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.

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** portion of the Meeting. During the first Public Communications portion of the Agenda, comments are limited to those items appearing on the Agenda. During the second Public Communications portion of the Agenda, comments may be made regarding any matter within the jurisdiction of the City Council. 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 second Public Communications portion of 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). Other members of the public may comment on these items only during this second Public Communications portion of the Agenda. 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, APRIL 5, 2005 – 5:00 P.M.

Next Resolution # 4418
Next Ordinance # 1385

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMUNICATION – (<u>Related to City Business Only</u> – 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 ORDERS OF BUSINESS:

1. Discussion and possible action regarding appointing Mayor Kelly McDowell and Council Member Carl Jacobson as labor negotiators with respect to City Manager appointee Jeff Stewart.

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(a)) – 3 matters

1. City of El Segundo v. City of Los Angeles, et. al. LASC No. BS094279
2. Re Variance Application of: City of Los Angeles, Department of Airports for Los Angeles International Airports; Department of Transportation, State of California, Case No. 20090060244
3. Bressi v. City of El Segundo, LASC Nos. BC288292 and 288293

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -2- potential cases (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957) – 0 matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6) – 1 matter

1. Labor Negotiators: Mayor Kelly McDowell and Council Member Carl Jacobson
   Unrepresented Employee: City Manager Appointee Jeff Stewart

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8) – 0 matter

SPECIAL MATTERS - 0 matter

AGENDA

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 5, 2005 - 7:00 P.M.

Next Resolution # 4418
Next Ordinance # 1385

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Roger Kinsey of Pacific Baptist Church

PLEDGE OF ALLEGIANCE – Council Member Eric Busch

PRESENTATIONS –

(a) Proclamation in recognition of the 15th anniversary of the Municipal Area Express ("MAX").

ROLL CALL

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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

C. UNFINISHED BUSINESS

1. **Consideration and possible action regarding the award of a contract to Caltrop Corporation for providing Construction Management Services for the Douglas Street Gap Closure Project. (Estimated Cost: $1,765,475).**

   Recommendation – (1) Award contract to Caltrop Corporation; (2) Authorize the City Manager to execute the contract approved as to form by the City Attorney; (3) Alternatively, discuss and take other action related to this item.

2. **Consideration and possible action to establish a pre-construction appropriation for the Douglas Street Gap Closure Project. (Fiscal Impact: $750,000)**

   Recommendation – (1) Staff is requesting City Council to approve an appropriation of $750,000 to cover the above estimated expenditures from October 1, 2004 up to the time of awarding the construction contract. This will be funded by a $750,000 increase in estimated revenues; (2) Alternatively, discuss and take other action related to this item.

D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS

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 2546354 to 2546679 on Register No. 12 in the total amount of $1,000,413.15 and Wire Transfers from 3/4/2005 through 3/24/2005 in the total amount of $1,748,606.08.

Recommendation – Approve Warrant Demand Register 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. City Council Meeting Minutes of March 15, 2005 and Special City Council Meeting Minutes of March 25, 2005.

Recommendation – Approval.

5. Consideration and possible action regarding adoption of an ordinance amending Title 1, Chapter 9 – "Campaign Contributions and Disclosure", of the El Segundo Municipal Code ("ESMC") with regard to campaign finance regulations.

Recommendation – (1) Adopt Ordinance amending Title 1, Chapter 9 of the ESMC; (2) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action regarding annual approval of funding prior year Continuing Appropriations and open Purchase Orders; transfer final FY 2003-2004 General Fund Operating savings of $64,250 (estimated) to the Economic Uncertainty Fund; designate final FY 2003-2004 CIP savings of $2,147,050 into the CIP fund; appropriate $550,000 toward LAX Master Plan Intervention Fund from the FY 2003-2004 CIP savings.

Recommendation - (1) Approve funding FY 2003-2004 continuing appropriations and open purchase orders in the FY 2004-2005 Budget; (2) Transfer final FY 2003-2004 General Fund-operating savings of $64,250 (estimated) into the Economic Uncertainty Fund for use in balancing the FY 2005-2006 General Fund operating budget, as needed; (3) Designate $2,147,050 of FY 2003-2004 CIP savings in the Capital Improvement Fund; (4) Appropriate $550,000 toward LAX Master Plan Intervention Fund from the FY 2003-2004 CIP savings; (4) Alternatively, discuss and take other action related to this item.

7. **Consideration and possible action to award contract extensions as provided for in the existing contracts to The Jones Payne Group for design and testing services and to Wyle Laboratories, Inc. for construction monitoring and oversight services related to the Residential Sound Insulation (RSI) Program.**

Recommendation – (1) Award a contract extension to The Jones Payne Group for Design and Testing Services; (2) Award a contract extension to Wyle Laboratories, Inc. for Construction Monitoring and Oversight Services; (3) Authorize the City Manager to execute the contract extensions; (4) Alternatively, discuss and take other action related to this item.

8. **Consideration and possible action regarding adoption of an Ordinance for a Development Agreement for a new private high school ("Vistamar School") to occupy an existing 75,640 square-foot building at 737 Hawaii Street in the Light Industrial (M-1) Zone.**

Recommendation – (1) Second reading by title only, and adoption of Ordinance No. 1383 for Development Agreement No. 04-1; (2) Alternatively, discuss and take other action related to this item.

9. **Consideration and possible action regarding authorization for the City of El Segundo to continue participating in the Los Angeles Urban County Community Development Block Grant (CDBG) Program for the next three year cycle for the federal Fiscal Years 2006-2008 (July 1, 2006 through June 30, 2009). (Fiscal Impact: None)**

Recommendation – (1) Adopt Resolution authorizing continued participation in the Los Angeles Urban County Community Development Block Grant (CDBG) Program, for the next three years effective July 1, 2006 through June 30, 2009; (2) Authorize the City Manager to enter into a Cooperation Agreement between the City of El Segundo and the County of Los Angeles Community Development Commission approved as to form by the City Attorney; (3) Alternatively, discuss and take other action related to this item.

10. **Consideration and possible action regarding adopting a Resolution to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide Fiscal Year 2006/2007 funding. (Fiscal Impact: None)**

Recommendation – (1) Adopt Resolution requesting Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide Fiscal Year 2006/2007 funding; (2) Alternatively, discuss and take other action related to this item.

11. **Consideration and possible action regarding a proposal by the Planning and Building Safety Department (PBS) to revise an existing class specification for the position of Senior Planner.**

Recommendation – (1) Approve the Senior Planner class specification; (2) Alternatively, discuss and take other action related to this item.

12. **Consideration and possible action regarding award of contract to John T. Malloy, Inc. for Replacement of Water Lines 2003-2004, located at 600-1000 block of East Mariposa Avenue; 600-1000 block of East Maple Avenue; 600-700 block of Maryland Street and 600-700 block of Bungalow Drive - Approved Capital Improvement Program - Project No. PW-04-06 (Contract amount: $496,021.50).**

Recommendation – (1) Award contract to the lowest responsible bidder, John T. Malloy, Inc. in the amount of $496,021.50; (2) Authorize the City Manager to execute the Construction Contract on behalf of the city; (3) Alternatively, discuss and take other action related to this item.

13. **Consideration and possible action regarding the award of contract to Y&M Construction for the 2004-2005 Annual Contract for City-wide Curb, Curb and Gutter, Handicap Access Ramps and Sidewalk Improvements and Other Minor Improvements – Project No. PW 04-11 (Fiscal Impact: $130,000).**

Recommendation – (1) Award contract to the lowest responsible bidder, Y&M Construction, in the amount of $130,000; (2) Authorize the City Manager to execute the contract on behalf of the City; (3) Alternatively, discuss and take other action related to this item.

14. **Consideration and possible action regarding awarding contracts to Cal-Air, Inc. for the Clubhouse (located at 300 E. Pine Avenue) HVAC Refurbishment – Project No. PW 05-04 (Fiscal Impact: $25,000) and to Best Roofing and Waterproofing, Inc. for the Clubhouse Roof Refurbishment and Maintenance Project – Project No. PW 05-05 (Fiscal Impact: $16,921)**

Recommendation – (1) Award contracts to the lowest, responsible bidders: Cal-Air, Inc. for the Clubhouse HVAC Refurbishment in the amount of $25,000 and Best Roofing and Waterproofing, Inc. for the Clubhouse Roof Refurbishment and Maintenance Project in the amount of $16,921; (2) Authorize the City Manager to execute the contracts on behalf of the City; (3) Alternatively, discuss and take other action related to this item.

15. **Consideration and possible action regarding approval of a Resolution of the City Council authorizing the submittal of Fiscal Year 2005/2006 application to the California Department of Conservation's Division of Recycling for a grant authorized under the California Beverage Container Recycling and Litter Reduction Act. (Fiscal Impact: $5,000 in grant fund revenue).**

Recommendation – (1) Adoption of Resolution; (3) Alternatively, discuss and take other action related to this item.

16. **Consideration and possible action regarding approval of a piggyback purchase on the City of Long Beach Bid #PA-00504 with prices set forth in Contract Agreement #28678 for the purchase of Self Contained Breathing Apparatus (SCBA) Air Bottles utilizing United States Fire Administration (USFA)/Federal Emergency Management Agency (FEMA) grant funds and current Equipment Replacement funds. (Fiscal Impact: $31,050; General Fund Fiscal Impact: $26,050)**

Recommendation – (1) Approve purchase of 40 Carbon Fiber breathing air bottles, 45 minute capacity, for the recently upgraded CBRN Certified SCBA units, utilizing a portion of the remaining funds from the USFA/FEMA Assistance to Firefighters 2004 Grant monies ($5,000) and $26,050 from the existing replacement for air bottles; (2) Pursuant to El Segundo Municipal Code Sec. 1-7-10 waive the formal bidding process based upon a piggyback purchase on the City of Long Beach Bid #PA-00504 with prices set forth in Contract Agreement #28678; (3) Alternatively, discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

17. **Consideration and possible adoption of a Resolution expanding the time periods for parking on Grand Avenue between Illinois Street to Eucalyptus Drive.**

Recommendation – (1) Adopt a Resolution amending Resolution 4162; (2) Alternatively, discuss and take other action related to this item.

18. **Consideration and possible action regarding the acceptance and completion of an application for $289,300 Federal Appropriation Act Grant of 2004, for the completion of the city sanitation sewer repair projects.**

Recommendation – (1) Accept the Federal Appropriation Act Grant in the amount of $289,300, appropriate $236,700 from CIP savings 2003/2004 and authorize staff to complete the necessary applications for the Grant Fund; (2) Authorize the City Manager to execute the application on behalf of the City; (3) Alternatively, discuss and take other action related to this item.

G. REPORTS – CITY MANAGER

19. Announcement of Annual Spring Clean-up Week on April 18 – 22, 2005.

H. REPORTS – CITY ATTORNEY – NONE

I. REPORTS – CITY CLERK – NONE

J. REPORTS – CITY TREASURER – NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Boulgarides –

Council Member Busch –

Council Member Jacobson –

Mayor Pro Tem Gaines –

Mayor McDowell –

20. Consideration and possible action regarding the appointment of a task force to oversee both the Business Recruitment Campaign and the Sepulveda Boulevard Light Pole Banner projects by Shannon David Design. (Fiscal Impact: None)

Recommendation – (1) Approve the appointment of a task force to be comprised of two City Council members and two members of the Economic Development Advisory Committee (EDAC) to oversee the Business Recruitment Campaign and the Sepulveda Boulevard Light Pole Banner projects by Shannon David Design; (2) Alternatively, discuss and take other action related to this item.

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MEMORIALS –

CLOSED SESSION

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REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: _____

TIME: _____

NAME: _____