

**MINUTES OF A REGULAR AND SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD DECEMBER 14, 2010.**

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

Pastor David Manila from Ocean Gate Southern Baptist Church gave the evening's invocation. Chris Montez led the Pledge of Allegiance.

Mayor Guidi presented a Proclamation to Chris Montez in recognition of his many great achievements in music and for the lasting contributions he has made to our society. Chris Montez is a Class of 1960 Hawthorne High graduate who went on to become an internationally known entertainer and inspiration to thousands of admirers around the world.

Mayor Guidi presented a Proclamation to former Hawthorne High School alumni in honor of the 50th anniversary of the graduation of the Class of 1960.

Dr. Helen Morgan introduced Alan, a third grade student at Ramona School, who participates in the two-way bilingual immersion program. He has participated in the program since kindergarten. Dr. Morgan announced that Friday is the last day of school for three weeks; HMSA will be off for two weeks. The canned food drive for Moneta Gardens ends tomorrow; food can still be dropped off at the district office.

Chief of Police Robert Fager presented certificates to Lt. Gary Tomatani and Detective Vincent Arias in honor of them being chosen as December's Employees of the Month.

Councilmember English presented a Certificate of Recognition to Mike Talleda in acknowledgment of his service, commitment and dedication as president of the 9/11 Help America Foundation. The foundation is located in Hawthorne and helps wounded warriors and their families. The offices of Senator Rod Wright and Assemblyman Steve Bradford also provided recognition certificates.

Mayor Pro Tem Juarez presented a Proclamation to Dr. Kiran Magiawala for his recent honor of Outstanding Volunteer by the South Bay Cities Council of Governments. Dr. Magiawala was recognized for his many hours of volunteer service and support of the South Bay Council of Governments Environmental Service Center.

Mayor Pro Tem Juarez presented a Proclamation to Emily Shanklin honoring Elon Musk and the men and women of SpaceX who are providing our nation with the capabilities of achievement, greater and more cost effective aerospace technologies and bringing much prosperity and viable exposure to our community and the entire South Bay. SpaceX recently became the first commercial company ever to launch a space craft into earth's orbit and return it safely.

Item from the special meeting agenda:

Councilmember Lambert presented a Certificate of Recognition to Alex Monteiro honoring him for his tireless devotion to programs and services that benefit the young and the old through his service as Executive Director of Moneta Gardens Improvement, Inc. Mr. Monteiro is also involved with many local organizations including the Lions, Hawthorne Presidents Council, American Cancer Society, The Moose Lodge and as a board member of the Hawthorne School District.

1.

Under oral communications **Hans Pfeiffer** expressed concern over the speed and amount of traffic on his street, 136th between Prairie and Jefferson and asked for speed bumps to be installed. Pastor **John Richardson** spoke against changing the Mayor Pro Tem. Pastor **David Manila** thanked Council for helping with the "Miracle in the Making" event that was held at Ocean Gate Southern Baptist Church. Pastor **George Williams** announced that Ocean Gate Southern Baptist Church will be putting on a special Christmas drama on the crucifixion; there will also be a Christmas party and toy giveaway afterwards.

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Pat Donaldson, Hawthorne Chamber of Commerce, announced that the Christmas chamber mixer will be held this Thursday from 5:30pm to 7:30pm; admission is an unwrapped toy. A Christmas party will be held at HAX on December 22nd at 3pm; 5000 toys and 600 turkeys and boxes of canned goods will be given away. The chamber will be hosting a New Year's Eve party at the Double Tree Hotel in Torrance; cost is \$75. **Renee, James and Melanie** thanked Council and various organizations for their support at Ocean Gate Church's "Miracle in the Making." **Norm Morton** spoke against changing the Mayor Pro Tem. **Manuel Balboa** expressed recognition for Elon Musk, founder and owner of SpaceX. **Olivia Valentine**, Los Angeles International Airport Area Advisory Committee, spoke regarding a letter on the reconfiguration of LAX addressed to Herb Glasgow, Chief of Airport Planning, City of Los Angeles. The letter basically says that the committee wants the draft EIR, when it comes out, to take into consideration regionalization, safety, airport security, air pollution, ground transportation and construction impact as the committee sees some possible negative impact on the region from what is presently being proposed. Suggested that the city may want to give the committee an independent statement as to what the city wants as well. Read a letter from the Hollypark Homeowners Association thanking Council and Public Works Director Arnie Shadbehr for the construction improvements on 120th Street and Crenshaw Boulevard. **Ronald Porter** complained about the noise and speeding of big rigs on El Segundo Boulevard between Crenshaw and Van Ness. **Darlene Love** thanked the city for the position her husband held after becoming a veteran. **Ammar Khaf** announced that the Islamic Center of Hawthorne will be holding an electronic waste collection event on January 8th from 9am to 3pm. Unidentified speaker commended the city for the improvements made to 120th and Crenshaw. Also requested a stop sign at Menlo and 119th Street in the north-south direction. Unidentified speaker asked for the city's help regarding a mold problem in her home. **Roberto Calderon** thanked the city for their 25 years of support towards St. Joseph Church. Recognized Danny Juarez for his help with an issue. Announced that St. Margaret's Center in Lennox will be holding their yearly event from 9am to 6pm where 450 families will receive gifts. **Jim Matthews** spoke against changing the Mayor Pro Tem. **Craig Pringle** spoke against changing the Mayor Pro Tem. **Nilo Michelin** spoke against changing the Mayor Pro Tem and against the salary of the city administrator. **Alex Monteiro** invited Council to attend Moneta Gardens and The Castle potluck lunch at the Hawthorne School District Boardroom on January 20th at 11:30am. Explained that the purpose of the Hawthorne Presidents Council is to bring together organizations so as not to repeat food and gift drives. Thanked SpaceX for their donations. **Gordon Mego** wished everyone a Merry Christmas and a Happy New Year. **Francis Stiglich** asked that Bare Elegance be looked into as people passing by are being harassed.

2.

a. Banning mini bikes from City of Hawthorne traffic lanes (English)

Chief Fager explained that the term "mini bike" is already covered in the California Vehicle Code. It's actually a miniaturized street motorcycle or pocket bike. These bikes are not considered a motor vehicle so they are not governed under vehicle code laws and are not allowed to be ridden on the street. They are solely for private property and off-road sites. If residents do come across them on the street, they should call dispatch at 310-675-4444.

b. 2nd Annual Meet & Greet Service Provider Fair at Memorial Center in February or March, 2011. (English)

Councilmember English moved, seconded by Mayor Guidi, to approve sometime in April the 2nd Annual Service Provider Fair that the City of Hawthorne will host

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

NOES: None.

c. Creation of learning modules for citizens academies informing the functions of each department in City Hall. (Vargas)

Councilmember Vargas moved, seconded by Mayor Guidi, that each week each city department present what they do and the different functions of their departments. Then there would be 45 minutes of discussion and lecture and 45 minutes of questions and answers.

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

NOES: None.

d. Reorganization of City Council – Selection of new Mayor Pro Tempore (Lambert)

Councilmember Lambert moved, seconded by Mayor Guidi, to appoint Councilmember Vargas to the position of Mayor Pro Tem beginning with the first meeting in January 2011.

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

NOES: Councilmembers English, Juarez.

e. Establishing quarterly financial report in addition to the mid-term report to show the City's direction. (Vargas)

Councilmember Vargas would like the quarterly reports to be more of a formal presentation so we can help guide our city and fine tune the balancing of the budget.

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 Vargas, that the reading of the City Council minutes of the regular and special meetings of November 23, 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 Vargas, to waive full readings of resolutions and ordinances on December 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 Vargas, that the following warrants, properly audited and signed, be paid.

Warrants Nos.: 190540-190556 ; 418300-418623

Warrant Totals: \$1,710,931.35 ; \$5,884,888.27

Councilmember Juarez stated that he voted no on warrant for the amount of \$1,710,931.35 since he didn't get any backup for it.

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

NOES: None.

7.

ORDINANCE NO. 1982 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 5.96.070 H OF THE HAWTHORNE MUNICIPAL CODE RELATING TO THE REQUIREMENT OF HAVING POLICE OFFICERS ON PRIVATE PROPERTY AS A CONDITION OF RECEIVING A FILM PERMIT."

Mayor Guidi moved, seconded by Councilmember Lambert that Ordinance No. 1982 **be tabled** until the next meeting.

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

8.

ORDINANCE NO. 1984 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA IMPLEMENTING THE STATE QUALITY RATING PROGRAM FOR NURSING HOMES AS PROVIDED BY CALIFORNIA HEALTH AND SAFETY CODE SECTION 1418.21 AND AMENDING THE HAWTHORNE MUNICIPAL CODE.

Ordinance No. 1984 was introduced by title only by Councilmember Juarez.

9.

ORDINANCE NO. 1976 (2nd Reading)

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, EXTENDING THE TIME LIMIT FOR EFFECTIVENESS OF THE REDEVELOPMENT PLAN FOR REDEVELOPMENT PROJECT AREA NO. 2.

Councilmember Juarez moved, seconded by Councilmember English, that Ordinance No. 1976 be approved and adopted.

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

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

10.

Approve Progress Payment # 2 to United Pacific Services, Inc., for Street Tree Trimming (Project # 10-01)

11.

Approve Progress Payment #4 due to All American Asphalt for Crenshaw Boulevard Improvement Project (Project # 08-05) FEDERAL PROJECT # HPLUL - 5253(018), MTA PC25 in the amount of \$503,740.90.

12.

Approve Payment of State Water Resources Control Board’s Annual Permit Fee.

13.

Approve Purchase of a new pool cover for Hawthorne Municipal Pool In The Swim Discount Pool Supplies, utilizing Development Impact Fees (Park Element)

14.

Approve Extending and amending the current lease agreement with Triumph Aerostructures – Vought Integrated Programs Division and authorize the City Manager to execute amendment and any other documents necessary to effectuate amendment.

15.

Approve Memorandum of Agreement for the Los Angeles Regional Integrated Law and Justice Project among the Regional Terrorism Intelligence and Integration System Participating Agencies and authorize the City Manager or Chief of Police to execute agreement.

16.

Approve Appointment of Robert Fager as Chief of Police and approval of contract and authorize the Mayor/City Manager to execute contract.

Councilmember Lambert moved, seconded by Councilmember Vargas, to appoint Robert Fager as Chief of Police and authorize the Mayor/City Manager to execute contract.

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

17.

Approve Agreement for Professional Services with the City of Hawthorne/ Hawthorne Housing Agency and John Carmona for Governmental Services and related services.

RECOMMENDATION: That the City Council Approve the proposed agreement between the City of Hawthorne and John Carmona for governmental services for various projects and authorizes the City Manager to execute it on behalf of the City.

Mayor Guidi moved, seconded by Councilmember Lambert, to approve items 10, 11, 12, 13, 14, 15 and 17 of the City Manager's consent calendar.

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

Item C of the Special Meeting Agenda

Approval of Agreement with Del Richardson & Associates, Inc (DRA) for the preparation of Acquisition and Relocation Guidelines for the City of Hawthorne pursuant to HUD findings resulting from the June 2010, monitoring visit.

RECOMMENDATION: That the City Council approve Agreement with DRA for the preparation of Acquisition and Relocation Guidelines for the City of Hawthorne pursuant to HUD findings for a cost not to exceed \$24,890.00 and authorize Mayor/City Manager to execute the subject Agreement and any and all amendments thereto.

Councilmember English recused herself from this item

Mayor Guidi moved, seconded by Councilmember Vargas, to Approve Item C on the City Manager's consent calendar Special Agenda.

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

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

18.

Appointment of Russell I. Miyahira as City Attorney of the City of Hawthorne and authorize the Mayor to execute the contract.

Mayor Guidi moved, seconded by Councilmember Lambert, to Approve the Appointment of Russell I. Miyahira as City Attorney of the City of Hawthorne and authorize the Mayor to execute the contract.

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

NOES: None. ABSTAIN: Councilmember Juarez.

19.

The City Attorney, Russell Miyahira, recommended that the Second Tort Claim filed by Former Housing Department Employee Marjorie Mack arising out of Mack's termination by the City be denied in its entirety.

Mayor Guidi moved, seconded by Councilmember Lambert, that the Second Tort Claim filed by Former Housing Department Employee Marjorie Mack arising out of Mack's termination by the City be denied in its entirety.

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

NOES: None.

20.

Under Elected Officials Reports and Recommendations:

City Clerk **Huber** announced that on Saturday, Trinity Lutheran Church will be giving lessons at 2pm on how to make tamales and at 5pm there will be a free tamale dinner. The church is located at 130th and Inglewood Ave.

City Treasurer **Lubenec** attended the Miracle in the Making event and thanked his daughter for volunteering.

Councilmember **Lambert** thanked everyone who participated and donated to the Miracle in the Making event. Invited everyone to celebrate the Christmas observance at Ocean Gate Baptist Church on December 18th at 11am.

Councilmember **English** thanked Renee and Pastor Manila and everyone who participated in Miracle in the Making event. Participated in the SEIU toy giveaway on Saturday. Was vaccinated during the recent city sponsored vaccination clinic and hopes to hold another one in January. Appreciates everything that employees do such as volunteering. Congratulated the chief and city attorney on their positions. Congratulated SpaceX on a successful flight and return. Thanked Little Company of Mary for the flowers they sent for participating in a panel discussion to discuss needs in the community.

Councilmember **Juarez** congratulated Councilmember Vargas on his appointment of Mayor Pro Tem, Chief Fager for his appointment as police chief and Mr. Miyahira on his appointment as permanent city attorney. Thanked the Kiwanis Club of Hawthorne for providing the lunch for our senior center where about 200 seniors were fed. Attended the annual meeting of the Hollypark Homeowners Association and thanked Olivia Valentine for the fantastic job she did during her year as president of the association. Congratulated Jose Gutierrez who is now the new president, Katrina Manning the new vice president and Melvin Mosely the new treasurer. On March 26, 2011 the Hollypark HOA will be sponsoring a trip to the Viejas Casino and Outlet Stores from 8am to 6:30pm; cost is \$20 due by March 19th. Spoke on how the police department gave cars in the Target parking lot a report card on the dangers of leaving valuables visible in their parked cars. Congratulated Jan Vogel of the South Bay Workforce Investment Board for bringing in a grant of \$995,000. Thanked the city manager for giving an update on pending license

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applications but still wants the list to be cleared. Announced that the Holiday Home Decorating contest will be held on December 21st; anyone interested in participating should contact Mark Hardison. For the record stated that regarding the investigator that the city manager hired, Councilmember Juarez never met the guy or talked to him in any way, shape or form.

Mayor **Guidi** thanked all the city employees for their hard work during this tough year. Thanked Renee for the Miracle in the Making event. Congratulated Chief Fager, City Attorney Miyahira and Councilmember Vargas on their new titles. Announced that we received a GRIP grant for law enforcement. Asked that we stay on top of our costs as 2011 will be a tough financial year.

Councilmember **Vargas** attended the Miracle in the Making event. Stated that Univision is interested in holding a telethon based on Hawthorne’s effort to battle cancer. Congratulated Olivia Valentine for her successful year as president of the Hollypark HOA. Looks forward to tomorrow’s employee luncheon. Thanked the City Council for entrusting him with the title of Mayor Pro Tem for the next year and thanked Councilmember Juarez for his service as Mayor Pro Tem.

21.

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

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 – Anticipated Litigation, Significant exposure to litigation pursuant to California Government Code subdivision (b) of Section 54956.9 (Two potential cases) and the City Attorney announced that Staff had been directed. .

22.

Mayor Guidi adjourned the meeting at 10:00 p.m.

Norbert Huber
City Clerk