

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF HAWTHORNE,  
CALIFORNIA HELD AUGUST 23, 2016.**

Mayor Vargas called the City Council, Parking Authority, and Housing Authority meetings to order jointly and concurrently at 6:07 p.m. in the City Council Chambers of City Hall, 4455 W. 126<sup>th</sup> Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

Patricia Donaldson gave the evening's invocation. Chief Robert Fager led the Pledge of Allegiance.

Chief Robert Fager gave a presentation on hiring opportunities and the hiring process for the Hawthorne Police Department.

Human Resources Director David Roberts gave an update on the My Brother's Keeper initiative. An MBK Hawthorne Action Summit will be held on October 18<sup>th</sup> at the Hawthorne High School cafeteria from 6pm to 8pm.

1.

Under oral communications **Darvis Johnson**, on behalf of the Holly Park Homeowners Association, its Membership and its Board, presented the 2016 Scholarship for \$500 to Mariella Gutierrez. **Gloria Placencia** spoke in support of the mural initiative on tonight's agenda. **Jose Gonzalez** presented drawings for additional skate parks in the city. **Patricia Donaldson**, Hawthorne Chamber of Commerce, submitted the South Bay Workforce Investment Board quarterly report. Feels the city needs to hire a variety of police officers. Would like Mr. Gabay to speak on what is going to be built at the mall location as the Chamber is overwhelmed with phone calls regarding this subject. Announced that the golf tournament to be held at Rio Hondo has been postponed to October 14<sup>th</sup>. **Johan Cisneros** invited the community to attend the North Hawthorne Community Association picnic at Eucalyptus Park on August 27<sup>th</sup> from 12pm to 4pm. **Ronnie Manson** spoke regarding his volunteer work at the park and the Falcon 9 rocket launch. **Abdullah Ali** invited the City Council to attend the youth basketball playoffs at the Betty Ainsworth Center. **Lynn Vaughn** spoke against the Centinela Valley bond which will be on the November ballot. Asked that foster children be included in the My Brother's Keeper program. **Gordon Mego** spoke on the history of the Centinela bond measures. Feels the mall site should be the prime location for shopping, dining and entertainment in the city. Would like the hotel project across the street to include an art gallery, a museum, a park and a chamber of commerce. **John Vargas**, Trustee for the El Camino College District, invited the Council to attend the grand opening of the Murdock Stadium and Athletic Education and Fitness Complex on September 1<sup>st</sup> at 5pm. **Alex Monteiro** clarified the differences between the first Joint Powers Agreement for Centinela and the new bond. Spoke in support of My Brother's Keeper. Announced that Zela Davis still has preschool openings. **Kyle Orleman** asked if Council would consider adding to Item 9 on tonight's agenda some form of Veteran's preference and local hiring preference. Regarding Item 10, is uncomfortable having electronic signs along the freeway; feels they are traffic hazard. **Frances Stiglich** reported that the road from Gale Ave. to 116<sup>th</sup> to Eucalyptus to 120<sup>th</sup> is zigzagging and reported on garbage at the vacant lot on Gale. **Arlene Jess** reported that people who live on Gale find it hazardous coming out from 118<sup>th</sup> and from 120<sup>th</sup> because the traffic is going so fast and because there is parking on both sides.

2.

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

3.

Councilmember Valentine, moved seconded by Councilmember Reyes English, that the reading of the City Council minutes of the regular meeting of July 26, 2016 be waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None. ABSENT: None.

Councilmember Valentine, moved seconded by Councilmember Reyes English, that the reading of the City Council minutes of the regular meeting of August 9, 2016 be waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Michelin, Valentine, Mayor Vargas.

NOES: None. ABSTAIN: Councilmember Reyes English.

4.

Councilmember Valentine moved, seconded by Councilmember Reyes English, to waive full readings of resolutions and ordinances on August 23, 2016's agenda.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

5.

The City Treasurer submitted a financial statement regarding warrants.

Warrants Nos.: 136989-192990 ; 452164-452370; 37134-37510 ; 10157-10161

Warrant Totals: \$ 663,912.03 ; \$1,802,737.35 ; \$ 661,510.56 ; \$ 40,287.64

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

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

6.

**RESOLUTION NO. 7839**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, DESIGNATING KORNBLUM AVENUE BETWEEN ROSECRANS AVENUE AND 145<sup>th</sup> STREET AS A PREFERENTIAL PARKING DISTRICT.

Councilmember Valentine moved, seconded by Councilmember Reyes English, that Resolution 7839 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

7.

**RESOLUTION NO. 7840**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING RESOLUTION NO. 7822 AND REVOKING PREFERENTIAL PARKING ON BURL AVENUE BETWEEN 121<sup>ST</sup> STREET AND 12312 BURL AVENUE.

Councilmember Valentine moved, seconded by Councilmember Reyes English, that Resolution 7840 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

8.

**RESOLUTION NO. 7843**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING THE "UNIFORM POLICY FOR MAINTENANCE, EQUIPMENT & GRAFFITI PERSONNEL".

Councilmember Valentine moved, seconded by Councilmember Reyes English, that Resolution 7843 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

**PUBLIC HEARINGS**

9.

(Joint City Council and Finance Authority)

**Mayor Vargas announced that this was the time the place for this public hearing (item 9). He opened the Joint Public Hearings of the City Council and the Finance Authority but due to the four agreements to be approved tonight not being available to the City Council until the night before the meeting, this item was adjourned until August 30, 2016 at 5:00p.m.**

**Joint Public Hearing** for both City Council and Finance Authority of Hawthorne. A Public Hearing to consider adopting City Council Resolution No. 7838 and Finance Authority Resolution No. 1 granting an economic subsidy to Mogul Hospitality Partners – Hawthorne LLC under agreement among the City of Hawthorne, Finance Authority of Hawthorne and Mogul Capital pursuant to California Government Code Section 53083. In consideration for Mogul to construct and operate an approximately 300 key hotel initially operating under a dual franchise of Marriott Courtyard and TownePlace Suites, 4,000 square foot restaurant and related amenities (the “Project”), the City of Hawthorne and the Finance Authority are considering the approval of the following: (1) ground lease; (2) lease agreement, (3) site and facility lease, and (4) assignment agreement. The economic subsidy being provided to Mogul involves a financial structure known as a lease/leaseback arrangement which would allow payment of transient utility tax paid to Mogul under certain specified circumstances when Mogul’s net hotel operating costs are not met. The written report on the economic subsidy was available for public review in the City Clerk’s Department and the City’s Website since August 18, 2016.

City Clerk’s declaration of publication filed. Motion to close hearing. Motion to approve Resolution No. 7838 and Resolution No. 1.

**RESOLUTION NO. 7838**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING A (1) GROUND LEASE, (2) LEASE AGREEMENT, (3) SITE AND FACILITY LEASE AND (4) ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HAWTHORNE AND MOGUL HOSPITALITY PARTNERS – HAWTHORNE, LLC FOR THE LEASE/PURCHASE OF 9 PARCELS OF REAL PROPERTY BOUNDED BY 126TH STREET, HAWTHORNE BOULEVARD, WEST EL SEGUNDO BLVD AND GREVILLEA AVENUE, IN THE CITY OF HAWTHORNE.

**FINANCE AUTHORITY OF HAWTHORNE**

**RESOLUTION NO. 1**

A RESOLUTION OF THE FINANCE AUTHORITY OF HAWTHORNE APPROVING A (1) LEASE AGREEMENT, (2) SITE AND FACILITY LEASE AND (3) ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HAWTHORNE, THE FINANCE AUTHORITY OF HAWTHORNE AND MOGUL HOSPITALITY PARTNERS – HAWTHORNE, LLC TO PROVIDE FINANCING FOR THE HOTEL AND RESTAURANT PROJECT AT THE CIVIC CENTER SITE MORE PARTICULARLY DESCRIBED AS 9 PARCELS OF REAL PROPERTY BOUNDED BY 126TH STREET, HAWTHORNE BOULEVARD, WEST EL SEGUNDO BLVD AND GREVILLEA AVENUE, IN THE CITY OF HAWTHORNE.

10.

Councilmember Awad recused himself from Item 10 and read the following statement for the record: I would like to state for the record that I have a potential conflict of interest in Item 10, Ordinance No. 2122, based on a business and real property economic interest. The address of this economic interest is 11604 Prairie Avenue, which is within 500 feet of the proposed Freeway Overlay Zone. Therefore, I am disqualified from participating in this matter as it reasonably foreseeable that creation of the Freeway Overlay Zone will have a material financial effect on my economic interest. At this time, I will recuse myself and will be leaving.

City Clerk Huber announced that this was the time and place for the Public Hearing and Introduction of Ordinance No. 2122 a Zone Text Amendment (ZTA2016-ZA03) amending portions of Chapter 17.04, Sections 17.10.010, 17.32.020 and 17.38.060 and adding Chapter 17.88 to Title 17 of the Hawthorne Municipal Code to establish the “Freeway Overlay Zone” for the purposes of allowing certain off-premises signs (billboard) and adopting a mitigated negative declaration related thereto.

Planning Department’s Declaration publication filed. No written communications were received.

Mayor Vargas called for public comments.

Under public comments, no one expressed a desire to be heard.

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

**ORDINANCE NO. 2122 (1<sup>st</sup> Reading)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, A ZONE TEXT AMENDMENT (ZTA2016-ZA03) AMENDING PORTIONS OF CHAPTER 17.04, SECTIONS 17.10.010, 17.32.020 AND 17.38.060 AND ADDING CHAPTER 17.88 TO TITLE 17 OF THE HAWTHORNE MUNICIPAL CODE TO ESTABLISH THE “FREEWAY OVERLAY ZONE” FOR THE PURPOSES OF ALLOWING CERTAIN OFF-PREMISES SIGNS (BILLBOARD) AND ADOPTING A MITIGATED NEGATIVE DECLARATION RELATED THERETO.

Ordinance 2122 was introduced by title only by Mayor Vargas.

11.

City Clerk Huber announced that this was the time and place for the Public Hearing approving change of zone 2016-CZ01 to change thirteen parcels from C-3 (General Commercial) to C-M (Mixed Commercial) and making findings related thereto.

Planning Department’s Declaration publication filed. No written communications were received.

Mayor Vargas called for public comments.

Under public comments **Amy Shepard** asked that the Council consider putting in some measures for the developer to make sure that some of these units are available for sale and housing component. **Gordon Mego** asked for clarification on identifying the 13 parcels.

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

**ORDINANCE NO. 2123**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, APPROVING CHANGE OF ZONE 2016-CZ01 TO CHANGE THIRTEEN PARCELS FROM C-3 (GENERAL COMMERCIAL) TO C-M (MIXED COMMERCIAL) AND MAKING FINDINGS RELATED THERETO.

Ordinance 2123 was introduced by title only by Councilmember Reyes English.

12.

**ORDINANCE NO. 2120 (2<sup>nd</sup> Reading)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, REPEALING AND ADDING A NEW CHAPTER 8.17B TO TITLE 8 (HEALTH AND SAFETY) OF THE HAWTHORNE MUNICIPAL CODE (HMC) RELATED TO MANDATORY COMMERCIAL AND MULTI-FAMILY RESIDENTIAL RECYCLING AND AMENDING VARIOUS RELATED DEFINITIONS.

Mayor Vargas moved, seconded by Councilmember Reyes English, that Ordinance 2120 be approved. and adopted.

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

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

13.

Approve Progress Payment #7 due to Zumar Industries of Tacoma, Washington. The amount of \$20,472.38 will be paid for with approved and allocated Gas Tax funds

14.

Approve Progress Payment #4 due to Great Scott Tree Services, Inc. for Street Trimming Project #13-03. The amount of \$7,695.00 will be paid for with approved and allocated Tree Trimming funds.

15.

Award of contract to lowest responsive and responsible bidder Micon Construction Inc. Plascencia, Ca. for Removal and Replacement of Play Equipment at Memorial Park including Americans with Disabilities Act (ADA) Accessibility Improvements (Project #16-02). Project cost of \$287,669.00 will be paid from set aside development impact fees.

16.

Acceptance of approximately 50 square foot right-of-way for the purpose of constructing an ADA accessible ramp dedicated on a portion of Lot 19, Tract No. 6441, as per map recorded in map book 70, page 69 of maps records of Los Angeles County in the office of the County Recorder of the County of Los Angeles.

17.

Approve the Re-advertisement for construction of a Digital Billboard on Crenshaw Blvd. (Project #15-07).

Mayor Vargas moved, seconded by Councilmember Reyes English, to approve items 13 through 17 of the City Manager's consent calendar.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

The City Attorney, Russell Miyahira, presented the following agenda and requested denial of the indicated recommendations:

18.

Approve Settlement of Infinity Insurance subrogation claim in the amount of \$5,308.00.

Councilmember Reyes English moved, seconded by Councilmember Valentine, to approve item 18 of the City Attorney's consent calendar.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

19.

Approve the Settlement of Farmers Insurance Co.'s subrogation claim in the amount of \$8,920.00 is arising out of a traffic collision between a city vehicle and a parked vehicle.

Mayor Vargas moved, seconded by Councilmember Valentine, to approve item 19 of the City Attorney's consent calendar.

ROLL CALL-AYES: Councilmembers Awad, Reyes English, Michelin, Valentine, Mayor Vargas.

NOES: None.

20.

#### **CITY COUNCIL'S DISCUSSION/ACTION ITEMS**

a.- Consider creation of an "Art in public places" policy, by ordinance or resolution, to allow certain art, such as murals, on city-owned and private property. (Valentine)

Councilmember Valentine asked that Council to create the policy by Resolution or Ordinance that would allow the City to accept this donation. The murals would be placed in the parks at Holly Park, Holly Glen and Ramona.

Councilmember Valentine moved, seconded by Councilmember Reyes English, that a Resolution be prepared allowing the City to accept the donation of murals in public spaces.

**No vote was taken at this time.**

21.

### **Under Elected Official Reports and Recommendations.**

City Treasurer **Patterson** thanked the public for coming out and voicing their opinion. Expressed excitement over the My Brother's Keeper initiative here in Hawthorne and looks forward to participating in it. Spoke in support of bringing a wing mural to the City. Would still like to pursue an RFP for banking services.

City Clerk **Huber** spoke on the Daily Breeze article on internships for local high school students at SpaceX. Stated that mentoring is important, but anyone who can give kids an opportunity, that's the key in making a difference to their lives. Stated that the Hawthorne Historical Society has always wanted to have a mural and would be happy to have an artist work with them.

Councilmember **Valentine** thanked SpaceX for putting down roots in our community and giving our young people a path to reaching their future goals. Thanked Human Resources Director David Roberts for his work on the My Brother's Keeper program and taking it to the next level. Announced that Step into Success, the 4<sup>th</sup> annual job fair sponsored by the Los Angeles Office of Education will be held at the Memorial Center on September 29<sup>th</sup>; for more information, contact Robert Padilla at 310-665-7757. Announced that Traditions on the Green, at El Segundo and Van Ness, will have a picnic on Saturday from 3pm to 7pm.

Councilmember **Awad** thanked the residents for coming out and voicing their opinions on some of the issues being dealt with today. Thanked David Roberts for the presentation and his work on My Brother's Keeper.

Councilmember **Michelin** reported that he has received a lot of complaints from residents about a Councilmember who does not attend community events and has also received information about a Councilmember trying to retaliate against individual police officers. He reminded Councilmembers that retaliation is illegal.

Councilmember **Reyes English** thanked Chief Fager for his presentation on recruitment of new police officers and the Human Resources Department for the testing process. Requested an update regarding the First Time Homebuyers program. Asked that the City Manager and City Attorney take a look at certain advertisements on Hawthorne Blvd for removal as they are not in good taste. Requested that the Police Chief implement not only the sobriety check points but that they be announced with an address. Spoke on the importance of Councilmembers being seated, engaged and listening during Council meetings.

Mayor **Vargas** directed the City Attorney to check the status of AB 718 in order to see if a letter of opposition could be written. Spoke on concerns regarding land use in the City. Reported on attending the Holly Glen Homeowners Association picnic and looks forward to attending the North Hawthorne Community Association picnic on the 27<sup>th</sup>. Encouraged the Council to get involved and participate.

22.

This item was adjourned to the August 30, 2016 special meeting at 5:00 p.m.

**CLOSED SESSION:** Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to litigation pursuant to California Government Code § 54956.9 (b) **One potential case.**

23.

Mayor Vargas adjourned this meeting to Tuesday, August 30, 2016 at 5:00 p.m. to consider items #9 and #22.

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Norbert Huber  
City Clerk

08/23/16