

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, May 21, 2013 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER - Mayor Jacobson at 5:01 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) -0- matter

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): -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): -0-
matters

Adjourned at 5:50 PM

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, May 21, 2013 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Jacobson at 7:01 PM

INVOCATION – Tracy Weaver, City Clerk

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Fuentes

PRESENTATIONS

- a. Proclamation read by Council Member Atkinson and presented to Elaine Allen, the 2013 El Segundo Older American of the Year.
- b. Proclamation read by Mayor Jacobson and presented to Fire Chief Kevin Smith for SUPER CPR SATURDAY, June 1, 2013.
- c. Proclamation read by Council Member Fellhauer and presented to Stephanie Katsouleas, Public Works Director, for National Public Works Week May 19 – May 25, 2013.
- d. Presentation by Ellen Cunningham, Senior Librarian, about the 13th Annual Author Fair at the El Segundo Library Sunday, June 2, 2013 from 11:30 AM – 4:30 PM.
- e. PULLED

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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Carol Wingate, resident, spoke concerning the Unfinished Business item 1A – a settlement between Wiseburn School District and the City of El Segundo. Ms. Wingate is opposed to the settlement.

Tony Mendez, resident, spoke concerning a defense forum item that he read about in the Daily Breeze. He would like to see a member of our council attend the next forum. Second item, Mr. Mendez spoke on behalf of Hawthorne's Economic Development Event, would like to see El Segundo hold this type of event.

Jim Decordova, resident, spoke concerning the Unfinished Business item 1A – the settlement between Wiseburn School District and the City of El Segundo. Mr. Decordova opposes the settlement.

Mike Briney, resident, spoke in favor of the settlement between Wiseburn School District and the City of El Segundo.

Sam Pena, Consolidated Services, friendly reminder to recycle and pick up your free recycling bins, call 1-800-299-4898 to receive a bin. Memorial Day Service will be one day different and residents will receive a phone call from Consolidated with a friendly reminder. Shred Day will be held Saturday, July 13, 2013 from 10:00 am – 1:00 pm.

Sarah Combs, resident, spoke in favor of the settlement between Wiseburn School District and the City of El Segundo.

Deb Davis, resident, spoke concerning the state of the Plunge and would welcome a new facility.

Lee Davis, resident, spoke concerning the plunge shut down and trying to find other pools for the club swim team to practice. He would like to see the settlement with Wiseburn and the City of El Segundo.

Ron Swanson, resident, stated that now is the time to move forward and take Wiseburn up on their offer to build a pool. Mr. Swanson complemented the RSI program.

El Segundo Resident, spoke concerning the Concord Hotel.

Robin Funk, Vice President of the El Segundo School Board, thanked the Council for their efforts with the El Segundo Pool issue.

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 Council Member Fisher 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

- A1. Consideration and possible action to authorize the Mayor to execute a settlement agreement between the Wiseburn School District and the City of El Segundo related to the construction of a high school and joint use aquatics facility at 201 N. Douglas Street
(Fiscal Impact: City will agree to operate the aquatics facility upon completion).

Greg Carpenter, City Manager, gave a report.

Council Discussion

MOTION by Council Member Atkinson, SECONDED by Council Member Fellhauer to authorize the Mayor to execute the draft Settlement Agreement No.4431 between the Wiseburn School District and the City of El Segundo and directed the City Manager, or designee, to cooperate with Wiseburn School District on the design of the facility and the drafting of a Joint Use Agreement (JUA) and return to City Council for a presentation of the design and consideration of the JUA. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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 2592490 to 2592670 on register No. 15 in the total amount of \$1,058,106.95 and Wire Transfers from 4/26/13 through 5/09/13 in the total amount of \$1,193,429.69. 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 April 23, 2013, Special City Council Meeting Minutes of April 30, 2013 and Regular City Council Meeting Minutes of May 7, 2013.
3. Authorized the City Manager to sign Agreement No. 4424, in a form approved by the City Attorney, between El Segundo and the Metropolitan Transportation Authority, for the exchange of Federal STP-L funds for LACMTA local funds. (Fiscal Impact: \$243,458.00 receipt of grant funding)
4. Authorized the City Manager to award standard Public Works Contract No. 4425, in a form approved by the City Attorney, to West Coast Netting for Installation of Soccer Field Netting at Campus El Segundo Athletic Field in the amount of \$13,900.00. Project No.: PW 13-06
(Fiscal Impact: \$17,375.00)
5. ITEM MOVED TO JUNE 4, 2013 CITY COUNCIL MEETING.
6. PULLED FOR DISCUSSION BY MAYOR JACOBSON

7. Authorized the City Manager to execute standard Public Works Contract No. 4426, in a form approved by the City Attorney, to J. Cab & Sons for City Hall Roof Replacement rejected all bids for the Park Vista Senior Housing Facility Roof Replacement. Project No.: PW 13-05
(Fiscal Impact: \$378,350.00)
8. Received, filed and approved a request for an Administrative Use Permit to expand the on-site sale and consumption of beer, wine and alcohol (Type 47 State of California Alcoholic Beverage Control License) at an existing restaurant. The restaurant, The Tavern on Main will expand into approximately 800 square-foot vacant portion of 119 Main Street located at 121-123 Main Street. Applicant: Kristian Krieger
(Fiscal Impact: N/A)
9. Received, filed and approved a request for an Alcoholic Beverage Control (ABC) License to allow the on-site sale and consumption of beer and wine (Type 41 State of California Alcoholic Beverage Control License) at a new restaurant (PizzaRev) at 460 North Sepulveda Boulevard, Suite C. Applicant: Rodney Eckerman
(Fiscal Impact: N/A)
10. Authorized the acceptance of \$36,940.00 in grant funding from the U.S. Department of Homeland Security, through the Grant Programs Directorate within the Federal Emergency Management Agency (FEMA), under the Fiscal Year 2012 Urban Areas Security Initiative (UASI 2012), to procure the \$39,547.17 purchase of gas masks and class III protective suits for the Police Department and waived the bidding process to purchase gas masks (the Avon C50), their corresponding filters, and class III protective suits (the Blauer XRT) in accordance with an existing contract with U.S. Communities (Contract Number 4400001839) and Mallory Safety and Supply, LLC using equipment replacement and Urban Areas Security Initiative (UASI) grant funds and authorized the City Manager to execute Agreement No. 4427, in a form approved by the City Attorney, to purchase sixty-five (65) gas masks (the Avon C50), their corresponding filters, and class III protective suits (the Blauer XRT) from Mallory Safety and Supply, LLC, using equipment replacement and Urban Areas Security Initiative (UASI) grant funds
(Fiscal Impact: \$39,547.17)
11. Authorized the City Manager to execute Agreement No. 4428 with AC Martin Partners, Inc. for Interior Architectural services for City Permit Center and Finance Office Tenant Improvements; services not to exceed \$36,000.00.
(Fiscal Impact: \$36,000.00)

12. Authorized the City Manager to execute Standard Public Works Contract No. 4429, in a form approved by the City Attorney, to GMC Engineering, Inc. for construction of Maple Avenue Street Improvements project, and to award Public Works Professional Services Agreement No. 4430 to AKM Consulting Engineers for construction inspection services for the project in the amount of \$92,694.00.
Project No.: PW 12-09
(Fiscal Impact: \$2,035,500.00)
13. Received and filed report regarding the emergency repair of the wet well level monitoring sensor line in Pump Station #1.
(Fiscal Impact: \$2,906.63)
14. Received and filed report regarding the emergency repair to the 480 Volt, 800 amp main breaker of Recreation Park.
(Fiscal Impact: \$10,525.00)

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Fuentes to approve Consent Agenda items 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, and 14. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

PULLED ITEMS

6. Consideration and possible action to authorize the City Manager to execute a fifth amendment extending Agreement No. 3484, in a form approved by the City Attorney, between El Segundo and Fireworks & Stage FX America Inc. to provide a public fireworks show for the 2013 Fourth of July Community Celebration.
(Fiscal Impact: Not-to-Exceed \$23,000.00 from Special Events Trust Account and Special Events Contractual Services)

MOTION by Mayor Jacobson, SECONDED by Council Member Atkinson to authorize the City Manager to execute a fifth amendment extending Agreement No. 3484, in a form approved by the City Attorney, between El Segundo and Fireworks & Stage FX America Inc. to provide a public fireworks show for the 2013 Fourth of July Community Celebration. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

NEW BUSINESS

15. Consideration and possible action to update the El Segundo Municipal Code regulating general penalties and administrative citations. These changes are desirable to ensure effective code enforcement by the El Segundo Police, Fire, Public Works, and Planning and Building Safety Departments.
(Fiscal Impact: None)

Mitch Tavera, Chief of Police, gave a presentation.

Karl Berger, Assistant City Attorney, read the Ordinance by title only.

ORDINANCE 1479

AN ORDINANCE AMENDING CHAPTER 1-2 OF THE EL SEGUNDO MUNICIPAL CODE IN ITS ENTIRETY ESTABLISHING GENERAL PENALTIES FOR VIOLATING THE EL SEGUNDO MUNICIPAL CODE; PROCEDURES FOR ISSUING CITATIONS; AND AUTHORIZING PROSECUTIONS.

Council Member Fellhauer introduced the Ordinance 1479

Second reading and adoption scheduled for June 4, 2013.

Karl Berger, City Attorney, read the Ordinance by title only.

ORDINANCE 1480

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE SECTIONS 1-2A-1, 1-2A-2, 1-2A-3, 1-2A-9 AND 1-2A-10 TO MAKE ANY VIOLATION OF THE EL SEGUNDO MUNICIPAL CODE SUBJECT TO AN ADMINISTRATIVE CITATION.

Council Member Fellhauer introduced the Ordinance 1480

Second reading and adoption scheduled for June 4, 2013.

MOTION by Council Member Atkinson, SECONDED by Council Member Fellhauer to introduce and waive first reading of an Ordinance amending Chapter 1-2 of the El Segundo Municipal Code regarding procedures for issuing infraction citations, introduce and waive the first reading of an Ordinance amending Sections 1-2A-1, 1-2A-2, 1-2A-3 1-2A9 and 1-2A10 of the El Segundo Municipal Code regarding administrative citations and scheduled a second reading and adoption for both ordinances. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

REPORTS – CITY MANAGER - None

REPORTS – CITY ATTORNEY - None

REPORTS – CITY CLERK - None

REPORTS – CITY TREASURER – None

REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer - None

Council Member Atkinson – Thanked everyone for attending Elderfest and thanked those who made Elderfest possible.

Council Member Fisher –

16. Consideration and possible action to change the current practice of electing a Mayor and Mayor Pro Tem for two-year terms and instead have these positions elected by Council on an annual basis.
(Fiscal Impact: None)

Council Member Fisher discussed the reason for change in terms.

Council Discussion

Karl Berger, Assistant City Attorney, answered questions for the Council concerning changing the term of Mayor and Mayor Pro Tem.

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to vacate the position of Mayor. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: Fellhauer, Fisher and Atkinson NOS: Fuentes and Jacobson. 3/2

Council Member Fellhauer nominated Council Member Bill Fisher for Mayor.

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to elect Bill Fisher Mayor. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: Fellhauer, Fisher and Atkinson NOS: Fuentes and Jacobson. 3/2

Mayor Jacobson asked for a re-vote. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

MOTION by Mayor Fisher, SECONDED by Council Member Fellhauer to vacate the position of Mayor Pro Tem. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

Mayor Fisher nominated Council Member Jacobson as Mayor Pro Tem.

MOTION by Mayor Fisher, SECONDED by Council Member Fellhauer to elect Carl Jacobson Mayor Pro Tem. MOTION PASSED BY A UNANIMOUS VOICE VOTE. 5/0

17. ITEM PULLED FROM THIS AGENDA

Mayor Pro Tem Fuentes – ED! Gala wonderful event, Elderfest was a great event, thank you to all who made it possible. Spent a day with the school board and visited the State Legislatures. The day was very insightful. Thank you to the Firefighters for their Public Safety Event. Attended Amateur Radio Club Event. Spoke about the Memorial Day weekend to commemorate those who gave their lives for our country.

Mayor Jacobson – Announced Super CPR Saturday June 1, 2013. /enjoyed the ED! Gala.

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Loretta Frye, resident, spoke against the change in Mayor.

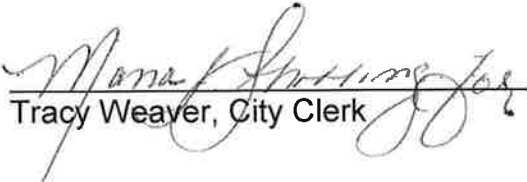
Liz Garnholtz, resident, spoke against the change in Mayor.

Dr. Bill Watkins, School Board Member, thanked Suzanne Fuentes for supporting education and thanked the council for the settlement agreement between Wiseburn and the City of El Segundo. Thanked the Council on behalf of the students in El Segundo.

MEMORIALS – Richard George Nagel

CLOSED SESSION - None

ADJOURNMENT at 9:34 PM


Tracy Weaver, City Clerk