

Larry Guidi, Mayor  
Ginny Lambert, Mayor Pro Tem  
Daniel Juarez, Councilmember  
Angie English, Councilmember  
Alex Vargas, Councilmember



Norbert Huber, City Clerk  
Thierry Lubenec, City Treasurer

**CITY OF HAWTHORNE**  
**CITY COUNCIL, COMMUNITY REDEVELOPMENT AGENCY**  
**PARKING AUTHORITY AND HOUSING AUTHORITY**  
**REGULAR MEETINGS**  
**AGENDA FOR DECEMBER 22, 2009 AT 6:00 P.M.**  
**COUNCIL CHAMBER AT CITY HALL**  
**4455 W. 126<sup>th</sup> 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.

2.

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

3.

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

## CITY CLERK'S CONSENT CALENDAR

4.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, December 22, 2009's agenda. Motion to waive full readings.

5.

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

- View supporting documentation

## RESOLUTIONS

6.

### RESOLUTION NO. 7292

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA SUPPORTING THE EFFORTS OF THE STATE BOARD OF EQUALIZATION VICE CHAIRMAN JEROME HORTON TO COMBAT EMPLOYERS WHO PAY THEIR EMPLOYEES UNDER THE TABLE, UNDER-REPORT EMPLOYEE WAGES, AND/OR MISCLASSIFY EMPLOYEE WAGES. Motion to adopt.

- View supporting documentation

# PUBLIC HEARING

7.

Public Hearing on Revised Ordinance No. 1959, Zoning Code Amendment No. 2009ZA04, an amendment to Title 17 (Zoning) of the Hawthorne Municipal Code, amending Chapter 17.06 Administration, Interpretation, Enforcement] and deleting Sections 17.02.030 [Appeals], 17.02.040 [Call for review], 17.04.073 [Appeals], 17.40.115 [Call for review], 17.40.120 [New evidence requires rehearing], 17.40.130 [rehearing in lieu of appeal], 17.40.140 [Transmission of commission record], 17.40.190 [Appeals from administrative decision – Planning Commission Action], 17.40.200 [Appeals from administrative decision – Time limit for filing], 17.40.210 [Appeals from administrative decision – Hearing], 17.40.220 [Planning commission decision – Appeal to council], 17.41.070 [Notice of determination], and 17.41.080 [Appeal of determination].

Planning Department's declaration publication filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to Introduce Ordinance No. 1959.

## REVISED ORDINANCE NO. 1959 (1<sup>st</sup> Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING ZONING TEXT AMENDMENT NO. 2009ZA04, AMENDING TITLE 17 (ZONING) OF THE HAWTHORNE MUNICIPAL CODE, AMENDING CHAPTER 17.06 ADMINISTRATION, INTERPRETATION, ENFORCEMENT] AND DELETING SECTIONS 17.02.030 (APPEALS), 17.02.040 [CALL FOR REVIEW], 17.04.073 [APPEALS], 17.40.115 [CALL FOR REVIEW], 17.40.120 [NEW EVIDENCE REQUIRES REHEARING], 17.40.130 [REHEARING IN LIEU OF APPEAL], 17.40.140 [TRANSMISSION OF COMMISSION RECORD], 17.40.190 [APPEALS FROM ADMINISTRATIVE DECISION – PLANNING COMMISSION ACTION], 17.40.200 [APPEALS FROM ADMINISTRATIVE DECISION – TIME LIMIT FOR FILING], 17.40.210 [APPEALS FROM ADMINISTRATIVE DECISION – HEARING], 17.40.220 [PLANNING COMMISSION DECISION – APPEAL TO COUNCIL], 17.41.070 [NOTICE OF DETERMINATION], AND 17.41.080 [APPEAL OF DETERMINATION]. Motion to Introduce.

- View supporting documentation

## CITY ATTORNEY'S CONSENT CALENDAR

8.

Claimant Kim Iler and Gustavo Rubio's claim in excess of \$125,000 alleging that the City: 1) failed to comply with a ministerial duty, 2) failed to set administrative appeal hearing, and 3) violated claimants rights in violation of Government Code § 3303, et seq.

**RECOMMENDATION:** That the City Council Deny Claim.

- View supporting documentation

9.

Claimant Rex Vian and Anthony Robles' claim alleging that the City: 1) failed to comply with a ministerial duty pertaining to the conduct of administrative hearing, 2) violated their federal civil rights under the constitution as well as the Meyer-Milias Brown Act; and 3) violated claimants rights in violation of Government Code § 3303, et seq.

**RECOMMENDATION:** That the City Council Deny Claim.

- View supporting documentation

10.

Adjourn City Council.