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 JUNE 23, 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: State of the Utility -update from Southern California Edison (Pathirana)

Proclamation: Officer of the Year – Tim Johnson (Lambert)

1.

Oral Communications.

2.

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

Discussion/Action Items:

- Presentation by Alex Monteiro of Moneta Gardens Incorporated requesting financial assistance from the housing set-a-side funds for acquisition of property (Pathirana)

- Presentation by Roger Davila of Davila Properties LLC requesting financial assistance from the housing set-a-side funds for acquisition of property. (Pathirana)

3.

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

CITY CLERK'S CONSENT CALENDAR

4.

Approval of City Council minutes for the regular meeting of June 9, 2008. Motion to approve minutes.

- View supporting documentation

5.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, June 23, 2009's agenda. Motion to waive full readings.

6.

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

- View supporting documentation

7.

RESOLUTION NO. 7261

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE SUBMITTAL OF AN APPLICATION UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT ACT ("EECBG") AND ALSO AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO ACCEPT SAID FUNDS FROM THE DEPARTMENT OF ENERGY ('DOE"). Motion to adopt.

- View supporting documentation

8.

RESOLUTION NO. 7263

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO GRANT A FRANCHISE TO GOLDEN STATE WATER COMPANY TO USE OR LAY AND USE PIPELINES AND APPURTENANCES FOR TRANSMITTING AND DISTRIBUTING WATER UNDER, ALONG, ACROSS OR UPON THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE CITY OF HAWTHORNE AND SETTING A PUBLIC HEARING TO CONSIDER OBJECTIONS TO THE CONTINUED OPERATION AND MAINTENANCE OF SAID PIPELINE. Motion to adopt.

- View supporting documentation

9.

RESOLUTION NO. 7264

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ACCEPTING THE WITHDRAWAL OF AN APPLICATION BY TOMRA PACIFIC, INC. FOR THE OPERATION OF A RECYCLING/REDEMPTION CENTER AT 645 GREVILLEA AVENUE (APN 4044-018-032) AND 646 GREVILLEA AVENUE (APN 4044-018-031) (RALPHS' PLAZA). Motion to adopt.

- View supporting documentation

10.

RESOLUTION NO. 7267

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING AND APPROVING THE CITY'S NON-FINANCIAL SUPPORT FOR SPECIFIED NON-PROFIT EVENTS FOR FISCAL YEAR 2009-2010 AND FURTHER AUTHORIZING SPECIFIED ORGANIZATIONS TO USE THE CITY SEAL. Motion to adopt.

- View supporting documentation

11.

RESOLUTION NO. 7268

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE AGREEMENT FOR GRANT ASSISTANCE FROM THE STATE OF CALIFORNIA, DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GOVERNING BOARD. Motion to adopt.

- View supporting documentation

12.

RESOLUTION NO. 7270

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS. Motion to adopt.

- View supporting documentation

13.

RESOLUTION NO. 7271

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA PROVIDING FOR THE COMPENSATION OF THOSE EMPLOYEES REPRESENTED BY THE HAWTHORNE MUNICIPAL EMPLOYEES' ASSOCIATION ACCORDING TO THE PROVISIONS OF THE HAWTHORNE MUNICIPAL CODE AND REPEALING RESOLUTIONS IN CONFLICT HEREWITH. Motion to adopt.

- View supporting documentation

14.

RESOLUTION NO. 7272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA PROVIDING FOR THE COMPENSATION OF THOSE EMPLOYEES REPRESENTED BY THE HAWTHORNE EXECUTIVE GROUP ACCORDING TO THE PROVISIONS OF THE HAWTHORNE MUNICIPAL CODE AND REPEALING RESOLUTIONS IN CONFLICT HEREWITH. Motion to adopt.

- View supporting documentation

PUBLIC HEARINGS

15.

Public Hearing and Resolution No. 7262 Confirming the Weed Abatement Assessment Report and Authorizing the Collection of the Assessment. City Clerk's Department's declaration publication filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to approve Resolution No. 7262.

RESOLUTION NO. 7262

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA CONFIRMING ASSESSMENTS FOR WEED AND WASTE ABATEMENT AND AUTHORIZING THE COLLECTION THEREOF. Motion to adopt.

- View supporting documentation

16.

Public Hearing establishing and adopting a proposed fee for a farmers market community event permit and a fee for a miscellaneous community events permit pursuant to Hawthorne Municipal Code § 9.39.080. City Clerk's Department's declaration publication filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to approve Resolution No. 7569.

RESOLUTION NO. 7269

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADOPTING AND ESTABLISHING A FEE FOR A FAMER'S MARKET COMMUNITY EVENT PERMIT AND A FEE FOR A MISCELLANEOUS COMMUNITY EVENT PERMIT PURSUANT TO HAWTHORNE MUNICIPAL CODE § 9.39.080. Motion to adopt.

- View supporting documentation

17.

Public Hearing on Ordinance No. 1948, Zoning Code Amendment No. 2009ZA06, amending Chapter 17.04 Definitions, adding Section 17.04.659 Wireless Telecommunication Facility. The amendment will define wireless telecommunication facilities. Planning Department's declaration publication filed. No written communications were received. Call for Planning Director presentation. Call for oral comments. Motion to close hearing. Motion to Introduce Ordinance No. 1948.

ORDINANCE NO. 1948. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA RELATED TO WIRELESS TELECOMMUNICATIONS FACILITIES REQUIREMENTS, APPROVING A CATEGORICAL EXEMPTION UNDER CEQA AND APPROVING ZONING TEXT AMENDMENT NO. 2009ZA06, DEFINING WIRELESS TELECOMMUNICATION FACILITIES, BY AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE AMENDING CHAPTER 17.04 {DEFINITIONS]. Motion to Introduce.

- View supporting documentation

ORDINANCES

18.

ORDINANCE NO. 1946 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, REPEALING CHAPTER 9.30 OF THE HAWTHORNE MUNICIPAL CODE ("HMC") AND ENACTING A NEW CHAPTER 9.30 RELATING TO STREET BANNERS. Motion to Introduce.

- View supporting documentation

19.

ORDINANCE NO. 1945. (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, AMENDING CHAPTER 9.39 OF THE HAWTHORNE MUNICIPAL CODE ("HMC") INCLUDING ADDING FARMERS MARKETS TO THE PERMITTING PROCESS FOR COMMUNITY EVENTS, ADDING HMC SECTION 17.04.177 [DEFINITION OF COMMUNITY EVENTS PERMITS], AND ADDING HMC SECTION 17.04.262 [DEFINITION OF FARMERS MARKET).Motion to adopt.

- View supporting documentation

CITY MANAGER'S CONSENT CALENDAR

20.

Los Angeles County Metropolitan Transit Authority (LACMTA) - Metro Pass Seller Agreement. Amending terms and conditions of existing pass seller requirements for the sale of monthly transit passes to the citizens of Hawthorne

RECOMMENDATION: That the City Council Approve Los Angeles County Metropolitan Transit Authority (LACMTA) Pass Seller Agreement and authorize City Manager to execute contract and any amendments thereto.

- View supporting documentation

21.

Los Angeles County Park & Open Space District – Youth Employment Plan

RECOMMENDATION: That the City Council adopt 3rd Amendment to the 1992 & 1996 Los Angeles County Proposition "A" Safe Neighborhood Parks - Youth Employment Plan and authorize the City Manager to execute any documents to implement 3rd amendment to Youth Employment Plan.

- View supporting documentation

22.

Second Amendment to Agreement for Reimbursement of Tax Increment Funds between the County of Los Angeles, the City of Hawthorne and the Community Redevelopment Agency of the City of Hawthorne.

RECOMMENDATION: That the City Council approve the Second Amendment to the Agreement for Reimbursement of Tax Increment Funds between the County of Los Angeles, the City of Hawthorne and the Community Redevelopment Agency of the City of Hawthorne. That the Agency further authorize the City Manager to execute the Second Amendment for Reimbursement of Tax Increment Funds.

- View supporting documentation

23.

Citywide Street Improvement Project FY 2009-2010(Project # 09-01) Federal Stimulus # ESPL - 5253(15)

RECOMMENDATION: That the City Council approve the Plans & Specifications and authorize Public Works Director to execute any and all documents necessary to advertise project for bids with a return date of August 11, 2009.

- View supporting documentation

24.

Progress Payment No. 3 due to Martinez Landscape Company Inc., located at 12337 San Fernando Road, Sylmar, California for 2008 City-Wide Concrete Improvement Project (Project # 08-06).

RECOMMENDATION: That the City Council Approve this Progress Payment # 3 to Martinez Landscape Company of Sylmar, California in the amount of $92,511.00.

- View supporting documentation

25.

Improvements to Existing Public Road at Grade Crossing for Birch Avenue, DOT 760595E Agreement

RECOMMENDED MOTION: That the City Council Approve proposed Agreement, DOT 760595E and authorize the Public Works Director to execute the proposed agreement and all amendments thereto on behalf of the City.

- View supporting documentation

26.

Approval of Agreement with KOA Corporation for the preparation of a Traffic Impact Study for the proposed Seagate Center restaurant project, 2009CU05, at 14701 Inglewood Avenue, the Redevelopment of Somerville Plywood.

RECOMMENDED MOTION: That the City Council Approve the agreement with KOA Corporation for the preparation of a Traffic Impact Study for the proposed Seagate Center restaurant project, 2009CU05, at 14701 Inglewood Avenue, at a cost of $15,900, and authorizing the City Manager to execute the Agreement and any amendments thereto.

- View supporting documentation

CITY ATTORNEY'S CONSENT CALENDAR

27.

Claimants Shannon Gossett and Marjorie Mack are Hawthorne employees who both allege damages based upon harassment, discrimination and retaliation.

RECOMMENDATION: That the City Council Deny Claims of both Shannon Gossett and Marjorie Mack.

- View supporting documentation

28.

Mediated settlement has been reached in the case entitled Katherine Meislin & Ned Meislin v. City of Hawthorne, et. al, (CV06-6692 GW FFMx).

RECOMMENDATION: That the City Council authorize and approve the proposed settlement agreement in the Katherine Meislin & Ned Meislin lawsuit.

- View supporting documentation

CLOSED SESSIONS

29.

Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Katherine Meislin & Ned Meislin v. City of Hawthorne, et al., Case No: CV06-6692(GW (FFMX))

30.

Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Community Redevelopment Agency v. Keyser Marston Associates, Inc., (BC 381 362)

31.

Closed Session: Conference with Legal Counsel – Anticipated Litigation, Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One potential case).

32.

Optional Closed Session: Conference with Labor Negotiator pursuant to Government Code Section 54957.6. Agency Negotiator: Jag Pathirana - Employee Organizations: HMEA (Hawthorne Municipal Employees Association) and HEG (Hawthorne Executive Group).

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

COMMUNITY REDEVELOPMENT AGENCY

33.

Approval of Community Redevelopment Agency minutes for the regular meeting of June 9, 2009. Motion to approve minutes.

- View supporting documentation

34.

Settlement agreement & mutual release between the plaintiff Community Redevelopment Agency of the City of Hawthorne ("CRACH"), defendant Keyser Marston Associates, Inc., and cross-defendant McDonough, Holland & Allan re: Civil Action No. BC 381 362.

RECOMMENDATION: That the Redevelopment Agency approve the settlement of Case No. BC 381 362 in the total amount of $780,000. The parties agree that the settlement draft payable to CRACH will be delivered to counsel for CRACH on or before June 30, 2009. Authorize Chairman to execute settlement Agreement.

- View supporting documentation

35.

Second Amendment to Agreement for Reimbursement of Tax Increment Funds between the County of Los Angeles, the City of Hawthorne and the Community Redevelopment Agency of the City of Hawthorne.

RECOMMENDATION: That the Redevelopment Agency of the City of Hawthorne approve the Second Amendment to the Agreement for Reimbursement of Tax Increment Funds between the County of Los Angeles, the City of Hawthorne and the Community Redevelopment Agency of the City of Hawthorne. That the Agency further authorize the Executive Director of the Community

Redevelopment Agency execute the Second Amendment for Reimbursement of Tax Increment Funds.

- View supporting documentation

36.

Adjourn.

PARKING AUTHORITY

37.

Approval of Parking Authority minutes for the regular meeting of June 9, 2009. Motion to approve minutes.

- View supporting documentation

38.

Adjourn.

HOUSING AUTHORITY

39.

Approval of Housing Authority minutes for the regular meeting of June 9, 2009. Motion to approve minutes.

- View supporting documentation

40.

Adjourn.