

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, APRIL 5, 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
Council Member Jacobson	-	Present

City Attorney Mark Hensley announced that Council would be meeting in closed session pursuant to items identified on the agenda and that the 54956.9(b) item is a threat of litigation regarding 916 Sheldon Street and Claim #05-13, Savela at 124 W. Maple Ave.

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 ORDERS OF BUSINESS:

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.

MOVED by Mayor Pro Tem Gaines, SECONDED by Council Member Busch to appoint Mayor Kelly McDowell and Council Member Carl Jacobson as labor negotiators with respect to City Manager appointee Jeff Stewart. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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(a)) – 3 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; Department of Transportation, State of California, Case No. 20090060244

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

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

Council moved to open session at 6:55 p.m.

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

7:00 P.M. SESSION

CALL TO ORDER – May McDowell at 7 p.m.

INVOCATION – Pastor Roger Kinsey of Pacific Baptist Church

PLEDGE OF ALLEGIANCE – Council Member Eric Busch

PRESENTATIONS –

- (a) Mayor Pro Tem John Gaines presented a proclamation in recognition of the 15th anniversary of the Municipal Area Express (“MAX”) to representative Jim Mills.

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.*

Jack Kenton, resident, spoke regarding Douglas Street Gap Closure Project. He would like the City to pursue changing the one-way traffic on Douglas and Kansas back to two-way traffic.

A PROCEDURAL MOTIONS

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

MOVED by Council Member Jacobson, SECONDED by Council Member Busch 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

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).

Mary Strenn, City Manager, gave a report.

MOVED by Mayor Pro Tem Gaines, SECONDED by Council Member Jacobson to award Contract No 3464 to Caltrop Corporation and authorize the City Manager to execute the contract approved as to form by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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

Mary Strenn, City Manager gave a report.

MOVED by Mayor Pro Tem Gaines, SECONDED by Council Member Jacobson 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 to be funded by a \$750,000 increase in estimated revenues. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS

Council Member Jacobson announced one position open on the LAX Advisory Committee and invited applications.

Mark Hensley, City Attorney, announced that Council Members Boulgarides, Busch and Jacobson have a potential conflict regarding Consent Agenda Item 12 concerning the location of their residences. Council Member Busch was selected by random draw, at the February 1, 2005 Council meeting to participate in adoption of plans and specifications for this project therefore he will again participate in item 12.

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 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. 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 City Council Meeting Minutes of March 15, 2005 and Special City Council Meeting Minutes of March 25, 2005.
5. CALLED FOR DISCUSSION BY COUNCIL MEMBER BOULGARIDES

6. Approved funding FY 2003-2004 continuing appropriations and open purchase orders in the FY 2004-2005 Budget; Transferred 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; Designated \$2,147,050 of FY 2003-2004 CIP savings in the Capital Improvement Fund; Appropriated \$550,000 toward LAX Master Plan Intervention Fund from the FY 2003-2004 CIP savings.
7. Awarded contract extensions as provided for in the existing contracts to The Jones Payne Group Contract No. 3196A for design and testing services and to Wyle Laboratories, Inc. Contract No.3197A for construction monitoring and oversight services related to the Residential Sound Insulation (RSI) Program. Authorized the City Manager to execute the contract extensions.
8. Adopted Ordinance No. 1383 for Development Agreement No. 04-1.
9. Adopted Resolution No. 4421 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. Authorized the City Manager to enter into a Cooperation Agreement No. 3469 between the City of El Segundo and the County of Los Angeles Community Development Commission approved as to form by the City Attorney.
10. CALLED FOR DISCUSSION BY MAYOR MCDOWELL
11. Approved the Senior Planner class specification.
12. Awarded Contract No. 3465 to the lowest responsible bidder, John T. Malloy, Inc. in the amount of \$496,021.50. Authorized the City Manager to execute the Construction Contract on behalf of the City.
13. Awarded Contract No. 3466 to the lowest responsible bidder, Y&M Construction, in the amount of \$130,000. Authorized the City Manager to execute the contract on behalf of the City.
14. Awarded contracts to the lowest, responsible bidders: Cal-Air, Inc., Contract No., 3467 for the Clubhouse HVAC Refurbishment in the amount of \$25,000 and Best Roofing and Waterproofing, Inc., Contract No., 3468 for the Clubhouse Roof Refurbishment and Maintenance Project in the amount of \$16,921. Authorized the City Manager to execute the contracts on behalf of the City.
15. CALLED FOR DISCUSSION BY COUNCIL MEMBER BOULGARIDES
16. Approved 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. Pursuant to El Segundo Municipal Code Sec. 1-7-10 waived 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.

MOVED by Council Member Boulgarides, SECONDED Council Member Jacobson to approve Consent Agenda Items 3, 4, 6, 7, 8, 9, 11, 12, 13, 14, and 16. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. COUNCIL MEMBERS BOULGARIDES AND JACOBSON NOT PARTICIPATING IN ITEM NO. 12 DUE TO THE LOCATION OF THEIR RESIDENCES. COUNCIL MEMBER BUSCH NOT PARTICIPATING IN ITEM 14 DUE TO THE LOCATION OF HIS RESIDENCE. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

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.

MOVED by Council Member Boulgarides, SECONDED by Mayor Pro Tem Gaines to adopt Ordinance No. 1384 amending Title 1, Chapter 9 of the ESMC Campaign Contributions and Disclosures with regard to campaign finance regulations. MOTION PASSED BY UNANIMOUS VOICE VOTE 5/0.

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)

MOVED by Council Member Boulgarides, SECONDED by Mayor Pro Tem Gaines to adopt Resolution No. 4418 requesting Congress to preserve the Community Development Block Grant (CDBG) Program within the Department of Housing and Urban Development and provide Fiscal Year 2//6/2007 funding. MOTION PASSED BY UNANIMOUS VOICE VOTE 5/0

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).

MOVED by Council Member Boulgarides, SECONDED by Council Member Busch to adopt Resolution No. 4419 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 grand fund revenue). MOTION PASSED BY UNANIMOUS VOICE VOTE 5/0

F. NEW BUSINESS

Mayor McDowell left the dais due to a potential conflict in item 17 with regard to his residence. Council Member Jacobson left the dais due to a potential conflict in item 17 with regard to the location of his employer.

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

Mary Strenn, City Manager gave a report.

MOVED by Council Member Busch, SECONDED by Council Member Boulgarides to adopt Resolution No. 4420 amending Resolution No. 4162 regarding no stopping and tow away zones on Grand Avenue. MOTION PASSED BY UNANIMOUS VOICE VOTE: 3/0. MAYOR MCDOWELL NOT PARTICIPATING DUE TO A POTENTIAL CONFLICT WITH REGARD TO HIS RESIDENCE AND COUNCIL MEMBER JACOBSON NOT PARTICIPATING DUE TO A POTENTIAL CONFLICT WITH REGARD TO THE LOCATION OF HIS EMPLOYER.

Mayor McDowell and Council Member Jacobson returned to the dais.

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.

Mary Strenn, City Manager, gave a report.

MOVED by Council Member Busch, SECONDED by Council Member Jacobson to 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. Authorize the City Manager to execute the application on behalf of the City. 5/0

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 – NONE

Council Member Busch – Reported on 310 Area code overly proposal. Mayor McDowell and Council Member Busch have agreed to write a letter to the Assembly Utility & Commerce Committee, Lloyd Laveen in support of Assembly Bill 1380, Area Code Conservation and Protection Act. Also the California PUC has a meeting scheduled for April 26, 10am for elected officials and 2pm for public. Announced the replacement of the George Brett Score Board with assistance from Little League and Recreation Park. Also, indicated parents have expressed concern with the drinking fountains at the field.

Council Member Jacobson – Reinforced Busch’s request that the community attend the April 26, California PUC meeting.

Mayor Pro Tem Gaines – Noted his appointment to the League Public Safety Policy Committee and will be attending a Committee meeting in San Jose tomorrow. Will report back on the meeting. Also reported that contract with current MAX vender ends June 2005, Noted that MV came in as the lowest bidder for the new contract and stated if bidder is chosen, the approximate amount of contribution by the City of El Segundo will be \$31,800.00 an increase of \$4,200.00.

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)

Consensus by Council to approve the appointment of a task force to be comprised of two City Council members, Mayor McDowell, Council Member Busch, and two members of the Economic Development Advisory Committee (EDAC), Brian Polkinghorn and Scott Reed, to oversee the Business Recruitment Campaign and the Sepulveda Boulevard Light Pole Banner projects by Shannon David Design.

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.*

Jack Kenton, resident, spoke regarding recycle containers and the possibility of providing larger containers.

Staff directed to investigate the associated cost for providing larger recycle containers

Mayor Pro Tem Gaines – suggested agendizing a yearly report from the Commissions, Committees and Boards on the state of the CCB.

MEMORIALS – Marine Captain Sean Brock, James Edward Ondrejch, Nicholas Burns and Pope John Paul II.

CELEBRATION – Birth of Mirabella Frances Romano, daughter of former City employee Aaron Romano and his wife Tracy, and granddaughter of Sandy Wycoff, former Assistant to several of our Fire Chiefs.

CLOSED SESSION - NONE

ADJOURNMENT at 7:42pm

Mona Shilling, Deputy Clerk Pro Tem