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 SEPTEMBER 8, 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.

1.

Oral Communications.

1.a

Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: James Crockett v. City of Hawthorne, et al., Case No.CV08-06364 GAF (CTx)).

2.

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

Discussion/Action Items:

- Temporary suspension of Development Impact Fees (Guidi)
    - View supporting documentation
- Council Members Returning Their "Police Like" Identification Badges to Chief of Police (Parsons)

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 August 25, 2009. Motion to approve minutes.

- View supporting documentation

5.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, September 8, 2009's agenda. Motion to waive full readings.

6.

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

- View supporting documentation

PUBLIC HEARING

7.

Public Hearing and approval of Consolidated Annual Performance Evaluation Report (CAPER) for CDBG, HOME, and ADDI funds.

City Clerk's Department declaration publication filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to approve CAPER Program for 2008 and authorize the City Manger to execute and submit same to HUD.

- View supporting documentation

8.

Public Hearing on Revised Ordinance No. 2009ZA03, an Amendment to Title 17 (Zoning) of the Hawthorne Municipal Code, amending Section 17.38.065 (Discontinuation of a legal non-conforming use) and Section 17.38.210 (Nonconforming parking, loading and stacking facilities).

Planning Department's declaration publication filed. No written communications were received. Presentation by the Planning Director. Call for oral comments. Motion to close hearing. Motion to Introduce Ordinance No. 1947.

REVISED ORDINANCE NO. 1947 (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, AMENDING SECTION 17.38.065 DISCONTINUATION OF A LEGAL NONCONFORMING USE, AMENDING SECTION 17.38.210 NONCONFORMING PARKING, LOADING, AND STACKING FACILITIES, AND MAKING FINDINGS IN SUPPORT THEREOF TO ALLOW CHANGES OF USE TO OCCUR, IRRESPECTIVE OF THE EXISTING NONCONFORMING PARKING, WITHIN THE C-2 (LOCAL COMMERCIAL) ZONE, SUBJECT TO A CONDITIONAL USE. Motion to Introduce.

- View supporting documentation

ORDINANCES

9.

ORDINANCE NO. 1954. (1ST Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING SECTION 5.27.010 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO LICENSE FEES FOR NEW CAR DEALERS. Motion to Introduce.

- View supporting documentation

CITY MANAGER'S CONSENT CALENDAR

10.

Sewer Improvement Project 2009-2011 (Project # 08-04)

RECOMMENDATION: That the City Council approve the Plans & Specifications and authorize the Director of Public Works to advertise for bids with a return date of October 13, 2009.

- View supporting documentation

11.

Award of the construction Contract for the City Street Improvement Project (Project # 09-01) FEDERAL STIMULUS # ESPL - 5253(15) to All American Asphalt of Corona, CA.

RECOMMENDATION: That the City Council accept the bid, and award the contract to the lowest responsive and responsible bidder, All American Asphalt of Corona, CA.

- View supporting documentation

12.

Agreement between the City of Hawthorne and Tetra Tech for Construction Observation Services for Sewer Improvement Project #08-04.

RECOMMENDATION: That the City Council Approve the Agreement and authorize the City Manager to execute it on behalf of the City.

- View supporting documentation

13.

Agreement between the City of Hawthorne and KOA Corporation for Construction Observation Services for City-wide Street Improvement Project ESPL 5253(015)

RECOMMENDATION: That the City Council Approve the Agreement and authorize the City Manager to execute it on behalf of the City.

- View supporting documentation

14.

Agreement between the City of Hawthorne and Twining Infrastructure to Provide Quality Assurance Material Testing Services In Conjunction With the City-wide Street Improvement (Project # 09-01) ESPL 5253(015) to comply with Federal Funding Requirements.

RECOMMENDATION: That the City Council approve the proposed Agreement between the City of Hawthorne and Twining Infrastructure for quality assurance material testing services for the City-wide Street Improvement (Project # 09-01) ESPL 5253(015) and authorize the City Manager to execute it on behalf of the City.

- View supporting documentation

15.

Agreement between the City of Hawthorne and Ninyo & Moore to provide quality control material testing

RECOMMENDATION: That the City Council approve the proposed agreement between the City of Hawthorne and Ninyo & Moore for material testing services including field compaction and laboratory testing for the City-wide Street Improvement (Project # 09-01) ESPL 5253(015) and authorize the City Manager to execute it on behalf of the City.

- View supporting documentation

CITY ATTORNEY'S CONSENT CALENDAR

16.

A settlement has been reached in the case entitled James Crockett v. City of Hawthorne, et. al, Case No.CV08-06364 GAF (CTx).

RECOMMENDATION: That the City Council authorize and approve the settlement in the James Crockett lawsuit and that the Finance Director release the settlement draft c/o City Attorney's Office to Plaintiff James Crockett and his attorneys, Jonas & Driscoll, within seven days after the settlement is approved by the City Council.

- View supporting documentation

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

COMMUNITY REDEVELOPMENT AGENCY

18.

Approval of Community Redevelopment Agency minutes for the regular meeting of August 25, 2009. Motion to approve minutes.

- View supporting documentation

19.

Adjourn.

PARKING AUTHORITY

20.

Approval of Parking Authority minutes for the regular meeting of August 25, 2009. Motion to approve minutes.

- View supporting documentation

21.

Adjourn.

HOUSING AUTHORITY

22.

Approval of Housing Authority minutes for the regular meeting of August 25, 2009. Motion to approve minutes.

- View supporting documentation

23.

Adjourn.

TABLED ITEM

ORDINANCE NO. 1952. (1st Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AMENDING TITLE 2, CHAPTERS 2.18, 2.32, 2.34, 2.36, 2.46 AND 2.54 OF THE HAWTHORNE MUNICIPAL CODE RELATING TO ADMINISTRATION, CIVIL SERVICE AND PERSONNEL. Motion to Introduce.

- View supporting documentation

24.

Adjourn.