MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD APRIL 26, 2011.

Mayor Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meetings to order jointly and concurrently at 6:02 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

Father Perry Leiker from St. Joseph's Church gave the evening's invocation. Jonathan Lubenec led the Pledge of Allegiance.

Finance Manager Lani Emmich conducted the drawing for the fireworks stands. Nine organizations qualified for the drawing. A total of eight stands are available with two of the stands automatically going to the VFW and the American Legion. The six chosen were:

South Bay Universal Child Development Center
Kiwanis Club of Hawthorne
Southern California Gunners Soccer Club
Behavioral Health Services, Inc.
Hawthorne Moose Lodge #1746
District 37 Baseball & Little Softball Little League

The six chosen were then drawn again to determine the order in which they choose their locations. The order and locations were as follows:

Southern California Gunners Soccer Club – 5201 to 5315 Rosecrans Ave., Carl's Jr./Qudoba parking lot
Hawthorne Moose Lodge #1746 – 5050 Rosecrans Ave., Verizon/Michaels parking lot
South Bay Universal Child Development Center – 4775 Rosecrans Ave., CVS parking lot
Kiwanis Club of Hawthorne – 11873 Hawthorne Blvd., Ralph's shopping center
District 37 Baseball & Little Softball Little League – 5107 El Segundo Blvd., Bally's Gym
Behavioral Health Services, Inc. – 14401 Inglewood Ave., Marshall's

The American Legion Post 314 chose Northgate Plaza at the corner of Rosecrans and Prairie and the Veterans of Foreign Wars Post 2075 chose Albertson's at 12630 Hawthorne Blvd.

The alternates were Rotary Club of Hawthorne and St. Joseph's Church.

Councilmember English presented Certificates of Recognition to Behavioral Health Services, Monica Lubenec, Jonathon Lubenec and Renee O'Neal and family for their volunteer work at the 2nd Annual Service Provider Fair.

Councilmember Juarez presented a Certificate of Recognition to the Bud Carson Middle School Huskies Basketball Team and their coaches Kevin Posey and Gary Anderson for their efforts that contributed to a tremendous 2010-11 season.

1.

Under oral communications, **Katrina Manning**, Vice President of the Hollypark Homeowner's Association, presented a plaque to Public Works Director Arnie Shadbehr for the work he has done to beautify the Hollypark area. **Patricia Donaldson,** President of the Chamber of Commerce, announced that the Chamber will be holding its 1st Annual Business Forum and Mixer which will give an insight and have questions answered about starting and operating a business in the City of Hawthorne. It will be held on April 28th from 5:30pm to 7:30pm at the Flight Path Museum at LAX, 6661 W. Imperial Hwy. Asked for a $400 donation for earthquake preparedness items for the Chamber. **Alex Monteiro** thanked everyone for their participation and help with Relay for Life and stated that donations are still being accepted until August. Also thanked everybody for their participation at the April 17th Volunteer Appreciation Day event. Announced that the Hawthorne Presidents Council will hold a dinner on May 19th at 5pm to raise funds for the police department K9 unit; tickets are $5 for adults and $2.50 for children. The Hawthorne Presidents Council will meet on Monday at 11:30am to plan the dinner. **Darlene Love** thanked Rick Carver for quickly replacing stop signs that were recently vandalized in her

neighborhood. **Nilo Michelin,** speaking as a citizen, requested that Council direct the City Manager to meet with the Hawthorne School District Superintendent to resolve the matter of taking down an electronic billboard sign at Hawthorne Math and Science Academy. **Eugene Krank,** HMSA parent, spoke in support of keeping the electronic billboard at the school. **Mike Castillo**, on behalf of Assemblyman Bradford, spoke on Assembly Bills 38, 1065 and 32. **Speaker** spoke on the issue of limited parking in the area of 126th & Oxford and suggested getting rid of red curb markings in the area to use as additional parking spaces.

2.

a.- Sponsor Movies in the Park with North Hawthorne and Holly Park HOA. (Vargas)

Councilmember Vargas moved, seconded by Councilmember Lambert that the city co-sponsors the Movies in the Park event on June 25th.

After some discussion, Mayor Guidi offered to write a check for the fees.

b.- Co-Sponsor Nathan's local Hot Dog Eating Contest (Guidi/Vargas)

Mayor Guidi moved, seconded by Councilmember Vargas that the city co-sponsors the Nathan's local Hot Dog Eating Contest.

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

c.- Sponsor 3rd Annual Service Provider and Resource Fair in collaboration with Earth Day (English)

Councilmember English moved, seconded by Councilmember Juarez for support of the Council for the 3rd Annual Service Provider Fair.

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

d.- Possible Storefront Lease for Hawthorne Museum (Huber)

For the record, Councilmember Juarez stated:

"I do serve as the Treasurer of the Hawthorne Historical Society. I have no financial interest in this, but at the recommendation of the city attorney, I will recuse myself and leave the room.

Mayor Guidi moved, seconded by Councilmember Lambert to support the historical society by giving them the use of the Memorial Center.

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

e.- Recuperation of City's Historical Artifacts (Vargas)

Previously the city manager was given direction to recuperate historical artifacts, in particular the items that were owned by former historian Walt Dixon. City Manager Mitsch spoke to Linda, the owner of the facility where the items are being stored at Torrance Airport, and he reported that she said she would contact Mr. Mitsch to have Councilmember English coordinate the disposition of the items.

3.

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

4.

Mayor Guidi moved, seconded by Councilmember Lambert, that the reading of the City Council minutes of the regular meeting of April 12, 2011 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 Lambert, to waive full readings of resolutions and ordinances on April 26, 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.

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

Warrants Nos.: 190633-190638 ; 422578-423296

Warrant Totals: $675,202.58 ; $2,290,329.09

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

7.

RESOLUTION NO. 7371

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION AND REQUESTING CONSOLIDATION WITH THE GOVERNING SCHOOL BOARD ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2011 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND ESTABLISHING CERTAIN PROCEDURES FOR THE CONDUCT THEREOF AND REQUEST THAT THE BOARD OF SUPERVISORS ISSUE INSTRUCTIONS TO THE REGISTRAR-RECORDER TO TAKE ANY AND ALL STEPS NECESSARY FOR THE HOLDING OF THE CONSOLIDATED ELECTION.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7371 be approved and adopted.

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

8.

RESOLUTION NO. 7372

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO A COMMUNICATIONS SITE LEASE AGREEMENT BETWEEN NEW CINGULAR WIRELESS PCS, L.L.C. AND THE CITY OF

HAWTHORNE RE: INCREASE IN THE AMOUNT OF RENT AND THE SIZE OF THE LEASED PREMISE.

Mayor Guidi moved, seconded by Councilmember Lambert, that Resolution No. 7372 be taken off the consent calendar and that it be brought back.

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

9.

City Clerk Huber announced that this was the time and place for the Public Hearing: This is a City-initiated application to amend Hawthorne Municipal Code (HMC) Sections 17.04 (Definitions), 17.25 (C-1 Freeway Commercial/Mixed Use Classification), 17.26 (C-2 Local Commercial Classification), 17.28 (C-3 General Commercial Classification), 17.30 (M-P industrial Park Classification), 17.32 (M-1 limited Industrial Classification) and 17.58 (Off-Street Parking). The amendment will establish tattoo and body piercing as permitted uses in industrial zones and family entertainment centers in commercial zones, will reorganize and alphabetize the permitted uses in commercial zones, and create "prohibited uses" sections in commercial zone chapters.

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

Mayor Guidi called for public comments.

Nicolas Torrey proposed that tattoo parlors be allowed in the C3 Zone.

No one else indicated a desire to be heard.

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

ORDINANCE NO. 1985 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING ZONING TEXT AMENDMENT NO. 2010ZA04, AMENDING TITLE 17 (ZONING), CHAPTERS 17.04, 17.25, 17.26, 17.28, 17.30, 17.32 AND 17.58 OF THE HAWTHORNE MUNICIPAL CODE, RELATED TO TATTOO AND BODY PIERCING AND FAMILY ENTERTAINMENT CENTERS, REORGANIZATION OF PERMITTED USES, CREATION OF PROHIBITED USES SECTION IN COMMERCIAL ZONES, PARKING STANDARDS AND ESTABLISHMENT OF A NEW CODE SECTION, 17.77 DEVELOPMENT STANDARDS FOR TATTOO AND BODY PIERCING SHOPS.

Ordinance No. 1985 was introduced by title only by Mayor Guidi.

10.

ORDINANCE NO. 1995 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.06.130 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO THE CITY COUNCIL AGENDA AND THE PROCEDURE FOR AGENDIZING OF PRESENTATIONS, PROCLAMATIONS, AND RESOLUTIONS OF SUPPORT.

Ordinance No. 1995 was introduced by title only by Councilmember Vargas.

11.

ORDINANCE NO. 1996 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.06.140 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO THE ORDER OF BUSINESS FOR CITY COUNCIL MEETINGS.

Ordinance No. 1996 was introduced by title only by Councilmember Lambert.

12.

ORDINANCE NO. 1994 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADDING HAWTHORNE MUNICIPAL CODE ("HMC") SECTION 2.02.020 RELATING TO THE FORMATION OF BINDING CONTRACTS, ALSO ADDING HMC SECTION 2.02.030 RELATING TO DEFINITION OF NON-BINDING CONTRACTS AND ADDING 2.02.040 RELATING TO AUTHORIZATION TO SUBMIT GRANT APPLICATIONS.

Mayor Guidi moved, seconded by Councilmember English, that Ordinance No. 1994 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:

13.

Approve Updated Internal Control Policy

RECOMMENDED MOTION: That the City Council approve the Updated Internal Control Policy

After some discussion Mayor Guidi moved, seconded by Councilmember English to pull this item until the next meeting.

14.

Fourth Amendment to the Franchise Agreement for Residential, Commercial and Roll-off Refuse Collection and Disposal Service between the City of Hawthorne and Allied Waste Services concerning Rate Adjustment.

RECOMMENDATION: That the City Council Authorize the Mayor or City Manager to execute the Fourth Amendment to the Franchise Agreement for Residential, Commercial and Roll-off Refuse Collection and Disposal Service between the City of Hawthorne and Allied Waste Services and any and all amendments thereto.

MOTION TO TABLE

Councilmember Lambert moved, seconded by Councilmember Juarez to table this item.

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

15.

Approve Progress Payment # 6 due to All American Asphalt for Crenshaw Boulevard Improvement Project (Project # 08-05) Federal Project # HPLUL - 5253(018), MTA PC25, and Proposition C. in the amount of $321,710.04.

Mayor Guidi moved, seconded by Councilmember English to Approve Item 15 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:

16.

The City Attorney, Russell Miyahira, recommended that the Claim of a former employee, Louis Escobar, for damages as a result of an alleged defamatory television broadcast on the Fox 11 News be denied in its entirety

Mayor Guidi moved, seconded by Councilmember Juarez that the Claim of a former employee, Louis Escobar, for damages as a result of an alleged defamatory television broadcast on the Fox 11 News be denied in its entirety.

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

17.

Under Elected Officials Reports and Recommendations:

Councilmember **Juarez** spent time reading to the kids at the Hawthorne Library. Was given a book by former Beach Boy Alan Jardine. Thanked Southern California Edison for inviting him to a breakfast for the vice president who was just put into place. Congratulated all the volunteers that were recognized at Volunteer Appreciation Day. Requested a discussion/action item for the next agenda in order to take a formal position on the Wespac Pipeline.

Councilmember **English** visited the Castle this morning to sit and go over the activities of 40 preschoolers. Expressed disappointment over how the state is cutting CDBG funds. This weekend will be attending the California State Democratic Party Convention in Sacramento where she hopes to advocate for needed things in the city. Is glad that efforts are being made to bring a museum to Hawthorne. Wished everyone a happy Cinco de Mayo. Provided first aid kits from the Service Provider Fair to department heads. Thanked everyone for their support of Denim Day.

Councilmember **Vargas** reported that at the youth job fair that took place at the Memorial Center, a total of 63 students were hired on the spot, with an additional 28 more hired afterwards. Represented the city at the Enugu Association of Greater Los Angeles, the Nigerian community's local cultural group and commended the Nigerian community for being an active participant in Hawthorne. Spoke in remembrance of Cesar Chavez. Attended a conference in Atlanta sponsored by the NALEO group (National Association of Latino Elected Officials) where the theme of the meeting was "Healthy Communities, How We Can Implement Them." Also visited civil rights sites in the area.

Mayor **Guidi** announced that from May 9th to May 11th, the Wings of Freedom Tour will be held at Hawthorne Airport. Inquired on policy for commercial vehicles parked in residential neighborhoods and asked that this policy be refreshed across the board to everyone. Reported that there is trash and weed issues at the dialysis center by the 99 Cent Store and at Rite Liquor at 140th & Inglewood Avenue.

City Clerk **Huber** announced that the Nathan's hot dog eating contest will have a men's and women's division this year. Appreciates the expediency of Inglewood Avenue's improvements. Announced that the Lawndale Performing Arts Center will finally open after 10 years of construction. The first production is titled "Lawndale Live" and will be performed by the Lawndale High School Drama

Department, to be held tomorrow. Appreciates the input that the Council gave to the Historical Society. The Historical Society will hold Good Neighbor Day on July 16th at Hawthorne High.

City Treasurer **Lubenec** thanked Alex Monteiro for Volunteer Appreciation Day. Attended the Bunny Breakfast. Thanked Councilmember English for recognizing Jonathan and Monica Lubenec.

18.

Mayor Guidi recessed the City Council meeting to conduct a **Closed Session** for a Conference with Labor Negotiators (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: James H. Mitsch, (re: HPOA, HPMSG, HMEA and HEG).

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 Labor Negotiators (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: James H. Mitsch, (re: HPOA, HPMSG, HMEA and HEG). City Attorney Miyahira stated that labor negotiator had been advised.

19.

Mayor Guidi adjourned the meeting at 9:24 p.m. in the memory of Eugene Vogel.

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Norbert Huber
City Clerk