MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE,- CALIFORNIA HELD AUGUST 27, 2013.

Mayor Juarez called the City Council, Parking Authority and Housing Authority meetings to order jointly and concurrently at 6:09 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

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

Ali Abdullah from the Islamic Center gave the evening's invocation. Jerry Nibel led the Pledge of Allegiance.

Chief Fager honored Gang Investigator Keith Chaffin as Officer of the Month.

Councilmember Valentine introduced Claudio Taniguchi, the Emergency Preparedness Coordinator, to give a presentation on the Map Your Neighborhood program. This program is a great way for residents to come together and introduce themselves to learn about their neighbors before a major disaster happens. It was developed to help neighbors help themselves.

1.

Under oral communications **Patricia Donaldson** stated that there is an earthquake preparedness store in Hawthorne off of Inglewood Ave. and 147th Street. Announced that the Chamber will have an Oktoberfest on October 25th, 26th and 27th. Presented a plaque to new Chamber member Kenya Ballard of Brighton Insurance Services which specializes in helping families and businesses obtaining health insurance. **Cynthia Williams**, Cimarron Avenue Elementary School Principal, and Cimarron School parents **Monica Ivey, Katrina Manning, Jonisha Ford-Leach, Sharmera Mason** and **Lee Holman** thanked Council for supporting resolution 7564. **Darlene Love** spoke in praise of Cimarron Elementary and supports resolution 7564. **Gordon Michael Mego** spoke on revitalizing the downtown district from Rosecrans to Imperial. Is running for Council and once elected, looks forward to serving the best interest of all people in Hawthorne. **Yvonne Leal**, with the American Cancer Society, provided a recap of Relay for Life and acknowledged the top fundraisers and sponsors. The event raised $34,351. **Gary Parsons**, Hollyglen Homeowners Association President, announced that the Hollyglen Homeowners Association will host the Hawthorne Candidates Debate on October 16th at Juan Cabrillo Elementary at 7pm. **David Patterson** believes we should do what we can to eliminate some of the overdevelopment that is happening in Hawthorne. Focus needs to be in quality of life for the citizens. Does not support anything that's going to encourage parking issues or overcrowding. Spoke in support of resolution 7555. **Jerry Orleman** spoke in support of ordinance 2046. Attended the National Convention of Vietnam Veterans of America in Florida and while there attended one of the meetings for the Public Affairs Commission where he talked about the city going forward with a Veterans Affairs Commission and they suggested rather than having a Veterans Affairs Commission, we have a Military and Veterans Affairs Commission. Requested to have Vietnam Veterans of America South Bay Chapter #53, including associates of Vietnam Veterans of America South, be added as a specifically designated service organization. **Frances Stiglich** thanked the police department and code enforcement for keeping the kids on her street a little bit safer. Feels that Council is making decisions without listening to the people. **Jose Gutierrez** is disturbed that there is nothing on the agenda tonight regarding the budget. Feels we are creating tomorrow's projects but using yesterday's budget. Spoke on the importance of economic development for the city. Spoke in support of the Veterans Commission. **Allen Richards** spoke in opposition of shortening oral communications. **Kyle Orleman,** representing the Associates of Vietnam Veterans of America, thanked Council for passing resolution 7548 which is in support of the Caregivers Expansion and Improvement Act of 2013 and gave an update on it. Expressed support for tonight's ordinance 2046 and supports Mr. Orleman's suggestion to make it military as well. Would like to see the city bring in an Agent Orange Town meeting. **Alex Monteiro** supports keeping public participation at five minutes. Regarding emergency preparedness, reported that all 11 Hawthorne School District campuses are medical Red Cross certified centers. Announced that October 17th is the annual barbeque dinner for the holiday assistance programs to be held at the Memorial Center at 5pm in the Sun Room. Presented a check for $6,000 to Chief Fager from the Hawthorne Presidents Council which will be used for the canine training and equipment fund. Funds were raised at the May 23rd barbeque dinner; also thanked the non profits and civic organizations for donating and decorating the tables and to the community for attending. **Sam Peña** of Allied Waste announced that due to the Labor Day holiday, trash service will be delayed one day. Announced that Allied Waste will be donating a minimum of 100, 32gallon containers so residents can start building their own emergency preparedness kits at home.

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 Reyes English, that the reading of the City Council minutes of the special meeting of June 27, 2013 and the special meeting of July 16, 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 Reyes English to waive full readings of resolutions and ordinances on August 27, 2013's agenda.

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

5.

The City Treasurer submitted a financial statement regarding warrants.

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

Warrants Nos.: 191639-112501 ; 437175-437452 ; 21992-22407

Warrant Totals: $665,317.25 ; $1,320,786.64 ; $804,629.50

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

6.

RESOLUTION NO. 7555

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, DIRECTING THE CITY MANAGER TO ESTABLISH AND PROMOTE A BUSINESS INCENTIVE PROGRAM IN THE CITY OF HAWTHORNE TO STIMULATE ECONOMIC DEVELOPMENT IN THE CITY OF HAWTHORNE.

Mayor Juarez moved, seconded by Councilmember Reyes English, that Resolution 7555 be approved and adopted.

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

7.

RESOLUTION NO. 7565

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA RESTRICTING CURB PARKING ON STREETS ADJACENT TO CIMARRON ELEMENTARY SCHOOL IN HAWTHORNE CALIFORNIA.

Mayor Juarez moved, seconded by Councilmember Reyes English, that Resolution 7565 be approved and adopted.

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

8.

RESOLUTION NO. 7570

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO.

Mayor Juarez moved, seconded by Councilmember Reyes English, that Resolution 7570 be approved and adopted.

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

9.

RESOLUTION NO. 7571

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING CONDITIONAL USE PERMIT 2013 CU02 TO ALLOW A DRIVE-THRU FACILITY AT 14134 YUKON AVENUE WITHIN THE C-3 MU (GENERAL COMMERCIAL MIXED USE) ZONE ("PROJECT") AND MAKING USE OF GUIDELINE 15311 UNDER THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA").

Mayor Juarez moved, seconded by Councilmember Reyes English, that Resolution 7571 be approved and adopted.

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

10.

ORDINANCE 2046 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADDING CHAPTER 2.19 TO THE HAWTHORNE MUNICIPAL CODE ESTABLISHING THE VETERANS' AFFAIRS COMMISSION.

Councilmember Michelin moved, seconded by Vargas, that Ordinance No. 2046 be approved and adopted.

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

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

11.

City-initiated application recommending modification of guidelines regarding hotels and accompanying parking standards.

Mayor Juarez directed staff to prepare a resolution modifying the parking standards for hotel pursuant to the planning staff recommendation and direct staff to publish and agendize a public hearing on the modifications.

12.

Approve to Appoint City Manager as City's labor negotiator with respect to the Hawthorne Police Officers Association.

13.

Approve Progress Payment #2 & Final due to Gammill Electric Inc., for installation of an Emergency Generator and Airfield Lighting Control & Monitoring System – Airport Improvement project AIP No. 3-06-0101-013-2011 (City Project #11-03) in the amount of $34,900.00.

14.

Approve to award of contract to Great Scott Tree Trimming Service, Inc. for Street Tree Trimming -3 Year Contract (Project # 13-03) from Stanton, California pending annual bond renewal.

Mayor Juarez moved, seconded by Councilmember Reyes English to Approve the City Manager's consent calendar.

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

15.

Under Council Discussion/Action Items

a.- Direct Emergency Preparedness Coordinator to attend Neighborhood Association Meetings, Faith-Based Meeting, Chamber of Commerce and Non-Profit Organization Meetings in the City of Hawthorne in order to make the "Map Your Neighborhood" presentation. (Valentine)

Councilmember Valentine directed staff to develop a plan to educate the public on a city wide basis with a view to implementing "Map Your Neighborhood" throughout the city.

b.- Senior Center Commission (Vargas)

Councilmember Vargas asked for Council's support to proceed with the initiation of a senior commission.

Councilmember Vargas moved, seconded by Councilmember Reyes English to approve the formation of a Senior Commission.

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

c.- Options and procedures for increasing efficiency and time management at City Council Meetings (Valentine)

Option 1 - Changing time limit for oral communications from five minutes to three minutes per person.

Councilmember Valentine moved to change time limit for oral communications from five minutes to three minutes.

MOTION DIED FOR LACK OF A SECOND

Option 2 - Limiting presentations and proclamations to 10 minutes each with an interdeliniation of an additional five minutes for questions or answers.

Councilmember Valentine moved, seconded by Mayor Juarez to limit presentations and proclamations to 10 minutes each with an additional 5 minutes for questions and answers.

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

Councilmember Vargas directed staff to make change to ordinance to open it up from five minutes to the ten listed in the summary report.

Option 3 – Moving oral communications to take place during each agenda item and non-agenda item oral communications prior to discussion/action items.

Councilmember Valentine moved that oral communications take place during each agenda item and non-agenda item oral communications prior to discussion/action items.

MOTION DIED FOR LACK OF A SECOND

Option 4 – Curtailing elected official's reports to 10 minutes each, limiting comments on non-agenda items consistent with the Brown Act.

Councilmember Valentine moved, seconded by Councilmember Michelin to curtail elected official's reports to 10 minutes each, limiting comments on non-agenda items consistent with the Brown Act.

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

Mayor Juarez directed staff to come back with a change to the municipal code which deals with enforcement.

d.- City Manager's staff report re: HUD repayment. Failure of staff to follow direction given during city council meeting and unnecessary negative tone of staff report. (Valentine)

Councilmember Valentine requested the following comments **for the record**:

On March 26, 2013 the City Manager had placed an item on the agenda requesting authorization for the city to make payments to HUD because the city did not comply strictly with all the terms and conditions of a HOME loan. I objected to the staff report which I thought was unprofessional in a number of ways.

First of all, it was accusatory in nature and lacked any attempt at providing a factual basis or analysis. In other words, the staff report did not elaborate as to how each individual employee contributed to the HUD repayment situation. The apparent intent of the staff report was to blame all staff members and city council members who were in office several years ago. It should be noted that one councilmember kept repeating that the city misused or misspent HUD funds. This is not true. This is a case where the city fulfilled the objective of the HUD loan by building or assisting in the building of affordable housing units. I repeat, the HUD funds were properly spent. The HUD funds were not misused. HUD stated that an environmental document was missing from the HUD folder. That was the problem. We do not know if the environmental form was misplaced or never done. However, the tone of the HUD report was to lay blame on the former planning director. We need to remind everyone of HUD's harsh penalty. They asked the city to refund the HUD money even though we accomplished the purpose of constructing affordable housing units. I have a clear recollection of our former planning director because I served with him on the planning commission. He hired all of the individuals who now comprise the planning department. I was a planning commissioner when Mr. Roth had dozens of zone changes, zone text amendments, CUPs, PUDs, tract maps, projects and other matters successfully presented to both the Planning Commission and the City Council for approval. I speak for the present planning commission and the prior City Councilmembers when I say that Mr. Roth was an excellent planning director and I disagree with the March 26, 2013 staff report that more closely resembled character assassination than a legitimate city council staff report. Perhaps the blame lies with those staff members who decided to agree early on with HUD's findings. Maybe staff should have fought those findings rather than caving in so early. Maybe the blame lies with those people throwing blame on others. So I continue. I objected to the report at the March 26, 2013 City Council meeting. The City Manager obviously honored my request because on April 3, 2013, the same matter was agendized. However, the April 3, 2013 staff report was cleansed of the derogatory statements, except for the former planning director. The City Manager told me that he removed the objectionable items based upon my request at the March 26th meeting. However, on July 16, 2013, the City Manager agendized an item regarding authorization for a payment plan back to the HUD. I was shocked that the City Manager had ignored my previous request that I made during the

March 26, 2013 City Council meeting and the one that he agreed to comply with and that he restored the derogatory comments about former staff and former Councilmembers. I believe the City Manager should have honored my March 26th request that was made during a duly convened City Council meeting and which was not objected to by any other Councilmember at the time. This is consistent with an ordinance recently adopted by this City Council.

Secondly, I made it clear that the staff report lacked the factual basis to make those allegations. I was trying to say it in a nice way to the City Manager that I expect and demand professionalism in the office of City Manager. The City Manager had written a letter to HUD explaining in detail how the objectives of the subject loan were fulfilled. That letter should have been the essence of the staff report and nothing else. I disapprove of this type of criticism painted with broad strokes. If you're going to tell a story, tell the story in the context in which it happened. For the first year of this new City Council majority, it seemed as if the only objective was to exact revenge on certain employees who worked hard for the success of the city. This new Council seemed intent on working behind the scenes to get rid of revenue producing departments like the South Bay WIB for example and what was accomplished here? That is all I have to say on this subject. I should note that I was conducting a mediation on the night of the special City Council meeting, so I did not have a chance to say anything at that time which is why I am making my statement tonight. Thank you.

Councilmember Valentine moved, seconded by Councilmember Vargas, that all names be taken out of the staff report that were accusatory in nature.

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

20.

Under Elected Official Reports and Recommendations.

City Treasurer **Lubenec** congratulated Keith Chaffin on his award. Stated that he supports the five minute time limit for public speaking. Announced that a paper shredding and ewaste event will be held at City Hall on October 26th from 10am to 1pm. Had the chance to be at lunch with the Kiwanians at the museum last week and stated that they are a great bunch of people who have a lot on their agenda to help out in the city.

City Clerk **Huber** spoke on his recent Midwest tour of the U.S. Does not feel it is the Clerk's job to police the Council or cut them off when speaking.

Councilmember **Vargas** congratulated Officer Keith Chaffin. Feels the new commissions are victories that will help address many issues affecting veterans and seniors.

Councilmember **Valentine** added her congratulations to the police department for Detective Keith Chaffin on his continual commitment, enthusiasm and dedication to the department. Thanked Mr. Taniguchi for bringing forth the "Map your Neighborhood" program and hopes we can go ahead with this and begin implementing it throughout the city. Is glad to see the parent advocates and people out from Cimarron Elementary School and happy to help them implement the new safety program that will make the streets safer for the children. Congratulated all the participants and all the fundraisers from Relay for Life that were recognized. Thanked Mr. and Mrs. Orleman for their hard work in the Veterans Affair Committee. Is proud to implement a Veterans Affairs Commission and hopes it makes a big start towards connecting with all the Veterans in Hawthorne. Would like to have Kyle Orleman considered as a nominee for the Veterans Affairs Commission. Announced that Councilmember Vargas and she will sponsor the "Financial and Mortgage Empowerment" workshop on October 5th at the Memorial Center from 10am to 3pm. It is free to the community and will feature programs that can be taken advantage of by seniors, by homeowners, by those who want to improve their credit worthiness and by small businesses.

Councilmember **Michelin** congratulated Detective Keith Chaffin. Has been contacted by a lot of people who have told him they are tired of the City Council arguing. Stated that Council is working towards the goal of working together for economic development and all the things that we have to solve. Feels "Map your Neighborhood" is a great idea; the number for Mr. Claudio Taniguchi is 310-349-1687. Requested HR to review whether there is a policy whereby college debt is used as a criteria for police officer qualifications. Congratulated the American Cancer Society for their fundraising, to Rick Carver & Public

Works, the Hawthorne School District and everyone else that participated. Thanked all the Vets that made the Veterans Commission a reality. Thanked the City Council for maintaining the five minute rule.

Councilmember **Reyes English** congratulated Detective Chaffin. Looks forward to spearheading, along with Luciano Aguilar, the Pet Extravaganza event on October 12th. Acknowledged the efforts of the human resources department and city department heads to assure that city employees continue to be provided with services and information such as the upcoming health fair. Requested a report on how the Taste of Hawthorne event did.

Mayor **Juarez** congratulated Detective Chaffin and appreciates all that the city police department does. Stated that if anyone wants to nominate somebody to a commission, have them fill out a commission application. Congratulated Sports Authority on their grand reopening that was held this past Saturday. Received a call from Spike TV who is looking for homeowners who live in a construction nightmare. If anyone is interested in being on Spike TV to discuss this and getting your issues resolved, call Scott Hiller at 720- 515-6698. Reported on the submittal of the city's application for the LAEDC's (Los Angeles County Economic Corporation) 2013's Most Business Friendly City in Los County Award and while Hawthorne did not win, stated that we are on the right path and hopefully in the future we will be considered for the award. Announced that a blood drive will be held on September 26th from 9am to 3pm at city hall. Announced that our City of Hawthorne 9/11 Ceremony will be held on September 11th at 9am at City Hall.

21.

Mayor Juarez recessed the City Council meeting to conduct a **Closed Session**: Conference with Labor Negotiator (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: Michael Goodson (re: Hawthorne Police Officers Association).

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 Conference with Labor Negotiator (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: Michael Goodson (re: Hawthorne Police Officers Association) and announced that staff had been directed.

22.

Mayor Juarez adjourned the regular meeting at 9:46 p.m. in the memory of John L. Parsons and Terrence "Terry" Haynes, Jr.

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Norbert Huber
City Clerk