REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, February 5, 2013 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER - Mayor Jacobson at 5:00 PM

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.

Mayor Jacobson announced that Council would be meeting in closed session pursuant to the items listed on the agenda.

SPECIAL ORDER OF BUSINESS:

1. Consideration and possible action to appoint the City Manager as the real property negotiator with regard to the potential relocation of the City's Residential Sound Insulation Program from 333 to 529 Main Street. The City currently has a lease with Davis & DeRosa Physical Therapy with regard to the 333 Main Street property and is negotiating the price and terms of being bought out of that lease and leasing and being relocated to 529 Main Street which is owned by Patrick Kelsey and Shauna Fisher.

MOTION by Council Member Atkinson, SECONDED by Mayor Pro Tem Fuentes to appoint the City Manager as the real property negotiator with regard to the potential relocation of the City's Residential Sound Insulation Program from 333 to 529 Main Street. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CLOSED SESSION:

The City Council may 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(d)(1) -2- matter

City of El Segundo vs. City of Los Angeles, et al. LASC Case No. BS094279 Gonzales Construction vs. City of El Segundo, et al, LASC Case No YC065812

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(d)(2) and (3): -0- matter.

Initiation of litigation pursuant to Government Code §54956.9(d)(4): -1- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957): -0- matter

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -0-matters

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -2-matters

Properties: 333 Main Street (APN No. 4136-016-029) and 529 Main Street (APN No. 4136-006-015)

Agency Negotiator: City Manager

Negotiating Parties: Davis & DeRosa Physical Therapy (for 333 Main Street) and Patrick Kelsey and Shauna Fisher (for 529 Main Street)

Under Negotiation: Price and terms of City's lease of 333 Main Street being purchased by owner of property and City's Residential Sound Insulation Program leasing and being relocated to 529 Main Street.

2. Property: The Lakes Golf Course (APN Nos. 4138-014-910 and 4138-014-913. Agency Negotiator: City Manager Negotiating Parties: Centercal Properties, LLC and TopGolf, LLC Under Negotiation: Lease Price and Terms of City leasing The Lakes Golf Course to Centercal Properties and TopGolf.

Adjourned at 6:55 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, February 5, 2013 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER- Mayor Jacobson at 7:00 PM

INVOCATION – City Clerk, Tracy Weaver

PLEDGE OF ALLEGIANCE - Council Member Atkinson

PRESENTATIONS

a) Kevin Pulsipher, Army Reservist and El Segundo Resident, presented a Commemorative flag and certificate to Fire Chief Smith and Police Chief Tavera.

ROLL CALL

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

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Denise DiPasquale – from South Bay Workforce Investment Board gave the quarterly Summary.

Loretta Frye reminded everyone that this is tax season and therefore El Segundo Senior Citizens and low income families can have their taxes done for free at the Jocelyn Center.

Jake Dykman, Tree Advocate of the month for Tree Musketeers, spoke on the Native tree. Arbor Day will be March 9, 2013.

Sam Pena, Consolidated Disposal Services, gave an update on the City's Shred Day, stating that is was very successful. Next Shred Day will be in July.

Scott Gobble, SCE General Regional Manager of Local Public Affairs reminded the community that Edison Meters are interactive (Smart Meters).

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

- B₁ SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)
- C. UNFINISHED BUSINESS
- 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.

- 1. Approved Warrant Numbers 2591002 to 2591167 on Register No. 8 in the total amount of \$845,084.79 and Wire Transfers from 1/4/2013 through 1/17/2013 in the total amount of \$2,821,428.72. 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.
- 2. Approved Special Meeting Minutes of January 8, 2013 and Approved Regular City Council Meeting Minutes of January 15, 2013.
- 3. Waived the bidding process per El Segundo Municipal Code §1-7-10, as there is only one company that can meet the product specifications and authorized the purchase and installation of a replacement MagneGrip vehicle exhaust extraction system from Air Cleaning Technology (ACT) for Fire Station 1. (Fiscal Impact: \$45,384.85)
- 4. Authorized the City Manager to approve fund appropriation in the amount of \$500,000.00 from the Sewer Enterprise Fund for the Sanitary Sewer System Rehabilitation project. Project No. PW 11-09. (Fiscal Impact: \$500,000.00)
- 5. PULLED BY MAYOR PRO TEM FUENTES

- 6. Authorized the City Manager to execute two contract amendments to Contract No. 4269, in forms approved by the City Attorney, with Aerotek, Inc. for temporary staffing services in the Public Works Department. (Fiscal Impact: \$53,108.00)
- 7. Waived second reading and adopted Ordinance No. 1476, amending El Segundo Municipal Code Chapter 4-10 and Section 15-1-6 concerning regulation of massage establishments and massage technicians within the City of El Segundo. Applicant: City of El Segundo. (Fiscal Impact: None)
- 8. Authorized the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office for the work on 34 homes related to the City's Residential Sound Insulation Program's Group 42 (Project No. RSI 12-01) and authorized the City Manager, or designee, to close out Project No. RSI 12-01.

 (Fiscal Impact: Final Contract Amount \$1,336,244.67)
- 9. Delegated authority to the City Manager to approve banner requests over Sepulveda Blvd. under the City's Caltrans Banner Permit Program and directed staff to establish a processing fee for Sepulveda Blvd. banner applications. (Fiscal Impact: Potential Revenue)
- 10. Authorized an additional \$100,000.00 in contingency funds from the Sewer Enterprise Fund to cover anticipated change orders in the Sanitary Sewer Rehabilitation Project and authorized the City Manager to execute an amendment in a form approved by the City Attorney, for additional work should it become necessary. Project No. PW 11-09. (Fiscal Impact: 100,000.00)
- 11. Waived minor irregularities in the bid from Karabuild Development, Inc., deleted Home 47.14 (535 East Walnut Avenue, Unit A) from the scope of work, awarded contract to Karabuild Development, Inc. for project RSI 12-11 (Group 47) and authorized the City Manager to execute a contract in a form approved by the City Attorney.

 (Estimated construction costs and retention \$895,012)
- 12. Waived minor irregularities in the bid from Karabuild Development, Inc., awarded contract to Karabuild Development, Inc. for project RSI 12-12 (Group 48) and authorized the City Manager to execute a contract in a form approved by the City Attorney.

 (Estimated construction costs and retention \$1,039,259)

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to approve Consent Agenda items 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, and 12. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

Consideration and possible action to adopt a resolution, retroactively authorizing emergency repair of the City Hall air conditioning system.

(Fiscal Impact: \$2,509.00)

MOTION by Mayor Pro Tem Fuentes, SECONDED by Council Member Fellhauer to adopt Resolution No. 4807 authorizing the City Manager to execute an amendment with Johnson Controls, Contract No. 3981E, in a form approved by the City Attorney, for work performed in September, 2012 for the emergency repair of the City Hall air conditioning system. MOTION PASSEDBY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

REPORTS - CITY MANAGER - None

REPORTS - CITY ATTORNEY - None

REPORTS - CITY CLERK - None

REPORTS - CITY TREASURER - None

REPORTS - CITY COUNCIL MEMBERS

Council Member Fellhauer – Attended the New Mayor and Council Member training in Sacramento. Attended the Independent Cities Association Winter Seminar in Santa Barbara, CA.

Council Member Atkinson – Attended the New Mayor and Council Member training in Sacramento.

Council Member Fisher - None

Mayor Pro Tem Fuentes – Attended the Recreation and Parks Department production of Oklahoma. Update on LA County protest ballot for clean water – the county will still accept protests via email that contains your parcel number. Great job to Chief Smith and the Fire Department on the recent Blood Drive. Attended the Christmas dinner held at the Joslyn Center. Thank you to all the volunteers and businesses that contributed to the success of the dinner. Attended the South Bay Cities Chamber of Commerce Installation last week. Spoke on the possibility of education funds redistribution.

Mayor Jacobson - None

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MEMORIALS – Charles "Charlie" Porter, Richard W. Vidmar, Melvin J Westover and James E. Pitney.

CLOSED SESSION

ADJOURNMENT at 7:35 PM

Tracy Weaver, City Clerk