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 JANUARY 12, 2010 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 of check by the Parks & Recreation Foundation to the Teen Center (Juarez)

Certificate of Recognition: 2009 Holiday Home Decorating Contest Winners (Juarez)

Presentation: Teen Center "The Challenge" Award (Juarez)

Presentation: By Providence Little Company of Mary Community Health Corp re: partnership with the City of Hawthorne with the goal of reducing health and academic disparities and promoting adult wellness programs for residents in Hawthorne. The partnership will utilize the resources of AmeriCorps members to provide direct services and leadership in reducing existing health disparities in the City of Hawthorne's residential population. (English)

1.

Oral Communications.

2.

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

Discussion Action Items:

- Ordinance No. 1921 – Limiting councilmember comments (English)
- Selection of council members to represent city on committees (Vargas)
- Reorganization of City Council (Vargas)

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 December 8, 2009. Motion to approve minutes.

- View supporting documentation

5.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, January 12, 2010's agenda. Motion to waive full readings.

6.

Publicly receive, open and declare sealed bids for Hawthorne Memorial Center Building Roof Resurfacing, located at 3901 West El Segundo Boulevard, Hawthorne, CA – Fiscal year 09/10, Project (09-06)

7.

Publicly receive, open and declare sealed bids for the Installation of Solar Power System on the Memorial Center Building Roof located at 3901 West El Segundo Boulevard, Hawthorne, CA. FY 2009-2010 (Project # 09-07), Award # DE – SC0002108

8.

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

- View supporting documentation

RESOLUTIONS

9.

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

10.

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.

ORDINANCE NO. 1959 (1st 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 MANAGER'S CONSENT CALENDAR

11.

Construction of Speed Humps on Doty Avenue from 132nd Street to 135th Street and between El Segundo Boulevard and 132nd Street.

RECOMMENDATION: That the City Council approve construction of speed humps on Doty Avenue from 132nd Street to 135th Street and between El Segundo Boulevard and 132nd Street.

- View supporting documentation

12.

Ratify appointments to the South Bay Workforce Investment Board (SBWIB).

RECOMMENDATION: That the Mayor & City Council ratify the appointment of Anthony Lawson with Hitco Carbon Composites, Inc. in Gardena, to the SBWIB to serve as a representative of private-sector businesses.

- View supporting documentation

13.

Progress Payment No. 1 due to All American Asphalt for City Wide Street Improvement Project FY 2009-2010 (Project No. 09-01) Federal Stimulus # ESPL – 5253(15). This project includes Rosecrans Avenue from Prairie to Crenshaw Boulevard, 135th Street from Hawthorne Boulevard to Ramona Avenue and Prairie Avenue from El Segundo Boulevard to Imperial Highway.

RECOMMENDATION: That the City Council approve this First progress payment to All American Asphalt Company of Corona, California in the amount of $87,575.67 funded from the Federal Stimulus funds, Account No. 292-5502-436-4773.

- View supporting documentation

14.

Progress Payment No. 3 and final acceptance to Sequel Contractors, Inc. 13546 Imperial Highway, Santa Fe Springs, CA 90670 for the 135th Street Improvement Project, No. 08-02, Federal # STPL-5253-(013).

RECOMMENDATION: That the City Council approve this 3rd progress payment and final acceptance to Sequel Contractors of Santa Fe Springs, CA in the amount of $17,730.65.

- View supporting documentation

CITY ATTORNEY'S CONSENT CALENDAR

15.

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

16.

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

17.

Claimant Amanda Powers, age 25, alleges that she slipped and fell at 4477 West 118th Street as a result of a dangerous condition of public property and suffered injuries.

RECOMMENDATION: That the City Council Deny Claim.

- View supporting documentation

18.

Claimant Michelle Shaver alleges a Hawthorne Police vehicle collided with her vehicle causing her neck, shoulder, low back and knee injuries as well as property damage.

RECOMMENDATION: That the City Council Deny Claim.

- View supporting documentation

COMMUNITY REDEVELOPMENT AGENCY

19.

Approval of Community Redevelopment Agency minutes for the regular meeting of December 8, 2009. Motion to approve minutes.

- View supporting documentation

PARKING AUTHORITY

20.

Approval of Parking Authority minutes for the regular meeting of December 8, 2009. Motion to approve minutes.

- View supporting documentation

21.

Adjourn.

HOUSING AUTHORITY

22.

Approval of Housing Authority minutes for the regular meeting of December 8, 2009. Motion to approve minutes.

- View supporting documentation

23.

Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9 of the California Government Code. Name of Case: El Segundo Plaza Associates, LP v. City of Hawthorne, et seq., Case No. BC 404 244 – L.A County Superior Court [Hon. Helen I. Bendix, Department 18].

24.

Adjourn City Council.