

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF HAWTHORNE,
CALIFORNIA HELD FEBRUARY 12, 2019.**

1.

Mayor Vargas called the City Council, meeting to order jointly and concurrently at 6:04 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.

Pastor Phil Cookes from South Bay Celebration Assembly gave the evening's invocation. Commissioner Darlene Love led the Pledge of Allegiance.

3.

Mayor Pro Tem Valentine presented a video with some of the highlights of her Business Expo. She also presented certificates of service to all the businesses that participated on her 4th Business Expo held January 23, 2019.

4.

Acting Finance Director Felice Lopez gave an update regarding the mid-year budget.

5.

Mr. Neil Gafney gave an update on the emergency alert system program.

6.

Under oral communications, **Francisco Sanchez**, complained about parking issues in his neighborhood. **Richard Bodershuir** also complained about parking issues. **Pat Donaldson**, announced the State of the City Luncheon being held March 7, 2019 at 12:00 p.m. at the Memorial Center. **Ronnie Manson** spoke on how he helped many people at the Northridge Earthquake.

40.

At this time, Mayor Vargas took some items from the Discussion/Action Items out of order:

CITY COUNCIL'S DISCUSSION/ACTION ITEMS

46. - Appointment of Ryan Richard to the Citizens Oversight Committee (Vargas)

Mayor Vargas moved, seconded by Councilmember Valentine to appoint Ryan Richard to the Citizens Oversight Committee.

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

47. Appointment of Jason L. Caraveo Jr. to the Planning Commission (Vargas)

Mayor Vargas moved, seconded by Councilmember Talleda to appoint Jason L. Caraveo Jr. to the Planning Commission.

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

7.

CITY CLERK'S CONSENT CALENDAR

8.

Mayor Vargas moved, seconded by Councilmember Valentine, that the reading of the City Council minutes of the regular meeting of January 22, 2019 be waived and that they be approved and adopted.

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

02/12/19

NOES: None.

9.

Mayor Vargas moved, seconded by Councilmember Valentine, to waive full readings of resolutions and ordinances on February 12, 2019'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.: 456276-456567 ; 463896-464123 ; 47903-47905 ;10545-10549.

Warrant Totals: \$ 807,708.88 ; \$1,465,140.32 : \$167.28 : \$41,781.18.

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.

There were no Bids at this time

12.

RESOLUTIONS

13.

RESOLUTION NO. 8027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING A SIDE LETTER AGREEMENT BETWEEN THE CITY OF HAWTHORNE AND THE HAWTHORNE MUNICIPAL EMPLOYEES ASSOCIATION AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE HAWTHORNE MUNICIPAL EMPLOYEES ASSOCIATION (PART-TIME EMPLOYEES).

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 8027 be approved and adopted.

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

14.

RESOLUTION NO. 8042

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE AGREEMENT BETWEEN THE CITY OF HAWTHORNE AND THE CITY OF GARDENA REGARDING PARATRANSIT SERVICES, RATIFYING SERVICES FOR FISCAL YEARS 2016-2017 AND 2017-2018 AND APPROVING SERVICES FOR FISCAL YEARS 2018-2019 AND 2019-2020.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 8042 be approved and adopted.

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

15.

PULLED.

16.

RESOLUTION NO. 8047

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ELECTING TO BE EXEMPT FROM THE CONGESTION MANAGEMENT PROGRAM.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 8047 be approved and adopted.

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

17.

RESOLUTION NO. 8048

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING FIRST AMENDMENT TO EMPLOYMENT AGREEMENT FOR THE INTERIM CITY MANAGER CONTRACT FOR CLARIFICATION PURPOSES.

Mayor Vargas moved, seconded by Councilmember Valentine, that Resolution 8048 be approved and adopted.

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

18.

This item was pulled before the meeting.

RESOLUTION NO. 8049

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING (1) AN AMENDED ENVIRONMENTAL INDEMNITY AGREEMENT IN FAVOR OF THE BORROWER AND ITS LENDER, AND (2) REVISED GRANT DEEDS WHICH REFLECT THE CORRECT BOUNDARIES OF THE PROJECT.

19.

RESOLUTION NO. 8050

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, PROCLAIMING THE MONTH OF FEBRUARY AS BLACK HISTORY MONTH.

Councilmember Valentine moved, seconded by Councilmember Monteiro, that Resolution 8050 be approved and adopted.

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

20.

PUBLIC HEARINGS

City Clerk Jimenez announced that this was the time and place for the Public Hearing to consider an amendment to the franchise agreement between Allied Waste Services of North America & the City of Hawthorne. This amendment will affect the rates Allied charges to its customers in the City for solid waste and recyclable collection and for other services.

City Clerk'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.

RESOLUTION NO. 8045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, APPROVING THE AMENDMENT OF THE SOLID WASTE FRANCHISE AGREEMENT BETWEEN THE CITY AND ALLIED WASTE SERVICES OF NORTH AMERICA, LLC AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A THIRD AMENDED AND RESTATED FRANCHISE AGREEMENT.

Mayor Vargas moved, seconded by Councilmember Monteiro, that Resolution 8045 be approved and adopted.

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

NOES: None.

21.

ORDINANCES

22.

ORDINANCE NO. 2169 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ENACTING CHAPTER 9.33 (UNNECESSARY & NUISANCE NOISE), REPEALING CHAPTER 9.34 (UNNECESSARY NOISE), ENACTING 9.34 (NOISE ORDINANCE), REPEALING CHAPTER 9.35 (DISTURBANCE CAUSED BY LOUD, UNNECESSARY & UNUSUAL NOISE), ENACTING CHAPTER 9.35 (ARCHITECTURAL ACOUSTICS), REPEALING CHAPTER 9.36 (SOUND TRUCK), ENACTING CHAPTER 9.36 (VIBRATION ORDINANCE) AND ENACTING CHAPTER 9.37 (RESERVED) OF THE HAWTHORNE MUNICIPAL CODE.

Ordinance 2176 was introduced by title only by Mayor Vargas.

23.

ORDINANCE NO. 2171 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING AND RENAMING CHAPTER 5.57 (VENDING FROM MOTOR VEHICLES) OF THE HAWTHORNE MUNICIPAL CODE AND ENACTING CHAPTER 5.57 A (SIDEWALK VENDING) OF THE HAWTHORNE MUNICIPAL CODE.

Ordinance 2176 was introduced by title only by Mayor Vargas.

24.

ORDINANCE NO. 2172 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADDING SECTION 2.06.025 (MAYOR PRO TEM) TO CHAPTER 2 (CITY COUNCIL) OF TITLE 2 (ADMINISTRATION, CIVIL SERVICE & PERSONNEL) OF THE HAWTHORNE MUNICIPAL CODE RELATED TO APPOINTMENT AND TERM OF MAYOR PRO TEM.

Ordinance 2172 was introduced by title only by Mayor Vargas.

25.

ORDINANCE NO. 2173 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING HAWTHORNE MUNICIPAL CODE, TITLE 2 [ADMINISTRATION, CIVIL SERVICE & PERSONNEL], CHAPTER 2.22 [PARK, RECREATION AND FINE ARTS COMMISSION], SECTION 2.22.130 J [SIDEWALK OR ROAMING VENDORS IN CITY PARKS].

Ordinance 2173 was introduced by title only by Councilmember Monteiro.

26.

URGENCY ORDINANCE NO. 2174

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING AND RENAMING CHAPTER 5.57 (VENDING FROM MOTOR VEHICLES) OF THE HAWTHORNE MUNICIPAL CODE AND ENACTING CHAPTER 5.57 A (SIDEWALK VENDING) OF THE HAWTHORNE MUNICIPAL CODE AND DECLARING THE URGENCY THEREOF.

Councilmember Monteiro moved, seconded by Councilmember Valentine, that Urgency Ordinance No. 2174 be approved and adopted.

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

NOES: None.

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

28.

Approve Progress Payment #9 to Shawnan Corporation of Downey, CA for Project #15-03, El Segundo Blvd. Improvement. The amount of \$229,645.56 will be funded from MTA Call for Projects.

29.

Approve Agreement to implement an Emergency Alert system for Hawthorne and Authorize the Chief of Public Works and General Services to proceed with the agreement. The annual impact to the General Fund will be approximately \$32,000.

30.

Approve Purchase of Two Police Patrol Vehicles. The amount of \$113,448.59 will be funded from approved and allocated Equipment funds.

31.

Purchase of Paint Truck. The amount of \$120,000 will be funded from a grant received through Proposition C. The balance will be funded through approved and allocated Equipment funds.

32.

Approve, Receive and File the City of Hawthorne's Investment Report for the quarter ended December 31, 2018.

33.

Approve, Receive and File FY 2018-19 Midyear Budget report adjustments and Appropriations.

34.

Approving and Authorizing Lease Agreement between City of Hawthorne and First American Equipment Finance. Authorize City Manager to Execute Equipment Schedule No. 1 and authorize City Attorney to Execute Opinion of Counsel, which states that the lease documents have been duly authorized executed and delivered by the City of Hawthorne.

35.

Approve Progress Payment #4 to Martinez Landscape Company, Inc., of Sylmar, CA for General Maintenance (Project #15-02) – 3rd Year. The amount of \$156,371.79 will be funded through the approved and allocated Gas Tax and Measure M funds.

36.

Approve to Appoint Mr. Muhamad Awadallah, President of WSC, Inc., who was nominated by the Hawthorne Chamber of Commerce, to serve on the South Bay Workforce Investment Board as representative of the private business sector in Hawthorne. The appointment is to replace Beatrice Williams of Legal Shield, who resigned from SBWIB due to her inability to attend meetings. The term would expire on June 30, 2023.

Mayor Vargas moved, seconded by Councilmember Monteiro, to approve items 28 through 36 of the City Manager's consent calendar.

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

NOES: None.

37.

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

38.

Deny - Claim of Herman Roberson for excessive use of force during his arrest for interfering with an investigation and assault on an officer.

39.

Deny - Claimants, Tom and Victoria Mastorakos, submitted a claim for equitable indemnity which arose out of a slip-and-fall by Plaintiff, Bridget Banks. The incident occurred on November 9, 2017 at 4623 West El Segundo Blvd. Claimants' claim that the sidewalk constituted a dangerous condition of public property, and that the City is responsible for maintaining the sidewalks.

Mayor Vargas moved, seconded by Councilmember Monteiro to approve items 38 and 39 of the City Attorney's consent calendar.

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

NOES: None. ABSENT: Councilmember Valentine.

40.

CITY COUNCIL'S DISCUSSION/ACTION ITEMS

41. Expand the radius for mailing notification to generate more public awareness of proposed discretionary projects heard before Planning Commission and City Council. The present radius is 300 feet and the request is to enlarge the radius to 1,000 feet, including apartment building tenants.

This would require an amendment to Hawthorne Municipal Code 17.06.050 D(1). (Talleda)

Mayor Vargas moved seconded by Councilmember Monteiro to approve this item.

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

NOES: None.

42. Establish a gift and donation policy so that individuals and entities that desire to provide resources to the City to fund delivery of public municipal programs or services that benefit the residents of the City of Hawthorne. This would entail a clear and transparent policy for the management of donations to encourage donors to make resources available for City programs. (Talleda)

RESOLUTION NO. 8051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ESTABLISHING A GIFT AND DONATION POLICY FOR THE CITY.

Councilmember Talleda moved, seconded by Councilmember Valentine, that Resolution 8051 be approved and adopted.

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

NOES: None.

43. Consider amending Hawthorne Municipal Code Chapter 2.19 re: Veterans' Affairs Committee to expand the opportunity for more non-veterans participating in the meeting. Also Consider requesting that the Veterans' Affairs Commission change the meeting to evening, rather than afternoon, in order to increase attendance at the meetings. (Talleda)

Councilmember Talleda moved seconded by Councilmember Valentine to approve this item and amend the existing Resolution.

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

NOES: None.

44. Consider creation of architectural design review board. (Talleda)

Councilmember Talleda moved seconded by Mayor Vargas to approve considering the creation of

architectural design review board.

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

NOES: None.

45. Since the City of Hawthorne is a member of Bizfed, the City should add it to the list of organizations for attendance by City Council representatives. (Valentine)

This item was withdrawn by Councilmember Valentine.

48. Appointment of Carol L. Maston to the Senior Commission (Vargas)

Mayor Vargas moved, seconded by Councilmember Valentine to appoint Carol L. Maston to the Senior Commission.

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

NOES: None.

49.

ELECTED OFFICIALS REPORTS/RECOMMENDATIONS

City Treasurer **Patterson** thanked the community for coming out and let their voices be heard. Proud of the results of the investments.

Councilmember **Monteiro** thanked staff for all the work they do putting agendas together. Thanked Arnie and Doug Krause for all their help talking to Allied Waste, the results were better than expected. Attended workshops at the South Bay Cities Council of Governments, West Basin Municipal Water District class. Thanked Chief Ishii and Capt. Catano for taking immediate action to one of his concern, wished everyone a Happy Black History Month, Happy Valentines and Happy Presidents Day.

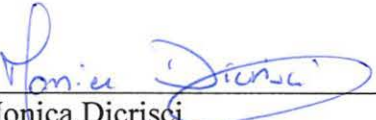
Councilmember **Awad** thanked everyone for coming out, congratulated Councilmember Valentine for a wonderful event, thanked Felice Lopez for her report. Wished everyone a Happy Black History Month, and Happy Valentines.

Councilmember **Valentine** attended a class on landscape transformation given by the South Bay Environmental Services and requested that their flyer be put on the city's website. Spoke about decisions being made that affected businesses when they hire "independent contractors" instead of just regular employees that works for a company. Directed the City Attorney to draft a summary that the city can put on the website so that the businesses understand what the regulations are and what they need to do about this. Thanked the Finance Department and the City Treasurer for their report also thanked the City Manager, the Public Works Department, The Parks and Recreation staff for all the help on her Business Expo.

Mayor **Vargas** congratulated Councilmember Valentine on a successful Business Expo, Thanked Acting Finance Director Felice Lopez and City Treasurer Patterson for their report. Very Happy with the way the Council is working together.

51.

Mayor Vargas adjourned the regular meeting at 8:56 p.m.



Monica Dicrisci
Deputy City Clerk