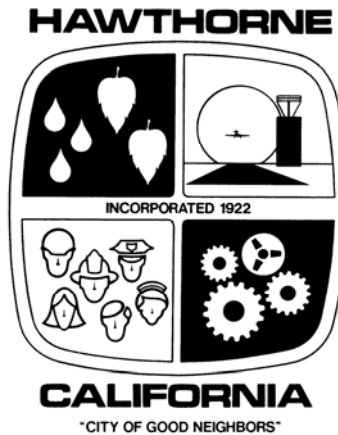


Daniel Juarez, Mayor
Angie Reyes English, Mayor Pro Tem
Alex Vargas, Councilmember
Olivia Valentine, Councilmember
Nilo Michelin, Councilmember



Norbert Huber, City Clerk
Thierry Lubenec, City Treasurer

CITY OF HAWTHORNE
CITY COUNCIL, PARKING AUTHORITY AND
HOUSING AUTHORITY
REGULAR MEETINGS
AGENDA FOR FEBRUARY 14, 2012 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 Juarez.

Non-denominational Invocation. Pledge of Allegiance to the American Flag.

Presentation: Susan Hillyer - Hawthorne Del Aire Farmers Market.

Presentation: The West Basin Municipal Water District (West Basin) and the South Bay Environmental Services Center (SBESC) joint recognition of the following Hawthorne businesses for their efforts to save water, energy, money, and the environment: Delaire Inn, Deluxe Inn, City of Hawthorne, Colin Grant, Kornblum Apartments, Real Estate Connection, The Olympian Apartments, Mauna Kea.

1.

Oral Communications.

2.

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

CITY CLERK'S CONSENT CALENDAR

3.

Approval of City Council minutes for the regular meeting of January 24, 2012. Motion to approve minutes.

- [View supporting documentation](#)

4.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, February 14, 2012's agenda. Motion to waive full readings.

5.

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

- [View supporting documentation](#)

RESOLUTION

6.

RESOLUTION NO. 7427

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA
AUTHORIZING THE DESTRUCTION OF POLICE DEPARTMENT INTERNAL AFFAIRS FILES

(FROM JANUARY 1, 2005 TO DECEMBER 31, 2006) PURSUANT TO RESOLUTION NO 7170.
Motion to adopt.

- [View supporting documentation](#)

7.

RESOLUTION NO. 7428

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA IN SUPPORT OF THE TRANSFER OF ONTARIO INTERNATIONAL AIRPORT (ONT) TO LOCAL CONTROL. Motion to adopt.

- [View supporting documentation](#)

8.

RESOLUTION NO. 7429

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA AUTHORIZING THE DESTRUCTION OF VARIOUS POLICE DEPARTMENT RECORDS PURSUANT TO RESOLUTION NO. 7170. Motion to adopt.

- [View supporting documentation](#)

PUBLIC HEARINGS

9.

Public Hearing: Interim Ordinance No. 2014 [2011ZA02] is a City-initiated extension of the 45-day urgency moratorium adopted on January 10, 2012. This interim ordinance extends the moratorium on the development and expansion of used vehicle sales, excepting those operated in conjunction with new vehicle sales for 22 months and 15 days.

Planning Department's declaration publication filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to Approve Ordinance No. 2014.

INTERIM ORDINANCE NO.2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA EXTENDING URGENCY INTERIM ORDINANCE NO. 2011 REGARDING A MORATORIUM ON THE DEVELOPMENT AND EXPANSION OF ANY AND ALL USED VEHICLE DEALERSHIPS IN THE CITY OF HAWTHORNE, EXCEPTING THOSE OPERATED IN CONJUNCTION WITH NEW AUTO DEALERSHIPS, IN THE CITY OF HAWTHORNE FOR AN ADDITIONAL PERIOD OF 22 MONTHS AND 15 DAYS, AND DECLARING THE URGENCY THEREOF. Motion to adopt.

(4/5th vote required for Interim ordinance)

- [View supporting documentation](#)

ORDINANCES

10.

ORDINANCE NO. 2013 (2nd Reading)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA ADDING HAWTHORNE MUNICIPAL CODE (“HMC”) SECTION 2.06.015 ESTABLISHING POLICY FOR THE SWEARING-IN OF ELECTED OFFICIALS”. Motion to adopt.

- [View supporting documentation](#)

CITY MANAGER’S CONSENT CALENDAR

11.

Progress Payment #1 due to Freeway Electric, Inc. for Construction of Traffic Signal at intersection of El Segundo Blvd. and Doty Ave., El Segundo Blvd. and Yukon Ave., 116th St. and Van Ness Ave., 135th St. and Doty Ave., and 120th St. and Wilkie Way, HSIP, Project #09-04, Federal Project #HPLUL-5253(017)

RECOMMENDED MOTION: The City Council approve this First Progress Payment to Freeway Electric, Inc. Riverside, California in the amount of \$156,513.06 funded from the Highway Safety Improvement Program (HSIP) Grant and Proposition C funds.

- [View supporting documentation](#)

12.

Progress Payment # 5 due to Martinez Landscape Company, 12337 San Fernando Road, Sylmar, Ca 91342 for Weed Abatement, Landscape, and General Maintenance (Project # 08-08)-3rd Year.

RECOMMENDED MOTION: The City Council approve this First Progress Payment #5 to Martinez Landscape Company of Sylmar, Ca in the amount of \$170,489.85.

- [View supporting documentation](#)

13.

Progress Payment #3 to United Pacific Services, Inc., 120 E. La Habra Blvd., #107, La Habra, CA., 90631 for Street Tree Trimming (Project # 10-01) 2nd Year

RECOMMENDED MOTION: That the City Council approve Progress Payment #3 to United Pacific Services, Inc. The amount of \$3,217.50 will be charged to the approved and allocated Tree Trimming Funds.

- [View supporting documentation](#)

14.

Payment of overhaul and assembly service billing to Helipower Worldwide Service for Police airship AIR55 Turbine Overhaul.

RECOMMENDED MOTION: That the City Council approve billing payment of \$52,977.55 to Helipower Worldwide Service for the related maintenance work.

- [View supporting documentation](#)

15.

Progress Payment #1 due to EBS General Engineering, Inc., for Rosecrans Avenue Improvement Project-MTA South Bay Measure R Highway Program- Federal Project # HPLUL 5253(016) (City Project #09-05)

RECOMMENDED MOTION: The City Council approve this First Progress Payment to EBS General Engineering, Inc., Corona, California in the amount of \$388,613.89 funded from the MTA South Bay Measure R Highway Program Grant, Highway Safety Improvement Project (HSIP) and Federal DEMO Grants.

- [View supporting documentation](#)

16.

Adoption of UPDATED Internal Control Policy (COHF-ICP) and Records Retention Schedule.

RECOMMENDED MOTION: That the City Council Approve UPDATED Internal Control Policy (COHF-ICP) and Records Retention Schedule.

- [View supporting documentation](#)

CITY ATTORNEY'S CONSENT CALENDAR

17.

Claimant Jayzien Morales alleges that he was assaulted on a school bus operated by Hawthorne School District.

RECOMMENDED MOTION: That the City Council Deny Claim.

- [View supporting documentation](#)

18.

Claimant Dennis Taylor was arrested pursuant to a citizen's arrest request by an employee of Sprint store when Taylor repeatedly returned after being requested to leave after he became loud and belligerent.

RECOMMENDED MOTION: That the City Council Deny Claim.

- [View supporting documentation](#)

19.

Claimant Maribel Moran initiated a lawsuit in case No. YC 066000 alleging that she slipped and fell on a sidewalk due to a puddle of water. The City filed a Demurrer to the Complaint because Moran never filed a claim with the City. Claimant has now filed an application for permission to present a late claim.

RECOMMENDED MOTION: That the City Council Deny Claim.

- [View supporting documentation](#)

20.

Proposed Settlement of Beatriz Canche & Justin Corona v. City of Hawthorne, et al. (YC 063348) wherein plaintiff alleged dangerous condition of a traffic signal phasing system which allegedly caused a motor vehicle versus a pedestrian accident in which the plaintiff suffered catastrophic injuries including permanent brain damage.

RECOMMENDED MOTION: That the City Council Approve proposed settlement of Beatriz Canche & Justin Corona v. City of Hawthorne, et al. (YC 063348) in the amount of \$155,000.

Authorize Finance Department to release check c/o City Attorney's Office to: Beatriz Canche & her attorneys of record Robinson, Calcagnie & Robinson 620 Newport Center Drive, 7th Floor, Newport Beach, CA 92660.

- [View supporting documentation](#)

21.

Settlement for the total amount of \$20,000 for award of attorney's fees to the City of Hawthorne in the case of City of Hawthorne v. Filomena Petrone, case no. YS 020728, a receivership action on a code enforcement case.

RECOMMENDED MOTION: That the City Council Approve settlement in the amount of \$20,000.

- [View supporting documentation](#)

PARKING AUTHORITY

22.

Approval of Parking Authority minutes for the regular meeting of January 24, 2012. Motion to approve minutes.

- [View supporting documentation](#)

23.

Adjourn.

HOUSING AUTHORITY

24.

Approval of Housing Authority minutes for the regular meeting of January 24, 2012. Motion to approve minutes.

- [View supporting documentation](#)

25.

Adoption of UPDATED Internal Control Policy (COHF-ICP) and Records Retention Schedule.

RECOMMENDED MOTION: That the Authority Members Approve UPDATED Internal Control Policy (COHF-ICP) and Records Retention Schedule.

- [View supporting documentation](#)

26.

Adjourn.

27.

CITY COUNCIL'S DISCUSSION/ACTION ITEMS

a.- Direct Staff to negotiate lease with Hawthorne Historical Society. Since Hawthorne Historical Society has public purpose for display and organization of City of Hawthorne artifacts, include lease term that includes \$1 per year. (City Manager)

28.

ELECTED OFFICIALS REPORTS/RECOMMENDATIONS. APPOINTMENTS / RE-APPOINTMENTS / REMOVALS TO COMMISSIONS / COMMITTEES / BOARDS.

Mayoral appointment of two members to the Oversight Board to the Successor Agency to the Hawthorne Redevelopment Agency pursuant to Health & Safety Code Section 34179(a)(7). The Oversight Board will contain 7 members. One of the appointees must be a member of the Hawthorne Executive Group. The other Mayoral appointee must be a resident of the City of Hawthorne, may be a City Council Member and does not have to possess any specified qualifications. These appointees will not be compensated and will be expected to attend a series of meetings to conduct the business of dissolution, including payment of debts, termination of agreements, disposal of assets and distribution of funds. At this time, it is not known where or when the meetings will be conducted. Meetings may begin as soon as 4 members (a quorum) are appointed and must begin my May , 2012. The City, as the Successor Agency, will be responsible for the cost of Oversight Board meetings.

29.

Optional Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a)) of Section 54956.9 of the California Government Code. Name of Case: Beatriz Canche & Justin Corona v. A.J. Jones, County of Los Angeles & City of Hawthorne, et al., Case No: YC 063 348

30.

Closed Session: Conference with Legal Counsel – Initiation of Litigation pursuant to Government Code Section 54956.9 (c) (two cases)

31.

Adjourn City Council.