants to work with Golden State Water to address the water concerns, but that we not jump to conclusions implying fault. Commended the basketball invitational that happened this Saturday and thanked staff. Requested that the City Manager provide a report regarding the sudden resignation of the police chief.

Mayor **Guidi** congratulated everyone who participated in Relay for Life and stressed the importance of continued research to help find cures. Wished all the moms, grandmas and aunts a Happy Mother's Day. Attended the South Bay UCLA Bruins Alumni dinner Saturday night at the Ayres Hotel and was surprised to see how many Bruins actually live in Hawthorne. Thanked everybody for the National Day of Prayer held at City Hall. Announced that the Red Cross will hold a blood drive at City Hall on May 27th from 9am to 3pm. Noted that the Iron Man 2 movie had scenes in it that were filmed at SpaceX in Hawthorne which is a positive boost to the city. Reported that the Hawthorne Target store has remodeled to include a grocery store and doing very well. Due to the two charitable organizations that host the Italian Festival having difficulty raising money, the festival may be postponed until September or October. Inquired if Council would be willing to help with funding for the Teen Challenge Car Show as it too may be short on funding. The city would not like to lose the car show since it not only boosts the businesses but also the morale of the city.

Councilmember **Juarez** thanked Lisa Miller for working through the new fireworks process and hopes the organizations are happy with the results. Attended the Relay for Life and the Basketball Invitational events. Thanked Jan Vogel for the wonderful job he did with the youth fair and hopes the kids and young adults are able to get jobs this summer. Attended Senator Wright's Financial Literacy Workshop and encouraged everyone to go to annualcreditreport.com to check their credit. Thanked Jan Vogel for letting him be part of the Gardena Certification Quality Review team; all of the One Stop sites received higher grades than the year before. Reported that 1.1 million signatures were gathered to put the "Californians to Protect Local Tax Payers and Vital Services Act" on the ballot and encouraged everyone to support this initiative. Congratulated Jan Vogel for being able to convince Congresswoman Maxine Waters to get another $500,000 for the STEM success project which provides opportunities for our youth to stay in school and be productive citizens. Announced that residents should have gotten a letter from Southern California Edison who will be coming in to install the Edison Smart Connect Meter which will allow you to manage your electrical resources and hopefully save you money in the long run. Clarified that the city was not responsible for distributing the two-page notice from Allied Services that was printed in English and Spanish and the city did not spend money on it. It was done by Allied because they know that the constituency here is Latino. Asked if the Planning Department could display literature regarding solar panels. Announced that the K-9 Community Dinner will be held on May 20th. Monies raised will go towards buying three police dogs. Door prizes and table sponsors are still needed.

City Clerk **Huber** stated that we need to upgrade our emergency preparedness plan. Congratulated Councilmember English on her daughter's graduation and explained that he will not be able to attend the next Council meeting as his son is graduating out of state.

City Treasurer **Lubenec** congratulated Alex Monteiro for the great job he did on the Relay for Life event.

17.

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: El Segundo Plaza Associates, LP v. City of Hawthorne, et seq., Case No. BC 404 244 – L.A County Superior Court.

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 Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: El Segundo Plaza Associates, LP v. City of Hawthorne, et seq., Case No. BC 404 244 – L.A County Superior Court. The City Attorney stated that staff has been advised.

18.

Mayor Guidi recessed the City Council meeting to conduct a **Closed Session**: Conference with Real Property Negotiator, pursuant to California Government Code Section 54956.8: Property: Approximately 1.65 acres of land located at 14115 Cordary Avenue, situated on the west side of Cordary Avenue, between West 139th Street and Rosecrans Avenue. APN No. 4051-030-016. Agency Negotiator: James Mitsch, Executive Director of the Redevelopment Agency. Under Negotiation: Price and Terms of Payment of the property

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18.

Mayor Guidi adjourned the meeting at 10:00 pm in the memory of Angela Williams and Jeffrey Kiyan.

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Norbert A. Huber
City Clerk