# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, AUGUST 21, 2012 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Jacobson at 5:00 p.m.

**ROLL CALL** 

Mayor Jacobson - Present
Mayor Pro Tem Fuentes - Present
Council Member Fisher - Present
Council Member Atkinson - Present
Council Member Fellhauer - Present

PUBLIC COMMUNICATION – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of \$50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of \$250.

#### SPECIAL ORDER OF BUSINESS:

## CLOSED SESSION:

The City Council moved into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City's Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City's Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov't Code §54956.9(a) -1- matter

Willmore v. City of El Segundo, LASC Case No. BC48502

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- matter.

Initiation of litigation pursuant to Government Code §54956.9(c): -2- matters.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -1- matter

# APPOINTMENT OF PUBLIC EMPLOYEE (Gov't. Code § 54957) -0- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -3-matters

Represented Group: Supervisory and Professional Employees Association (SPEA)

Negotiator: Greg Carpenter, City Manager

Unrepresented Group: Executive Management Group (City Department Heads) Negotiator: Greg Carpenter, City Manager

Unrepresented Group: Management Confidential Group (Non-represented, non-

department head employees)

Negotiator: Greg Carpenter, City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -1-matters

Sale or Lease of City Owned Property (Price and Terms):
 Real Property: City owned parking lot at Corner of Main Street and Grand Avenue (Assessor Parcel Number: 4135-003-901)
 City's Negotiator: Greg Carpenter, City Manager

Council recessed at 6:57 p.m.

# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, AUGUST 21, 2012 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Jacobson at 7:01 p.m.

INVOCATION – Lee Carlile, Pastor – United Methodist Church

PLEDGE OF ALLEGIANCE - Council Member Fisher

#### **PRESENTATIONS**

a) Presentation by Denise DiPasquale, South Bay Workforce Investment Board member, gave a quarterly board meeting update.

## **ROLL CALL**

Mayor Jacobson - Present
Mayor Pro Tem Fuentes - Present
Council Member Fisher - Present
Council Member Atkinson - Present
Council Member Fellhauer - Present

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have received value of \$50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of \$250. While all comments are welcome, the Brown Act does not allow Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed. **NONE** 

#### A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Fuentes to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to open a Public Hearing, consider testimony, and adopt a Resolution finding that the City conforms with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code § 65089. (Fiscal Impact: None)

Mayor Jacobson stated that this was the time and place to conduct a public hearing and receive testimony, and adopt a Resolution finding that the City conforms with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code § 65089.

City Clerk Weaver stated that proper notice had been given in a timely manner and that no written communication has been received in the City Clerk's Office.

Kimberly Christensen, AICP, Planning Manager, gave a report.

MOTION by Mayor Pro Tem Fuentes, SECONDED BY Council Member Fellhauer to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

#### **RESOLUTION NO. 4782**

A RESOLUTION FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE § 65089.

MOTION by Council Member Fisher, SECONDED by Council Member Fellhauer to adopt Resolution No. 4782 finding the City to be in compliance with the Congestion Management Program and adopting the Local Development Report in accordance with California Government Code § 65089. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

#### B. UNFINISHED BUSINESS

Mayor Jacobson left the dais due to a potential conflict regarding property he owned.

2. Consideration and possible action to direct staff to proceed with the Smoky Hollow Implementation Plan and to provide semi-annual updates as to the progress of implementation. (Fiscal Impact: Estimated at \$426,000 (\$176,000 FY 2012/2013; \$250,000 FY 2013/2014)

Ted Shove, Economic Development Analyst and Kimberly Christensen, AICP, Planning Manager, gave a presentation.

MOTION by Council Member Fisher, SECONDED by Council Member Fellhauer to receive and file presentation and approve staff recommendation to carry out the Smoky Hollow Implementation Plan. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR JACOBSON NOT PARTICIPATING DUE TO A POTENTIAL CONFLICT.

Mayor Jacobson returned to the dais.

- D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS
- E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

- 3. Approved Warrant Numbers 2588629 2588832 on Register No. 21 in the total amount of \$874,547.22 and Wire Transfers from 7/20/12 through 8/02/12 in the total amount of \$1,824,179.64. Authorized staff to release. Ratified Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.
- 4. Approved Regular City Council City Council Meeting Minutes of August 7, 2012.
- 5. PULLED FOR DISCUSSION BY STAFF
- 6. Adopted Resolution No. 4783 for establishing new bus stops for Torrance Transit Line 8 per CVC 22500(i) and ESMC 8-5-3(D); Approved the request to allow Torrance Transit to make additional bus stops in the City of El Segundo and affix the appropriate signage at each stop.
- PULLED FOR DISCUSSION BY MAYOR JACOBSON
- 8. Accepted the project as complete for the Energy Efficiency Lighting Retrofit Project. Project No. PW 12-01 (Fiscal Impact: \$93,264.00) Authorized the City Clerk to File a Notice of Completion in the County Recorder's office.

MOTION by Council Member Fisher, SECONDED by Mayor Pro Tem Fuentes to approve Consent Agenda items 3, 4, 6, and 8. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

#### CALL ITEMS FROM CONSENT AGENDA

5. Consideration and possible action regarding the adoption of Ordinance No. 1470 approving the 222 Kansas Street Specific Plan project by adopting Specific Plan Amendment No. 12-01; Zone Change No. 12-01; Zone Text Amendment No. 12-01; and approving Development Agreement No. 12-01; Subdivision No. 12-02 (Vesting Tentative Map No. 71903); and Site Plan Review No. 12-01 on the site located at 222 Kansas Street. Applicant: Mar Ventures, Inc. on behalf of SMPO Lab, LLC (Fiscal Impact: \$450,000 Developer Contribution)

Kimberly Christensen, AICP, Planning Manager, announced the following minor corrections to the Ordinance: Modification of the Boundary Description, Zoning General Plan, Specific Plan Map Exhibits, and a change to the acreage of the Specific Plan.

Mark Hensley, City Attorney read the Ordinance by title only.

#### **ORDINANCE NO. 1470**

AN ORDINANCE APPROVING THE 222 KANSAS STREET SPECIFIC PLAN PROJECT AT 222 KANSAS STREET BY ADOPTING SPECIFIC PLAN AMENDMENT NO 12-01; ZONE CHANGE NO. 12-01; ZONE TEXT AMENDMENT NO. 12-01; AND APPROVING DEVELOPMENT AGREEMENT NO. 12-01; SUBDIVISION NO. 12-01(VESTING TENTATIVE MAP NO. 71903); AND SITE PLAN REVIEW NO. 12-01.

Council Member Fisher re-introduced the Ordinance.

Second reading and adoption of the Ordinance and re-adoption of Resolution No. 4779, approving an addendum to a Mitigated Negative Declaration for Environmental Assessment No. 959 and adopting General Plan Amendment No. 12-01 for the 222 Kansas Street Specific Plan and a Development Project at 222 Kansas Street, scheduled for September 4, 2012.

7. Consideration and possible action regarding a request from the El Segundo Kiwanis Club to operate a Beer Garden in the food court section of the Kiwanis sponsored 36th Annual Richmond Street Fair on Saturday, September 22, 2012 from 11:00 am – 5:00 pm. subject to compliance with all Alcohol Beverage Commission regulations and permits.

(Fiscal Impact: None)

MOTION by Council Member Atkinson, SECONDED by Council Member Fellhauer to approve request from the El Segundo Kiwanis Club to operate a Beer Garden in the food court section of the Kiwanis sponsored 36th Annual Richmond Street Fair on Saturday, September 22, 2012 from 11:00 am – 5:00 pm. subject to compliance with all Alcohol Beverage Commission regulations and permits. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: COUNCIL MEMBERS FISHER, ATKINSON, AND FELLHAUER; NOES: MAYOR JACOBSON AND MAYOR PRO TEM FUENTES. 3/2

## F. NEW BUSINESS

9. Consideration and possible action to direct staff to take steps necessary to seek input from various City Committees regarding a potential agreement with Centercal Properties, LLC for enhancing the driving range and dining facilities at The Lakes Golf Course which would be operated by Top Golf. The agreement would be negotiated by the City Manager and City Attorney and presented for review and potential approval by the City Council at a future date. (Fiscal Impact: To Be Determined)

Ted Shove, Economic Development Analyst, Randy Starr with TopGolf and Rupesh Bhakta with Centercal Properties, gave a report.

MOTION by Council Member Atkinson, SECONDED by Council Member Fellhauer to receive and file presentation; Directed staff to seek input from the Golf Course Subcommittee, Recreation and Park Commission, and Economic Development Advisory Committee regarding a potential agreement by and between the City of El Segundo Centercal Properties, LLC; Directed the City Manager and City Attorney to negotiate terms of an agreement with Centercal Properties, LLC for a new Top Golf facility to be located at The Lakes in place of the existing driving range. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

10. Consideration and possible action to approve conceptual designs for the Maple Avenue Rehabilitation Project so that staff can direct APA Engineering to move forward with developing plans and specifications for the street improvement project. (Fiscal Impact: None)

Stephanie Katsouleas, Public Works Director, gave a report. Kamran Saber, APA Project Manager, answered Council questions.

MOTION by Mayor Pro Tem Fuentes, SECONDED by Council Member Fellhauer to approve conceptual designs for Maple Ave. Rehabilitation Project. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

G. REPORTS – CITY MANAGER – Thank you for your time in listening to all the reports and presentations tonight.

- H. REPORTS CITY ATTORNEY None
- I. REPORTS CITY CLERK None
- J. REPORTS CITY TREASURER Gave an update on Treasurer's Office.
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Fellhauer - None

Council Member Atkinson – Dodger tickets still available for El Segundo Night at Dodger Stadium.

Council Member Fisher - None

Mayor Pro Tem Fuentes – Attended the Broadway in the Park performance and the Park and Recreations WIZ production.

Mayor Jacobson – Attended the WIZ production.

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MEMORIALS - James "Jim" Patrick Walsh, Sr.

CLOSED SESSION – Moved to at 9:04 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION - None

ADJOURNMENT AT 9:12 p.m.

Tracy Weaver, City Clerk