

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD APRIL 28, 2020.**

1.

Mayor Vargas called the City Council, meeting to order at 6:05 p.m. in the City Council Chambers of City Hall, 4455 W. 126th Street, Hawthorne, California.

ROLL CALL-Present: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
Absent: None.

2.

Councilmember Monteiro gave the evening's invocation. Councilmember Talleda led the Pledge of Allegiance.

3.

Councilmember Valentine introduced Ms. Patrice Jinso-Springer who gave a presentation and spoke on what elder abuse is, the causes of it, the types of abuse and the physical signs (emotional and behavioral signs). Also spoke on how to report elder abuse when you know of it and finally how to prevent elderly abuse in your community.

4.

Under oral communications, City Clerk Jimenez read an email received by Ruben Sanchez, President of North Hawthorne Community Association regarding parking of vehicles at the former John Kennedy Hospital and the danger of having cell towers near homes.

5.

CITY CLERK'S CONSENT CALENDAR

6.

Councilmember Valentine moved, seconded by Councilmember Monteiro, that the reading of the City Council minutes of the regular meeting of March 10, 2020 waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

7.

Councilmember Valentine moved, seconded by Mayor Vargas, that the reading of the City Council minutes of the special meeting of March 10, 2020 waived and that they be approved and adopted.

ROLL CALL-AYES: Councilmembers Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.
ABSTAIN: Councilmember Awad.

8.

Councilmember Valentine, seconded by Councilmember Monteiro, to waive full readings of resolutions and ordinances on April 28, 2020's agenda.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

9.

The City Treasurer submitted a financial statement regarding warrants.

Warrants Nos.: 165657-165939 ; 469304-469451 ; 52585-52912 ; 10630-10633

Warrant Totals: \$681,007.93; \$1,948,393.85 ; \$876,276.15 ; \$36,360.78

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

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

10.

RESOLUTIONS

11.

RESOLUTION NO. 8177

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE 2016-2017 DEVELOPMENT IMPACT FEE ANNUAL REPORT PURSUANT TO GOVERNMENT CODE SECTION 66006(B).

Councilmember Valentine moved, seconded by Councilmember Monteiro, that Resolution 8177 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

12.

RESOLUTION NO. 8178

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE 2017-2018 DEVELOPMENT IMPACT FEE ANNUAL REPORT PURSUANT TO GOVERNMENT CODE SECTION 66006(B).

Councilmember Valentine moved, seconded by Councilmember Monteiro, that Resolution 8178 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

13.

RESOLUTION NO. 8182

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF HAWTHORNE, CALIFORNIA, PROCLAIMING MAY 3, 2020 THROUGH MAY 9, 2020 AS "MUNICIPAL CLERK'S WEEK" IN HAWTHORNE.

Councilmember Valentine moved, seconded by Councilmember Monteiro, that Resolution 8182 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

14.

RESOLUTION NO. 8188

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING CERTAIN DESIGNATED CITY OF HAWTHORNE OFFICERS TO ORDER THE DEPOSIT OR WITHDRAWAL OF MONIES FROM THE BANK OF THE WEST ACCOUNT.

Councilmember Valentine moved, seconded by Councilmember Monteiro, that Resolution 8188 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

15.

ORDINANCES

16.

ORDINANCE NO. 2197 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADOPTING BY REFERENCE THE 2019 EDITIONS OF THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA EXISTING BUILDING CODE, CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA ENERGY CODE, CALIFORNIA ADMINISTRATIVE CODE, CALIFORNIA HISTORICAL BUILDING CODE, AND 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; ADOPTING LOCAL AMENDMENTS TO THE REFERENCED CODES; AND ADDING CHAPTERS 15.07 (ADMINISTRATIVE CODE), 15.13 (ENERGY CODE), 15.30 (HISTORICAL BUILDING CODE) AND 15.46 (UNIFORM CODE FOR ABATEMENT OF BUILDINGS AND REPEALING AND RE-ENACTING CHAPTERS 15.04, 15.05, 15.08, 15.24, 15.28, 15.32, 15.36, AND 15.40, & REPEALING ALL PRIOR EDITIONS OF THE CALIFORNIA BUILDING CODE PREVIOUSLY ADOPTED BY THE CITY COUNCIL.

Ordinance 2197 was introduced by title only by Mayor Vargas.

17.

ORDINANCE NO. 2199 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, REPEALING CHAPTER 2.27 (DESIGN REVIEW BOARD) AND AMENDING CHAPTER 17.99 (DESIGN REVIEW) TO PROVIDE PLANNING COMMISSION AUTHORITY TO CONDUCT ARCHITECTURAL AND DESIGN REVIEW OF SPECIFIED PROJECTS.

Mayor Vargas moved, seconded by Councilmember Valentine, that Ordinance 2199 be approved and adopted.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Valentine, Mayor Vargas.
NOES: Councilmember Talleda..

18.

CITY MANAGER’S CONSENT CALENDAR

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

19.

Approve Progress Payment #2 and Final Acceptance to Martinez Landscape Co. of Sylmar, CA for Project #19-01, Alley Improvement Project.

20.

Accept and approve grant of MTA competitive Call for Projects Funding Agreement between the City of Hawthorne and the Metropolitan Transportation Authority (MTA) and authorize Director of Public Works to execute the agreement and all future amendments on the City’s behalf.

21.

Approve Agreement between City of Hawthorne and AMTECORP INC. to provide Building, Mechanical, Plumbing, Electrical, As-Needed Building Plan Checking Services, Field inspection Service and On-Call Code Assistance Services for City inspection personnel and authorize the Director of Building and Safety to enter into and execute it on the City's behalf.

22.

Approve Agreement between City of Hawthorne and J. LEE ENGINEERING INC. to provide as-needed Building, Mechanical, Plumbing and Electrical Plan Checking Services, Field inspection Services and On-Call Code Assistance Services for City inspection personnel and authorize the Director of Building and Safety to enter into and execute it on the City's behalf.

Mayor Vargas moved, seconded by Councilmember Monteiro, to approve items 19 through 22 of the City Manager's consent calendar.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

23.

CITY COUNCIL'S DISCUSSION/ACTION ITEMS

24.

City non-financial Assistance to local businesses re-emerging from COVID-19 economic crisis. (Valentine) /Guidelines for re-opening small Hawthorne businesses. Councilmember Valentine said the City needs to provide assistance to businesses impacted by COVID-19 and indicated several websites that are available to offer help, such as SBA.gov, Cal OSHA, etc. She offered general guidelines such as testing of employees, sending home employees to who symptoms of illness, conducting a risk assessment, training of employees for cough etiquette and routine cleaning of office environment.

25.

Direct City Attorney to amend Ordinance No. 2198 (Short Term Rentals) to allow a limited number of residents who both own rental property as well as reside in the City of Hawthorne to participate in the Short Term Rental program as long as a cap is imposed on the number of participants in the program. (Monteiro)

After some discussion, Councilmember Monteiro moved seconded by Mayor Vargas to amend Ordinance No. 2198 (Short Term Rentals) to allow a limited number of residents who both own rental property as well as reside in the City of Hawthorne to participate in the Short Term Rental program as long as a cap is imposed on the number of participants in the program.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

26.

EVICTION MORATORIUM (Residential/Commercial) – (Awad)

Council member Awad said he would like to revisit the Eviction Moratorium issue that was brought up at the last city council meeting. He wanted to direct the City Attorney to draft an eviction moratorium which will contained the following: 1) retroactive to March 1st; 2) payback provision; 3) encourage payment plan with Landlord; 4) this is not rent forgiveness; 5) renters must give notice to Landlord of inability to pay rent; 6) Landlords are prohibited from certain eviction actions. Councilmember Awad also directed City Attorney to research whether General Law cities can enact such ordinances.

27.

Direct City Attorney to draft disclosure Ordinance for elected officials/commissioners on all public hearing items concerning land use, zoning and other public nuisance determinations. Disclosure would require disclosure of all ex parte contacts (whether principal or surrogates), nature of communication, etc. Direct City Attorney to provide copies of draft ordinance to city council members. (Vargas)

After some discussion, City Attorney was directed to provide copies of a draft ordinance where elected officials/commissioners on all public hearing items concerning land use, zoning and other public nuisance determinations require disclosure of all ex parte contacts (whether principal or surrogates), nature of communication including lobbyist need to register in Hawthorne.

28.

ELECTED OFFICIALS REPORTS/RECOMMENDATIONS

City Treasurer **Patterson** thanked the community for tuning in and participating in the process.

City Clerk **Jimenez** thanked everyone who join the meeting from home. La Board of Supervisors voted unanimously to send vote by mail ballots for the Nov. election. Ask the residents to stay at home. Thanked everyone who's helping not spread COVID 19 virus. Thanked the meat processing people, health care worker, Paramedics, Firefighters, Law Enforcement, Grocery store workers, delivery food workers and fast food workers.

Councilmember **Talleda** echoed the City Clerks thanks to all the essential people. Agreed with Councilmember Awad on not doing evictions while they are going through the worst time of their lives. Glad that the City had put a lot of information and wishes that this nightmare ends soon. He hopes that all of this passes soon and think about it as a bad dream.

Councilmember **Valentine** echoed the City Clerk thanks to all the essential people. Congratulated City Manager Shadbeh for doing a spectacular job during this COVID 19 crisis. Thanked Councilmember Wesson for providing 400 masks to our residents.

Councilmember **Awad** echoed the same sentiments as the City Clerk, special thanks to nurses and doctors and to our Police Department who's done a fantastic job even risking their lives to help the community. Thanked Pat Springer for her presentation on Elder abuse. Directed the City Manager and the City Attorney to create a program and re-direct the stipends and salaries of the council to purchase and distribute masks for residents in addition to front line workers that may need them. He requested that his salary be redirected to this program as far as he possible can do it.

The City Attorney responded that he will prepare a Legal Confidential regarding this request.

Councilmember **Monteiro** thanked the front line workers and city staff for going to work despite of this pandemic. Agree with Councilmember Awad's idea and suggested that maybe SpaceX or Tesla might donate to this cause. Reminded everyone about the fill in all the paperwork for the Census as we need to be counted. Wished everyone a Happy Mother's Day. Requested that a discussion action be put on for the next meeting regarding all the cars parked at the JF Kennedy Hospital parking lot.

Mayor **Vargas** thanked every councilmember individually for all they are doing spreading the word on the city programs and resources available to the community. City staff are working even though the doors are closed to the public. Reminded the community that it is still necessary to practice social distancing, and stay inside as much as possible.

29.

Mayor Vargas called for oral comments. No one indicated a desire to be heard.

Mayor Vargas recessed the City Council meeting to conduct a **Closed Session:** CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Government Code Section 54957.6 City Designated Representative: Arnold Shadbeh, City Manager Unrepresented Employee: Candidate for Assistant City Manager.

Employment Agreement between City of Hawthorne and Erick Lee. Motion to Approve Employment Agreement with Assistant City Manager.

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 LABOR NEGOTIATORS – Pursuant to Government Code Section 54957.6 City Designated Representative: Arnold Shadbehr, City Manager Unrepresented Employee: Candidate for Assistant City Manager.

The City Attorney stated that the Labor Negotiator was instructed.

Employment Agreement between City of Hawthorne and Erick Lee.

Mayor Vargas moved, seconded by Councilmember Monteiro, to approve Employment Agreement between City of Hawthorne and Erick Lee.

ROLL CALL-AYES: Councilmembers Awad, Monteiro, Talleda, Valentine, Mayor Vargas.
NOES: None.

30.

Mayor Vargas adjourned the regular meeting at 8:17 p.m.

Dr. Paul Jimenez
City Clerk