MINUTES OF A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD AUGUST 9, 2011.

Mayor Guidi called the City Council meeting to order jointly and concurrently at 12:00 p.m. in the City Council Chambers of the City Hall, 4455 West 126th Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers Juarez, English, Vargas, Mayor Guidi.
Absent: Councilmember Lambert (excused).

Mayor Pro Tem Vargas led the Pledge of Allegiance.

1.

Under oral comments no one indicated a desire to be heard.

2.

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 (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 - Initiation of litigation pursuant to subdivision (c) of Section 54956.9 (Two potential cases). City Attorney Russell Miyahira announced that the City Manager and the City Attorney were directed to file an appeal with the California Director of Finance regarding the 2011-2012 remittance amount.

3.

Mayor Guidi adjourned the meeting at 6: 20 p.m.

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Norbert Huber
City Clerk

MINUTES OF A REGULAR AND SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD AUGUST 9, 2011.

Mayor Guidi called the City Council, Community Redevelopment Agency, Parking Authority and Housing Authority meetings to order jointly and concurrently at 6:20 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

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

Reverend Greg King from St. Joseph's Church gave the evening's invocation. John Vargas led the Pledge of Allegiance.

Greg King, the new Pastor of St. Joseph's Church, introduced himself to the community. He grew up in Hawthorne and his family has been here since 1928.

Chief Fager publicly recognized an outstanding group of police officers and investigators for their efforts in containing an armed robbery that occurred at Home Depot on July 26th and apprehending the suspects.

Hawthorne Presidents Council Chairman Alex Monteiro and Vice President Darlene Love presented an $8000 check to Chief Fager for the K9 program. Proceeds were from an earlier K9 dinner that was held.

Robin Harris from Richards Watson & Gershon gave a presentation on AB26 and AB27, two bills that were recently signed by the Governor that affect redevelopment. AB26 and AB27 are two companion bills. AB26 is a bill that would eliminate redevelopment agencies unless the city that contains that redevelopment agency agrees to make certain payments to the state on an annual basis. The companion to AB26 dissolution is AB27. AB27 establishes the alternative voluntary redevelopment program. This is the method by which cities, in order to preserve their redevelopment agency, are able to opt-in to this program and agree to make on-going payments to the state.

Mayor Guidi took item No. 14 out of order.

14.

ORDINANCE NO. 2007 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA TO COMPLY WITH PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH.

Under oral communications Assemblyman **Steve Bradford** stated that he did take the vote to amend redevelopment, not end it.

Ordinance No. 2007 was introduced by title only by Councilman Juarez.

Mayor Guidi recessed the City Council meeting for 15 minutes in order to cut a birthday cake in honor of Councilmember Lambert and Councilmember English.

1.

Under oral communications **Patricia Donaldson**, Chamber of Commerce President, announced that the annual Installation will be held on August 25th at the Memorial Center. **John Vargas,** Vice President of Hawthorne School District and Treasurer of the North Hawthorne Community Association, announced that the NHCA is having their 3rd Annual School Supply Drive. You can call John Vargas at (310) 938-7976 or President Dan Mills at (310) 951-5881 to have supplies picked up from your home or you can drop them off at the September meeting. **Marvin Jackman,** Southern California Edison announced that their free lamp exchange program will take place on August 27th & 28th from 8am to 1pm at the Forum parking lot in Inglewood. For more information, go to www.scelampexchange.com. J**ose Gutierrez** stated that the City Council still has not provided an answer regarding the fiscal impact of the former city

manager's severance package. Also stated that the City's auditors quit working for the City Finance Department. **T.D. Madyun** requested help to get a refund on tickets he has received because he feels the city did not effectively plan for parking of residents and guests in the Oxford street area where he lives. **Darlene Love** spoke on her trip to Sacramento regarding redistricting and asked that campaigning be kept clean. **Craig Pringle** of New Journey Ministries expressed disappointment that a representative from the Islamic Center came before the council and painted a picture that was inaccurate and false regarding the Hawthorne camp issue. New Journey Ministries is willing and ready to meet with the Islamic Center regarding the camp. **Marjorie Drake** stated that New Journey Ministries has always worked with other organizations, residents and churches to bring cohesiveness and a good working environment for the people of Hawthorne and they are still willing to work with the Islamic Center to allow them the opportunity to enjoy the camp in Wrightwood. **Frances Stiglich** thanked Norb Huber and Tom Quintana for the Beach Boys event. Spoke on her trip to Sacramento regarding redistricting. Announced that she is running for city council**. Nilo Michelin,** Hawthorne School Boardmember, reported that he received a lot of complaints from business owners stating that the restriction on parking in the middle of Hawthorne Blvd. is hurting businesses. **Kyle Orleman** gave an update on redistricting. Hawthorne is currently included in an area that consists of LAX, Westchester, Inglewood, Lennox, Gardena, Lawndale and the portions of Torrance that are east of Hawthorne Blvd. These district lines are scheduled to be finalized on August 15th.

2.

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

3.

Mayor Guidi moved, seconded by Councilmember Juarez, that the reading of the City Council minutes of the regular and special meeting of June 28, 2011, the regular meeting of July 12, 2011 and the special meeting of July 19, 2011 be waived and that they be approved and adopted.

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

Councilmember English stated that she was abstaining on voting on the special meeting of July 19, 2011.

4.

Mayor Guidi moved, seconded by Councilmember Juarez, to waive full readings of resolutions and ordinances on August 9, 2011's agenda.

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

5.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 190782-190831 ; 425519-425722

Warrant Totals: $727, 759.79 ; $1,259.002.63

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

6.

RESOLUTION NO. 7387

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SUPPORT "NATIONAL NIGHT OUT" ON TUESDAY, AUGUST 2, 2011.

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7387 be approved and adopted.

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

7.

RESOLUTION NO. 7388

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SUPPORTING AB 420 REDISTRICTING (MIKE DAVIS).

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7387 be approved and adopted.

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

8.

RESOLUTION NO. 7394.

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 Juarez Resolution No. 7394 be approved and adopted.

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

9.

City Clerk Huber announced that this was the time and place for the Public Hearing on Ordinance No. 2004, a City-initiated application to amend Hawthorne Municipal Code (HMC) Sections 17.04 (Definitions), 17.25 (C-1 Freeway Commercial/Mixed Use Classification) and 17.26 (C-2 Local Commercial Classification). The amendment proposes to reorganize the definitions section, define, classify and develop standards for martial arts and similar studio uses and health clubs.

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

Mayor Guidi called for public comments.

No one expressed a desire to speak on this topic.

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

ORDINANCE NO. 2004 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING ZONING TEXT AMENDMENT 2011ZA06 AMENDING SECTIONS 17.04 (DEFINITIONS), 17.25 (C-1 FREEWAY COMMERCIAL/MIXED USE CLASSIFICATION) AND 17.26 (C-2 LOCAL COMMERCIAL CLASSIFICATION) TO REORGANIZE THE DEFINITIONS SECTION, DEFINE, CLASSIFY AND DEVELOP STANDARDS FOR MARTIAL ARTS AND SIMILAR STUDIO USES AND HEALTH CLUBS.

Ordinance No. 2004 was introduced by title only by Councilmember English.

10.

City Clerk Huber announced that this was the time and place for the Public Hearing on Resolution No. 7390 self certifying completion of local requirements for conformance with Los Angeles County Congestion Management Program (CMP).

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

Mayor Guidi called for public comments.

No one expressed a desire to speak on this topic.

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

RESOLUTION NO. 7390

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

Mayor Guidi moved, seconded by Councilmember English, that Resolution No. 7390 be approved and adopted.

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

11.

City Clerk Huber announced that this was the time and place for the Public Hearing in accordance with Section 10610-10656 of the Urban Water Management Planning Act of 1983: the purpose of the Public Hearing is to solicit public comment prior to the adoption of the City of Hawthorne 2010 Urban Water Management Plan (UWMP). Copies of the draft 2010 UWMP was made available for public inspection at the City of Hawthorne Engineering Department.

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

Mayor Guidi called for public comments.

No one expressed a desire to speak on this topic.

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

RESOLUTION NO. 7392

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADOPTING CITY OF HAWTHORNE 2010 URBAN WATER MANAGEMENT PLAN (UWMP) AND

AUTHORIZING ITS FILING WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES. Motion to adopt.

Mayor Guidi moved, seconded by Councilmember Juarez, that Resolution No. 7392 be approved and adopted.

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

12.

City Clerk Huber announced that this was the time and place for the Public Hearing on Resolution No. 7393, regarding the City's consent to the Extension of Water Rates Proposed By California Water Service Company. On January 27, 2009, the City Council adopted Resolution No. 7233 consenting to rates proposed by Cal Water, including a surcharge that was set to expire on July 1, 2011. Cal Water has informed the City that it desires to maintain the water rates that were approved in 2009. By its Resolution No. 7381, adopted on June 14, 2011, the City Council established a procedure for the consideration of Cal Water's request and called a public hearing for August 9, 2011.

Public Works Department’s declaration publication filed. Two written communications were received.

Mayor Guidi called for public comments.

No one expressed a desire to speak on this topic.

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

RESOLUTION NO. 7393

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, CONSENTING TO A WATER RATE EXTENSION PROPOSED BY CALIFORNIA WATER SERVICE COMPANY.

Councilmember Vargas moved, seconded by Councilmember English, that Resolution No. 7393 be approved and adopted.

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

ORDINANCES

13.

ORDINANCE NO. 2006 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTIONS 2.24.030, 5.57.020, 5.57.040, 9.39.020, AND 9.39.040 AND ADDING SECTION 9.39.155 OF THE HAWTHORNE MUNICIPAL CODE BY ADDING FOOD TRUCK GATHERING TO THE PERMITTING PROCESS FOR COMMUNITY EVENTS.

Ordinance No. 2006 was introduced by title only by Mayor Pro Tem Vargas.

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

15.

Approve Plans and Specifications HSIP Project # 09-04, Federal Project # HPLUL - 5253(017) – Construction of Traffic Signal at intersections of El Segundo Blvd. and Doty Ave., El Segundo Blvd. and Yukon Ave., 116th St. and Van Ness Ave., 135th St., and Doty Ave., 120th Street and Wilkie Way and authorize the Chief of General Services and Public Works to advertise for bids with a return date of September 13, 2011.

Mayor Guidi moved, seconded by Councilmember English to approve item 15 of the City Manager's consent calendar.

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

16.

THIS ITEM WAS PULLED BY THE CITY MANAGER BEFORE THE MEETING

Request for release of funds and Certification for HOME funds.

RECOMMENDATION: That the City Council Authorize and approve the release of funds and Certification for HOME funds and also authorize City Manager to execute all documents necessary for the release of these funds, and any amendments thereto.

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

17.

The City Attorney, Russell Miyahira, recommended that the claim filed on behalf of Jo Ann Diaz for alleged violation of Civil Rights from her arrest for narcotics related offenses. The claimant alleges that the police officers stopped her vehicle without probable cause and used excessive force be denied in tis entirety. .

Mayor Guidi moved, seconded by Councilmember Lambert that the claim filed on behalf of Eddie Rushing allegedly fell near a Golden State water meter at the Northwest corner of Crenshaw Blvd., and Rosecrans Ave. and suffered a fractured patella be denied in its entirety.

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

25.

Under City Council's Discussion/Action Items

a.- Youth Camp (Guidi)

Mayor Guidi requested an update for when New Journey Ministries will be able to officially take over the camp. It is currently being worked on. The paperwork from Los Angeles County has been received to close off a grant from 2006 and it will need to go to the County Board of Supervisors for approval.

b.- RFP for the old P.D. building site. (Guidi)

Mayor Guidi requested an update on the RFP for the old police station site. It is being worked on and is scheduled to go out for advertising next week contingent upon some legal investigation of the issue whether an appraisal needs to be done or not.

ELECTED OFFICIALS REPORTS/RECOMMENDATIONS. APPOINTMENTS / RE-APPOINTMENTS / REMOVALS TO COMMISSIONS / COMMITTEES / BOARDS.

Mayor Guidi moved, seconded by Councilmember Juarez to appoint Mr. **Christopher G Richer**t to the **Planning Commission.**

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

Under elected Official reports and Recommendations:

Councilmember **English** thanked Katrina Manning and the Hollypark Homeowners Association for their efforts in bringing about National Night Out and thanked the police and fire departments for their participation.

Councilmember **Juarez** requested a report on why the independent auditors for the city walked away and a report on what we have paid them and what we have recovered. Thanked the Hollypark Homeowners Association for National Night Out. Congratulated the Kearny Century Business Center for bringing in a fantastic business that is going to help the city; CCS California, one of the largest integrators of audio and visual equipment solutions in the United States. Commented that it is really nice to see how McDonald's had reinvested in the city with their new building which will be a nice improvement to the El Segundo Corridor. Is happy to see Hawthorne is working on getting a bike path. Received complaints from the Hollyglen area that curb painters are not following curb painting procedures. Inquired on the status of consolidating the permitting process.

Councilmember **Vargas** also received complaints from Hollyglen and Hollypark regarding curb painters and asked that we keep an eye on this situation so it doesn't get out of hand. With regards to the redistricting issue, the final maps will be approved August 15th. After that there are two options: gather 450,000 signatures in 90 days to be able to counter what the commission has done or a community group would have to get together and join a class action lawsuit. Congratulated the Ramona Homeowners Association for the Ramona picnic and the Hollypark Homeowners Association for National Night Out. Invited everyone to visit the new McDonald's on El Segundo which is on the forefront building design.

Mayor **Guidi** thanked the residents, community and Council that really pushed hard to keep Hawthorne as part of the South Bay Cities. Asked that we step up and clean up the crime-ridden area of Doty between El Segundo and 135th Street. Thanked McCormack Ambulance Service and the Los Angeles County Fire Department for the tributes on their vehicles to our fallen officer Andrew Garton. Announced that the 9/11 Ceremony will fall on a Sunday this year and will be held at City Hall. Clarified that an article in the LA. Times stating that paying red light tickets is voluntary is only in the City of Los Angeles and does not apply to Hawthorne. Spoke on articles in the LA Times regarding Senators who spend our tax dollars on expensive cars.

City Clerk **Huber** reported on how sad it was to hear that 30 of our Navy Seals were shot down in Afghanistan this past week. Thanked everyone who helped with Good Neighbors Day. Recognized that former historian Walt Dixon's memorabilia was on display at Good Neighbors Day and recently in the lobby. The Historical Society is looking for a permanent location to display all of the historical records, photos and memorabilia that have been returned to the city. Attended an elections committee workshop at the County Clerk's office and came away with more confidence in the County as far as assessing the number of voters (32,000) in the city. Reminded all candidates that have pulled papers that the filing period ends August 12th. The City Clerks office will be open by appointment only if you are going to file on that day. If an incumbent does not run for their office, the filing period will be extended until August 17th. Toured Marco Fine Arts, located at the former Ken Cranes, which has moved from El Segundo to Hawthorne and is currently employing 30 people. Stated that the city is so much better because of the work that Code Enforcement does. Reported that it was nice to read in the paper on Sunday about entrepreneur Chet Pipkin who started out in Hawthorne.

City Treasurer **Lubenec thanked** Kyle Orleman for the work she did in bringing everyone together to work on the redistricting issue. Attended the McDonald's opening. Commended Hollypark and the

North Side homeowners on National Night Out. Spoke on what a special event Good Neighbors Day was.

28.

Mayor Guidi called for oral comments

No one expressed a desired to be heard

Mayor Guidi recessed the City Council meeting to conduct a **Closed Session**: Conference with Labor Negotiators (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: Jeff Freedman, (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: Jeff Freedman, (re: HPOA, HPMSG, HMEA and HEG). The City Attorney Russell Miyahira announced that the Labor Negotiator has been instructed.

29.

Mayor Guidi adjourned the meeting in the memory of Alberico "Al" Marsella and Terevija Ljustina at 9:23 p.m.

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Norbert Huber
City Clerk