# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, MAY 6, 2014 – 5:00 PM

5:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 5:00 PM

**ROLL CALL** 

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

Council Member Dugan - Present at 5:02 PM

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:

1. Consideration and possible action to appoint Steve Filarsky as the City's labor negotiator with regard to the following represented and unrepresented bargaining/employee groups: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group). Additionally, authorize the City Manager to enter into a professional services agreement, (Note: The City Manager was previously appointed as a labor negotiator for these groups and will be working with Mr. Filarsky in this capacity).

MOTION by Mayor Pro Tem Jacobson, SECONDED by Council Member Atkinson to appoint Steve Filarsky as the City's labor negotiator with regard to the following represented and unrepresented bargaining/employee groups: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group) and authorized the City Manager to enter into a Professional Services Agreement No. 4601. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0 – Council Member Dugan absent during vote.

# **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): -3- matter

- 1. City of El Segundo vs. City of Los Angeles, et.al. LASC Case No. BS094279
- 2. Springfield vs. City of El Segundo, et.al. LASC Case No. YC067789
- 3. Moore vs. City of El Segundo, LASC Case No. BC537712

## 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): -0- 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): -8- matters

Agency Designated Representative: City Manager and Steve Filarsky - Approved during Open Session

Employee Organizations: Police Management Association; Police Officers Association; Police Support Services Employees Association; Fire Fighters Association; Supervisory and Professional Employees Association; City Employees Association; Executive Management Group (Unrepresented Group); Management/Confidential Group (Unrepresented Group)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): -0-matters

Adjourned at 6:50 PM

# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, MAY 6, 2014 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor Fuentes at 7:01 PM

INVOCATION - Brandon Cash, Pastor, Oceanside Fellowship Church

PLEDGE OF ALLEGIANCE - Council Member Fellhauer

# **PRESENTATIONS**

- a. Proclamation read by Council Member Fellhauer and presented to Fire Chief Smith for El Segundo Fire Service Day, Saturday, May 10, 2014.
- b. Proclamation read by Council Member Atkinson and presented to Tracy Weaver, City Clerk declaring Municipal City Clerk Week May 4 May 10, 2014.
- c. Proclamation read by Council Member Dugan and presented to Shirley Williams declaring May 2014 as Older Americans Month. Shirley Williams is the 2014 El Segundo Older American of the Year.

# **ROLL CALL**

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

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**Cheryl Smith**, resident, representing Center Street School's Ice Cream social, asked Council to consider waiving the banner fee for this event.

**Sgt. Mike Gill**, El Segundo Police Officer, provided information concerning the salaries, benefits and overtime of the El Segundo Police Officer's.

CITY COUNCIL COMMENTS – (Related to Public Communications)

Council Member Fellhauer commented on the care she received by the City's Fire and Rescue and thanked them for a job well done.

## 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 Fellhauer 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
  - Update on the status of the Car2Go car sharing program. (Fiscal Impact: None)

Greg Carpenter, City Manager, introduced Rosencrantz of Car2Go who gave an update on the Car2Go car sharing program.

MOTION by Council Member Fellhauer, SECONDED by Council Member Atkinson to amend the Municipal Code (Chapter 8, Article F) to decrease the number of cars in the program to 150, approve to move forward with a one year contract and negotiate to recoup administrative costs. MOTION PASSED BY A VOICE VOTE. 4/1 – YES; Atkinson, Fellhauer, Fuentes and Jacobson. NO; Dugan

- 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.

2. Approved Warrant Numbers 3000203 through 3000500 on Register No. 14 in the total amount of \$875,743.74 and Wire Transfers from 4/2/14 through 4/11/14 in the total amount of \$2,801,231.71. 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.

- 3. Approved the Regular City Council Meeting Minutes of April 15, 2014, Special City Council Meeting of April 17, 2014 and Special City Council Meeting of April 29, 2014.
- 4. Authorized the City Manager to approve a contract extension for the design of future El Segundo replica toys produced by Mattel, Inc. (Fiscal Impact: None)
- 5. Authorized the City Manager to enter into a contract Agreement No. 4594 with the publisher, Arcadia Publishing, Inc. for a historical photo book of the City of El Segundo, to be titled: *Images of America: El Segundo*; and, to be completed before the 100th Anniversary of the City by January 2017. (Fiscal Impact: In-Kind contribution by the Library Director)
- 6. PULLED BY COUNCIL MEMBER FELLHAUER
- 7. Rejected the lowest bidder and authorized the City Manager to execute a standard Public Works Contract No. 4596 to Addscape, Inc., for the 2013-2014 Curb, Gutter, Sidewalk, and other Concrete Improvements Project, Project No. PW 13-22.

(Fiscal Impact: \$50,000.00)

- 8. PULLED BY COUNCIL MEMBER DUGAN
- 9. Rejected the bid from CLA Construction and Engineering Inc. as non-responsive and authorized the City Manager to execute a standard Public Works Contract No. 4597, in a form approved by the City Attorney, with Addscape, Inc. in the amount of \$38,500.00. Project No. PW 13-14 Sidewalk Ramp Project. (Fiscal Impact: \$44,275.00 in CDBG grant funds)
- 10. Approved Resolution No. 4872 establishing a revised salary schedule for certain part-time classifications in order to comply with the minimum wage increase effective July 1, 2014.

(Fiscal Impact: Estimated \$609 for upcoming year)

- 11. Approved the City of El Segundo's continued participation in the Los Angeles Urban County Community Development Block Grant (CDBG) Program, for the next three year Urban County Qualification Period effective July 1, 2015 through June 30, 2018 and adopted Resolution No. 4873 authorizing the City Manager, as the Mayor's designee, to enter into a three-year Cooperation Agreement No. 4598 between the City of El Segundo and the County of Los Angeles Community Development Commission approving El Segundo's continued participation in the Los Angeles Urban County Community Development Block Grant (CDBG) Program approved as to form by the City Attorney; execute four (4) copies of the Cooperation Agreement. (Fiscal Impact: None)
- 12. Approved a budget appropriation of up to \$598,721 to provide environmental review services and authorized the City Manager to execute a Second Amendment to a Professional Service Agreement with RBF Consulting for environmental review services approved as to form by the City Attorney in an amount not to exceed \$598,721.

  (Fiscal Impact: up to \$598,721 Developer Reimbursed Trust Fund)
- 13. Adopted Resolution No. 4874 finding that an emergency exists waived bidding requirements pursuant to Public Contracts Code §§ 20168 and 22050 and ESMC §§ 1-7-12 and 1-7A-4, authorized the City Manager to execute a Maintenance Contract No. 4599 ,with prevailing wages, in a form approved by the City Attorney, to UDC Corporation for the removal and replacement of two leaking portions of HVAC ducting on the roof of City Hall and found the project is exempt from review under the California Environmental Quality Act of 1970, as amended, Public Resources Code section 21000 et seq. ("CEQA") pursuant to Section 15269, subdivision (a) of the CEQA Guidelines. (Fiscal Impact: \$13,875.00)

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

#### **PULLED ITEMS:**

6. Consideration and possible action to authorize the City Manager to enter into a new lease agreement with New Cingular Wireless PCS (AT&T Mobility Corporation) allowing a construction upgrade to the current wireless communications fixtures located on the police department rooftop and a rental payment of \$2,800.00 per month.

(Fiscal Impact: Revenue increase of \$33,600.00 annually)

Council Discussion

MOTION by Council Member Fellhauer, SECONDED by Mayor Pro Tem Jacobson to authorize the City Manager to enter into a New Lease Agreement No. 4595 with New Cingular Wireless PCS (AT&T Mobility Corporation) allowing a construction upgrade to the current wireless communications fixtures located on the police department rooftop and a rental payment of \$2,800.00 per month. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

8. Consideration and possible action to adopt a resolution pursuant to Public Contracts Code §20168 finding that an emergency existed within the City, ratifying the action of the City Manager and authorizing the City Manager to approve a contract in a form approved by the City Attorney with Empire Building to remove debris in the attic space of City Hall without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code ("ESMC")§ 1-7-12 and 1-7A-4 and find that the project is exempt from review under the California Environmental Quality Act as an emergency repair.

(Fiscal Impact: \$82,354.00)

## Council Discussion

MOTION by Council Member Dugan, SECONDED by Council Member Fellhauer to adopt Resolution No. 4871 pursuant to Public Contracts Code §20168 finding that an emergency existed within the City, ratified the action of the City Manager and authorized the City Manager to approve a Contract No 4600 in a form approved by the City Attorney with Empire Building to remove debris in the attic space of City Hall without the need for bidding in accordance with Public Contracts Code §§ 20168 and 22050 and El Segundo Municipal Code ("ESMC")§ 1-7-12 and 1-7A-4 and find that the project is exempt from review under the California Environmental Quality Act as an emergency repair. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

- F. NEW BUSINESS
- G. REPORTS CITY MANAGER None
- H. REPORTS CITY ATTORNEY None
- I. REPORTS CITY CLERK Attended the California Clerk's Association Conference in Pasadena April 23 25, 2014 and thanked her staff for a wonderful job on the recent election.
- J. REPORTS CITY TREASURER None
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Dugan - None

## Council Member Atkinson - None

Council Member Fellhauer – Commented on the fact that El Segundo was ranked 10 out of 15 in a recent poll for our clean beaches, mentioned she read in the LA Business Journal where El Segundo is priced right for businesses.

Mayor Pro Tem Jacobson – Reminded all to attend Fire Service Day and Elderfest this Saturday.

Mayor Fuentes -

9. Consideration and possible action regarding the assignments of Council Members to various intergovernmental agencies, local agencies and subcommittees.

(Fiscal Impact: None)

# Council Discussion

MOTION by Mayor Fuentes, SECONDED by Mayor Pro Tem Jacobson to approve the assignments of Council Members to various intergovernmental agencies, local agencies and subcommittees. MOTION PASSED BY VOICE VOTE. 4/1. YES - Dugan, Fellhauer, Fuentes and Jacobson. NO – Atkinson.

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Jack Axelrod, resident, wanted an update as to when the Post Office will re-open? Mr. Axelrod commented on meeting invocations, commented on Chevron, commented on an agricultural area in the City, likes the idea of persevering El Segundo's history and would like to see a resolution against the NFL.

Greg Carpenter, City Manager, stated the Post Office hopes to open in August 2014.

MEMORIALS – Walter George Krumbach and Robin Radford

ADJOURNMENT at 8:24 PM

MINUTES OF THE REGULAR CITY COUNCIL MEETING MAY 6, 2014