MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD SEPTEMBER 14, 2010.

Mayor Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meetings to order jointly and concurrently at 6:03 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

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

Pastor Eddie Vargas from Lawndale Christian Church gave the evening's invocation and led the Pledge of Allegiance.

A brief video from the 9th annual Memorial to 9/11 was shown.

Mayor Guidi presented a Proclamation to Pastor Greg Merrill in honor of Centinela Bible Church's 60th Anniversary. Pastor Merrill also published a book of homes in the Ramona area, with all proceeds going back to the Ramona Homeowners Association.

Dr. Helen Morgan, Hawthorne School District Superintendent, gave an update on school happenings. School has started but unfortunately enrollment is down by about 275 students from the same day last year. Classes are running pretty close to capacity. Hawthorne Math and Science Academy has been named a blue ribbon school; only 25 schools in California receive this honorable distinction. The bond oversite committee, except for one member, will require all new members; applications for this committee will be available soon. District APIs have gone up. The district API is 783 with the state target being 800. Hawthorne Math and Science Academy received an API of 883, the highest in the district. Centinela Valley Adult School is holding some of their ESL classes in the district. Back to School nights are tomorrow at Prairie Vista, Eucalyptus, Zela Davis and Washington Schools; all are welcome to attend.

Mel Calloway, Executive Vice President with Kinecta Federal Credit Union, gave a presentation on what they want to do in the City of Hawthorne to expand their relationship with the city as well as with the members and families in the community. Kinecta originally began as the Howard Hughes Credit Union and recently bought Nix check cashing. Kinecta soon be moving to a new site on El Segundo and Hawthorne Boulevard.

Tom Quintana and Patricia Donaldson of the Lions and Kiwanis Clubs presented a check to Dr. Helen Morgan for the family of Chiona Okeke. The Okeke family was in a severe car accident that caused the death of Chiona, a Hawthorne School District student.

The meeting recessed for cake to celebrate Councilmember Vargas' birthday.

1.

Under oral communications **Patricia Donaldson,** President of the Chamber of Commerce, announced that the chamber mixer will be held on Thursday at Ocean Gate Baptist Church from 5:30 pm to 7:30pm. **Yvette Johnson,** with Behavioral Health Services, will be putting together a health and job fair at Pacifica House, 2501 W. El Segundo Blvd. She asked if there are any service clubs or individuals that would like to have a booth. The event is scheduled for October 7th from 10am to 2pm. **Paul Lowe** invited everyone to attend the next meeting of the Holly Park Homeowners Association on October 7th at Atherton Baptist Church, 2627 116th Street; Assemblymember Steve Bradford will be the guest speaker. **Wyneva Chenáult-Flores** warned that there may be termite infested trees that lean towards residents' homes in the area of 126th and Freeman. **Sean Walsh**, President Hollyglen Homeowners Association, inquired on the locations of pipelines in the city and whether they are near residences. Thanked the city and employees for achieving a balanced budget. Inquired on where revenue comes from percentage wise and if revenue comes from property tax value. Would like to see a plan put together for the quality of life of our citizens and visitors. **Estela Villanueva** presented a petition for a stop sign and lighting in the area of 118th Street and Doty. **Mike Castillo,** on behalf of Assemblyman Bradford, invited the non-profits in the area to the California Legislative Black Caucus Foundation "Meet the Corporate Funders" event on September 24th at Loyola Marymount University from 8am to 1pm. This event is meant to bring together non-profit organizations and corporate funders to come and meet and talk about how they could potentially fund some of their programs. For more information, call Mr. Castillo at 310-412-6400. **Brenda Sinai** related the sad news that on September 5th the Okeke family lost their 11 year old daughter in a car accident.

Services will be held on September 17th at St. George Episcopal Church. **Nilo Michelin** read out the names of 19 used car dealerships in the city and spoke against more used car dealerships.

2.

Under Discussion/Action Items:

a.- **Urgency in Updating City of Hawthorne General Plan** - Direct Planning Staff to provide presentation to City Council on September 28th on; 1) reasons necessary to update the General Plan, which has not been comprehensively updated since 1989 ; 2) status of goals and policies of the 1989 General Plan, and 3) estimated cost of a comprehensive update. (Vargas)

Councilmember Vargas moved, seconded by Mayor Guidi to change the presentation date to October 12, 2010.

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

b.- Consider adopting City-wide policy of prohibiting City/City Manager from retaining/hiring companies, consultant, law firms, individuals, etc., who have brought lawsuits against the City, who have acted as expert witnesses in litigation against the City or who have threatened litigation against the City. The City-wide policy should specify that there are many qualified firms and individuals that the City may retain and there is no reason to hire any of those firms or individuals who have acted contrary to the City's best interests. (Vargas)

Councilmember Vargas moved, seconded by Mayor Guidi to implement a policy of prohibiting City/City Manager from retaining/hiring companies, consultant, law firms, individuals, etc., who have brought lawsuits against the City, who have acted as expert witnesses in litigation against the City or who have threatened litigation against the City. The City-wide policy should specify that there are many qualified firms and individuals that the City may retain and there is no reason to hire any of those firms or individuals who have acted contrary to the City's best interests.

Councilmember Juarez requested to also add lobbyists that have relationships with current or past elected officials.

Mayor Guidi also requested to add lobbyists, state and federal elected officials, consultants and manufacturers.

ROLL CALL-AYES: Councilmembers Juarez, Lambert, Vargas, Mayor Guidi.
NOES: Councilmember English.

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 Juarez, that the reading of the City Council minutes of the special meeting of August 20, 2010 be waived and that they be approved and adopted.

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

Mayor Guidi moved, seconded by Councilmember Juarez, that the reading of the City Council minutes of the regular meeting of August 24, 2010 be waived and that they be approved and adopted.

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

Mayor Guidi moved, seconded by Councilmember Juarez, that the reading of the City Council minutes of the special meeting of September 7, 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 Juarez, to waive full readings of resolutions and ordinances on September 14, 2010's agenda.

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

6.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 190412-190456 ; 415179-415484

Warrant Totals: $753,915.08 ; $8,875,099.20

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

7.

RESOLUTION NO. 7333

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, PROVIDING FOR THE TERMS AND CONDITIONS OF EMPLOYMENT OF THOSE EMPLOYEES REPRESENTED BY THE HAWTHORNE EXECUTIVE GROUP ("HEG"), ACCORDING TO THE PROVISIONS OF THE HAWTHORNE MUNICIPAL CODE ("HMC") AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2010-2011 MEMORANDUM OF UNDERSTANDING

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7333 be approved and adopted.

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

8.

City Clerk Huber announced that this was the time and place for the Appeal Application 2010AA01, a request by the applicant, Steve Layman, for Clearwire to appeal the denial by the Planning Commission of Conditional Use Permit 2010CU04, a request to build a "roof mounted" wireless telecommunications facility on the property located at 13030 Inglewood Avenue in the C-3 (General Commercial) zone.

Planning Department's declaration publication filed. One written communication was received.

Mayor Guidi called for public comments.

Under oral comments Bill Lindner, Doreen Stalla, Valerie Buddie, David Dinnel and Sean Walsh spoke in opposition of cell towers.

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

Mayor Guidi moved, seconded by Councilmember Vargas to direct the city attorney to prepare a resolution upholding the Planning Commission's decision on CUP2001CU04.

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

9.

Clerk Huber announced that this was the time and place for the City Council Appeal Application 2010AA02, a call for review of Planning Commission approval of Conditional Use Permit Application 2010CU03 for the operation of a used car dealership, an automobile rental agency, and the sale of new automotive parts at 13736 Hawthorne Blvd.

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

Mayor Guidi called for public comments.

Under oral communications, Sean Walsh, Alicia Brewster, Nilo Michelin and Katrina Manning spoke against a used car dealership

Willie Dedmari of D.W. Engineering spoke in favor and stated that this new business would improve the area and bring employment.

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

Councilmember Juarez moved, seconded by Councilmember Lambert to direct the city attorney to prepare a resolution reversing the Planning Commission's decision.

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

10.

Clerk Huber announced that this was the time and place for the Public hearing on fourth amendment to Century Business Center Specific Plan, Section 4.2 (Permitted Uses); Section 4.4.5 to modify development standards; and Section 4.4.8 to modify parking standards (2010SP01).

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

Mayor Guidi recused himself from this item.

Mayor Pro Tem Juarez called for public comments.

Acting Planning Director Gregg McClain prepared a power point presentation of the chronology of issues that happened beginning in March of 2009.

Sergeant Wiley of HPD, Lieutenant Steve Romero of HPD, Ed Dugan, Building Inspector, George Miller of Discovery Economics, and Kevin Ennis, Outside Council spoke in opposition on behalf of the City. Honorable Rudy Svorinich, Jr. or Svorinich Government Services, and Jeff Herdman, CEO of HAX spoke in favor.

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

RESOLUTION NO. 7331

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE FOURTH AMENDMENT TO THE CENTURY BUSINESS CENTER SPECIFIC PLAN TO AMEND PERMITTED USES (SECTION 4.2), TO MODIFY DEVELOPMENT STANDARDS (SECTION 4.4.5), TO MODIFY PARKING STANDARDS (SECTION 4.4.8), AND MAKING FINDINGS IN SUPPORT THEREOF (2010SP01).

Councilmember Vargas moved, seconded by Councilmember English, that Resolution No. 7331 be approved and adopted.

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

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

11.

Approve Progress Payment #1 due to All American Asphalt for Crenshaw Boulevard Improvement Project (Project # 08-05) FEDERAL PROJECT # HPLUL - 5253(018), MTA PC25 in the amount of $934,356.92 funded from the MTA Call For Project Grant PC25, Proposition 1B, HPLUL 5253-018 and Measure R.

12.

Approve Purchase of a replacement 2011 Ford Crown Victoria Police Interceptor, black and white patrol car.

13.

Approve the sole source purchase as determined by the Chief of General Services and Public Work's, for the purchase and installation of traffic signal pedestals from the W.A. Rasic Construction for the underground project of 120th Street and Prairie Avenue.

Mayor Guidi moved, seconded by Councilmember Juarez to approve item 11 through 13 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:

14.

The Acting City Attorney, Russell Miyahira, recommended that the claim filed on behalf of Beatrice Cardenas alleging ongoing and continuous sex, race and religious discrimination and harassment during her employment with San Gabriel Valley Foundation for Economic Growth through funding provided by South Bay Work Force investment Board be denied in its entirety.

Mayor Guidi moved, seconded by Councilmember Lambert, that the claim filed on behalf of Beatrice Cardenas alleging ongoing and continuous sex, race and religious discrimination and harassment during her employment with San Gabriel Valley Foundation for Economic Growth through funding provided by South Bay Work Force investment Board be denied in its entirety.

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

15.

The Acting City Attorney, Russell Miyahira, recommended that the claim filed on behalf of Oscar Tapia Zaragoza and Juan Carlos Guadiana alleging violation of their civil rights and loss of $60,000 that was seized by the Hawthorne Police Department during a traffic stop be denied in its entirety.

Councilmember Juarez moved, seconded by Mayor Guidi, that the claim filed on behalf of Oscar Tapia Zaragoza and Juan Carlos Guadiana alleging violation of their civil rights and loss of $60,000 that was seized by the Hawthorne Police Department during a traffic stop be denied in its entirety.

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

16.

Under Elected Officials Reports and Recommendations:

Councilmember **Lambert** commented on the show of sprit and sorrow and remembrance for 9/11 that was held at city hall. Thanked Pastor Manila from Ocean Gate Church for speaking at the 9/11 tribute.

Encouraged the public to visit the new Ashley Furniture store as it carries a fabulous array of different things. Announced that the South Bay Workforce Investment Board is seeking unemployed home repair/remodeling professionals to learn the green style of building. For more information, contact Mr. Jan Vogel at 310-970-7700. Asked for a no vote on Prop. 25 as it would reverse the lower property taxes that are presently being paid as a result of the Jarvis Act.

Councilmember **English** reminded everyone that Community Emergency Response Training begins September 24th through the 26th at the Memorial Center from 9am to 4:30pm. Thanked those individuals that sent her emails with their concerns regarding the telecommunications facility on Inglewood Avenue. Announced that Edison is providing an assistance program through a grant up to $1500 for Southern California Edison and The Gas Company customers that are in a hardship. The deadline for applying is September 21st. This funding is made available through the American Recovery and Reinvestment Act. For more information, call 800-933-9677. Announced that on September 15th at 7pm, the Hawthorne Police Department Community Affairs Unit in Partnership with Mission, Inc. will hold a mentoring service for at-risk youth. For more information, contact Sgt. Williams at 349-2822. Commended Wells Fargo for providing assistance to groups in Hawthorne at a September 2nd community support breakfast. Announced that New Journey Ministry will host their annual community picnic and back-to-school for all students in the community at Jim Thorpe Park on September 19th at 1:30pm. There will be food and give-aways; everyone is welcome.

Councilmember **Juarez** attended the 7 Eleven grand opening on Hawthorne Boulevard. This was an outdated store that the owner gutted from top to bottom. Encouraged the patronage of this business, especially if you like coffee since it now serves about 15 different varieties. The owner is also willing to open another store in the city if he finds the right location. Attended the Holypark Homeowners Association where there were a lot of good speakers. Stated that there is a non-profit organization called the JET Foundation that goes to skid row every weekend to provide blankets and easy opening canned food to the people there. If you would like to donate, contact James Taylor at 323-242-9156. Attended the North Hawthorne Homeowners meeting which had a jam packed agenda, lots of good speakers and a gentleman from Youth Build that is looking for individuals that want to get into the pre-apprentice training. There will be a meeting for the training on October 7th at 6pm at Youth Build, 5021 Lennox Blvd, Lennox. Announced that on September 18th and 19th the Environmental Services Center will hold a free lamp exchange of up to 10 lamps. Asked for Council's support to write a letter in favor of AB2012, a bill that would increase jail time from six months to twelve months for those charged with animal neglect. Also asked for a letter of support to veto AB155 Mendoza, local impediments to bankruptcy. Encouraged everyone to attend the 10th Anniversary celebration of the South Bay Swim Team, which will be held at the Hawthorne pool on September 23rd at 6pm. Inquired on when the financial reports for the fireworks will be available. Inquired on the report for the appraisal of the Hawthorne water system. Requested that if any new proposals come up regarding the budget, that they be offset by something else.

Councilmember **Vargas** stated that he is looking forward to meeting his neighbors at the New Journey Ministry picnic on Sunday. Attended the 7 Eleven rededication and encouraged everyone to visit it at 13711 Hawthorne Blvd. Attended the 9/11 ceremony and thanked our local police department and all the safety personnel around the country for being alert and vigilant. Attended the Ashley Furniture grand opening and was very impressed with the products. Received a call from a resident regarding concerns with the smart meters and radiation but assured that the emissions are less than what is emitted from a cell phone. While attending the North Hawthorne Community Association meeting is was expressed by the residents that the graffiti control department is doing a superb job. Announced there will be another unity basketball tournament in November; all community groups are invited to participate. Meet & Greet with hours with Councilman Vargas are being held on the second and fourth Mondays of the month from 4:30pm to 5:30pm.

Mayor **Guidi** congratulated everybody who worked hard on the budget. Stated that a business looking for property on El Segundo expressed concern that a recycling center in the area will attract transients. There is a concern with cars parking along the railroad tracks at Hawthorne High during baseball games; asked that this danger be looked into. There is now a new walkway to Target on 120th Street. Announced that Chase has committed $10 million to small businesses; would like to use this money to hold a financial fair to help small businesses and attract new business. The Hawthorne Police Department and the City of Hawthorne will hold a blood drive on September 28th from 9am to 3pm at the HPD Community Room.

City Treasurer **Lubenec** thanked City Manager Jim Mitsch for the great job on the budget. Apologized

for not being able to attend the 9/11 ceremony, but thanked his wife and children for attending on his behalf.

City Clerk **Huber** announced that St. Joseph Church will be holding their annual fiesta on September 24th, 25th and 26th. Attended the Hawthorne High football game and was very impressed with the well behaved students that attended.

17.

Mayor Guidi with concurrence if the city council requested that this closed session be postponed until the next council meeting.

Closed Session: Conference with Legal Counsel – Initiation of Litigation against a third party, pursuant to subdivision (c) of Section 54956.9 (One potential case).

18.

Councilmember Vargas adjourned the meeting at 10:25 p.m. in the memory of Chiona Okeke.

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Norbert Huber
City Clerk