MINUTES OF THE REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 7, 2005 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 5:00 P.M.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Gaines - Present
Council Member Boulgarides - Present

Council Member Busch - Present – arrived at 5:05 p.m.

Council Member Jacobson - Present

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 $\S54956.9(a)$) – $\underline{5}$ matters

- City of El Segundo v. City of Los Angeles, et. al., LASC No. BS094279
 Re Variance Application of: City of Los Angeles, Department of Airports for Los Angeles
 International Airports;
- 2. Department of Transportation, State of California, Case No. 2009060244
- City of El Segundo v. 2221 Park Place, LASC Case No. BC319034
- 4. City of El Segundo v. CTF2 Alaska, LASC Case No. BC319033
- 5. Yeaton v. City of El Segundo, LASC Case No. BS096351

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): <u>-0-</u> potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): <u>-2-</u> matters.

DISCUSSION OF PERSONNEL MATTERS (Gov't Code §54957) - None.

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

Labor Negotiator: Jeff Stewart
 Unrepresented Employees: All Unrepresented City Employees (All City Employees that are not members of collective bargaining units).

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

Council recessed at 5:55 p.m.

SPECIAL MATTERS

Council reconvened at 6:00 p.m. – All Members Present

1. Interview of candidates for City Boards, Committees and Commission regarding Recreation & Parks Commission, Library Board of Trustees, Planning Commission, Senior Citizen Housing Corporation Board, Investment Advisory Committee, and LAX Airport Area Advisory Committee; and potential appointment of members to the Boards, Committees and Commissions. Interview will commence at approximately 6:00 p.m. and will be held in the West Conference Room and are open to the public.

Council consensus to appoint Debbie Bundy and Cindee Topar to full terms on the Recreation & Parks Commission to expire 5/30/09 and Jack Kenton to the LAX Airport Area Advisory Committee, with no term limit.

Interviews for the Library Board of Trustees, Planning Commission, Senior Citizen Housing Corporation Board, and Investment Advisory Committee are continued to June 21, 2005 at 6:00 P.M.

Council recessed at 6:55 p.m.

Council reconvened at 6:58 p.m.

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

7:00 P.M. SESSION

CALL TO ORDER - Mayor McDowell at 7:00 p.m.

INVOCATION – City Clerk Cindy Mortesen

PLEDGE OF ALLEGIANCE – Council Member Eric Busch PRESENTATIONS –

- (a) Council Member Busch read a Proclamation in recognition of the honor bestowed upon the City for the third time by The National Arbor Day Foundation and proclaiming June 7, 2005 as TREE CITY USA.
- (b) Presentation by Dina Cramer, Public Information Manager, El Segundo Library, to the City Council, regarding the Author Fair Program, on Sunday, June 12, 2005 from 12:45 p.m. to 5:00 p.m.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Gaines - Present
Council Member Boulgarides - Present
Council Member Busch - Present
Council Member Jacobson - Present

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.*

Harry Winston, resident, commented on the Smoky Hollow Project.

Linda Wollen, Assistant to Assemblyman Mike Gordon, spoke on C-3 the Douglas Street Closure project and stated Assemblyman Gordon fully supported the project and would be sending a letter in support of approval to the Economic Development Bank.

Rusty Hicks, Assistant to Assemblyman Mike Gordon, spoke in favor of the Dog Park Beach and requested Council support. He stated that the current AB 359 only allowed for the formation of a Dog Park Beach but did not mandate it. The local legislation would need to approve the use.

Chuck Almadale, Santa Monica Bay Audubon Society, spoke against the formation of a Dog Park Beach and stated that this particular beach was a local nesting area.

Lou Pazols, Santa Monica Audubon Society, spoke against the formation of a Dog Park Beach.

Liz Garnholz, resident, spoke regarding tree trimming and complemented the Company responsible. She further spoke on the Smoky Hollow Plan.

Tom Babbitt, resident, spoke on AB 359 and stated that the Assembly has already approved the bill. When presented to the County, they voted not to approve the Dog Park Beach.

Rob Graner, resident, stated he was a dog owner and a life guard but was against the Dog Park Beach.

Cindee Topar, resident, spoke against the Dog Park Beach.

A. PROCEDURAL MOTIONS

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

MOVED by Council Member Busch, SECONDED Council Member Jacobson 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

1. Consideration and possible action regarding a public hearing relating to the refinancing by the California Municipal Finance Authority ("CMFA") of Chevron pollution control bonds; and consideration and possible action on a resolution in connection therewith. (Fiscal Impact: None)

Mayor McDowell stated this is the time and place hereto fixed for a public hearing relating to the refinancing by the California Municipal Finance Authority ("CMFA") of Chevron pollution control bonds; and consideration and possible action on a resolution in connection therewith. Clerk Mortesen stated that proper notice of the hearing was given and no communication was received by the City Clerk's Office.

Mark Hensley, City Attorney, gave a report.

MOVED by Council Member Boulgardes, SECONDED, by Mayor ProTem Gaines to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4424

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY POLLUTION CONTROL REVENUE REFUNDING BONDS (CHEVRON U.S.A. INC. PROJECT), SERIES 2005 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$19,900,000 FOR THE PURPOSE OF REFINANCING DEBT ISSUED TO FINANCE THE ACQUISITION OF POLLUTION CONTROL FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO

MOVED by Mayor ProTem Gaines, SECONDED by Council Member Jacobson to adopt Resolution No. 4424 approving the issuance of the California Municipal Finance Authority Pollution Control Revenue Funding Bonds, Series 2005 in the aggregate principal amount not to exceed \$19,900,000 for the purpose of refinancing debt issued to finance the acquisition of pollution control facilities and certain other matters relating thereto. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

2. Consideration and possible action regarding a presentation of the Smoky Hollow Specific Plan Study Draft Report by the University of California-Irvine (UCI) Department of Policy, Planning and Design Graduate School Program. (Fiscal Impact: None)

Council Member Jacobson left the dais due to a potential conflict regarding the location of his employer.

Seimone Juriis, Planning and Building Safety Director, gave a brief report.

Michael Ruane, instructor for the Urban Studio course at UCI's Department of Policy, Planning and Design, gave the presentation.

Council consensus to receive and file.

Mayor ProTem Gaines expressed interest in what was considered affordable housing.

Council Member Busch addressed the increased FAR and the demand it would create for parking. He also questioned the specialty retail, and closing alley ways to create a pedestrian walkway.

Council Member Boulgarides stated he would like to see the following items addressed: signage, undergounding utilities, infrastructure upgrades, and safety issues.

Mayor McDowell stated residential and mixed uses are a reasonable approach in moderation and that parking, FAR, open space, and park uses may be addressed by combining uses. More information is needed on the FAR incentive packages. Also noted that infrastructure improvements are being addressed aggressively. He requested a type of phasing guidance to address what needs to be done and in what order.

Council recessed at 8:46 P.M.

Council reconvened at 9:00 P.M. - All Members present

 Consideration and possible action to adopt a resolution authorizing the submission of an application to the California State Infrastructure and Economic Development Bank for the potential funding related to the financing of the Douglas Street Gap Closure Project. (Fiscal Impact: None)

City Attorney Mark Hensley, gave a brief report.

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4425

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL AUTHORIZING THE SUBMISSION OF THE APPLICATION TO THE CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK FOR FINANCING OF THE DOUGLAS STREET GAP CLOSURE PROJECT

MOVED by Mayor McDowell, SECONDED by Mayor ProTem Gaines to adopt Resolution No. 4425 authorizing the submission of the application to the California Infrastructure and Economic Development Bank for financing of the Douglas Street Gap Closure Project. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
- 4. Consideration and possible action regarding the announcement of the appointments of candidates to the following Committees, Commissions and Boards (CCBs): Recreation & Parks Commission; Library Board of Trustees; Planning Commission; Senior Citizen Housing Corporation Board; Investment Advisory Committee, and the appointment of a representative to the Los Angeles International Airport Area Advisory Committee.

Council consensus to appoint Debbie Bundy and Cindee Topar and to full terms on the Recreation & Parks Commission to expire 5/30/09 and Jack Kenton to the LAX Airport Area Advisory Committee, with no term limit.

Interview for the Library Board of Trustees, Planning Commission, Senior Citizen Housing Corporation Board, and Investment Advisory Committee are continued to June 21, 2005 at 6:00 P.M.

Recruitment continues for positions on remaining CCBs: El Segundo Community Cable Advisory Committee and Capital Improvement Program Advisory Committee and interviews will be scheduled for October or November, 2005.

5. Consideration and possible action to receive the Annual Report of the Capital Improvement Program Advisory Committee (CIPAC) and an oral presentation by CIPAC Chairman, Mr. Mike Rotolo. (Fiscal Impact: None)

Mike Rotolo, CIPAC Chairman, gave a report.

Council consensus to receive and file the Annual Report of CIPAC and the oral presentation.

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.

- 6. Approved Warrant Numbers 2547361 to 2547692 on Register No. 16 in the total amount of \$1,191,785.71 and Wire Transfers from 5/6/2005 through 5/26/2005 in the total amount of \$1,772,908.64. 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.
- 7. Approved City Council Meeting Minutes of May 17, 2005.
- 8. Approved the appointment of Mayor McDowell to the Executive Board of the Los Angeles County Economic Development Corporation (LAEDC).
- 9. Approved the examination plan for the Personnel Merit System job classification of Community Cable Program Specialist.
- 10. Approved Employment Agreement No. 3485 with Jack Wayt for the position of Police Chief effective July 1, 2005. Authorized the City Manager to execute the attached agreement.
- 11. Approved Standard Agreement No. 3486 with Federal Signal Controls in the amount of \$221,400 for the installation of a Supervisory Control and Data Acquisition (SCADA) System for surveillance and control of the City's Water, Wastewater and Storm Drain Systems at 400 Lomita Street Approved Capital Improvement Program. (Fiscal Impact: \$250,000). Approved a contingency in the amount of \$28,600 for said contract. Authorized the City Manager to execute the agreement on behalf of the City.
- 12. Awarded Contract No. 3487 to Advanced Environmental Services, Inc. in the amount of \$53,669.13 for the Phase II Underground Fuel Storage System Repairs Project No. PW 05-09 at the Public Works Maintenance Facility located at 150 Illinois Street. (Fiscal Impact: \$59,036.04) Authorized a 10% contingency in the amount of \$5,366.91 for said contract. Authorized the City Manager to execute the contract on behalf of the City.

- 13. Awarded Contract No. 3488 to Ford, Inc. in the amount of \$99,900 for the Urho Saari Swim Stadium (aka El Segundo Plunge Aquatic Facility) Steel Roof Truss Repair located at 219 West Mariposa Avenue Project No. PW 05-01. (Fiscal Impact: \$109,890) Authorized a 10% contingency in the amount of \$9,990 for said contract. Authorized the City Manager to execute the contract on behalf of the City.
- 14. PULLED FOR DISCUSSION BY COUNCIL MEMBER BUSCH.
- 15. Pursuant to El Segundo Municipal Code Section 1-7-10, waived the formal bidding process, piggybacking on a City of San Diego award to Thunderworks Mobile Engineering Technology, related building and equipping of the Police Department Incident Command Vehicle. Total cost is approximately \$37,205 using monies awarded through Urban Area Security Initiative (UASI) federal grants. The Police Department was awarded \$119,485 for FY 2004.

MOVED by Council Member Jacobson, SECONDED by Mayor Pro Tem Gaines to approve Consent Agenda Items 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 the award of a contract to Belaire-West Landscape, Inc. for the re-grading and enlargement of tee surfaces and replacement of tee boxes at the Lakes Golf Course. (Fiscal Impact: \$88,000)

MOVED by Council Member Busch, SECONDED by Mayor ProTem Gaines to award Contract No. 3489 to Belaire-West Landscape, Inc. for the re-grading and enlargement of tee surfaces and replacement of tee boxes at the Lakes Golf Course. (Fiscal Impact: \$88,000) Authorized the City Manager to execute the Public Works contract for the project. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- F. NEW BUSINESS
- 16. Consideration and possible action to authorize staff to solicit proposals from qualified consulting firms to provide Hyperion Wastewater Treatment Plant mitigation monitoring services and review the Draft Environmental Impact Report (DEIR) for the City of Los Angeles' Integrated Resources Plan (IRP) due out October 2005. (Fiscal Impact: \$120,000).

Jeff Stewart, City Manager Designee gave a brief report

MOVED by Council Member Jacobson, SECONDED by Mayor ProTem Gaines to solicit proposals from qualified consultants to provide mitigation monitoring services and review of the IRP and DEIR. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

G. REPORTS – CITY MANAGER – NONE

- H. REPORTS CITY ATTORNEY NONE
- I. REPORTS CITY CLERK NONE
- J. REPORTS CITY TREASURER Reported that sixty-one millions dollars are being invested and the City is solvent.
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Boulgarides -

Commented on Super CPR Saturday. He thanked Council Member Jacobson for his support and contributions.

17. Consideration and possible action regarding the City's position on <u>AB 359</u> (Gordon), a bill seeking to establish a pilot program to allow an off-leash dog policy at Dockweiler State Beach.

MOVED by Council Member Boulgardes, to oppose AB359 and authorize staff to develop the appropriate correspondence for Council signature. MOTION FAILED DUE TO LACK OF SECOND.

No Action taken.

Council Member Busch – Wished everyone Happy Father's Day.

Council Member Jacobson – Spoke regarding Super CRP and the program's great success.

Mayor Pro Tem Gaines – Reported on the MAX meetings.

Mayor McDowell – Spoke regarding Elderfest.

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Bill Mason, Honeywell representative, commented on the Infrastructure Economic Development Bank and stated his company had sent a letter of support.

Jack Kenton, resident, commented about trees and shrubs blocking public streets. He asked if there was a particular Municipal Code that addresses this. He also stated the web site noted that only two Commissions are addressed in the Municipal Code.

Liz Garnholz, resident, commented on the lack of support for the opposition to AB 359. She also spoke regarding the Smoky Hollow presentation.

MEMORIALS – Alvin Lee Murphy, father of El Segundo resident, Beth Muraida, and Nader Mohassessi, Professor of Medicine and father of City employee Maryam Jonas.

We ask the community to continue to keep positive thoughts for former Mayor Mike Gordon during his recuperation period, and for Tom Martin, Deputy to Supervisor Don Knabe, who has undergone surgery and will be undergoing extensive treatment for the next few months.

CLOSED SESSION - NONE
ADJOURNMENT at 9:40 p.m.
Cindy Mortesen, City Clerk
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