MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA HELD FEBRUARY 26, 2013.

Mayor Juarez called the City Council, Parking Authority and Housing Authority meetings to order jointly and concurrently at 6:08 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers Reyes English, Valentine, Michelin, Vargas, Mayor Juarez
Absent: None.

Patricia Donaldson from Hope is Helping Church gave the evening's invocation. Susan Hillyer led the Pledge of Allegiance.

Hawthorne students from Environmental Charter High School's junior class spoke on a forum that was held on February 6th. The forum was created by the students to provide a space for community members to come together and discuss problems and propose solutions.

1.

Under oral communications **Jose Gutierrez** questioned whether a Wal-Mart was going to move in at Rosecrans and Inglewood and if so whether they would be selling alcohol, due to concerns that there is a school across the street. Expressed concern that Big Lots is leaving the boulevard. Would like to see both economic development councils in the city pull their resources and work together instead of working separately and duplicating their efforts. **Jim Radek** asked that the city council put a moratorium on the building of high-rise, high-density apartment/condo/townhouses in order to see how the increase in population that these buildings would bring will affect our schools, parks and services. **Lani Emmich** spoke on the events that comprise Relay for Life. Relay for life will be held on April 27th and 28th at Hawthorne High School at 9am. This is an event that celebrates cancer survivors and raises money for the American Cancer Society. **Susan Hillyer** announced that Taste of Hawthorne, a fun food festival for the people of the South Bay, will be held May 19th at Hawthorne Airport. Supervisor Mark Ridley Thomas, Supervisor Don Knabe, Mayor Danny Juarez, Senator Rod Wright and Assemblyman Steve Bradford are the honorary co-chairs of the event. For more information, visit www.tasteofhawthorne.com. **Unidentified speaker** stated that he is against businesses that aren't in the best interest of our city such as those that pay low wages or discount type stores. If Wal-Mart comes to the city, he would ask that they be denied a liquor license. **Dolores Ramos** inquired on how to contact the housing department director. **Alex Monteiro** thanked those city officials that attended and supported the 75th Annual Citizen of the Year for the Hawthorne Imperial Lions Club and those that came early for the speaker contest. Thanked Chief Fager, Capt. Kauffman and the Hawthorne Police department for working with the Hawthorne School District to improve security and plans of action and reaction in case of emergencies. Asked that Council think about putting term limits on the November ballot. Also asked that Council think about letting Goodwill move onto the boulevard as they bring in jobs and business. **Frances Stiglich** reported that there is still garbage at the vacant lot and asked that something be done about it. Stated that she will attend tomorrow's school board meeting to find a solution for the gum problem in the streets.

2.

Mayor Juarez recessed the Parking Authority and Housing Authority meetings to conduct the meeting of the City Council.

3.

Mayor Juarez moved, seconded by Councilmember Valentine, that the reading of the City Council minutes of the regular meeting of February 12, 2013 be waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers Reyes English, Michelin, Valentine, Vargas, Mayor Juarez
NOES: None.

4.

Mayor Juarez moved, seconded by Councilmember Valentine, to waive full readings of resolutions and ordinances on February 26, 2013's agenda.

ROLL CALL-AYES: Councilmembers Reyes English, Valentine, Michelin, Vargas, Mayor Juarez
NOES: None.

5.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 191474 – 108374 ; 434439 -434632 ; 19274-19724

Warrant Totals: $612,449.11 ; $418,543.65 ; $835,421.05

ROLL CALL-AYES: Councilmembers Reyes English, Valentine, Michelin, Vargas, Mayor Juarez.
NOES: None.

6.

RESOLUTION NO. 7525

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING AND AUTHORIZING THE CHIEF OF PUBLIC WORKS & GENERAL SERVICES/CITY ENGINEER TO EXECUTE RIGHT OF WAY CERTIFICATIONS AND TO SIGN FEDERAL-AID FUNDING DOCUMENTS ASSOCIATED WITH GRANT FUNDING ALLOCATIONS PURSUANT TO MASTER AGREEMENT #07-5253R BETWEEN THE CITY OF HAWTHORNE AND THE STATE OF CALIFORNIA.

Mayor Juarez moved, seconded by Councilmember Valentine, that Resolution 7525 be approved and adopted.

ROLL CALL-AYES: Councilmembers Reyes English, Valentine, Michelin, Vargas, Mayor Juarez
NOES: None.

7.

City Clerk Huber announced that this was the time and place for the Public Hearing on amendments to Consolidated Plan/Annual Action Plan for Program Year 2012.

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

Mayor Juarez called for public comments.

No one expressed a desired to be heard.

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

Planning Director Gregg McClain gave an overview of the Plan regarding reductions in funding and findings from HUD monitoring.

Councilmember Reyes English moved, seconded by Councilmember Valentine to approve amendment to Consolidated Plan/Annual for Program Year 2012.

ROLL CALL-AYES: Councilmembers Reyes English, Michelin, Valentine, Vargas, Mayor Juarez.
NOES: None.

8.

City Clerk Huber announced that this was the time and place for the Public Hearing on Ordinance No. 2032 [2012ZA09] is a City-initiated application to amend Hawthorne Municipal Code (HMC) Chapters 17.04 (Definitions), 17.25 (C-1 Freeway Commercial-Mixed Use Overlay), 17.26 (C-2 Local Commercial), 17.28 (General Commercial), 17.32 (M-1 Limited Industrial), and 17.34 (General Industrial) zones. The amendment will establish development regulations for thrift shops, antique shops, bookstores, and consignment shops in commercial and industrial zones.

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

Mayor Juarez called for public comments.

Under public comments Aaron Swerdlau, Darlene Love, Alex Monteiro, Michael Pauls, Matthew Dunn, Dennis Fletcher and Gordon Mego spoke in favor of Ordinance 2032.

Jose Gutierrez spoke against Ordinance 2032.

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

ORDINANCE 2032 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING ZONING TEXT AMENDMENT NO. 2012ZA09, AMENDING TITLE 17 (ZONING), CHAPTERS 17.04, 17.25, 17.26, 17.28, 17.32, AND 17.34 OF THE HAWTHORNE MUNICIPAL CODE, RELATED TO ANTIQUE SHOPS, THRIFT STORES, BOOKSTORES, AND CONSIGNMENT SHOPS, IN COMMERCIAL AND INDUSTRIAL ZONES.

Ordinance No. 2032 was introduced by title only by Mayor Juarez.

ORDINANCES

9.

ORDINANCE NO. 2040 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.06.230 (DIRECTIONS AND INSTRUCTIONS FROM CITY COUNCIL—LIMIT ON DIRECTIVES) OF CHAPTER 2.06 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION , CIVIL SERVICE & PERSONNEL) OF THE HAWTHORNE MUNICIPAL CODE, RELATED TO DIRECTIVES OF THE CITY COUNCIL.

Ordinance No. 2040 was introduced by title only by Councilmember Vargas.

10.

ORDINANCE NO. 2041 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 2.06.130 (AGENDA) OF CHAPTER 2.06 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION, CIVIL SERVICE & PERSONNEL) OF THE HAWTHORNE MUNICIPAL CODE, RELATED TO REMOVAL OF AGENDA ITEMS.

Ordinance No. 2041 was introduced by title only by Councilmember Vargas.

11.

ORDINANCE NO. 2042 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADDING SECTION 2.06.137 (CITY-INITIATED LAWSUITS) TO CHAPTER 2 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION, CIVIL SERVICE & PERSONNEL) OF THE HAWTHORNE MUNICIPAL CODE RELATED TO CITY COUNCIL APPROVAL PRIOR TO INITIATION OF LAWSUITS.

Ordinance No. 2042 was introduced by title only by Councilmember Valentine.

The City Manager, Michael Goodson, presented the following agenda and requested approval of the indicated recommendation:

12.

Approve Purchase agreement acceptance with Vector Resources, Inc., to facilitate installation of 2012 UASI 'Regional Aircraft Video Downlink Project' wireless access point infrastructure at the Police Department in the amount of $47,840.51.

13.

Approve Non-Disturbance & Attornment Agreement Between the City of Hawthorne (Master Landlord) and Meretricious Pictures Inc (Subtenant) and Ground Sublease Between Hawthorne Airport, LLC ("Master Tenant") and Meretricious Pictures Inc., and authorize the Mayor to execute the Non-Disturbance & Attornment Agreement document.

Mayor Juarez moved, seconded by Councilmember Valentine, to approve item 12 and 13 of the City Manager's consent calendar.

ROLL CALL-AYES: Councilmembers Reyes English, Michelin, Valentine, Vargas, Mayor Juarez.
NOES: None.

14.

The City Attorney, Kunle Aderonmu, recommended that the City Council Approve the Proposed Settlement of Christine Colbert vs. the City of Hawthorne in the amount of $15,000.00 where plaintiff alleges dangerous conditions of public property.

Mayor Juarez moved, seconded by Councilmember Valentine, to approve this Settlement.

ROLL CALL-AYES: Councilmembers Reyes English, Vargas, Valentine, Michelin, Mayor Juarez.
NOES: None.

15.

Under Council's Discussion/Action Items

a.- City Manager and/or City Attorney required to obtain City Council authorization before undertaking any re-organization of any city hall personnel, including lay-offs or elimination of positions in either the executive group or HMEA. (Vargas)

Councilmember Vargas explained that the purpose of this item is about requiring the City Manager or the City Attorney to obtain City Council authorization before eliminating any city hall positions. He stated that the Hawthorne Municipal Code requires that the City Council act on a request by the City Manager to eliminate positions. He feels the city cannot withstand another so-called reorganization, especially when the reorganization is neither based upon necessity or reason. Councilmember Vargas is requesting that

the City Council as a body make important policy decisions and not just one person. City Attorney Aderonmu cautioned that he wanted Council to know that this specific item itself, if they adopt it, they'll be adopting it in direct contravention of state law and the Hawthorne municipal code as it exists right now.

Councilmember Vargas moved, seconded by Councilmember Valentine, that the City Manager and the City Attorney be required to obtain City Council authorization before undertaking any reorganization of any city hall personnel, including layoffs or elimination of positions in either the Hawthorne Municipal Employee Association, Hawthorne Executive Group, Hawthorne Police Officers Association and Hawthorne Police Management and Supervisory Group.

ROLL CALL-AYES: Councilmembers Valentine, Vargas.
NOES: Councilmember Reyes English, Michelin, Mayor Juarez.

b.- Placing audio of Planning Commission meetings on the internet for the benefit of transparency to the community. (Vargas)

Councilmember Vargas believes that the residents should benefit from listening to all the different critical meetings here within the city. Residents should have the opportunity to listen to contentious items such as Hawthorne Boulevard, rezoning and high density units brought before the Planning Commission, especially if it is going to affect their immediate neighborhood. Therefore feels it is important that we put the audio of the Planning Commission on the city website as video feed is not an option right now due to budget constraints. The City Manager will look into the logistics and feasibility of this request and report back at the next Council meeting.

15.

Under Elected Official Reports and Recommendations. Appointments/Reappointments/ Removal to Commissions/Committees and Boards.

City Treasurer **Lubenec** commended the kids from Environmental Charter High School for their plans and ideas for the city. Congratulated Bob Marcella on his Lions Award. Attended the ASA Girls Softball Opening Day. Announced that SpaceX will be doing a launch on Friday morning at Cape Canaveral. Anybody interested in watching it can go to www.spacex.com to see it live at 6:30am Pacific time.

City Clerk **Huber** invited everyone to attend the Hawthorne Historical Society's Heritage Night on March 11th at 7pm at the Memorial Center. This is a program conducted by a professor from El Camino College who will give direction on researching your past. Announced that the Hawthorne Parks and Recreation Foundation will hold their annual golf tournament at the Rolling Hills Country Club on March 25th. Reported that the latest copy of the Historical Society newsletter will be published and mailed out or you can access it by going to www.hawthornehistorical.com.

Councilmember **Vargas** thinks that Mr. Monteiro's idea of term limits is a good idea and suggested that he gather a few residents to come before the City Council for further discussion. Thanked the Lions Club for the invitation to the speaker competition. Congratulated Bob Marcella on his Lions Club award and for his contributions to the community. Asked to be kept informed of planning commission recommendations. Asked for the status on comparative analysis of licenses, permits and fines that was previously requested. Spoke on the Deferred Action Workshop that he, along with John Vargas of the Hawthorne School Board, hosted. There were about 250 people in attendance, many of whom applied for the deferred action. He explained that deferred action is not amnesty, but rather a deferment of deportation for those who are students and do not have a criminal background. Also thanked all the community groups, the Rotary, local students and teachers that came out and volunteered at this workshop.

Councilmember **Valentine** thanked Alex Monteiro for putting on the Lions event. The student speaker contest was very impressive and hopes that the winner goes on to win the state contest as she did a very good job. Congratulated Bob Marcella who is a great citizen of Hawthorne and a great chef. Thanked the students of Environmental Charter High School and their teachers who attended tonight and for the program they put together. Spoke on the Taste of Hawthorne, which is collaboration between the Economic Development Council of which Councilmember Valentine and Councilmember Vargas are a

part of, and also a collaboration of many of the homeowner groups and businesses in the city. Thanked the Mayor for participating and thanked city staff who has helped in putting plans together for this event. Announced that the Citizens of Hawthorne Action Team (CHAT) will be having a meeting tomorrow night at the Hawthorne Police Department in the community room at 6pm. CHAT puts on programs related to emergency preparedness. Tomorrow's meeting will include speaker Scott Mayhan, Chief of the Fire Department of Los Angeles County.

Councilmember **Michelin** thanked the Hawthorne students that came and spoke tonight. Agrees with Mr. Gutierrez that it would be a good idea, especially in these economic tough times, to unify the economic development councils and their actions. Is looking forward to the Relay for Life on April 27th and April 28th, a true community event where everybody comes together and hopes everybody supports it. Thanked Ms. Hillyer for the avocados and the lemons and looks forward to the Taste of Hawthorne event. Congratulated Mr. Bob Marcella, a community leader and hero, for being the Lions Citizen of the Year. Directed the City Manager to monitor and be proactive regarding Big Lot's move. As far as the discussion item that was voted on tonight, stated that his concern was the possible violation of state law.

Councilmember **Reyes English** asked that Senator Padilla's legislative bill which introduces statewide emergency preparedness, be researched to see how it could ultimately provide resources for the city. Also asked that a legislative briefing on how this legislation is going to operate be given by the city's emergency preparedness coordinator. Last week attended the Islamic Legislative Briefing at an Islamic Center in Los Angeles that provided an understanding of who they are and their beliefs. Is working with a few unions in Los Angeles that want to draft legislation that will promote translation services for the health industry because of misunderstandings when it comes to physician/patient communication, especially individuals that don't speak the language. Is looking forward to the Service Provider Fair which will be held on June 1st. The fair is an opportunity where vendors and those of service can provide information and resources to our community. Would like to see more events for city employees in appreciation of the good work they do.

Mayor **Juarez** thanked the Lions for the annual speaker event and hopes the winner can bring back a lot of honor back to the city. Congratulated Bob Marcella for being honored as Citizen of the Year. This past Friday attended the South Bay Cities Council of Governments General Assembly. Thanked Tom Quintana and Rosalinda Martinez for helping out with the serving of the food at the assembly and thanked the Hawthorne vendors who participated and contributed to the basket of goodies that is distributed at the end of the assembly. Reported that after the Car2Go town hall meeting, residents now understand what the requirements and their obligations are as far as the program goes so it looks like it will be moving forward and coming back to Council on March 12th. Thanked Troop #283 for the awards ceremony yesterday where scouts received their Tenderfoot Second Class and First Class and thanked Dr. Morgan for continuing with the troop at Trinity Lutheran. Thanked the Hawthorne/LAX Rotary and the youths from the Hawthorne High School and Da Vinci Interact Clubs for cleaning up the fields at Thorpe Park and Cordary Park. Is glad to see that the spirit of volunteerism is starting with our youth. Announced that CERT classes will be held on March 16th, March 23rd and April 6th at the Hawthorne Memorial Center from 9:30am to 4:30pm. For more information, contact Claudio Taniguchi at 310-349-1687. Reported that this year proceeds from the Parks and Recreation Foundation Golf Tournament will go to the general park and recreation activities that are needed in the city. No specific item, but just to help out wherever it's needed in the parks. Mayor Juarez clarified that he spoke with the manager of Denny's and they are not opposed to Goodwill moving in across the street as was previously heard. They welcome and appreciate new business and new customer bases. Spoke on Sequestration which is supposed to happen this Saturday. Although you may not see the immediate effects of Sequestration, it is said that it will have a major effect on the defense companies and possibly affect 30,000 people in the South Bay.

12.

Mayor Juarez 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 Section 54956.9(d)(2) (One potential case Re: CDBG/Home Program).

Mayor Juarez called the City Council meeting back to order following recess with all Councilmembers present. He announced that the **closed session** was to discuss a Closed Session regarding Conference with Legal Counsel – Anticipated Litigation; Significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2) (One potential case Re: CDBG/Home Program).It was announced that staff has been directed.

13.

Mayor Juarez adjourned the regular meeting at 10:41p.m.

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Norbert Huber
City Clerk