

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, SEPTEMBER 17, 2013 – 5:00 PM

5:00 P.M. SESSION

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

ROLL CALL

Mayor Fisher	-	Present
Mayor Pro Tem Jacobson	-	Present
Council Member Fuentes	-	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(d) (3) -2- matter

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

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): -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): -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.

Council recessed at 6:50 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, SEPTEMBER 17, 2013 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fisher at 7:00 p.m.

INVOCATION – Cathy Domann, Deputy City Clerk II

PLEDGE OF ALLEGIANCE – Council Member Fellhauer

PRESENTATIONS

- a. Presentation – Jacob Levy, Eagle Scout Contender, concerning emergency management public outreach for alert and notification systems in El Segundo.
- b. Council Member Fellhauer presented Proclamation – 37<sup>th</sup> Annual Richmond Street Fair, Saturday 28, 2013 from 9:00 AM to 5:00 PM.
- c. Mayor Fisher presented Proclamation – Fire Prevention Week, October 6-12, 2013.

ROLL CALL

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

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1. Consideration and possible action to authorize the City manager to issue a request for proposal, reviewed by City Attorney, for lease and operation of the Lakes Golf Facility. (Debra Geist, Manhattan Beach resident) (Fiscal Impact: None)

AT THE REQUEST OF MS. GEIST,  
ITEM NO. 1 WAS REMOVED FROM THE AGENDA

Bill Bue, resident, spoke on The Lakes, and stated that the Golf Course was making a profit.

Zach Shor, Top Golf, spoke about their community outreach efforts and community support.

Tricia Barton, South Bay resident, did not support the Top Golf concept at The Lakes.

Claudia Solberg, resident, requested a RFP be issued for lease and operation of The Lakes.

Liz Garnholz, resident, did not support the Top Golf concept at The Lakes.

Barbara Umanoff, Manhattan Beach resident, did not support the Top Golf concept at The Lakes.

Phil Allen, resident did not support the Top Golf concept at The Lakes.

Susan Allen, resident, did not support the Top Golf concept at The Lakes.

Mary Wilson, resident, did not support the Top Golf concept at The Lakes.

Paul Morrison, resident, did not support the Top Golf concept at The Lakes.

John Doukakis, resident, did not support the Top Golf concept at The Lakes.

Robert Johnston, Manhattan Beach resident, did not support the Top Golf concept at The Lakes.

Alex Comisar, Cerrell & Associates doing outreach for Top Golf, spoke about getting accurate information out to the community.

Lynn Norton, resident, did not support the Top Golf concept at The Lakes.

Ron Swanson, resident, spoke in favor of Top Golf.

Lyle Dedman, Manhattan Beach resident and El Segundo property owner, did not support the Top Golf concept at The Lakes.

Ron Werner, Manhattan Beach resident, did not support the Top Golf concept at The Lakes.

Jeff Brotman, resident, did not support the Top Golf concept at The Lakes.

Laurie Livingston, resident, did not support the Top Golf concept at The Lakes.

Lisa Desmo, resident spoke did not support the Top Golf concept at The Lakes.

Robert Koran, resident, did not support the Top Golf concept at The Lakes.

Greg Domenio, Mira Costa High School Golf Team, did not support the Top Golf concept at The Lakes.

Alice Leyhe, Venice resident, did not support the Top Golf concept at The Lakes.

Heidi, Bremner, resident, spoke regarding lack of information and incorrect information on the proposed Top Golf project.

Mary Jane Crafton, resident, did not support the Top Golf concept at The Lakes.

Tom Courtney, El Segundo business owner and Manhattan Beach resident, spoke regarding misconceptions regarding Top Golf and its large profit on alcohol sales at other locations.

Sauri Wayt, El Segundo resident, read letter from her daughter to Council, regarding the Juniors' Program at The Lakes and her use of the golf course.

Zeb Barnes, Carson resident, spoke in favor of keeping The Lakes as it is.

Barbara Geist, Manhattan Beach resident, asked that Council and Top Golf be more forthcoming with information presented in a public forum and asked that an RFP be sent out for lease and management of the Lakes.

Mike Dugan, resident, spoke, regarding article in El Segundo Herald on Top Golf, and The Lakes financial data. Requested an RFP be sent out for Management and Lease of facility.

Gino Aveni, resident, did not support the Top Golf concept at The Lakes.

Tony Mendez, resident, felt The Lakes should remain as is and Council should concentrate on the real financial issues of the City.

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.

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

Council recessed at 8:42 p.m.

Council reconvened at 8:47p.m.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

2. Consideration and possible action (Continued Public Hearing) regarding the Fiscal Year 2013-2014 Budget (including all City Revenues and Expenditures), Adoption of Resolutions approving Appropriation Limit and Preliminary Budget as amended and proposed Fiscal Year 2013-2014 Strategic Plan. (Copies of the Fiscal Year 2013-2014 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website.) (Fiscal Impact: \$133,766,300 in total appropriations; Revenues of \$112,011,000 and prior year designations of \$21,755,300)

Mayor Fisher stated that this was the time and place to conduct a Continued Public Hearing and receive public testimony to: Adopt the resolution approving and adopting the Fiscal Year 2013-2014 Operating Budget; 2) Incorporate "Exhibit A – Fiscal Year 2013-2014 Change List of Budget Revisions in all Funds" into the Adopted Budget and transfer any Fiscal Year 2012-2013 General Fund savings into the Economic Uncertainty Fund in fiscal year 2013-2014 once the Fiscal Year 2012-2013 audit is complete; 3) Adopt the Resolution approving and adopting the Appropriations Limit for Fiscal Year 2013-2014, as presented; 4) Adopt the Fiscal Year 2013-2014 Strategic Plan.

Clerk Domann stated that proper notice of the continued hearing had been done and no written communications had been received in the City Clerk's Office.

Greg Carpenter, City Manager, gave a brief introduction.

Opened Continued Public Hearing.

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

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4839

A RESOLUTION ADOPTING THE 2013-2014 FINAL OPERATING BUDGET FOR THE CITY OF EL SEGUNDO AND ADOPTING THE 2013-2014 CAPITAL IMPROVEMENT BUDGET.

MOTION by Council Member Fuentes, SECONDED by Council Member Fellhauer, to adopt Resolution No. 4839. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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.

3. Approved Warrant Numbers 2594193 – 2594364 on Register No. 23 in the total amount of \$907,635.98 and Wire Transfers from 8/16/2013 through 8/29/2013 in the total amount of \$819,787.15). 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 Special Meeting Minutes of August 22, 2013 and Regular City Council Meeting Minutes of September 3, 2013.
5. Accepted the responses submitted by Huntington Beach Honda and Honda of Glendale in reply to the Request For Bid #13-11; 2) Awarded the bid to Huntington Beach Honda and authorized the City Manager, or designee, to execute Agreement No. 4479 in a form approved by the City Attorney with Huntington Beach Honda for the purchase of five new Honda police motorcycles using Equipment Replacement and Asset Forfeiture funds; 3) Approved the retention of three existing 2007 BMW motorcycles to be utilized for training purposes and as spare units during special event deployments (Fiscal Impact: \$131,982.00)
6. Awarded a five-year Public Works Maintenance Contract No. 4480 to DownStream Services, Inc. for Pump Stations Maintenance and On-Call Repair Services. Project No. PW13-12 (Fiscal Impact: \$90,000.00 annually for five years) Authorized the City Manager to execute the Contract in a form approved by the City Attorney.

7. Authorized the City Manager to enter into a three year Agreement No. 4481 as approved to form by the City Attorney with Insight in the amount of \$33,857.70 to provide VMware software support and upgrades. (3 Years of \$11,285.90 per year). (Fiscal Impact: \$33,857.70)
  8. Awarded a Professional Services Contract No. 4482 for auditing services with Mayer Hoffman McCann P.C. for three year through 2013-2015, plus optional two year extension. (Fiscal Impact: \$ 242,092 General Fund and \$46,660 LAWA; 2013-2017)
  9. Approved the proposed Class Specifications for the classifications of Accounting Supervisor, Deputy City Treasurer I, Deputy City Treasurer II, Fire Equipment Mechanic, Payroll Accountant, and Senior Engineer Associate; Adopted Resolution No. 4840 establishing the Basic Monthly Salary Range for the job classifications of Accounting Supervisor, Deputy City Treasurer I, Deputy City Treasurer II, Payroll Accountant, and Senior Engineer Associate; 3 Approved the Examination Plans for Accounting Supervisor, Deputy City Treasurer I, Deputy City Treasurer II, Management Analyst, Payroll Accountant, and Senior Engineer Associate.
  10. Approved of ongoing professional service agreements and blanket purchase orders for FY 2013-2014 in excess of \$25,000 for various departments; and possible action to waive the formal bidding process and authorized the continued purchase of various goods and services as described below. (Fiscal Impact: General Fund \$1,808,074; Asset Forfeiture Fund \$13,000; Prop A Fund \$30,000; Water Fund \$136,500; Sewer Fund \$13,000; Golf Course Fund \$96,000; Workers' Compensation Fund \$95,365)
- 11) Authorized the City Manager to execute an amendment to Agreement No. 4095, in
- 1) Authorized the City Manager to execute an amendment to Agreement No. 4095, in a form approved by the City Attorney, with High Point Strategies, LLC. to (1) substitute MWW Group and Ek & Ek with High Point Strategies, LLC.; (2) extend the term of the agreement to September 30, 2014; (3) authorized payment for services up to \$75,000 (General Fund).
  - 2) Authorized the City Manager to execute an amendment to Agreement No. 4242, in a form approved by the City Attorney, with to (1) extend the term of the agreement to September 30, 2014; (2) authorized payment for services up to \$45,000 (General Fund).
  - 3) Authorized the issuance of a blanket purchase order to Los Angeles Business Journal for the purchase of advertising and ad placement space to advance Economic Development objectives in FY 2013-2014 in an amount not to exceed \$37,000 (General Fund).
  - 4) Authorized the City Manager to extend ongoing service agreements with Baker & Taylor Information Services for supplying books and other library



materials, and issuance of blanket purchase order not to exceed \$86,800 in FY 2013-2014 (General Fund).

5) Authorized the City Manager to extend contract #2235 to Innovative Interfaces, Inc., for library computer network system maintenance and issuance of blanket purchase order not to exceed \$30,000 (General Fund).

6) Authorized the City Manager to extend ongoing service agreements with J. Lee Engineering provides plan check and inspection consulting services for the Building and Safety Division not to exceed \$150,000 in FY 2013-2014 (General Fund).

7) Authorized the City Manager to extend ongoing service agreement with Willdan Engineering Services to provide professional planning consulting and engineering services to the City not to exceed \$70,000 in FY 2013-2014 (General Fund).

8) Authorized the City Manager to extend ongoing service agreement with Tierra West Advisors, Inc. to provide professional planning consulting and engineering services to the City not to exceed \$100,000 in FY 2013-2014 (General Fund).

9) Authorized the City Manager to extend ongoing service agreement with Scanning Services Corporation; scan and inputs data into the City's document imaging system not to exceed \$30,000 in FY 2013-2014 (General Fund).

10) Authorized the City Manager to extend ongoing service agreements with U.S. HealthWorks provides an extremely cost effective method of delivery of pre-employment and occupational medical services not to exceed \$45,000 in FY 2013-2014 (General Fund).

11) Authorized the City Manager to extend ongoing service agreements with Westchester Medical Group/Center for Heart and Health to provide annual safety employees fitness for duty and executive physical examinations not to exceed \$70,000 in FY 2013-2014 (General Fund).

12) Authorized the City Manager to extend ongoing service agreement with York Risk Services Group to administer workers' compensation claims not to exceed \$95,365 in FY 2013-2014 (Workers' Compensation Fund).

13) Authorized the El Segundo Fire Department to waive the bidding process per El Segundo Municipal Code §1-7-10 to purchase medical and pharmaceutical supplies, and piggyback on the City of El Cajon's Bound Tree Medical, Inc. ("Bound Tree") Bid #005-12, and authorized issuance of a blanket purchase order to Bound Tree for medical and pharmaceutical supplies not to exceed \$27,000 in FY 2013-2014 (General Fund).

14) Authorized the City Manager to execute a one-year contract with All Cities Management Company to provide crossing guard services for the El Segundo School District not to exceed \$80,000 in FY 2013-2014 (General Fund).

15) Authorized all El Segundo City Departments to waive the bidding process per El Segundo Municipal Code § 1-7-10 to purchase maintenance/repair operating supplies, and industrial supplies, and piggyback on U.S. Communities Government Purchasing Alliance Contract # 11019-RFP awarded to Home Depot U.S.A. Inc, and authorized issuance of a citywide open purchase order to Home Depot for maintenance/repair operating supplies, and industrial supplies, under the agreement not to exceed \$25,000 in FY 2013-2014 (General Fund).

16) Authorized all El Segundo City Departments to waive the bidding process per El Segundo Municipal Code § 1-7-10 to purchase office supplies, related products and off-site office services, and piggyback on The Cooperative Purchasing Network (TCPN) Contract # R5023 awarded to Office Depot, and authorized issuance of a citywide open purchase order to Office Depot for office supplies, related products and off-site office services under the agreement not to exceed \$60,000 in FY 2013-2014 (General Fund).

17) Authorized the issuance of a blanket purchase order to Lane Donovan Partners, LLC (Agreement #3399) to provide management services for The Lakes Golf Course for an amount not to exceed \$96,000 in FY 2013-2014 (Golf Course Fund).

18) Authorized the City Manager to extend Agreement # 4096 with TruGreen Landcare in a form approved by the City Attorney and issuance of a blanket purchase order to provide weekly landscape services for an amount not to exceed \$153,504 in FY 2013-2014 (General Fund).

19) Authorized the City Manager to extend Agreement # 3476 with Great Scott Tree Service Inc. in a form approved by the City Attorney and issuance of a blanket purchase order to provide tree maintenance services for an amount not to exceed \$110,000 in FY 2013-2014 (General Fund).

20) Authorized staff to continue to purchase gasoline and diesel fuel for City vehicles and equipment through the use of spot market purchasing in an amount not to exceed \$315,000 in FY 2013-2014 (Various).

21) Authorized the issuance of a blanket purchase order to Metron Farnier & Actaris in an amount not to exceed \$100,000 in total for the purchase of single jet water meters for the City's water system in FY 2013-2014 (Water Enterprise Fund).

22) Authorized the issuance of a blanket purchase order to Blue Diamond Materials, a division of Sully Miller Contracting Company in an amount not to

exceed \$30,000 for the purchase of asphalt paving materials for Street Maintenance Division projects in FY 2013-2014 (General Fund).

23) Authorized the issuance of a blanket purchase order to Infosend, Inc. (Agreement # 4203) to provide water utility bill print and mail services for an amount not to exceed \$27,500 in FY 2013-2014 (Water Funds).

24) Authorized the City Manager to extend the ongoing professional service Agreement # 4269 with Aerotek for providing temporary staffing service for the Public Works Department not to exceed \$100,000 in FY 2013-2014 (General Fund).

25) Authorized the City Manager to execute a one-year contract with the Society for the Prevention of Cruelty to Animals Los Angeles for animal sheltering services, not to exceed \$28,200 in FY 2013-2014 (General Fund).

26) Authorized the City Manager to execute a one-year contract with Duncan Solutions (formerly Enforcement Technology Inc.) for processing of parking citations/collections, not to exceed \$77,000 in FY 2013-2014 (General Fund).

27) Authorized the issuance of a blanket purchase order to San Diego Police Equipment Co., Inc. (SDPECI), for the purchase of CCI-Speer and Federal ammunition, not to exceed \$53,500 in FY 2013-2014 (general Fund).

28) Authorized the City Manager to execute a one-year contract amendment and/or purchase order with Tyler Technologies for annual software licensing, maintenance, and support not to exceed \$41,070 in FY 2013-2014 (General Fund).

29) Authorized the City Manager to execute a one-year contract and/or blanket purchase order with Active Network for annual licensing, maintenance and support not to exceed \$34,000 in FY 2013-2014 (General Fund).

11. Approved Federal Realty Investment Trust's request for temporary banner Announcement Signs for one and a half years.
12. Waived second reading and adopted Ordinance No. 1481 for a Zone Text Amendment, and a Development Agreement on the site located at 850 North Sepulveda Boulevard generally near the northeast corner of Sepulveda and Rosecrans Boulevards. Applicant: Street Retail Inc. (Fiscal Impact: None)
13. Adopted Resolution No. 4841 accepting a grant from the Federal Aviation Administration (FAA) of up to \$10 Million to be used for the Residential Sound Insulation (RSI) Program. Authorized the Mayor to execute the FAA Grant Agreement No. 4483.

14. Approved the request from the El Segundo Kiwanis Club to operate a Beer Garden adjacent to the food court of the Kiwanis Club sponsored 37th Annual Richmond Street Fair on Saturday, September 28, 2013 from 11:00 a.m. – 5:00 p.m. section, subject to compliance with all Alcohol Beverage Commission regulations and permits. (Fiscal Impact: None)
15. Approved the City's responses to the Los Angeles County Grand Jury Reports entitled "Chevron-El Segundo" and 2012-2013 "Civil Grand Jury Final Report-El Segundo." (Fiscal Impact: None)

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Jacobson to approve Consent Agenda items 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 15. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

#### CALL ITEMS FROM CONSENT AGENDA

14. Consideration and possible action regarding a request from the El Segundo Kiwanis Club to operate a Beer Garden adjacent to the food court of the Kiwanis Club sponsored 37th Annual Richmond Street Fair on Saturday, September 28, 2013 from 11:00 a.m. – 5:00 p.m. section, subject to compliance with all Alcohol Beverage Commission regulations and permits. (Fiscal Impact: None)

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to approve the request from the El Segundo Kiwanis Club to operate a Beer Garden adjacent to the food court of the Kiwanis Club sponsored 37th Annual Richmond Street Fair on Saturday, September 28, 2013 from 11:00 a.m. – 5:00 p.m. section, subject to compliance with all Alcohol Beverage Commission regulations and permits. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR FISHER, COUNCIL MEMBERS ATKINSON AND FELLHAUER; NOS: MAYOR PRO TEM JACOBSON AND COUNCIL MEMBER FUENTES. 3/2

#### F. NEW BUSINESS

16. 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)

Mitch Tavera, Police Chief, gave a report.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1482

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

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Fellhauer to adopt Ordinance No. 1482 amending Chapter 6-1-5 of the El Segundo Municipal Code regarding the general penalty for violations of animal regulation. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- G. REPORTS – CITY MANAGER – Spoke on the Strategic Plan included with budget adoption.
- H. REPORTS – CITY ATTORNEY – NONE
- I. REPORTS – CITY CLERK – NONE
- J. REPORTS – CITY TREASURER – NONE
- K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fellhauer – NONE

Council Member Atkinson – Spoke on Ribbon Cutting at Hyperion.

Council Member Fuentes – Spoke on the Annual Pancake Breakfast and Police/Fire Softball Game, and Ribbon Cutting at NRG.

Mayor Pro Tem Jacobson – NONE

Mayor Fisher – Spoke on Ribbon Cutting at Hyperion, NRG Ribbon Cutting, Police/Fire Softball Game, Museum of Art's new exhibit, and recent meeting with the Entrepreneur Group, Los Angeles County.

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Liz Garnholz, resident, spoke on Top Golf and questioned who the proposed 80 workers would be.

Lou Murez, non-resident, spoke on the Lakes and the RFP discussions.

Jack Axelrod, resident spoke regarding mature tree removal in his neighborhood. Also requested that Council adopt a resolution against the use of force against Syria and send to the Secretary of State and a resolution to against "Fracking" in California and send to Governor Brown. Also spoke regarding the possibility of a new City seal.,

MEMORIALS – NONE

CLOSED SESSION – NONE

ADJOURNMENT AT 9:18 p.m.



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Cathy Domann  
Deputy City Clerk II