

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, April 16, 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 of the items listed on the agenda.

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

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

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- 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): -0-  
matters

Recessed at 6:55 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, April 16, 2013 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER- Mayor Jacobson at 7:00 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Council Member Fellhauer

PRESENTATIONS

Commendations read by Council Member Fisher and received by the El Segundo AYSO Region 92 Boys U12 All Stars State Champions

Proclamation read by Council Member Atkinson and received by Tracy Weaver, City Clerk, for “Municipal Clerk’s Week” from May 5, 2013 – May 11, 2013.

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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Jessica Baker, resident, spoke against the possibility of a 99¢ Only Store leasing the former Cooke’s Market building on Richmond Street.

Tony Mendez, resident, spoke concerning the Farmer’s Market, believes it needs refurbishing. Mr. Mendez also spoke concerning the City’s Bids and RFP’s. Mr. Mendez commented that he was pleased with the Police Department Alert phone call today concerning the situation occurring at Popcornopolis today.

Barbara Bruss, resident, spoke concerning RSI Group 49 and the awarding of the contract to Big West Construction. Ms. Bruss would like the council to deny awarding the contract to Big West Construction.

Chad Yussman, resident, spoke against the possibility of a 99¢ Only Store leasing the former Cooke's Market building on Richmond Street.

Greg Carpenter, City Manager, gave a brief report concerning the history of the Richmond St. property (formerly Cooke's Market) where the 99¢ Only Store would be located. He has spoken with the owner of the property and believes that the lease is not finalized. Mr. Carpenter also spoke concerning the RSI contractor, Big West Construction.

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)

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 2591931 - 2592111 on register No. 13 in the total amount of \$1,500,301.03 and Wire Transfers from 3/14/13 through 3/28/13 in the total amount of \$1,219,500.76. 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 City Council Meeting Minutes of March 28, 2013, Special City Council Meeting Minutes of April 2, 2013 and Regular City Council Meeting Minutes of April 2, 2013.

3. Authorized the City Manager to execute a standard Public Works Contract No. 4412 in a form approved by the City Attorney with Integral Electric Engineering, Inc. in the amount of \$11,900.00 for the Installation of Submeters on the City's Main Electrical Meter. Project No. PW 13-02  
(Fiscal Impact: \$15,000.00)
4. Authorized the City Manager to complete the ballot submitted by the League of California Cities to approve the proposed by-law amendments.  
(Fiscal Impact: None)
5. Adopted Resolution of Intention No. 4820 to schedule a hearing to vacate an existing sewer easement and transfer ownership and maintenance of existing sewer facilities within the City of El Segundo to Boeing Co.  
(Fiscal Impact: None)
6. PULLED BY COUNCIL MEMBER ATKINSON
7. Adopted Resolution No. 4819 approving Plans and Specifications for Pump Stations Maintenance and On-Call Repair Services. Project No. PW 13-12.  
(Fiscal Impact: \$90,000.00 annually for five years)
8. Authorized the City Manager to execute an amendment, in a form approved by the City Attorney, to the current lease agreement between the City of El Segundo and AT&T Wireless to allow the installation of a new cabinet mounted to an H-frame and equipment for the operation of wireless communications within the city facility located at 400 Lomita St. (the Water Division)  
(Fiscal Impact: None)
9. Authorized the City Manager to execute a 5-year Public Works Contract No. 4413 to Excelsior Elevator for elevator maintenance and on-call repair services for the City's elevators and dumb waiter for \$8,520.00 and authorized the City Manager to approve change orders for additional repair work, on an as-needed basis, for an annual amount not to exceed \$15,380.00 during the 5-year contract period. Project No. PW 13-03  
(Fiscal Impact: \$23,900.00 annually; \$119,500.00 over 5 years)

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

#### PULLED ITEM

6. Consideration and possible action regarding awarding contract to Big West Construction Corporation for construction at 25 homes related to Project No. RSI 13-02 (Group 49 of the City's Residential Sound Insulation Program)  
(Fiscal Impact: Estimated construction costs and retention \$954,800.00)

James O'Neil, RSI Program Manager, gave a brief report concerning the RSI Group 49 and Big West Construction Corporation.

Mark Hensley, City Attorney, spoke concerning the RSI Program.

Council discussion

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to waive minor irregularities in the bid from Big West Construction Corporation, awarded Contract No. 4414 to Big West Construction Corporation for project RSI 13-02 (Group 49) and authorized the City Manager to execute a contract in a form approved by the City Attorney. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

NEW BUSINESS

REPORTS – CITY MANAGER – Thanked the City Clerk's office for all their hard work.

REPORTS – CITY ATTORNEY

10. Consideration and possible action regarding changes being recommended by the Independent Cities Risk Management Association ("ICRMA") regarding the management of claims and litigation that is within the scope of ICRMA's jurisdiction.  
(Fiscal Impact: Unknown)

Mark Hensley, City Attorney, gave a presentation.

Council discussion

Council consensus is to ask for a continuance to further investigate the recommendations by Independent Cities Risk Management Association ("ICRMA") regarding the management of claims and litigation. If a continuance is not granted, Council gave permission for Council Member Fisher, delegate to ICRMA, to vote against the proposed recommendations by ICRMA.

REPORTS – CITY CLERK – Thanked the Council and the City Manager for recognizing the Clerks office and Municipal Clerk's Week.

REPORTS – CITY TREASURER - None

REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer – Thoughts and prayers to the city of Boston. Thanked the Police Department for their actions concerning today's incident at Popcornopolis.

Council Member Atkinson – Thoughts and prayers to the city of Boston. Thanked the Police Department for their actions concerning today's incident at Popcornopolis. He also commended the community for coming to our meeting and expressing their concerns about our city.

Council Member Fisher – None

Mayor Pro Tem Fuentes – Attended the Women's Club 90<sup>th</sup> Anniversary with Council Member Fellhauer and presented the club with a commendation. Attended the Chevron sponsored Project Lead the Way Engineering Design Competition for High School students with Mayor Jacobson. Reminded the community to save the date for the Hometown Fair to be held Saturday, May 4, 2013.

Mayor Jacobson – Attended the Chevron sponsored Project Lead the Way Engineering Design Competition for High School students with Mayor Pro Tem Fuentes. Thanked the Police Department and neighboring Police Departments for their actions concerning today's incident at Popcornopolis.

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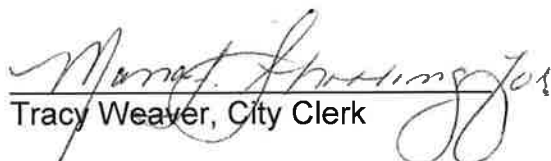
Gail Church, resident, spoke in favor of the 99¢ Only Store leasing in El Segundo.

Tony Mendez, resident, spoke concerning the 99¢ Only Store and made a comment concerning the ICRMA presentation by City Attorney, Mark Hensley.

MEMORIALS – None

CLOSED SESSION – None

ADJOURNMENT at 8:47 PM

  
Tracy Weaver, City Clerk