

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD MAY 26, 2020.**

1.

Mayor Vargas called the City Council, meeting to order at 6:03 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.

City Treasurer Patterson gave the evening's invocation. New Assistant City Manager Erick Lee led the Pledge of Allegiance.

3.

Councilmember Valentine thanked Jackie Bacharac from the South Bay Council of Governments for making this Presentation possible. Introduced Josh Armstrong who elaborate on the Secondary Internet Service Provider that replaces existing secondary link in more cost effective manners in connection with South Bay Council of Government's Fiber Infrastructure Project.

4.

Sam English gave the City Council an Update on the State & County of Los Angeles Plan of Action as it relates to re-opening the City of Hawthorne. Spoke regarding the History of Disaster Management, How Disaster Management has evolved and the responsibility of the Disaster Management Area Coordinator.

5.

Captain Tomatani gave an update on the Hawthorne Police Department and stated that he's been trying to balance providing service to the community and trying to maintain all employees save from the COVID 19 pandemic. He has adjusted all his employees work schedules, had to learn reliance on the new technology that for now on will be used to do on line reporting from the community and have staff respond right away so that residents don't have to wait for an officer when they have a problem. He also spoke on the Public Health Order that just came out and stated that the City of Hawthorne and all the department will follow all the orders from the Los Angeles County Department of Public Health.

6.

Oral Communications, City Clerk Jimenez announced that he received 3 emails and 1 phone call regarding item No. 13.

7

CITY CLERK'S CONSENT CALENDAR

8.

Councilmember Monteiro moved, seconded by Councilmember Valentine that the reading of the City Council minutes of the regular meeting of November 26, 2019 be waived and that they be approved and adopted.

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

9.

Mayor Vargas moved, seconded by Councilmember Valentine, that the reading of the City Council minutes of the regular meetings of May 14, 2019, May 28, 2019, January 14, 2020, February 11, 2020, February 25, 2020 and April 14, 2020 be waived and that they be approved and adopted.

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

NOES: None.

39.

Mayor Vargas moved, seconded by Councilmember Valentine, to waive full readings of resolutions and ordinances on May 26, 2020's agenda.

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

NOES: None.

10.

The City Treasurer submitted a financial statement regarding warrants.

Warrants Nos.: 166219-166494 ; 469581-469732 ; 52916-53242 ; 10637-10642

Warrant Totals: \$716,289.23; \$1,763,778.05 ; \$882,279.71 ; \$114,665.82

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

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

NOES: None.

11.

RESOLUTIONS

12.

RESOLUTION NO. 8187

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE MAKING EXPRESS FINDINGS AND DETERMINATIONS THAT MODIFICATIONS TO THE 2019 CALIFORNIA BUILDING STANDARDS CODE, ARE REASONABLY NECESSARY BECAUSE OF LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS.

Mayor Vargas moved seconded by Councilmember Valentine that Resolution 8187 be approved and adopted.

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

NOES: None.

13.

RESOLUTION NO. 8192

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SUPPORTING SENATE BILL 990 (MOORLACH) TO SUSPEND ASSEMBLY BILL 5, WHICH PROHIBITS CALIFORNIANS FROM DOING BUSINESS AS INDEPENDENT CONTRACTORS.

This item was pulled before the meeting.

14.

This Resolution was taken separately from the City Clerk's Consent Calendar.

RESOLUTION NO. 8196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING AND ADOPTING THE BUDGET AMENDMENT FOR THE FISCAL YEARS 2019-2020 AND 2020-2021.

Mayor Vargas moved seconded, by Councilmember Monteiro that Resolution 8196 be approved and adopted.

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

15.

RESOLUTION NO. 8197

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, REPEALING BUDGET ALLOCATIONS FOR CITY COUNCIL MEMBERS FOR THE REMAINDER OF 2019-2020 AND 2020-2021 FISCAL YEAR.

Mayor Vargas moved, seconded by Councilmember Valentine that Resolution 8197 be approved and adopted.

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

16.

RESOLUTION NO. 8198

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO LEVY STREET LIGHTING ASSESSMENTS FOR FISCAL YEAR 2020-2021 AND SETTING TUESDAY, JUNE 9, 2020 AT 6:00 P.M. AS THE TIME AND DATE OF A PUBLIC HEARING.

Mayor Vargas moved, seconded by Councilmember Valentine that Resolution 8198 be approved and adopted.

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

17.

RESOLUTION NO. 8199

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE ACCEPTING FEDERAL AVIATION ADMINISTRATION GRANT (AIP 3-06-0101-019-2020) IN AN AMOUNT NOT TO EXCEED \$ 69,000, UNDER THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) AND AUTHORIZING AND RATIFYING THE DIRECTOR OF PUBLIC WORKS' EXECUTION OF GRANT DOCUMENTS.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 8199 be approved and adopted.

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

18.

RESOLUTION NO. 8200

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING A MASTER PRODUCTS & SERVICES AGREEMENT WITH RACE TELECOMMUNICATIONS, FOR BACK-UP INTERNET SERVICES ON THE SBCCOG FIBER NETWORK.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 8200 be approved and adopted.

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

19.

PUBLIC HEARING

20.

City Clerk Jimenez announced this was the time and place for the Public Hearing to adopt Ordinance No. 2197, 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.

Building and Safety Department’s 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.**

ORDINANCE NO. 2197 (2nd Reading)

AN ORDINANCE 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.

Mayor Vargas moved, seconded by Councilmember Monteiro, that Ordinance No. 2197 be approved and adopted.

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

21.

ORDINANCES

22.

ORDINANCE NO. 2201 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING TITLE 1 (GENERAL PROVISIONS), TITLE 15 (BUILDINGS AND CONSTRUCTION) AND TITLE 17 (ZONING) TO ADD ADDITIONAL ENFORCEMENT STRATEGIES SUCH AS WITHOLDING OF PERMITS AND ADDING APPLICATION CONSIDERATIONS TO ADDRESS DELINQUENT FINES, ZONING VIOLATIONS, AND CONTINUING VIOLATIONS OF THE HAWTHORNE MUNICIPAL CODE.

Mayor Vargas moved, seconded by Councilmember Monteiro, that Ordinance No. 2201 be approved and adopted.

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

23.

ORDINANCE NO. 2202 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ENACTING CHAPTER 2.3 TO TITLE 2 (ADMINISTRATION, CIVIL SERVICE AND PERSONNEL) OF THE HAWTHORNE MUNICIPAL CODE ENACTING THE “HAWTHORNE TRANSPARENCY, DISCLOSURE & ACCOUNTABILITY REFORM ACT.”

Ordinance 2202 was introduced by title only by Mayor Vargas.

24.

ORDINANCE NO. 2203 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADOPTING REGULATIONS RELATED TO EVICTIONS, AND STATING THE EFFECTIVE DATE AND DURATION OF THE ORDINANCE & ENACTING CHAPTER 9.71 A TO TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF DIVISION VI (CONSUMER PROTECTION) OF THE HAWTHORNE MUNICIPAL CODE.

Ordinance 2103 was introduced by title only by Mayor Vargas.

25.

CITY MANAGER’S CONSENT CALENDAR

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

26.

Approve the Extension of Facility Use Agreement between City of Hawthorne and Los Angeles County/Optum Serve to provide COVID-19 Testing at Memorial Center. The term of the Agreement ends on June 6, 2020 and the County has asked the City to extend the Agreement to June 30, 2020.

29.

Approve A Side Letter Agreement between the City of Hawthorne and the Hawthorne Police Management Supervisory Group (“HPMSG”), amending the Memorandum of Understanding (“MOU”) Between the City and HPMSG Effective July 1, 2019 Through June 30, 2021

30.

Approve A Side Letter Agreement between the City of Hawthorne and the Hawthorne Municipal Employees’ Association Part-Time Employees (“HMEA-PT”), Amending the Memorandum of Understanding (“MOU”) between the City and HMEA-PT Effective July 1, 2014 through June 30, 2016

32.

Approve A Side Letter Agreement between the City of Hawthorne and the Hawthorne Police Officers' Association ("HPOA"), Amending the Memorandum of Understanding ("MOU") between the City and HPOA Effective July 1, 2020 through June 30, 2021

33.

A Side Letter Agreement between the City of Hawthorne and the Hawthorne Executive Group ("HEG"), Amending the Memorandum of Understanding ("MOU") Between the City and HEG Effective July 1, 2016 through June 30, 2020

Mayor Vargas moved, seconded by Councilmember Valentine to approve items 26, 29, 30, 32 and 33 of the City Manager's consent calendar.

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

NOES: None.

27.

Approve Thirteenth Amendment to the Franchise Agreement for Residential, Commercial and Roll-off Refuse Collection and Disposal Service between the City of Hawthorne and Allied Waste Services concerning Rate Adjustment and authorize City Manager to approve and execute all future annual rate adjustments as specified in Franchise Agreement dated August 14, 2012, subject to consent of City Attorney.

Mayor Vargas moved, seconded by Councilmember Valentine to approve items 27 of the City Manager's consent calendar.

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

NOES: Councilmember Awad.

28.

Approve to Appoint City Manager as City Negotiator re: Unrepresented employee: City Attorney in negotiating extension of Employment Contract as well as terms and conditions (including salary), thereof

Mayor Vargas moved, seconded by Councilmember Monteiro to approve item 28 of the City Manager's consent calendar.

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

NOES: None.

34.

CITY COUNCIL'S DISCUSSION/ACTION ITEMS

35.

Protection for landlords during COVID-19 Pandemic (Vargas)

Mayor Vargas clarified for the residents that landlords are also protected in a balanced approach that the state government has taken along with the City Council. Residential and commercial tenants need to experience a substantial decrease in income due to the virus in order to be able to take advantage of the protection provided by the state moratorium and the moratorium we helped augment which already exists. Tenants need to provide documentation that could later be verified down the line that they lost income and the reasons they are in this situation. The landlords must keep the information provided to them handy but confidential. The tenants are ultimately responsible for the rent and must pay it back within the six months after the moratorium is lifted. Tenants who received an eviction judgement against them prior to March 4th of 2020 but have not moved out before March 4th cannot take advantage of the protection

given by the eviction moratoriums that exists. If the tenant poses a health or safety risk, the landlord may evict the tenant but will have to prove the severity of the risk to the court when they are before the court. The Hawthorne ordinance encourages tenants to pay as much of the rent as possible to reduce the amount that will become due when the moratorium is lifted. Landlords who have tenants that stop paying rent should explain in writing to the tenants that they have to prove their economic loss and repay the rent. The landlords need to let the tenants know what their rights are by either providing a copy of the ordinance we have or refer them to the City's website to read the ordinance. There are also tenants' rights groups or legal aid groups that could advise the tenants and landlords on what to do.

36.

Term Limits (Awad)

Councilmember Awad thanked the City Attorney for providing Council with an ordinance that could be discussed with the purpose of placing it before the voters in November. He inquired whether everyone had had a chance to go over the ordinance provided by the City Attorney regarding term limits and what the City Attorney constructed from researching other cities around us and giving us a good plan of action to provide this for the residents. There ordinance pertains to two terms for Mayor and two terms for City Council. The ordinance will come back on the June 9th meeting.

37.

ELECTED OFFICIALS REPORTS/RECOMMENDATIONS

City Treasurer **Patterson** thanked the community for paying attention to what's happening. Recognized the City Manager in the budget process.

City Clerk **Jimenez** thanked everyone for joining in from home, echoed the City Treasurer thoughts and thanked the City Manager, Felice and Frank for being fiscally responsible. Wished a happy belated Memorial Day and thanked everyone who has served this country. Stated they have new resources for Veteran's on Instagram and social media. Thanked all the mail carriers for working so hard during this current times.

Councilmember **Talleda** thanked Cpt. Tomatani for his presentation. Spoke of having a special day with all the families of veterans that die in war. Spoke regarding all the people that have lost their job. Thanked the Veterans for all the sacrificies that they made over the years.

Councilmember **Valentine** also thanked Cpt. Tomatani for his presentation. Thanked the rest of the Council for approving the Fiber Infrastructure Project. Stated her distressed over the unemployment rate and is afraid that people will not act as responsible as they should therefore she is requesting the use of "mandatory masks" when you enter into a retail store or when gather into large groups. Announced that the DMV has extended giving licensed for adults over 70 for a 120 days due to COVID 19 crisis, also 69 and under there is an extension to July 31. Thanked the rest of the council for all the debates on this important issues.

Councilmember **Awad** thanked the Finance Department's team and the City Manager for not letting the City sink in this difficult time. Stated that we should show more love for veterans as they have gone thru a lot before and now with this COVID 19 means it is adding to their troubles. Thanked Capt. Tomatani for his presentation. Congratulated all the high school scholarship winners. Invited the public to his first virtual town hall meeting joined by LA County to answer questions about COVID 19, this meeting will be this Thursday at 4:00p.m, you can register at Haidarhawthorne.com

Councilmember **Monteiro** thanked the City Manager, Finance Director and all departments for making sacrifices on their budgets. Thanked Sam English, the City Manager and the Chief for putting the presentation together. Attended a Zoom meeting with the County Sanitation District regarding a program regarding rebates for the water conservation. Received a flyer from Congresswoman Maxine Waters announcing that on Friday May 29 from 12 to 3 they will be giving 15,000 meals in Inglewood. It was a sad Memorial Day not able to celebrate the lives that we've lost in combats.

Mayor **Vargas** welcomed the new Assistant City Manager Lee, stated being anxious to come back to a "normal life". Mention the vaccine and stressed that everyone should exercise, eat healthy so that our bodies can fight any virus that's might infect us. Highlighted and reflected on the real meaning of

Memorial Day. Thanked all the Councilmembers, elected official and staff for helping, reaching out to the community, answer any questions or concerns that residents have to make them feel safe and know how to protect themselves.

38.

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 (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiators: Arnold Shadbehre and Christine Tomikawa (re: Hawthorne Municipal Employees Association – “HMEA”).

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 (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiators: Arnold Shadbehre and Christine Tomikawa (re: Hawthorne Municipal Employees Association – “HMEA”).

31.

Approve A Side Letter Agreement between the City of Hawthorne and the Hawthorne Municipal Employees’ Association (“HMEA”), Amending the Memorandum of Understanding (“MOU”) between the City and HMEA Effective July 1, 2015 through June 30, 2020

Mayor Vargas moved, seconded by Councilmember Monteiro to approve item 31 of the City Manager’s consent calendar.

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

40.

Mayor Vargas adjourned the regular meeting at 8:25 p.m.

Dr. Paul Jimenez
City Clerk