

Larry Guidi, Mayor
Ginny Lambert, Mayor Pro Tem
Pablo Catano, Councilmember
Gary Parsons, Councilmember
Daniel Juarez, Councilmember

Angie English, City Clerk
Thierry Lubenec, City Treasurer



CITY OF HAWTHORNE
CITY COUNCIL, COMMUNITY REDEVELOPMENT AGENCY
PARKING AUTHORITY AND HOUSING AUTHORITY
REGULAR MEETINGS
AGENDA FOR JANUARY 27, 2009 AT 6:00 P.M.
COUNCIL CHAMBER AT CITY HALL
4455 W. 126th STREET, HAWTHORNE, CALIFORNIA

ORAL COMMUNICATIONS

ANY PERSON DESIRING TO ADDRESS THE CITY COUNCIL, COMMUNITY REDEVELOPMENT AGENCY AND PARKING AUTHORITY SHOULD COMPLETE A SPEAKER REQUEST CARD AND SUBMIT THE CARD TO THE CITY CLERK/SECRETARY PRIOR TO THE COMMENCEMENT OF THE CITY COUNCIL, COMMUNITY REDEVELOPMENT AGENCY, PARKING AUTHORITY AND HOUSING AUTHORITY MEETING. AFTER OBTAINING PERMISSION TO PROCEED BY THE PRESIDING OFFICER SPEAKERS SHOULD FIRST STATE THEIR FULL NAME AND ADDRESS FOR THE RECORD. THEY THEN SHALL STATE THEIR BUSINESS FOR ALL GOVERNING BODIES BRIEFLY AND COMPLETELY AND UNLESS GRANTED FURTHER TIME BY A GOVERNING BODY SHALL LIMIT THEIR ADDRESS TO FIVE MINUTES. THE FIVE-MINUTE LIMIT SHALL INCLUDE GOVERNING BODY OR STAFF RESPONSES, IF ANY, TO QUERIES POSED BY SPEAKERS. HOWEVER, THE STATE OPEN MEETINGS LAW (GOVERNMENT CODE SECTION 54950 ET SEQ.) PROHIBITS THE CITY COUNCIL FROM PROVIDING A DETAILED RESPONSE OR ACTING UPON ANY ITEM NOT CONTAINED ON THE AGENDA POSTED 72 HOURS BEFORE A REGULAR MEETING AND 24 HOURS BEFORE A SPECIAL MEETING. ALL REMARKS SHALL BE ADDRESSED TO THE GOVERNING BODIES AS A BODY AND NOT TO ANY PARTICULAR MEMBER THEREOF. THE GOVERNING BODY MAY EITHER DISPOSE OF THE COMMUNICATION AT THE CLOSE THEREOF OR MAY REFER IT TO AN APPROPRIATE ADMINISTRATIVE OFFICER FOR STUDY, INVESTIGATION, REPORT, AND/OR RECOMMENDATION. DISCUSSION, IF ANY, SHALL BE BY MEMBERS OF A GOVERNING BODY ONLY. (H.M.C. 2.06.180, RESO. NO. 6443)

THIS INFORMATION IS AVAILABLE IN ALTERNATE FORMATS. PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION TO PARTICIPATE (48 HOUR NOTICE) BY CONTACTING THE CITY CLERK'S DEPARTMENT AT 310-349-2915. THE COUNCIL FACILITIES HAVE BEEN EQUIPPED WITH DEVICES TO ASSIST PERSONS WITH DISABILITIES.

AGENDA

Call to order by Mayor Guidi.

Invocation. Pledge of Allegiance to the American Flag.

Presentation: LAX Noise Impacts to Hawthorne – Robert Holden (Parsons)

Presentation: Allied Waste Services - Merger with Republic – Samuel Pena (Pathirana)

1.

Oral Communications.

2.

Elected Officials Reports/Recommendations. Appointments / Re-appointments / Removals to Commissions / Committees / Boards.

Discussion/Action Items:

- Renaming the City Maintenance Yard “John “JP” Perello Maintenance Yard (Guidi)
- Holding Town Hall Meetings Throughout the City to Get Residents Ideas for Future Hawthorne Mall Development (Parsons)
- Mayor, City Council, City Clerk and City Treasurer to sign a letter protesting cuts in education and withholding compensation to legislators until the State budget is passed. (Guidi)

3.

Recess Community Redevelopment Agency. Recess Parking Authority. Recess Housing Authority.

4.

Public Hearing on Resolution No. 7233, A Resolution Of The City Council Of The City Of Hawthorne, California Consenting to a Water Rate Increase Proposed by California Water Service Company. City Clerk’s Department’s declaration of posting of public hearing notices. Several written communications were received protesting the water rate increase. Call for Cal Water presentation. Call for oral comments at public hearing. Motion to close hearing. Motion to adopt Resolution No. 7233.

RESOLUTION NO. 7233

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA CONSENTING TO A WATER RATE INCREASE PROPOSED BY CALIFORNIA WATER SERVICE COMPANY. Motion to adopt.

- View supporting documentation

CITY CLERK'S CONSENT CALENDAR

5.

Approval of City Council minutes for the regular meeting of January 13, 2009. Motion to approve minutes.

- View supporting documentation

6.

Approval of City Council minutes for the special meeting of January 22, 2009. Motion to approve minutes.

- View supporting documentation

7.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, January 27, 2009's agenda. Motion to waive full readings.

8.

City Treasurer requests approval of the warrants. Motion to approve the warrants.

- View supporting documentation

RESOLUTIONS AND ORDINANCES

9.

RESOLUTION NO. 7234

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE DESTRUCTION OF POLICE DEPARTMENT INTERNAL AFFAIRS FILES (FROM JANUARY 1, 2003 TO DECEMBER 31, 2003) PURSUANT TO RESOLUTION NO. 7170. Motion to adopt.

- View supporting documentation

10.

RESOLUTION NO. 7235

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE COUNTY OF LOS ANGELES REGIONAL PARK AND OPEN SPACE DISTRICT EXCESS FUNDING FOR THE HOLLY PARK AND MEMORIAL CENTER PARK REHABILITATIONS. Motion to adopt.

- View supporting documentation

11.

ORDINANCE NO. 1928 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING CHAPTER 5.87 TO THE HAWTHORNE MUNICIPAL CODE IMPOSING VIDEO FRANCHISE FEES AND REGULATING CUSTOMER SERVICE IN ACCORDANCE WITH THE DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT. Motion to Introduce.

- View supporting documentation

12.

ORDINANCE NO. 1924 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, ADDING SECTIONS 2.24.115 AND 2.24.116 TO THE HAWTHORNE MUNICIPAL CODE RELATING TO FEE & DEPOSIT EXEMPTIONS FOR CITY AND OTHER GOVERNMENT SPONSORED ACTIVITIES AND FEE EXEMPTION CRITERIA FOR NON-PROFIT GROUPS THAT ARE APPLYING FOR PERMITS TO USE CITY OF HAWTHORNE MEMORIAL CENTER FACILITIES. Motion to adopt.

- View supporting documentation

13.

ORDINANCE NO. 1939. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA RELATED TO LANDSCAPING REQUIREMENTS, APPROVING A CATEGORICAL EXEMPTION UNDER CEQA AND APPROVING ZONING TEXT AMENDMENT NO. 2008ZA11, ADDING REQUIREMENTS FOR WATER CONSERVING LANDSCAPE MATERIALS, BY AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE AMENDING CHAPTERS:

17.20 [SUPPLEMENTARY USE AND BULK REQUIREMENTS FOR ALL RESIDENTIAL ZONES];
17.21[CONDOMINIUMS—PLANNED UNITS—COMMUNITY PROJECTS—STOCK COOPERATIVE PROJECTS];
17.24 [URBAN OPEN SPACE CLASSIFICATION];
17.25 [C-1 FREEWAY COMMERCIAL/MIXED USE CLASSIFICATION];
17.26 [C-2 LOCAL COMMERCIAL CLASSIFICATION];
17.28 [C-3 GENERAL COMMERCIAL CLASSIFICATION];
17.30 [M-P INDUSTRIAL PARK CLASSIFICATION];
17.32 [M-1 LIMITED INDUSTRIAL CLASSIFICATION];
17.34 [M-2 HEAVY INDUSTRIAL CLASSIFICATION];
17.58 [OFF-STREET PARKING];
17.68 [APARTMENT CONVERSION PROJECTS];
17.86 [TRUCKING INTENSIVE OVERLAY ZONE];
AND ADDING APPENDIX A.
Motion to adopt.

- View supporting documentation

CITY MANAGER'S CONSENT CALENDAR

14.

Request for Renewal of Bingo Permit for Veterans of Foreign Wars, Post 2075 for calendar year 2009

RECOMMENDATION: That the City Council approve the request.

- View supporting documentation

15.

Progress Payment # 7 to Trimming Land Co. Inc., 10513 Dolores Avenue, South Gate, Ca 90280 for Street Tree Trimming (Project # 06-03)

RECOMMENDATION: That the City Council approve Progress Payment #7 to Trimming Land Co. Inc. in the amount of \$20,145.00 to be charged to Acct. # 100-4111-000-4051.

- View supporting documentation

16.

Mid Year budget revisions to the General Fund for Fiscal Year 2008/2009.

RECOMMENDATION: That the City Council Approve the budget revisions to the General Fund for Fiscal Year 2008/2009.

- View supporting documentation

17.

Staff is seeking city council's authorization to issue Purchase Order to purchase a Police Interceptor Vehicle.

RECOMMENDATION: That the City Council Authorize City Manager to issue the purchase order.

- View supporting documentation

CITY ATTORNEY'S CONSENT CALENDAR

18.

Claim of Danny Williams for property and other related damages arising from the Hawthorne Police Department's execution of a search warrant at Claimant's home.

RECOMMENDATION: That the City Council deny the Claim of Danny Williams.

- View supporting documentation

19.

A settlement has been proposed in the case entitled Scott Allan Tierney v. City of Hawthorne & Manhattan Beach, (CV-07-03760 DSF (FFMx)). Under the mediated settlement agreement, the City would pay \$40,000.00 and the City of Manhattan Beach would pay \$40,000.00.

RECOMMENDATION: That the City Council authorize the settlement of the Scott Allan Tierney lawsuit in the amount of \$40,000 and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiff Scott Allan Tierney and Law Offices of Gary Casselman, within seven days after the settlement agreement is signed by all parties.

Optional Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Scott Allan Tierney v. City of Hawthorne and City of Manhattan Beach, Case No: CV 07-03760 DSF (FFMx)

20.

A mediated settlement has been proposed in the automobile collision incident between a police patrol vehicle and the plaintiffs' car in the case entitled Harold & Dorris Reed v. City of Hawthorne & Ryan Driessen (YC 057 514) in the amount of \$22,000.00.

RECOMMENDATION: That the City Council authorize the settlement of the Harold & Dorris Reed lawsuit in the amount of \$22,000 and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiffs Harold & Dorris Reed and the Law Offices of Lee Arter, 3580 Wilshire Boulevard, Suite 2080, Los Angeles, CA 90010, no later than January 30, 2009.

Optional Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Harold & Dorris Reed v. City of Hawthorne & Ryan Driessen, Case No: YC 057 514

21.

Formal appointment of Russell Miyahira as Acting City Attorney and approval of employment contract.

RECOMMENDATION: That the City Council Appoint Russell Miyahira as Acting City Attorney, approve employment contract and authorize Mayor to execute document.

- View supporting documentation

Optional Closed Session: Conference with Legal Counsel: PUBLIC EMPLOYMENT - Title: Appointment of Acting City Attorney (Government Code Section 54957)

Reconvene Community Redevelopment Agency. Reconvene Parking Authority. Reconvene Housing Authority.

COMMUNITY REDEVELOPMENT AGENCY

22.

Approval of Community Redevelopment Agency minutes for the regular meeting of January 13, 2009. Motion to approve minutes.

- View supporting documentation

23.

Adjourn.

PARKING AUTHORITY

24.

Approval of Parking Authority minutes for the regular meeting of January 13, 2009. Motion to approve minutes.

- View supporting documentation

25.

Adjourn.

HOUSING AUTHORITY

26.

Approval of Housing Authority minutes for the regular meeting of January 13, 2009. Motion to approve minutes.

- View supporting documentation

27.

Adjourn.