

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD JUNE 8, 2010.**

Mayor Pro Tem Juarez called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meetings 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, Vargas.
Absent: Councilmember Lambert, Mayor Guidi. (Excused)

Pastor John Richardson, Hawthorne Rotary President, gave the evening's invocation. Finance Director Steve Klotzsche led the Pledge of Allegiance.

A brief video in tribute to our Veterans was shown to the audience. Councilmember Juarez acknowledged all veterans in tonight's audience.

Councilmember English introduced E.J. Caldwell and Don Dear of the West Basin Water Board. Mr. Dear asked that Hawthorne become one of the area cities to endorse the Water Reliability 2020 Program. Alexis Tate, Chief Public Information Officer with West Basin, talked about Water Reliability 2020. This is a new program that West Basin is trying to do to lessen demand on imported water from 66% to 33% by the year 2020 and create more local supplies that can be controlled here in the South Bay. This will be done by expanding water recycling from 30 million gallons per day to 70 million gallons per day, continuing to double conservation and by adding a small amount of ocean water desalination.

Ramona Neighborhood Association President Allen Richards and members of the RNA board presented a \$300 scholarship to Jessica Centeno who recently graduated from Santa Monica High School. Jessica hopes to become a physical therapist and will be attending Mount St. Mary's College in the fall. Mr. Richards added that the RNA will be holding their 10th Annual Picnic on July 17th from 11am to 2pm and their National Night Out program on August 3rd. Both will be held at Ramona Park.

1.

Under oral communications **Allen Richards** read "The Meaning of Memorial Day" in recognition of our fallen heroes. **Patricia Donaldson**, President & CEO of the Hawthorne Chamber of Commerce, announced that there will be a Chamber Mixer at South Bay Ford on June 17th from 5:30 to 7:30. On June 10th from 11am to 11pm anyone who brings a flyer to Chili's Manhattan Beach, Chili's will donate 15% of sales to Hope is Helping. **Olivia Valentine**, President of Holly Park HOA, announced that they will hold a Pancake Breakfast on June 19th at Pacifica House, 2501 W. El Segundo Blvd., in commemoration of Juneteenth Day from 8am to 12pm. This is a fundraiser for scholarships; cost is \$5. **Jose Romo** of Leuzinger High School asked for assistance in securing the Memorial Center for an awards ceremony to recognize students who have achieved success. **Alex Monteiro** thanked Mark Hardison and his staff from

Parks and Recreation and the Public Works staff that worked at the Health Fair/5K last week. Reported that the Relay for Life has raised \$54,347.61 for the American Cancer Society. Requested to have a special presentation at the next Council meeting to recognize city departments that participated in the race. Announced that next month the police department will be presented with a check from the funds raised by the K-9 dinner. Announced that he will be attending the Memorial Center where Hawthorne Math and Science Academy, Moneta Gardens and Hawthorne Presidents Council will be presenting scholarships. On Wednesday night, Moneta Gardens, Hawthorne Presidents Council and the Lions will present scholarships to students at Hawthorne High School. On July 17th the Hawthorne Moose Lodge will hold a horseshoe tournament at 9:30am benefitting children and seniors. Cost is \$30 dollars to participate in the tournament and includes a meal, t-shirt and drinks. **Ammar Khaf** of the Islamic Center of Hawthorne announced that there will be a recycling event for electronic waste this Saturday at the Islamic Center from 10am to 3pm. **Francis Stiglich** read in the paper that Hawthorne had 526 homicides and only solved 226 and inquired if this was true. **James O'Grady** proposed that the gallons of water being flushed out on 141st Street be used to water the lawns or some other constructive use.

2.

Under Discussion/Action Items:

- a. Engage the services of Los Angeles County Public Landowners Assistance Network to analyze a possible use for the Hawthorne Mall (Juarez)

Rob Gilmore from the Los Angeles County Public Landowners Assistance Network returned with a revised letter of intent regarding the proposed uses for the former Hawthorne mall site. Councilmember Vargas didn't think it was necessary to have Mr. Gilmore explore the tenanting issue. Councilmember Vargas also asked when Mr. Gilmore would be providing the revised proposal.

Mayor Pro Tem Juarez moved, seconded by Councilmember English to move forward with obtaining the revised proposal from LA PLAN to analyze possible uses for the Hawthorne Mall.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

- b. AB 2290 - Early Release Notification (Juarez)

Mayor Pro Tem Juarez explained that the way the law is written right now, when a parolee is released under a supervised parole, the California Department of Corrections and Rehabilitation has to notify our local agency 45 days before that happens. But when a parolee is released without supervision, no notification is given. They are just released into the general public. AB 2290 is legislation being carried by Assemblymember Steven Bradford that would put into law 45 day notification for the release of unsupervised parolees. Mayor Pro Tem Juarez asked and received Council's support on this bill and directed the City Manager to write a letter of support to Assemblymember Bradford.

3.

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

4.

Mayor Pro Tem Juarez moved, seconded by Councilmember English, that the reading of the City Council minutes of the meeting of May 25, 2010 be waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

5.

Mayor Pro Tem Juarez moved, seconded by Councilmember English, to waive full readings of resolutions and ordinances on May 25, 2010's agenda.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

6.

The City Treasurer submitted a financial statement regarding warrants.

Mayor Pro Tem Juarez moved, seconded by Councilmember English, that the following warrants, properly audited and signed, be paid.

Warrants Nos.: 190206 - 190211 ; 411873 – 412129

Warrant Totals: \$755,242.52 ; \$ 5,492,600.85

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

7.

City Clerk Huber announced that this was the time and place to publicly receive, open and declare sealed bids for Refuse and Recycling Collection Services for City Facilities Contract.

Public Works Department submitted declaration of publication, which was ordered filed. Bidder’s bonds are required.

THERE WERE 3 BIDS RECEIVED. (ACCOMPANIED BY BIDDER’S BOND)

THE PRICE IS:

| | |
|-----------------------------|-------------|
| ON TIME DISPOSAL | \$14,378.96 |
| CONSOLIDATED WASTE DISPOSAL | \$12,178.65 |
| UNIVERSAL WASTE SYSTEMS | \$14,884.98 |

Councilmember Vargas moved, seconded by Mayor Pro Tem Juarez, that the bid be referred to staff for study and recommendation.

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

8.

City Clerk Huber announced that this was the time and place to publicly receive, open and declare sealed bids for Crenshaw Boulevard Improvement Project (project # 08-05) federal project # HPLUL - 5253(018), MTA PC25.

Public Work’s Department declaration of publication which was ordered filed. Bidder’s bond were required. Motion to accept the bids and authorize the Director of Public Works that upon analysis and review of all bids award the project to the lowest responsible and responsive bidder.

THERE WERE SIX BIDS RECEIVED. (ACCOMPANIED BY BIDDER’S BOND)

THE PRICES ARE AS FOLLOWS:

| | |
|--------------------------|-------------|
| EXCEL PAVING | \$4,979,590 |
| MINAKO AMERICA CORP. | \$7,440,700 |
| SULLY-MILLER CONTRACTING | \$4,934,070 |
| GRIFFITH CO. | \$4,864,210 |
| SEQUEL CONTRACTORS | \$4,897,225 |
| ALL AMERICAN ASPHALT | \$4,693,000 |

(Motion that bid be awarded to the lowest responsible bidder)

Councilmember Vargas moved, seconded by Councilmember English, that the bid be awarded to the lowest responsible bidder

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

PUBLIC HEARING

9.

City Clerk Huber announced that this was the time and place for the Public Hearing on Resolution No. 7313 - Confirming and Approving Diagram and Assessment contained in the Engineer's Report, and Levying Assessment for Improvement of the Street Lighting System (Landscaping And Street Lighting Act Of 1972) for the Fiscal Year Ending June 30, 2011.

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

Mayor Pro Tem Juarez called for public comments.

No one expressed a desire to speak on this topic.

Mayor Pro Tem Juarez ordered the public portion of the hearing closed.

RESOLUTION NO. 7313

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT DIAGRAM AND ASSESSMENT AMOUNTS, AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR IMPROVEMENT OF THE STREET LIGHTING SYSTEM (LANDSCAPING AND STREET LIGHTING ACT OF 1972) FOR THE FISCAL YEAR 2010-2011.

Councilmember English moved, seconded by Councilmember Vargas, that Resolution No. 7313 be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

10.

City Clerk Huber announced that this was the time and place for the Public Hearing to Approve Resolution No. 7314, Annexation application 2010AX01, a resolution of application for the City Council of the City of Hawthorne setting forth its intent to consider a reorganization involving the detachment of unincorporated parcels 4142-011-034 and 4142- 011-801 from Los Angeles County and their annexation to Hawthorne.

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

Mayor Guidi called for public comments.

No one expressed a desire to speak on this topic.

Mayor Guidi ordered the public portion of the hearing closed.

RESOLUTION NO. 7314

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SETTING FORTH ITS INTENT TO CONSIDER A PROPOSED REORGANIZATION INVOLVING THE DETACHMENT OF UNINCORPORATED PARCELS 4142-011-034 AND 4142- 011-801 FROM LOS ANGELES COUNTY AND THEIR ANNEXATION TO HAWTHORNE.

Councilmember English moved, seconded by Councilmember Vargas, that Resolution No. 7314 be approved and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

ORDINANCES

12.

ORDINANCE NO. 1972 (2nd 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’).

Mayor Pro Tem Juarez moved, seconded by Councilmember English, that Ordinance No. 1972 be approve and adopted.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

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

12.

Approve Progress Payment No. 3 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 \$125,151.10.

Mayor Pro Tem Juarez moved, seconded by Councilmember English, to approve item 12 of the City Manager’s consent calendar.

ROLL CALL-AYES: Councilmembers English, Juarez, Vargas.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

13.

The Acting City Attorney, Russell Miyahira, recommended that the claim filed on behalf of Cheryl Quickle for personal injuries due to a slip and fall incident on a parkway area located at 3937 W. 119th Place be denied in its entirety.

Mayor Pro Tem Juarez moved, seconded by Councilmember English, that the claim filed on behalf of Cheryl Quickle for personal injuries due to a slip and fall incident on a parkway area located at 3937 W. 119th Place be denied in its entirety.

ROLL CALL-AYES: Councilmembers English, Vargas, Juarez.

NOES: None. ABSENT: Councilmember Lambert, Mayor Guidi.

14.

Settlement Agreement between Michael Heffner and the City of Hawthorne.

RECOMMENDATION: That the City Council approve the Settlement Agreement.

THIS ITEM WAS PULLED AT THE MEETING BY THE CITY ATTORNEY.

15.

The Acting City Attorney, Russell Miyahira, recommended that the claim filed by Mercury Insurance on behalf of its client, Cuong Tran, alleging property damages as the result of being rear ended by a City of Hawthorne vehicle at or near the intersection of Rosecrans and Cordary Avenue on February 1, 2010 be approve in the amount of \$10,064.78 and that a release of warrant on June 9, 2010 to City Attorney Department be approved.

16.

06/08/10

Under Councilmembers comments:

Councilmember **English** commended Alex Monteiro for the 5K Run that was held this past Saturday. Acknowledged all our servicemen and women on Memorial Day for what they do in securing our well being and safety. Councilmember English shared that she has a nephew in the military who is a pilot and feels it is important to keep all our servicemen and women in prayer. Due to receiving a couple of responses from the community, expressed concern that the 6th Annual Teen Challenge Car Show is growing larger and larger to the point of one mile of cars and vendors that are taking up a lot of space. Asked for clarification on whether this event is a city sponsored event and if it is strictly volunteer. Requested to see projections and impacts for this event regarding public safety, police officers, the closed boulevard, vendors and the department of public health.

Councilmember **Vargas** also shares Councilmember English's concerns and requested to see a report regarding police and public safety and if there are city employees being hired by Teen Challenge, to see the breakdown on that too. Participated in the 5K event this past weekend and commended everyone who worked together in rerouting the event due to an incident that occurred that morning.

Councilmember **Juarez** congratulated Helen Morgan for being named the Superintendent of the Hawthorne School District. She will take over in July when current Superintendent Don Carrington retires. Announced that the American Legion will hold a breakfast at 9am and the VFW will hold a spaghetti dinner at 3pm this Saturday. Announced that a workshop for the budget has been scheduled for June 24th at 6pm in the City Hall Council Chambers. Asked for a report from a previous meeting where it was suggested to get a water truck to collect the water that is being flushed from the hydrants. Public Works Director Arnie Shadbehr reported that due to logistical problems, collecting the water is currently not feasible. Announced that Albert Vera, past Culver City mayor and innovator, passed away from a heart attack and asked that we keep him in our prayers. Announced that tomorrow night the Hawthorne School of Engineering is having an open-house and a fundraiser at the Hawthorne High School cafeteria at 5pm. The Fit for Gold Academy awards ceremony will take place on Thursday at the Memorial Center Polaris Room from 6pm to 7:30pm. Welcomed and introduced new Interim Finance Director Steven Klotzsche.

City Treasurer **Lubenec** thanked Alex Monteiro for all the fundraising that he does. Thanked all those in uniform like the police and firemen who always put their lives on the line to protect the community.

City Clerk **Huber** reported that he gave Council the resignation letter of Mr. Jack Wilson and with Council's permission, would like to invite Mr. Wilson to the Council meeting to thank him for his over 20 years of service to the City of Hawthorne for serving on the LAX board. Would also like to invite Mr. Pat Carey to thank him for serving on that board. During a discussion with Councilmember Vargas at the last election, it was suggested that we try to get as many churches, schools and service organizations to host polling places. City Clerk Huber reported that while he is not taking credit for the outcome, the county did choose 29 locations for tonight's election and out of those, only three are private businesses. He also suggested diminishing the number of polling places for the next election down from the 34 we currently have as it is costly for the city. Announced that the blood drive held at city hall was a success with over 30 pints of blood donated. Recognized Sue Casillas who is retiring after serving more than 20 years as principal from Ramona School. Would like National Night Out to be expanded so that it not only includes homeowner associations, but also any churches or service organizations who would like to put on a gathering.

17.

Mayor Pro Tem Juarez recessed the City Council meeting to conduct a **Closed Session**: Conference with Labor Negotiator (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: Jim Mitsch (re: Hawthorne Municipal Employees Assn & Hawthorne Executive Group).

Mayor Pro Tem Juarez called the City Council meeting back to order following recess with all Councilmembers present except for Councilmember Lambert and Mayor Guidi who were excused. He announced that the **closed session** was to discuss a Conference with Legal Counsel – Conference with

Labor Negotiator (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: Jim Mitsch (re: Hawthorne Municipal Employees Assn & Hawthorne Executive Group). The City Attorney stated that staff has been directed.

18.

Mayor Pro Tem Juarez recessed the City Council meeting to conduct a **Closed Session:** Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Two potential cases).

Mayor Pro Tem Juarez called the City Council meeting back to order following recess with all Councilmembers present except for Councilmember Lambert and Mayor Guidi who were excused. He announced that the **closed session** was to discuss a Conference with Legal Counsel – Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (Two potential cases). The City Attorney stated that staff has been directed.

19.

Mayor Pro Tem Juarez 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 Pro Tem Juarez called the City Council meeting back to order following recess with all Councilmembers present except for Councilmember Lambert and Mayor Guidi who were excused. He announced that the **closed session** was to discuss a Conference with Legal Counsel – 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 directed.

TABLED ITEMS

A.

RESOLUTION NO. 7307

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, DECLARING A STATEWIDE EMERGENCY IN 2010 AND CALLING FOR IMMEDIATE ACTION TO HELP PRESERVE THE REGION'S WATER STORAGE RESERVES AND URGING CITIES, COUNTIES, LOCAL PUBLIC WATER AGENCIES TO ACHIEVE EXTRAORDINARY CONSERVATION.

Councilmember English moved, seconded by Councilmember Vargas, that Resolution No. 7307 be removed from the table.

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

After discussion, Councilmember Vargas moved, seconded by Councilmember English, that Resolution No. 7314 be approve and adopted.

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

B.

ORDINANCE NO. 1973 (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.

Mayor Pro Tem Juarez moved, seconded by Councilmember Vargas, that Ordinance No. 1973 be removed from the table.

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

Mayor Pro Tem Juarez moved, seconded by Councilmember Vargas to continue this item until the next meeting.

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

20.

Mayor Pro Tem Juarez adjourned the meeting at 9:45p.m.

Norbert Huber
City Clerk