

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD MAY 9, 2017**

Mayor Vargas called the City Council, Parking Authority, and Housing Authority meetings to order jointly and concurrently at 6:06 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers Awad, Reyes English, Valentine, Mayor Vargas.
Absent: Councilmember Michelin. (excused)

Kathy Wagner gave the evening's invocation. Patricia Donaldson led the Pledge of Allegiance.

Chief Fager presented a brief video regarding the Police Department's new 'Neighborhood Sub-Station' which is a new way for the department to connect with the community.

Marylyn Lyon, Environmental Services Analyst from the South Bay Cities Council of Governments, presented a Southern California Edison Recognition Certificate to the City of Hawthorne for achieving Platinum Level Energy Leader in the Southern California Edison and South Bay Cities Council of Governments Energy Leader Partnership.

Mayor Vargas acknowledged Nadia Barrera with a Certificate of Appreciation for her services on the Youth Commission.

Mayor Vargas presented a Certificate of Recognition to Mrs. Julia Lemus de Solares in honor of her 103rd birthday.

At this time Mayor Vargas recess the meeting temporarily to give residents an opportunity to check out the Neighborhood Sub Station.

1.

Under oral communications, **Councilmember Reyes English** presented a Certificate of Appreciation to Phi Beta Sigma Fraternity, Inc. in recognition of the Volunteer Income Tax Assistance (VITA) and Tax Counseling for the Elderly (TCE) program providing free tax preparation for the residents of the City of Hawthorne. Clarence Espinosa, President of Phi Beta Sigma Fraternity Kappa Delta Sigma chapter, presented the City with a Certificate of Appreciation from the IRS and the Franchise Tax Board. **Patricia Donaldson** on behalf of Mr. Jan Vogel presented a blueprint of job fair reports. Aflac and John Maxwell Team and Independent Certified Coach Teacher and Speaker Joined the Chamber. **Phil Myers** stated that he will not run for Ramona Association again and announced that Jason Gromsky is the new president of the association. Spoke on the board full with new people who will bring new ideas and will make the Ramona neighborhood better. **Alex Monteiro** thanked participants of relay for life. Announced that on Mother's day weekend the health fair and 5K will take place. Wished everyone a Happy Mother's Day.. Announced the Post Office food drive on May 13, Canine Dinner will be at the Memorial Center on May 25. The Lyons Club will be holding a bowling fundraiser at the Gable House in Torrance. **Brendon Givens**, spoke on his advertising business on twitter. Frances Stiglich, complained about comments made about Councilmember Michelin. **Lisa Aguilar** spoke about tennis lessons at Hollypark.

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, to approve the city council minutes for the regular meeting of March 28, 2017.

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

Councilmember Valentine moved, seconded by Councilmember Reyes English, to approve the city council minutes for the regular meeting of April 11, 2017.

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

Councilmember Valentine moved, seconded by Councilmember Reyes English, to approve the city council minutes for the regular meeting of April 25, 2017.

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

4.

Councilmember Valentine moved, seconded by Reyes English, to waive full readings of resolutions and ordinances on May 9, 2017's agenda.

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

5.

The City Treasurer submitted a financial statement regarding warrants.

Warrants Nos.: 1493176-193179 ; 455683-455885 ; 40471-40473 ; 10232-10242

Warrant Totals: \$ 628,578.79 ; \$630,0003.45 ; \$538.01 ; \$33,804.73

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, Valentine, Mayor Vargas.
NOES: None. ABSENT: Councilmember Michelin.

6.

RESOLUTION NO. 7893

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, PROCLAIMING THE MONTH OF MAY 2017 AS LUPUS AWARENESS MONTH.

Councilmember Valentine moved, seconded by Councilmember Reyes English that Resolution 7893 be approved and adopted.

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

7.

RESOLUTION NO. 7896

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, DECLARING ITS INTENTION TO LEVY STREET LIGHTING ASSESSMENTS FOR FISCAL YEAR 2017-2018 AND SETTING TUESDAY, JUNE 13, 2017 AT 6:00 P.M. AS THE TIME AND DATE OF A PUBLIC HEARING.

Councilmember Valentine moved, seconded by Councilmember Reyes English, that Resolution 7896 be approved and adopted.

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

8.

RESOLUTION NO. 7898

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2017-2018, PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION.

Councilmember Valentine moved, seconded by Councilmember Reyes English, that Resolution 7898 be approved and adopted.

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

PUBLIC HEARINGS

9.

City Clerk Huber announced that this was the time and place for the Public Hearing and approval of Ordinance No. 2142 regarding Zone Amendment 2017ZA02 – Regional Shopping Center Signs.

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

Mayor Vargas called for public comments.

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

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

ORDINANCE NO. 2142 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING CHAPTER 17.35 (ON-PREMISE SIGNS) AND CHAPTER 17.88 (FREEWAY OVERLAY ZONE) OF TITLE 17 OF THE HAWTHORNE MUNICIPAL CODE TO ADD PROVISIONS FOR FREESTANDING BILLBOARD SIGNS IN REGIONAL SHOPPING CENTERS AND TO CLARIFY HEIGHT LIMITS FOR BILLBOARD SIGNS, AND APPROVING A DETERMINATION THAT THE PROPOSED AMENDMENTS ARE WITHIN THE SCOPE OF THE MITIGATED NEGATIVE DECLARATION PREPARED FOR THE FREEWAY OVERLAY ZONE AND CERTIFIED BY THE CITY COUNCIL ON SEPTEMBER 13, 2016, AND MAKING

Mayor Vargas moved, seconded by Councilmember Valentine, that Ordinance 2142 be approved and adopted.

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

NOES: None. ABSENT: Councilmember Michelin.

10.

City Clerk Huber announced that this was the time and place for the Public Hearing and approval of Resolution No. 7887 and Ordinance No. 2143 pertaining to a General Plan Amendment 2016GP03 and Change of Zone 2016CZ05.

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

Mayor Vargas called for public comments.

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

RESOLUTION NO. 7887

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADOPTING A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING GENERAL PLAN AMENDMENT 2016GP03 AMENDING THE LAND USE ELEMENT MAP FOR PROPERTY LOCATED AT 14115 CORDARY AVENUE FROM THE HIGH DENSITY RESIDENTIAL (HDR) DESIGNATION TO THE GENERAL COMMERCIAL (GC) DESIGNATION AND MAKING FINDINGS IN SUPPORT THEREOF.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 7887 be approved and adopted.

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

NOES: None. ABSENT: Councilmember Michelin.

ORDINANCE NO. 2143 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING CHANGE OF ZONE 2016CZ05 CHANGING THE ZONING DESIGNATION OF 14115 CORDARY AVENUE (APN 4051-030-016) FROM THE MAXIMUM DENSITY RESIDENTIAL (R-4) ZONE TO THE GENERAL COMMERCIAL – MIXED USE OVERLAY [C-3 (MU)] AND MAKING FINDINGS IN SUPPORT THEREOF

Mayor Vargas moved, seconded by Councilmember Valentine, that Ordinance 2143 be approved and adopted.

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

11.

City Clerk Huber announced that this was the time and place for the Public Hearing and approval of Resolution No. 7897 pertaining to adoption of the budget.

City Clerk Department Declaration publication filed. No written communications were received.

Mayor Vargas called for public comments.

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

Mayor Vargas called Interim City Manager Arnold Shadbahr and Finance Director Rickey Manbahal for a presentation.

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

RESOLUTION NO. 7897

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2017-2018.

Councilmember Valentine moved, seconded by Councilmember Reyes English, that Resolution 7897 be approved and adopted.

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

12.

City Clerk Huber announced that this was the time and place for the Public Hearing Public Hearing and approval of and approval of the 2017-2018 Annual Action Plan.

Human Resources Department Declaration publication filed. No written communications were received.

Mayor Vargas called for public comments.

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

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

Approve the 2017-2018 Annual Action Plan for Program Year 2017, July 1, 2017 to June 30, 2018. Authorize the City Manager to sign the certifications and all related documents and to submit same to U. S. Department of Housing and Urban Development (HUD).

Mayor Vargas moved, seconded by Councilmember Reyes English, to approve the 2017-2018 Annual Action Plan for Program Year 2017, July 1, 2017 to June 30, 2018. Authorize the City Manager to sign the certifications and all related documents and to submit same to U. S. Department of Housing and Urban Development (HUD).

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

13.

GENERAL MATTERS (NON-CONSENT ITEMS)

RESOLUTION NO. 7899

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, IDENTIFYING ONE-TIME FUNDS FOR FUTURE BUDGETARY SHORTFALLS. FOR ADOPTION.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 7899 be approved and adopted.

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

NOES: None. ABSENT: Councilmember Michelin.

CITY MANAGER'S CONSENT CALENDAR

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

14.

Approve Progress Payment #2 due to Zumar Industries of Tacoma, Washington. The amount of \$15,562.51 will be paid for with approved and allocated Gas Tax funds

15.

Approval of Agreement with LDM Associates, Inc., for the preparation of Consolidated Plan and Annual Action Plan Program Year 2017-2018, 2018-2019 and 2019-2020 and Technical Assistance for IDIS.

16.

Receive and File the City of Hawthorne's Investment Report as of March 2017.

Mayor Vargas moved, seconded by Councilmember Valentine, to approve item 14, 15 and 16 of the City Manager's consent calendar.

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

NOES: None. ABSENT: Councilmember Michelin.

CITY ATTORNEY'S CONSENT CALENDAR

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

17.

Claims of Marcus Kowal, Mishel Elder, Allison Bell and the estate of Liam Kowal, alleging a dangerous condition of public property that resulted in injuries to Allison Bell, and the death of Liam Kowal arising from a pedestrian v. civilian vehicle auto collision on September 3, 2016 at or near the intersection of Hawthorne Blvd and 133rd Street.

Mayor Vargas moved, seconded by Councilmember Valentine, that the claims filed on behalf of Marcus Kowal, Mishel Elder, Allison Bell and the estate of Liam Kowal, alleging a dangerous condition of public property that resulted in injuries to Allison Bell, and the death of Liam Kowal arising from a pedestrian v. civilian vehicle auto collision on September 3, 2016 at or near the intersection of Hawthorne Blvd and 133rd Street be denied in its entirety.

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

NOES: None. ABSENT: Councilmember Michelin.

18.

Under City Council's Discussion/Action Items:

a.- Appointment of Ryan Christopher Richard to the Youth Commission.(Vargas)

Mayor Vargas moved, seconded by Councilmember Valentine, to approve Appointment of Ryan Christopher Richard to the Youth Commission.

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

NOES: None. ABSENT: Councilmember Michelin.

19.

Under Elected Official Reports and Recommendations.

City Treasurer **Patterson** congratulated and welcomed the new Youth Commissioner. Acknowledged the City for proclaiming May as Lupus Awareness Month. Spoke regarding his recent meeting with the financial director to discuss investment reports which helped to remind him how much he values making a contribution to his City and is happy to see some of his initiatives and suggestions actually implemented over the last three years. Reminded the community to continue to come out and let their voices be heard and volunteer their ideas. Recognized the Council for not only working hard for the city these last few years but for creating a great environment for good things to occur. Recommended that the City look into solar panels.

City Clerk **Huber** spoke on attending National Day of Prayer. Announced that the Hawthorne Historical Society's Hall of Fame banquet will be held on May 19th at the Ayres Hotel at 6pm. The Historical Society will meet tomorrow night at 6:30pm at the Police Department community room to work on Good Neighbors Day and the Hall of Fame banquet. Looks forward to the shredding and compost event going on this Saturday at the Betty Ainsworth Center. Wished all the mothers a Happy Mother's Day.

Councilmember **Valentine** announced that the South Bay Cog has partnered with SCE and West Basin Municipal Water District to offer free water saving devices and rebates for energy efficiency equipment. They will be visiting businesses who wants to participate in the program on May 4 and 14. Also, for Hawthorne residents the West Basin Municipal Water District is offering a turf removal class on May 11. Spoke on the largest terminal relocation in the history of Los Angeles Airport. Thanked everyone who organized the National Day of Prayer. Congratulated Chief Fager for the Police substation. Congratulated Arnie Shadbehr for reaching Platinum Label with the South Bay Cog for conserving energy. Wished a Happy Mother's Day to everyone.

Councilmember **Reyes English** commended Ms. Solares on her 103th birthday, acknowledge Ronnie Manson birthday, Day of Prayer, and Cable TV. Stated that she did attend the Relay for Life. Thanked the City Manager and Department Heads for working efficiently on the budget. Requested the City to buy a table for the Historical Society Banquet, looks forward to form an Appeal Committee. Announced she won't be attending the meeting of the May 25 as she will be out of town.

Councilmember **Awad** commended the City Manager and Department Heads for presenting a balanced budget. Congratulated Ms. Solares on her 103rd birthday. Chief Fager on the new substation and Bryan Richard as the new Youth Commissioner. He also thanked the community for coming to the meeting.

Mayor **Vargas** congratulated the previous and the new board members of the Ramona Neighborhood Association. Spoke on the National Day of Prayer, and thanked the City Treasurer and the City Clerk for giving positive ideas to improve the City. Wished all the moms a Happy Mother's Day. Spoke on the Relay for Life event. Questioned the Planning Director, Bryan James on the status of the two hotels on EL Segundo Boulevard. Thanked everyone for coming to the meeting.

20.

Mayor Vargas recessed the City Council meeting to conduct a **Closed Session**: Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case. Leon Rosby v. City of Hawthorne, et al. Case No. CV 14-1688 FMO (JCx).

Mayor Vargas 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 – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case. Leon Rosby v. City of Hawthorne, et al. Case No. CV 14-1688 FMO (JCx), and the City Attorney stated that the City Council considered the proposed settlement reached at the JAMS mediated settlement conference between Rosby and his attorneys and the City Attorney with retired magistrate Margaret

05/09/17

Nagle. The City Council voted 4-0 to approve the settlement in the amount of \$599,999.00 with the City contributing approximately \$160,000 of its self-insured retention and the remainder being paid by ICRMA. The settlement agreement will be made available to the public after the agreement is executed by all parties. (Councilmember Michelin was absent from the Closed Session).

21.

Mayor Vargas adjourned the regular meeting at 8:50 p.m.

Norbert Huber
City Clerk