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 MAY 22, 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, 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, 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: Officers of the Month for May 2012 – Detective Vincent Arias and Detective Paul Vu. (Chief Fager).

Presentation/ Certificate of Recognition: Hawthorne Math & Science ("HMSA") Academy successful design/construction of sailboat under the Lifesail Program and expression of appreciation to the Hawthorne Police Officers Association for their generous contribution to the Lifesail Program for HMSA students.

Proclamation: American Red Cross Month

1.

Oral Communications.

2.

Recess Parking Authority. Recess Housing Authority.

CITY CLERK'S CONSENT CALENDAR

3.

Approval of City Council minutes for the regular meeting of May 8, 2012, and the special meeting of May 11, 2012. Motion to approve minutes.

- View supporting documentation

4.

Approval of waiver of full readings of resolutions and ordinances on Tuesday, May 22, 2012'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. 7450

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) WITH CITY OF INGLEWOOD REGARDING THE TEMPORARY HOUSING OF INGLEWOOD'S INMATES AT HAWTHORNE JAIL. Motion to adopt.

- View supporting documentation

7.

RESOLUTION NO. 7461

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA DECLARING ITS INTENTION TO LEVY STREET LIGHTING ASSESSMENTS FOR FISCAL YEAR 2012-2013 AND SETTING TUESDAY, JUNE 12, 2012 AT 6:00 P.M. AS THE TIME AND DATE OF A PUBLIC HEARING. Motion to adopt.

- View supporting documentation

8.

RESOLUTION NO. 7462

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA OPPOSING AB 2231 (FUENTES) – SHIFTING RESPONSIBILITY AND LIABILITY FOR DANGEROUS SIDEWALK CONDITIONS FROM ADJACENT PROPERTY OWNERS TO LOCAL AGENCIES. Motion to adopt.

- View supporting documentation

9.

RESOLUTION NO. 7463

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA OPPOSING AB 2312 (AMMIANO) – CREATING A STATE BOARD TO REGULATE THE MEDICAL MARIJUANA INDUSTRY. Motion to adopt.

- View supporting documentation

10.

RESOLUTION NO. 7464

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA APPROVING THE AGREEMENT BETWEEN HAWTHORNE POLICE DEPARTMENT ("HPD") AND LEGACY INMATE COMMUNICATIONS ("LEGACY") FOR THE INSTALLATION AND MAINTENANCE OF JAIL INMATE TELEPHONE SYSTEM AND AUTHORIZING THE CHIEF OF THE POLICE DEPARTMENT TO EXECUTE THE AGREEMENT. Motion to adopt.

- View supporting documentation

PUBLIC HEARING

11.

Public Hearing Ordinance No. 2021 – Sixty-two (62) day Extension of Moratorium on Multi-Family Residential In the R-4 And Mixed Use Overlay Zones Regarding A Sixty-Two Day Moratorium Prohibiting The Construction Of New, Or The Expansion Of Existing, Multifamily Housing Projects In The R-4 Maximum Density Residential Zone Classification & The Mixed Use Overlay Zone Classification Of The City Of Hawthorne And Prohibiting The Issuance Of Building Permits And Other Land Use Entitlements That Would Allow The Construction Of New, Or The Expansion Of Existing, Multi-Family Housing Projects During The Pendency Of The City's Review And Adoption Of Permanent Zoning Regulations.

Planning Department's declaration publication filed. No written communications were received. Call for oral comments. Motion to close hearing. Motion to adopt Interim Ordinance No. 2021.

INTERIM ORDINANCE NO. 2021

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA EXTENDING URGENCY INTERIM ORDINANCE NO. 2019 REGARDING A MORATORIUM PROHIBITING THE CONSTRUCTION OF NEW, OR THE EXPANSION OF EXISTING, MULTIFAMILY HOUSING PROJECTS IN THE R-4 MAXIMUM DENSITY RESIDENTIAL ZONE CLASSIFICATION AND THE MIXED USE OVERLAY ZONE CLASSIFICATION OF THE CITY AND PROHIBITING THE ISSUANCE OF BUILDING PERMITS AND OTHER LAND USE ENTITLEMENTS THAT WOULD ALLOW THE CONSTRUCTION OF NEW, OR THE EXPANSION OF EXISTING, MULTIFAMILY HOUSING PROJECTS IN THE R-4 MAXIMUM DENSITY RESIDENTIAL ZONE CLASSIFICATION AND THE MIXED USE ZONE OVERLAY CLASSIFICATION OF THE CITY DURING THE PENDENCY OF THE CITY'S REVIEW AND ADOPTION OF PERMANENT ZONING REGULATIONS, AND DECLARING THE URGENCY AND THE IMMEDIATE EFFECTIVENESS OF THIS ORDINANCE PURSUANT TO GOVERNMENT CODE SECTIONS 65858, 36934 AND 36937. Motion to adopt.

- View supporting documentation

CITY MANAGER'S CONSENT CALENDAR

12.

Hawthorne Municipal Airport Emergency Generator, Airfield Lighting Control and Monitoring System, FAA Airport Improvement Project "AIP" No. 3-06-0101-013-2011, (City Project # 11-03) – OUT TO RE-BID

RECOMMENDED MOTION: That the City Council reject all bids received on April 24, 2012, approve the Plans & Specifications and authorize the Chief of General Services & Public Works to re-advertise for bids with a return date of June 26, 2012.

- View supporting documentation

13.

Award of Contract for General Maintenance (Project No. 12-01) to Martinez Landscape Co., Inc. of Sylmar, CA.

RECOMMENDED MOTION: That the City Council approve awarding the 3 year maintenance contract to the lowest responsive and responsible bidder, Martinez Landscape Co., Inc. of Sylmar, CA.

- View supporting documentation

14.

Approval of Transfer of Funds and Forgiveness of Outstanding Loan from the City General fund to the Housing Section 8 Portables Fund.

RECOMMENDED MOTION: That the City Council Ratify a transfer of $200,000 from City's General Fund to the Housing Authority's Portables Fund and forgive remaining outstanding debt of $450,000 from the Housing Authority Administrative Fund and Portables Fund.

- View supporting documentation

15.

Authorize City Manager to execute and forward City of Hawthorne's demand for payment of $37,000 to LA Citiwide Escrow. The City entered into Business Assistance Loan Agreement with 9 White Inc. in January 28, 2003. The Guaranty signed by 9 White is secured by a deed of trust dated February 17, 2003.

RECOMMENDED MOTION: That the City Council Authorize City Manager to execute and forward the City of Hawthorne's demand for payment of $37,000 to LA Citiwide Escrow.

- View supporting documentation

16.

Agreement between the City of Hawthorne and ONISKO & SCHOLZ, LLP for fee accounting services for the Housing Choice Voucher Program.

RECOMMENDED MOTION: That the City Council Approve the Agreement with ONISKO & SCHOLZ, LLP and authorize the Interim City Manager to execute the Agreement on behalf of the City.

- View supporting documentation

PARKING AUTHORITY

17.

Approval of Parking Authority minutes for the regular meeting of May 8, 2012. Motion to approve minutes.

- View supporting documentation

18.

Adjourn.

HOUSING AUTHORITY

19.

Approval of Housing Authority minutes for the regular meeting of May 8, 2012. Motion to approve minutes.

- View supporting documentation

20.

Adjourn.

21.

CITY COUNCIL'S DISCUSSION/ACTION ITEMS

a .- Hawthorne Historical Society Good Neighbor's Day be approved as a city approved event - use of city logo only. (Juarez)

b.- Designate Saturday, July 21, 2012 to be the date designated as the 90th anniversary of cityhood. (Juarez)

22.

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

Mayoral appointment of new member to the Oversight Board to replace Arnold Shadbehr, who has requested to step down. New appointee must be a member of the Executive Group. Mr. Shadbehr recommends Robert Kim.

23.

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

24.

Closed Session: Conference with Labor Negotiators (Subdivision (a) of Section 54957.6 of the California Government Code. Name of Labor Negotiator: Arnold Shadbehr (re: Hawthorne Municipal Employees Association and HPOA).

TABLED ITEMS

A.

Non-Disturbance & Attornment Agreement Between the City of Hawthorne (Master Landlord) and de Werd Capital Partners, LLC (Subtenant) and Sublease Between Hawthorne Airport, LLC and de Werd Capital Partners, LLC. This agreement pertains to a portion of the premises located at the Hawthorne Municipal Airport.

RECOMMENDED MOTION: That the City Council approve the Non-Disturbance & Attornment Agreement as well as the Sublease Agreement between Hawthorne Airport, LLC and de Werd

Capital Partners, LLC and authorize the Mayor/Mayor Pro Tem or City Manager to execute the document.

- View supporting documentation

B.

Non-Disturbance & Attornment Agreement Between the City of Hawthorne (Master Landlord) and Thomas E Tate & Sue Ann Tate, husband and wife (Subtenant) and Sublease Between Hawthorne Airport, LLC and Thomas E Tate and Sue Ann Tate. This agreement pertains to a portion of the premises located at the Hawthorne Municipal Airport.

RECOMMENDED MOTION: That the City Council approve the Non-Disturbance & Attornment Agreement as well as the Sublease Agreement between Hawthorne Airport, LLC and Thomas E Tate and Sue Ann Tate and authorize the Mayor/Mayor Pro Tem or City Manager to execute the document.

- View supporting documentation

25.

Adjourn City Council.