

**MINUTES OF A REGULAR AND SPECIAL MEETING OF THE  
CITY COUNCIL OF THE CITY OF HAWTHORNE,  
CALIFORNIA HELD JANUARY 11, 2011.**

Mayor Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meetings to order jointly and concurrently at 6:00 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 George Magdalany from Hope Chapel gave the evening's invocation. Olivia Valentine led the Pledge of Allegiance.

A PowerPoint presentation was shown in recognition of employees who recently reached their five, ten, fifteen, twenty, twenty-five and thirty year anniversaries with the city. City Manager Mitsch presented pins to Councilmember English for her five years of service and to Councilmember Juarez for his 15 years of service.

Councilmember Juarez introduced Monica Sanchez, Project Coordinator for the Los Angeles Office of Education. Ms. Sanchez works with student leaders in Hawthorne who volunteer weekly in a mentoring program called Friday Night Live. Students visit local elementary and middle schools to educate youth on how to live healthy lifestyles. Three students from Friday Night Live spoke tonight on the dangers of Alcoholic Energy Drinks which are beverages that are prepackaged to resemble non-alcoholic energy drinks but do contain alcohol and other ingredients associated with non-alcoholic energy drinks.

Dr. Helen Morgan, Hawthorne School District Superintendent, introduced Deepa Patel and Julie Brown who spoke on the Healthy Hawthorne 5K and Health Fair which will be held on June 18<sup>th</sup>. This is a community event uniting all ages and ethnicities. Local businesses are encouraged to attend and sponsor the event.

Councilmember English presented a Certificate of Recognition to Renee O'Neal for her work and relentless dedication to continue the awareness of much needed services and attention to the lives of those suffering from cancer.

Supervisor Mark Ridley-Thomas stated that he is proud that Hawthorne is a vibrant part of the 2<sup>nd</sup> Supervisorial District. Invited everyone to attend the annual Empowerment Congress on January 15<sup>th</sup> at the University of Southern California at 9am. This event is a way for elected officials to interface with their constituents about a range of issues. New Attorney General Kamala Harris will be a featured speaker. Reported that the work of the Martin Luther King Hospital continues in a significant way. The first building will be completed in June of this year. The inpatient tower will be completed in December of 2012. Local hiring, small business development and project labor agreement is of importance for this project and the Crenshaw to LAX Line.

1.

Under oral communications **Don Rowe** from the Hawthorne library announced upcoming programs. The first is the Ocean Friendly Landscaping Program which is a free garden and landscape workshop which will be held on February 5<sup>th</sup> from 10am to 1pm. The second is a knitting club that will meet on Wednesdays from 6pm to 8pm and is open to new members and to those who would like to learn how to knit. **Patricia Donaldson**, Chamber of Commerce President, thanked the city and everybody who helped for being involved with the Chamber Christmas party where thousands of toys were given to over 800 children and 300 turkeys and 300 bags of canned goods were distributed. Thanked Chief Fager and the police department for their help with a disgruntled employee who started a fight. Announced that the State of the City will be held on February 10<sup>th</sup> and Jan Vogel will be the emcee. For information on tickets, call 310-676-1163. Presented a plaque to new Chamber member Richard Calderon. Mr. Calderon is a State Farm agent with an office at Western and Imperial. **Alex Monteiro** thanked everyone who donated food, toys and money. Asked for the support of businesses to sponsor the 5K and Health Fair in order to make the event free to all children. Asked that the Hawthorne Presidents Council be put on the next agenda in order to present a check to the Cora Travers Memorial Fund. The Relay for Life event will be held on April 2<sup>nd</sup> and 3<sup>rd</sup> and the next meeting is scheduled for January 24<sup>th</sup>. The "Paint the Town Purple" event will be held on March 19<sup>th</sup>. **Gary Smith** announced that he will be working as a business

advisor and not as an employee of the Gold's Gym organization to help Steve Tavera renew some of his promises, get gym enrollment up and turn the gym around. Inquired on what is the public status of the relationship of the City of Hawthorne and Gold's Gym. Mr. Smith is also a personal trainer and a nutrition specialist who would like to help the people of Hawthorne. **Katrina Manning and Estela Villanueva** of the Holly Park Homeowners Association and North Hawthorne Community Association respectively, announced that the two associations will be putting together "Movies in the Park" for the City of Hawthorne on June 25<sup>th</sup>. The purpose of this event is to bring together the residents of Hawthorne and to allow them to give back to the city. **Darlene Love** announced that the Hawthorne Lions Club Student Speaker contest will be held on February 15<sup>th</sup>. The topic will be "How to Secure our Borders" and is open to 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> graders. **Michael Battle** asked for help in filing a police report to prosecute his case regarding forged checks and embezzlement. **Mike Castillo** from Assemblyman Bradford's office announced that there will be a procurement hearing in the City of Gardena's Council Chambers on January 28<sup>th</sup> from 10am to 1pm. On January 23<sup>rd</sup> there will be a "Cash for College" financial aid workshop at Inglewood, Gardena and Leuzinger High Schools; for more information, call 310-412-6400. Stated that Assemblyman Bradford is looking forward to working with Governor Brown to approve a final budget.

2.

- a. Update on the Los Angeles County Fire Department's Contract with the City of Hawthorne (Juarez/Lambert)

The City Manager gave an update on the status of the contract with Los Angeles County regarding the fire department. Councilmember Juarez asked if the city faces any liability because the Los Angeles County Fire inspector isn't performing timely inspections on the business license applications. The City Attorney replied that the city has no liability.

- b. Consider Ordinance to incorporate the County of Los Angeles New Inspection/Letter Grades for Mobile Food Services (Juarez)

In order to insure the health and safety of our residents, Councilmember Juarez asked for letter grades for mobile food trucks.

Councilmember Juarez moved, seconded by Councilmember Vargas that the city incorporate the County of Los Angeles New Inspection/Letter Grades for Mobile Food Services.

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

- c.- Authorize Alex Vargas to represent City of Hawthorne at League of California Cities Employee Relations Policy Committee pertaining to many facets of human resource management, including employee and labor relations, retirement, and workers' compensation issues. The committee meeting is held in mid-January, 2011. (Vargas)

Councilmember Vargas announced that he was nominated to the League of California Cities Employee Relations Policy Committee which meets every quarter in Sacramento and asked that the Council authorize him to represent the city in this policy committee.

Mayor Guidi moved, seconded by Councilmember Lambert, to approve Councilmember Vargas as the representative for Hawthorne at the League of California Cities Employee Relations Policy Committee.

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

3.

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

4.

Councilmember Lambert moved, seconded by Councilmember Vargas, that the reading of the City Council minutes of the regular and special meetings of December 14, 2010 be waived and that they be approved and adopted.

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

5.

Councilmember Lambert moved, seconded by Councilmember Vargas, to waive full readings of resolutions and ordinances on January 11, 2011's agenda.

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

6.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 88026-190571 ; 418624-419604

Warrant Totals: \$1,458,444.53 ; \$6,521,336.75

Councilmember Juarez stated that he voted no on warrant for the amount of \$1,458,444.53 since he didn't get any backup for it.

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

7.

**RESOLUTION NO. 7348**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SUPPORTING THE LIST OF PROJECTS RECOMMENDED FOR "EARLY ACTION PROGRAM" OF THE SOUTH BAY MEASURE R HIGHWAY PROGRAM, INCLUDING PROJECTS WHERE THE CITY OF HAWTHORNE HAS BEEN IDENTIFIED AS THE LEAD AGENCY.

Councilmember Juarez moved, seconded by Councilmember Vargas, that Resolution No. 7348 be approved and adopted.

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

8.

**RESOLUTION NO. 7349**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING, APPROVING & RATIFYING THE SUBMITTAL OF THE FISCAL YEAR 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AND "SUB RECIPIENT AGREEMENT" BETWEEN THE CITY OF LOS ANGELES AND THE CITY OF HAWTHORNE.

Councilmember Juarez moved, seconded by Councilmember Vargas, that Resolution No. 7349 be approved and adopted.

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

9.

**RESOLUTION NO. 7350**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING, AUTHORIZING, APPROVING & RATIFYING THE SUBMITTAL OF THE GRANT YEAR 2009 STATE HOMELAND SECURITY GRANT PROGRAM "SUB RECIPIENT AGREEMENT" BETWEEN THE COUNTY OF LOS ANGELES AND THE CITY OF HAWTHORNE.

Councilmember Juarez moved, seconded by Councilmember Vargas, that Resolution No. 7350 be approved and adopted.

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

10.

**ORDINANCE NO. 1984 (2<sup>nd</sup> 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 AND ADOPTING CHAPTER 8.11.

Councilmember Juarez moved, seconded by Councilmember English, that Ordinance No. 1984 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:

11.

Approve Progress Payment # 4 to and Final Acceptance for the second contract year to Martinez Landscape Company, Inc., 12337 San Fernando Road, Sylmar, Ca 91342 for Weed Abatement, Landscape and General Maintenance United Pacific Services, Inc., for Street Tree Trimming (Project # 08-08).

12.

Approve The Police Department has originated and maintained a long-standing involvement and participation with the Los Angeles Intra-Agency Metropolitan Police Apprehension Crime Taskforce (LA IMPACT). This is a multi-jurisdictional Unit that seeks to address and eradicate narcotics sales and crimes within our jurisdictions. The Police Department wishes to provide LA IMPACT with a Police Supervisor for deployment in this organization. This contribution will require the purchase of an unmarked vehicle to use for their work commitments.

**RECOMMENDATION:** That the City Council Approve the Chief of Police's purchase of one unmarked civilian vehicle for Departmental use.

Mayor Guidi moved, seconded by Councilmember Lambert, to approve items 11 and 12 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:

13.

The City Attorney, Russell Miyahira, recommended that the Application to present a late claim in which claimant, Karen Green, alleges termination of her section 8 voucher. Claimant alleges that she had a gas leak in her apartment which was not reported by housing inspector by denied in its entirety.

Mayor Guidi moved, seconded by Councilmember Vargas, that the Application to present a late claim in which claimant, Karen Green, alleges termination of her section 8 voucher. Claimant alleges that she had a gas leak in her apartment which was not reported by housing inspector by denied in its entirety.

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

14.

The City Attorney, Russell Miyahira, recommended that the claim filed on behalf of Mark Ricks in the amount of \$15,228, alleging false arrest, violation of civil rights and personal injures when he was arrested for a DUI Incident on July 5, 2010.

Mayor Guidi moved, seconded by Councilmember Vargas, that the claim filed on behalf of Mark Ricks in the amount of \$15,228, alleging false arrest, violation of civil rights and personal injures when he was arrested for a DUI Incident on July 5, 2010.

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

#### Item No. 24

Taken out of order in order to approve Item 15.

Mayor Guidi recessed the City Council meeting to conduct a **Closed Session:** Conference with Legal Counsel - Initiation of litigation 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 pursuant to subdivision (c) of Section 54956.9 (One potential case). City Attorney Miyahira stated that staff has been directed and a vote will be taken on item No. 15..

15.

Approve Settlement agreement and mutual release between the Cities of Hawthorne and Lawndale. Lawndale disputes the legality of the Hawthorne Project described as a General Plan amendment and Zoning amendment, including amendments of Hawthorne's zoning and general plan maps, to provide Mixed Used Overlay and R-4, Maximum Density land use designations and zoning in specified areas, as well as the 2008-2014 cycle update to the City of Hawthorne's Housing Element. Lawndale's Project is the approved General Plan Amendment to update Lawndale's Housing Element for the 2008-2014 cycle and an Initial Study and Negative Declaration to analyze the potential for significant environmental impacts associated with the Lawndale Project and authorize the Mayor to execute agreement.

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

## Under Elected Officials Reports and Recommendations:

City Treasurer **Lubenec** wished everyone a happy new year and hopes everyone had a great holiday. Thanked the City Council and the City Manager for everything. Hopes that in 2011, Hawthorne will pick up the economy first.

City Clerk **Huber** announced that the Rotary Club will be hosting a "Clean Up the Park Day" at Eucalyptus Park on Saturday; the public is invited to participate. The Historical Society will meet this Thursday at the Trinity Lutheran Church school library located at 130<sup>th</sup> and Inglewood Ave. at 7pm. Tom Quintana will chair the meeting and the public is welcome to attend. .

Councilmember **Vargas** congratulated the new Hollypark Homeowners Association board that got sworn in last week; Jose Gutierrez is the new president and Katrina Manning is the vice president. Visited the Teen Center last week and stated that the center is in need of volunteers and role models. The Senior Center could also use volunteers. Attended the toy giveaway at Northgate Market and thanked Northgate for their participation. Attended the Chamber of Commerce Holiday Turkey giveaway and the giveaway at HAX. Accompanied the Police Explorers on a toy and food giveaway for six families in the city. Is looking forward to serving the community as Mayor Pro Tem and representing the city honorably and as best as possible.

Councilmember Vargas moved, seconded by Mayor Guidi, requested that a letter be sent to Gov. Brown not to take redevelopment money from the city.

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

Councilmember **Lambert** wished everyone a blessed year and hopes for a better year than we just experienced. Congratulated our Supervisor Mark Ridley-Thomas for doing so much fundraising and successfully rebuilding the Martin Luther King Hospital. Announced that the Lions Club will be holding a student speaker contest on February 15<sup>th</sup> at the Moose Lodge; everyone is welcome to attend. Urged everyone to stay strong in their constitutional beliefs.

Councilmember **English** wished everyone a happy new year. Spoke on how her first year was a productive year and had the opportunity to attend many events and participate in giving to our community which was very enriching to what her beliefs are. Hopes to continue to partner with many organizations to do the same in this New Year. Announced that the 2<sup>nd</sup> Annual Service Provider Fair will be held on April 9<sup>th</sup> at the Memorial Center in collaboration with Earth Day. Thanked Chief Fager for his efforts in acquiring and using grant monies. Appreciates the efforts of the City Manger and all he is doing; it hasn't been easy, but we need to stay focused on the work moving forward. With regards to the budget, feels that it will be changed quite often; it is not something that is stable. Hopes that ultimately redevelopment monies are given back to the city so that we can produce some great projects. Looks forward to working with businesses, non-profits, faith based and educational based communities so that we can grow all together.

Councilmember **Juarez** attended the crucifixion drama at Ocean Gate Baptist Church. Thanked Trinity Lutheran Church for the tamale cooking class. Was invited to participate as a judge at an 80 unit apartment complex where it was nice of the owner to give as prizes a break on the rents for January. Attended the 9/11 Foundation luncheon. Congratulated Jan Vogel for his success in putting people to work. Congratulated DaVinci schools for recently being receiving the 2011 Excellence in Engineering Education Collaboration Award. Congratulated Councilmember English for being elected as the 51<sup>st</sup> Assembly District Convention Delegate for 2011 and 2012. Cautioned folks against using ovens or barbeques to stay warm. Announced that the West Basin will be distributing energy efficient toilets on January 29<sup>th</sup> at the Betty Ainsworth Center parking lot; for reservations and questions, call 866-861-0784. Questioned the reports on city owned properties on whether income statements on the revenue and expenditure sides were figures for six months or a year.

Mayor **Guidi** wished everyone a happy new year. Requested a full report regarding the recent meeting with the owner of the mall. Is glad to hear that we have been able to get our park enforcement back. Thanked Chief Fager for keeping on top of the troubled area of 120<sup>th</sup> and Inglewood which parents have complained about as being a danger to their kids. Asked that Planning make sure that businesses understand the color guidelines for their buildings as some are mixing trim colors with base colors and it is starting to affect the boulevard. The city looks good and congratulated everyone who is working on the graffiti removal and Code Enforcement for taking care of the shopping cart problem.

Mayor Guidi requested that a letter be sent to **Shubankie McGregor** Parks and Recreation/Fine Arts Commissioner thanking him for his services. He stated that this commissioner won't be able to attend meetings due to health reasons

23.

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 (One 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 (One potential cases) and the City Attorney announced that Staff had been directed.

#### **TABLED ITEM**

#### **ORDINANCE NO. 1982 (1<sup>st</sup> 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.” Motion to Introduce.

Councilmember English moved, seconded by Councilmember Juarez to remove Ordinance No. 1982 from the table.

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

The tabled item will be brought back at the next meeting.

22.

Mayor Guidi adjourned in the memory of Reyna Medina and Aurora Guillen at 9:31 p.m.

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Norbert Huber  
City Clerk