



# **REVISED AGENDA**

## **EL SEGUNDO CITY COUNCIL**

### **COUNCIL CHAMBERS - 350 Main Street**

---

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet are available for public inspection in the City Clerk's office during normal business hours. Such Documents may also be posted on the City's website at [www.elsegundo.org](http://www.elsegundo.org) and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the **Public Communications** portions of the Meeting. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

*Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.*

Members of the Public may place items on the Agenda by submitting a **Written Request** to the City Clerk or City Manager's Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

---

**In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

### **REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL**

#### **TUESDAY, OCTOBER 1, 2013 – 5:00 PM**

**REVISED TO ADD:**  
**ITEM NO. 3 UNDER CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**  
**ITEM NO. 7A UNDER CONSENT**  
**ITEM NO. 8 UNDER NEW BUSINESS**

**5:00 P.M. SESSION**

**CALL TO ORDER**

**ROLL CALL**

**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 may move 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) (3) -3- matter**

1. City of El Segundo vs. City of Los Angeles, et.al. LASC Case No. BS094279
2. City of Los Angeles vs. Pacific Bell Telephone Company, et al., LASC Case No. BC414272
3. Gluck vs. City of El Segundo, LASC Case No. C068662

**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(c): -3- 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): -1-  
matters**

- 1. Lease of City Owned Property (Price and Terms)  
Real Property: City owned Golf Course ("The Lakes") located at Sepulveda Boulevard (Assessor Parcel Number: 4138-014-913).  
City's Negotiator: Greg Carpenter, City Manager  
Potential Lessee/Negotiating Party: Centercal Properties, Inc.



# **REVISED AGENDA**

## **EL SEGUNDO CITY COUNCIL COUNCIL CHAMBERS - 350 Main Street**

---

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the City Council regarding any matter on this agenda that the City received after issuing the agenda packet, are available for public inspection in the City Clerk's office during normal business hours. Such Documents may also be posted on the City's website at [www.elsegundo.org](http://www.elsegundo.org) and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the **Public Communications** portions of the Meeting. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

*Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.*

Members of the Public may place items on the Agenda by submitting a **Written Request** to the City Clerk or City Manager's Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

---

**In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

### **REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, OCTOBER 1, 2013 - 7:00 P.M.**

**REVISED TO ADD:  
ITEM NO. 3 UNDER CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL  
ITEM NO. 7A UNDER CONSENT  
ITEM NO. 8 UNDER NEW BUSINESS**

**7:00 P.M. SESSION**

**CALL TO ORDER**

**INVOCATION** – City Clerk, Tracy Weaver

**PLEDGE OF ALLEGIANCE** – Mayor Pro Tem Carl Jacobson

**PRESENTATIONS**

- a) Presentation - 2013 Most Business Friendly City Finalist from the Los Angeles Economic Development Corporation. Representatives: Barbara Voss and Carrie Rodgers.

**ROLL CALL**

**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.*

**CITY COUNCIL COMMENTS – (Related to Public Communications)**

**A. PROCEDURAL MOTIONS**

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

---

Recommendation – Approval.

**B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)**

- 1. **Consideration and possible action to adopt a Resolution for a General Plan Amendment updating the Housing Element for the planning period extending from January 2006 to June 2014. Applicant: City of El Segundo. (Fiscal Impact: None)**
- 

Recommendation – 1) Open the Public Hearing; 2) Discussion; 3) Adopt Resolution approving Environmental Assessment No. 722 and General Plan Amendment No. 07-01; 4) Alternatively, discuss and take other possible action related to this item.

**C. UNFINISHED BUSINESS**

2. Status update on the Permit Parking Program - Police Chief Mitch Tavera

**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. Warrant Numbers 2594365 – 2594564 on Register No. 24 in the total amount of \$685,386.07 and Wire Transfers from 8/30/2013 through 9/12/2013 in the total amount of \$2,943,231.40)**

---

Recommendation – Approve Warrant Demand Registers and authorize staff to release. Ratify Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

- 4. Regular City Council Meeting Minutes of September 17, 2013.**

---

Recommendation – Approval.

- 5. Consideration and possible action to 1) adopt a Resolution approving plans and specifications for repair and maintenance of El Segundo's two potable water reservoirs, 2) award a standard Public Works Contract to Utility Service Co., Inc. for repair and maintenance of the City's elevated water tank and two potable water reservoirs and 3) award a Public Works Professional Services Agreement to Corrpro Companies, Inc. for construction inspection services for the elevated tank and two potable water reservoir maintenance and repair activities. Project No. PW 13-07 (Fiscal Impact: \$938,440.00)**

---

Recommendation – 1) Adopt a Resolution approving plans and specifications for repair and maintenance of two potable water reservoirs; 2) Authorize the City Manager to execute a standard Public Works Contract in a form approved by the City Attorney with Utility Service Co., Inc. in the amount of \$810,800.00 for maintenance and repair of the elevated water tank and two potable water reservoirs; 3) Authorize the City Manager to execute a standard Public Works Professional Services Agreement in a form as approved by the City Attorney with Corrpro Companies, Inc. in the amount of \$41,560.00 for construction inspection services; 4) Alternatively, discuss and take other possible action related to this item.

- 6. Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager, or designee, to accept completion of work for 23 homes related to the City's Residential Sound Insulation Program's Group 47 (Project No. RSI 12-11).**

**(Fiscal Impact: \$818,521.72, less liquidated damages)**

Recommendation – 1) Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office; 2) Authorize the City Manager, or designee, to close out Project No. RSI 12-11; 3) Alternatively discuss and take other action related to this item.

- 7. Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager, or designee, to accept completion of work for 24 homes related to the City's Residential Sound Insulation Program's Group 48 (Project No. RSI 12-12).**

**(Fiscal Impact: \$949,645.85, less liquidated damages)**

Recommendation – 1) Authorize the City Clerk to file the City's Planning and Building Safety Director's Notice of Completion in the County Recorder's Office; 2) Authorize the City Manager, or designee, to close out Project No. RSI 12-12; 3) Alternatively discuss and take other action related to this item.

- 7A. Consideration and possible action to update the El Segundo Municipal Code regulating general penalties for Title 6 of the City Code specific to animal Control. These changes are desirable to ensure effective enforcement by the El Segundo Police Department (Fiscal Impact: None)**

Recommendation – 1) Introduce and waive first reading of an ordinance amending Chapter 6-1-5 of the El Segundo Municipal Code regarding the general penalty for violations of animal regulations; 2) Schedule second reading and adoption of the ordinance for October 15, 2013; 3) Alternatively discuss and take other action related to this item.

## **F. NEW BUSINESS**

- 8. Consideration and possible action to direct the staff to conduct a public information program related to the City's financial situation, economic forecast and options for addressing future budget deficits.**

Recommendation – 1) Direct staff to conduct a public information program; 2) Alternatively, discuss and take other possible action related to this item.

## **G. REPORTS – CITY MANAGER**

## **H. REPORTS – CITY ATTORNEY**

## **I. REPORTS – CITY CLERK**

**J. REPORTS – CITY TREASURER**

**K. REPORTS – CITY COUNCIL MEMBERS**

**Council Member Fellhauer -**

**Council Member Atkinson –**

**Council Member Fuentes –**

**Mayor Pro Tem Jacobson –**

**Mayor Fisher –**

**PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total)** *Individuals who have receive 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.*

**MEMORIALS –**

**CLOSED SESSION**

*The City Council may move 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.*

**REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)**

**ADJOURNMENT**



POSTED:

DATE: *Sept. 26, 2013*

TIME: *2:25 PM*

NAME: *Maria J. Spinning*

**AGENDA DESCRIPTION:**

Consideration and possible action to update the El Segundo Municipal Code regulating general penalties for Title 6 of the City Code specific to animal Control. These changes are desirable to ensure effective enforcement by the El Segundo Police Department (Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**

1. Introduce and waive first reading of an ordinance amending Chapter 6-1-5 of the El Segundo Municipal Code regarding the general penalty for violations of animal regulations;
2. Schedule second reading and adoption of the ordinance for October 15, 2013;
3. Alternatively discuss and take other action related to this item.



**ATTACHED SUPPORTING DOCUMENTS:**

Staff Report dated September 17, 2013 regarding second reading and adoption of Ordinance amending Chapter 6-1-5 of the El Segundo Municipal Code

Draft Ordinance

**FISCAL IMPACT: Included in Adopted Budget**

**Amounts Budgeted:** N/A  
**Additional Appropriation:** N/A  
**Account Number(s):** N/A

**ORIGINATED BY:** Cathy Domann, Deputy City Clerk II   
**REVIEWED BY:** Tracy Weaver, City Clerk  
**APPROVED BY:** Greg Carpenter, City Manager 

---

**BACKGROUND AND DISCUSSION:**

On September 17, 2013 the attached Ordinance was inadvertently scheduled for second reading and adoption without first being introduced. The Ordinance is therefore being brought back to Council for introduction. Second reading and adoption is scheduled for October 15, 2013.

**EL SEGUNDO CITY COUNCIL  
AGENDA STATEMENT**

**MEETING DATE:** September 17, 2013  
**AGENDA HEADING:** New Business

---

**AGENDA DESCRIPTION:**

Consideration and possible action to update the El Segundo Municipal Code regulating general penalties for Title 6 of the City Code specific to animal control. These changes are desirable to ensure effective enforcement by the El Segundo Police Department. (Fiscal Impact: None)

**RECOMMENDED COUNCIL ACTION:**

1. Second reading by title only and adopt an Ordinance amending Chapter 6-1-5 of the El Segundo Municipal Code regarding the general penalty for violations of animal regulations.
2. Alternatively, discuss and take other action related to this item.

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance amending the Municipal Code

**FISCAL IMPACT: Included in Adopted Budget**

**Amount Budgeted:** \$0

**Additional Appropriation:** No

**Account Number(s):**

**ORIGINATED BY:** Brian Evanski, Police Captain

**REVIEWED BY:** Mitch Tavera, Chief of Police

**APPROVED BY:** Greg Carpenter, City Manager



---

**BACKGROUND AND DISCUSSION:**

Staff recommends the City Council consider an amendment to the ESMC as to general penalties and the process for prosecuting individuals who violate animal regulations as identified in the ESMC. With the downturn in the economy, and shrinking budgets, the Los Angeles County District Attorney's office is declining to prosecute any ESMC violations. To ensure that the City continues its enforcement activities, the Police Department believes that all ESMC violations related to animal regulations can be enforced by police officers as infractions. This is similar to the process for enforcing other specified ESMC violations.

In order to facilitate such a process, violations of animal regulations within the ESMC must change from misdemeanors to infractions; and the general bail schedule for violations of animal regulations of the ESMC shall be as follows:

1. A fine not exceeding \$100.00 for the first violation;
2. A fine not exceeding \$200.00 for a second violation of the same provision within one (1) year;
3. A fine not exceeding \$500.00 for each additional violation of the same provision within one (1) year of the first violation.

In order to improve the City's quality of life, it is important that the City have all the tools it needs for enforcement. By adopting this ordinance, the City is able to both effectively enforce the ESMC and provide a deterrence for potential violators.

**ORDINANCE NO. 1482**

**AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE § 6-1-5 REGULATING VIOLATIONS OF ANIMAL REGULATIONS WITHIN THE CITY'S JURISDICTION.**

The Council of the City of El Segundo does ordain as follows:

SECTION 1: Section 6-1-5 of the El Segundo Municipal Code ("ESMC") is amended to read as follows:

**"6-1-5: GENERAL PENALTY:** Any person violating any provision of this title is guilty of an infraction, punishable as provided in chapter 1-2 of this code."

SECTION 2: *Summaries of Information.* All summaries of information in the findings, which precede this Section, are based on the substantial evidence in the record including, without limitation, verbal and documentary evidence submitted to the El Segundo City Council. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 3: *Savings Clause.* Repeal or amendment of any provision of this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 4: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 4: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 5: This Ordinance will become effective thirty (30) days following its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Bill Fisher, Mayor

**ATTEST:**

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF EL SEGUNDO         )

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. 1482 was duly introduced by said City Council at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Tracy Weaver, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE § 6-1-5 REGULATING VIOLATIONS OF ANIMAL REGULATIONS WITHIN THE CITY'S JURISDICTION.**

The Council of the City of El Segundo does ordain as follows:

SECTION 1: Section 6-1-5 of the El Segundo Municipal Code ("ESMC") is amended to read as follows:

**"6-1-5: GENERAL PENALTY:** Any person violating any provision of this title is guilty of an infraction, punishable as provided in chapter 1-2 of this code."

SECTION 2: *Summaries of Information.* All summaries of information in the findings, which precede this Section, are based on the substantial evidence in the record including, without limitation, verbal and documentary evidence submitted to the El Segundo City Council. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 3: *Savings Clause.* Repeal or amendment of any provision of this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 4: *Severability.* If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 4: The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 5: This Ordinance will become effective thirty (30) days following its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Bill Fisher, Mayor

**ATTEST:**

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       )     SS  
CITY OF EL SEGUNDO            )

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. \_\_\_\_\_ was duly introduced by said City Council at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Tracy Weaver, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Karl H. Berger  
Assistant City Attorney



## **NEW BUSINESS**

- 8. Consideration and possible action to direct the staff to conduct a public information program related to the City's financial situation, economic forecast and options for addressing future budget deficits.**

---

Recommendation – 1) Direct staff to conduct a public information program; 2) Alternatively, discuss and take other possible action related to this item.