

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF HAWTHORNE,  
CALIFORNIA HELD OCTOBER 12, 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. 126<sup>th</sup> 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. Patricia Donaldson led the Pledge of Allegiance.

Hawthorne School District Superintendent Helen Morgan gave her monthly district update. Tomorrow night the school board will be voting to adopt some priorities and goals for the school district for the 2010-11 school year. Meetings to discuss goals began in July and a special board meeting was held to determine what those goals would be. Priorities include improving student achievement, fiscal solvency, parent and family involvement, district image and district culture. To support family friendly schools, Dr. Morgan has directed each school site to develop a parent center at their sites. These centers are places where parents can go to get information and to have meetings.

Councilmember Vargas presented Dario Manriquez, Shannon Gonzalez and Shirley James, Teen Center Representatives. (Accompanied by staff member and former teen center participant Latu Manufeki and Youth Coordinator Gaby Lopez) who gave a report on their work at the Teen Center. The center will host a Pink Ribbon Day on October 21<sup>st</sup> from 5pm – 7:30pm and a pumpkin carving contest on October 28<sup>th</sup> from 4pm – 5:30pm. SAT Prep, homework help and tutoring, peer mediation and basketball are some of the activities being held at the teen center. College Bound and Cooking Club are new programs currently being held. The center's second year celebration will be held on November 17<sup>th</sup> from 4pm – 7pm. You can RSVP by calling the teen center.

Councilmember Vargas moved, seconded by Mayor Guidi to appoint Dario Manriquez and Shannon Gonzalez to the Youth Commission.

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

Mayor Pro Tem Juarez presented a DVD to the Hawthorne Los Angeles County Library on Nikkei for Civil Rights & Redress "STAND UP FOR JUSTICE". Donald Rowe, Librarian, received the gift on behalf of the library.

Mayor Pro Tem Juarez presented a Proclamation to Spencer Lyons from the American Cancer Society honoring National Breast Cancer Awareness Month.

1.

Under oral communications, **Ammar Kahf** of the Islamic Center of Hawthorne, invited the Council and the community to their annual Open Mosque Day on October 17<sup>th</sup> at 2:30pm. The purpose of this event is to educate and bring awareness to the community of what the Islamic Center does. **Don Rowe** of the Hawthorne Library announced that there will be a book and bake sale this Saturday at the library from 9am to 3pm. On October 30<sup>th</sup>, the Wildlife Company will present "Safari Across the World" at 2pm. On December 11<sup>th</sup> and 18<sup>th</sup>, Peggy Hasegawa will return with Origami workshops at 2pm. Applications to enter the yearly bookmark contest are due on October 30<sup>th</sup>. This year's theme is "Swing into Reading" and the contest is open to grades Kindergarten through 12<sup>th</sup> grade. **Pat Donaldson**, Chamber of Commerce President & CEO, announced that the Halloween Mixer will take place on October 28<sup>th</sup> from 5:30pm to 7:30pm at Beach Cities Aviation Academy. **Alex Monteiro** announced that the Community BBQ Dinner for the Holiday Assistance Program will be held on October 21<sup>st</sup> at 5pm. The next meeting of Relay for Life will be held on November 1<sup>st</sup> at 6pm at Hawthorne Moose Lodge. The Lions Club meeting will be held on October 19<sup>th</sup> at 7pm at the Moose Lodge. **Gordon Mego** stated that residents in the community are excited about the possibility of bringing shopping, restaurants and entertainment to the former Hawthorne Mall. Commended Olivia Valentine for the presentation at the last meeting regarding LAX issues. Spoke against measure CV. **Darlene Love** stated that some of ladies from the Senior Women's Club are unhappy with the way Council meetings are run as there are too many questions and arguments regarding the agenda. **Allen Richards** announced that the Ramona Neighborhood Association

will meet on October 21<sup>st</sup> from 7pm -9pm at Ramona School to discuss earthquake preparedness. Spoke against Proposition 13. Spoke against hiring the Fransen Company regarding the renovation of the former Hawthorne Mall. **Francis Stiglich** feels Council should be more prepared as there is too much talking and questions being asked during meetings. Does not feel the mall owner will do anything until the city helps.

Discussion/Action Items:

a.- Consider amending Chapter 8 of the Hawthorne Municipal Code pertaining to the requirement of convalescent and nursing homes to post their five-star rating issued by the Federal Government's Centers for Medicare and Medicaid Services. The rating, with five stars being the highest and one star the lowest, includes medical care, staffing levels, food services, sanitation, bedsores mitigation and the results of licensing inspections. (Juarez)

Councilmember Juarez moved, seconded by Mayor Guidi to amend chapter 8 of the Hawthorne Municipal Code to include the federal Government's rating system for convalescent and nursing homes.

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

NOES: None.

b. - 3 on 3 Unity Invitational Basketball Tournament (Vargas)

Councilmember Vargas stated that due to the great response from the participants of the past basketball tournament, another tournament will be held on November 13<sup>th</sup>. Groups, associations and departments are encouraged to participate.

c. - Presentation by Fransen Company re: their proposal for their ideas concerning renovating the abandoned Hawthorne Mall site and their experience in bringing to life other deciding mall sites. (Vargas)

John Fransen of the Fransen Company explained that they are not brokers or developers; they work with all the different disciplines regarding malls and urban districts. Past projects have included Third Street Promenade, Santa Monica Pier and Paseo Colorado. They proposed an approach in phase one where they would gain an understanding of the owner's position, their plans, their capabilities and their attitude regarding the property, the market and the opportunities. Phase two would take the first phase and incorporate it into a strategic plan that would identify specific initiatives in great detail.

d. - Approve Proposal by Fransen Company and authorize City Manager to execute agreement with Fransen re their proposal. (Vargas)

Councilmember Lambert moved, seconded by Councilmember Juarez to decline services at this time.

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

NOES: Councilmember Vargas. ABSTAIN: Mayor Guidi.

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, to waive full readings of resolutions and ordinances on October 12, 2010's agenda.

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

NOES: None.

5.

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.: 190477-190492 ; 416252-416513

Warrant Totals: \$698,389.92 ; \$8,789,336.69

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

6.

#### RESOLUTION NO. 7339

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, MAKING FINDINGS CONCERNING THE DENIAL WITHOUT PREJUDICE OF CONDITIONAL USE PERMIT APPLICATION NO. 2010CU04 BY CLEARWIRE WIRELESS FOR A WIRELESS TELECOMMUNICATION FACILITY AT 13030 INGLEWOOD AVENUE.

Councilmember Juarez moved, seconded by Councilmember Vargas, that Resolution No. 7339 be approved and adopted.

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

7.

#### RESOLUTION NO. 7342

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, OPPOSING PROPOSITION 19 TO THE INITIATIVE TO LEGALIZE MARIJUANA.

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7342 be approved and adopted.

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

8.

#### RESOLUTION NO. 7343

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING, APPROVING & RATIFYING THE SUBMITTAL OF THE FISCAL YEAR 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM LOCAL SOLICITATION & DIRECTION TO STAFF TO POST THE COMPLETED APPLICATION ON THE CITY WEBSITE FOR PUBLIC COMMENT.

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7343 be approved and adopted.

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

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

9.

Approve the creation of a new job classification of Forensics Specialist in the Hawthorne Municipal Employees Memorandum of Understanding (“MOU”).

10.

Approve Progress Payment #2 due to All American Asphalt for CRENSHAW BOULEVARD IMPROVEMENT PROJECT (Project # 08-05) FEDERAL PROJECT # HPLUL - 5253(018), MTA PC25 in the amount of \$435,337.25 funded from the Development Impact fees.

11.

Approve the Sale of City property—Assessor’s Parcel Nos. 4055-021-901, 4048-004-915, and 4055-008-901, located north side of West 120th Street, south of Interstate 105, west of Crenshaw Boulevard, and east of Kornblum Avenue (across from Hawthorne Municipal Airport). RFP for sale of subject property was published on August 19, 2010 in both the Daily Breeze and Herald Tribune and responses were due on October 1, 2010. In addition, the RFP was sent to one dozen interested firms and individuals. Only one response to the RFP was received on the due date. Pursuant to the RFP terms, the sole bid was opened at 4:05 p.m. on October 1, 2010. It is also recommended to staff to prepare and negotiate purchase sale agreement for the sale of the subject property to Prairie, Inc for \$1,265,000.00 as per October 1, 2010, proposal submitted by Prairie, Inc and direct the City Manager to accept the \$25,000 non-refundable deposit from Prairie, Inc upon opening of escrow, and to close escrow no later than 60 days after the City Council approve the agreement. In addition, direct staff to agendize for City Council approval the final purchase sale agreement with Prairie, Inc.

12.

Approve to Authorize City Manager/Finance Director to execute issue purchase order for purchase of five (5) CBE electronic imaging for the City Clerk, City Attorney, Human Resources, Public Works and Planning Department to commence the Herculean task of imaging all of the City’s documents. Although the purchase of the imaging machines was not budgeted for FY 2010-2011, the funds to pay for these machines will come from unanticipated revenue recently received, in the amount of \$52,488.08.

Councilmember Lambert moved, seconded by Councilmember Vargas, to approve items 9 through 12 of the City Manager’s consent calendar.

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

NOES: None.

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

13.

The Acting City Attorney, Russell Miyahira, recommended that the Settlement of lawsuit entitled Angel Gonzalez v. City of Hawthorne, Case No. YC 060 004. This lawsuit arises out of a rear end collision that occurred on July 7, 2008 between Plaintiff and a vehicle being operated by a City of Hawthorne employee be approved in the amount of \$27,000.00 and approve the release of warrant on October 13, 2010 to City Attorney Department, payable to Angel Gonzalez & Ellis Law Corporation, 883 N. Douglas Street, El Segundo, CA 90245.

Mayor Guidi moved, seconded by Councilmember Juarez that the Settlement of lawsuit entitled Angel Gonzalez v. City of Hawthorne, Case No. YC 060 004. This lawsuit arises out of a rear end collision that occurred on July 7, 2008 between Plaintiff and a vehicle being operated by a City of Hawthorne employee be approved in the amount of \$27,000.00 and approve the release of warrant on October 13, 2010 to City Attorney Department, payable to Angel Gonzalez & Ellis Law Corporation, 883 N. Douglas Street, El Segundo, CA 90245 be approve.

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

NOES: None.

## Under Elected Officials Reports and Recommendations:

Councilmember **English** offered her help regarding the community dinner of October 21<sup>st</sup>. Announced that the Thanksgiving luncheon for seniors will be held on November 18<sup>th</sup>. Stated that Council is working together to move the city forward and that their biggest hope is the mall. Hopes to have another round table discussion regarding the mall and appreciates that Councilmember Vargas has actively been working on this.

Councilmember **Lambert** spoke against Proposition 25, which will take away Jarvis benefits. Requested that the city directory be updated. Hopes everyone will participate in the Christmas holiday dinner. Encouraged everyone to visit the Ashley furniture store.

Councilmember **Vargas** spoke in support of Proposition 22, which saves city coffers. Thanked the Jose Marti Club for inviting Council to the Cuban Festival. Attended the retired police personnel picnic at Chevron Park. Requested a legal confidential on the strategy for the delegation of code enforcement's activities, a report on how they are being deployed throughout the city and what they are going to look after. Stated that the Hawthorne Mall is still very important and we will move forward to make something good happen.

Councilmember **Juarez** congratulated first year Hawthorne High School Coach Joe Kanach who ended his 45 game losing streak with a win over Firebaugh High School in Lynwood. Thanked Tom Quintana and Rotary Club for inviting him and Councilmember Vargas to read to the kids at Zela Davis School. Thanked the Code Enforcement department for the Park Rangers appreciation luncheon. Attended the Kiwanis Club Installation Dinner at the Automobile Driving Museum in El Segundo and congratulated Jerry Flory for being awarded the Kiwanian of the Year, Alice Huhn for receiving the Dunlap Fellowship Award, Pat Donaldson on her great year as president of the Kiwanis and Mark Balarsky for being elected as the new president. Attended the BHS Job and Health Fair and thanked Vasek Polak, SBWIB, Kinecta, Department of Mental Health and LA Community Care Medical Association for supporting this event. Attended the Cuban Festival and hopes more people would attend these types of events as it makes our community unique. Received an emergency evacuation plan for city hall and requested that the yard, police department memorial center and senior center also receive a plan for their respective buildings. Announced that the Parks and Recreation/Fine Arts Commission will hold a meeting regarding the Hawthorne Historical Committee on Thursday at 6pm at the Memorial Center. Suggested a location at Eucalyptus Park as a permanent site for the historical museum. Anyone interested in the history of the city should think about participating at this meeting. After reviewing the dog fess of nearby cities, feels that we are in line with our fees and there is no reason to raise them. Inquired on the status of the requested report on the Homeless Prevention and Rapid Rehousing Program.

Mayor **Guidi** spoke on the clean, polite city of Sedona and hopes to model Hawthorne after it. Spoke against Propositions 25, 26 and 19. Announced Stated that a furniture factory, 9 to 5, will be opening on Jack Northrop Drive that will create jobs. Asked that the city save money and cut down on spending as next year will be tough. Asked that before anything is agendized, that we know the actual funding source. Would like to see the overtime log reports on a regular basis and a copy of the housing report. Wished his granddaughter and Councilmember English's granddaughter a happy birthday. .

City Clerk **Huber** stated that the October 14<sup>th</sup> meeting concerning the historical group is a fact finding meeting and if any of the Councilmembers want to have any input into the direction this group will go they are more than welcome to attend. The meeting will be held at the Memorial Center.

Mayor Guidi recessed the City Council meeting to conduct a **Closed Session**: – Conference with Legal Counsel – Initiation of Litigation against a third party, pursuant to subdivision (c) of Section 54956.9 (One potential case).

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 – Initiation of Litigation against a third party, pursuant to subdivision (c) of Section 54956.9 (One potential case) and staff was directed.

.16.

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

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 – 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 The Acting City Attorney stated that the Agency Negotiator was directed.

17.

Mayor Guidi adjourned the meeting at 9:11p.m.

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Norbert Huber  
City Clerk