

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JANUARY 18, 2005 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell

ROLL CALL

Mayor McDowell	-	Present
Mayor Pro Tem Gaines	-	Present
Council Member Boulgarides	-	Present
Council Member Busch	-	Present – Arrived at 5:15 p.m.
Council Member Jacobson	-	Present

Mark Hensley, City Attorney, announced that Council would be meeting in closed session pursuant to items identified on the agenda and that 54956.2(b) items are a thread of litigation regarding a second unit on 916 Sheldon Street and Christina Wall claim, Claim No. 04-14.

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. - NONE*

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)) – 5 matters

City of El Segundo v. City of Los Angeles, et. al. LASC No. BS094279
Michael Ward v. City of El Segundo, et. al., LASC No. BC325247
El Segundo v. Stardust West Apartments, LASC No. YC031364
Flynn v. City of El Segundo, LASC No. YC046253
Irene Chen v. City of El Segundo, LASC No. YC049424

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -2- potential case (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) – 0 matter

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

SPECIAL MATTERS - 0 matter

Council moved to open session at 6:59 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, JANUARY 18, 2005 - 7:00 P.M.

ATTENTION:

There was no public hearing held on the Plaza El Segundo Project. It will be re-noticed and rescheduled for a later date.

7:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 7:05 p.m.

INVOCATION – Rev. Bonnie Wulff of Living in the Inner Light Foundation

PLEDGE OF ALLEGIANCE – Mayor Pro Tem John Gaines

PRESENTATIONS –

- (a) Council Member Jacobson presented a Proclamation saluting former elected officials, residents and businesses, and inviting the public to celebrate El Segundo's 88th Anniversary with a cake-cutting ceremony on Thursday, January 20, 2005 at Farmers Market.
- (b) Mayor McDowell presented Commendations to the Recipients and Judges (the El Segundo Rotary Club) of the 2004 Lighting Up the Community Program.
- (c) Mayor ProTem Gaines presented a Certificate of Recognition presented to Mike Gill, the 2004 El Segundo Police Officer of the Year.
- (d) Council Member Busch made Presentation of the trophies to the 2004 Holiday parade winners by the El Segundo Chamber of Commerce.

ROLL CALL

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

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Francis Carnell, representing the PTA, requested Council approve and waive fees associated with the “Run for Education”.

Liz Garnholz, resident, spoke regarding the proposed changing of street sweeping to alternate sides of the street. She also stated that Council should consider customizing the areas that are alternated. She further spoke to Consent Item 6, approval of an executive chauffeur service, and Item 13 regarding the parking garage fees.

Eric Johnson, resident, requested to be informed when the Public Hearing on the apartment/condo conversion on Grand Ave. is held. It was noted for the record that the item had been continued to February 1, 2005 and that the applicant has requested that it be continued to February 15, 2005.

Jane Friedkin, resident, spoke regarding the street sweeping proposal.

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 Mayor Pro Tem Gaines 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 (Public Hearing) on the proposed projects and budget for the 2005-2006 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2005-2006 is \$102,170. Estimated General Fund appropriation is \$63,700.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing on the proposed projects and budget for the 2005-2006 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2005-2006 is \$102,170. Estimated General Fund appropriation is \$63,700. City Clerk Mortesen stated that proper notice was completed and no written communications had been received in the City Clerk’s Office.

Tina Gall, Program Manager, gave a report.

There were no comments from the public.

MOVED by Council Member Jacobson SECONDED by Mayor Pro Tem Gaines to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOVED by Mayor Pro Tem Gaines, SECONDED by Council Member Busch to adopt the new 2005-2006 CDBG projects and budget, including the appropriation of \$63,700 of unallocated General Fund monies (from the sale of CDBG funds carried over from FY 03/04 to FY 04/05 and authorize the City Manager to execute the contracts, in a form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

2. Consideration and possible action regarding changing the current street sweeping program to accommodate an "alternating side" street sweeping schedule on all streets citywide where street sweeping parking restrictions are posted. (Fiscal Impact: \$23,000).

Jeff Stewart, Assistant City Manager, gave a report.

Council consensus to revisit the item during consideration of the new waste hauling contract.

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. Approved Warrant Numbers 2545211 to 2545396 on Register No. 7 in the total amount of \$984,873.32 and Wire Transfers from 12/23/04 through 1/6/05 in the total amount of \$243,377.87. 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 December 21, 2004.
5. Approved request from DIRECTV to place a 14,960 square-foot temporary sign on the exterior of the building for 2 months in recognition of the growth of recent subscribers and the announcement of the new company's slogan at 2230 East Imperial Highway.
Applicant: DIRECTV
6. Approved an operation permit located at 2041 Rosecrans Avenue to allow The Black Label Company, LLC, a chauffeured executive sedan service business to transport passengers on the City's public streets.

7. Adopted Ordinance 1379 amending Section 6-4-6(A) of the El Segundo Municipal Code (ESMC) to establish additional license fees required for kennels housing more than ten (10) dogs.
8. Accepted the projects as complete for the installation of ADA Automatic Doors at the City Library (111 West Mariposa Avenue); Joslyn Center (339 Sheldon Street) and City Hall (350 Main Street) – Approved Capital Improvement Program – Project No. PW 03-04 – CDBG Project No. 600069-01. (Contract Amount: \$54,860) Approved change order #1 in the net amount of \$530 credit. Authorized the City Clerk to file the City Engineer’s Notice of Completion in the County Recorder’s Office.
9. Accepted the project as complete for the Installation of Chlorination System at the City pool located at 219 West Mariposa Avenue – Approved Facilities Maintenance Program – Project No. PW 03-14. (Final contract amount: \$33,471). Authorized the City Clerk to file the City Engineer’s Notice of Completion in the County Recorder’s Office.
10. Adopted plans and specifications for the repair of the connections of the steel roof truss at the City pool located at 219 West Mariposa Avenue – Project No. PW 05-01. (Estimated Cost: \$65,000). Authorized staff to advertise the project for receipt of construction bids.
11. Awarded contract No. 3536 to Spectra Contract Flooring for purchase and installation of marmoleum flooring at the Clubhouse located at 300 E. Pine Ave. (Fiscal Impact: \$49,100) Authorized the City Manager to execute an agreement on behalf of the City as approved to form by the City Attorney.
12. PULLED FOR DISCUSSION BY COUNCIL MEMBER BUSCH

MOVED by Council Member Boulgarides SECONDED by Mayor Pro Tem Gaines to approve Consent Agenda items 3, 4, 5, 6, 7, 8, 9, 10, and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. COUNCIL MEMBER BUSCH NOT PARTICIPATING IN ITEM # 11 DUE TO THE LOCATION OF HIS RESIDENCE.

CALL ITEMS FROM CONSENT AGENDA

12. Consideration and possible action regarding the waiver of fees for city services associated with 13th Annual “Run for Education”. Fiscal Impact: \$3,370

MOVED by Council Member Busch, SECONDED by Council Member Boulgarides to waive fees for city services associated with the 13th Annual “Run for Education”. (Fiscal Impact: \$3,370) MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

Council Member Jacobson left the dais at 8:00 P.M. due to a potential conflict regarding the location of his employer.

13. Consideration and possible action regarding re-establishing a public parking permit fee for the parking garage located at 121 Grand Avenue in Article E, Chapter 8-5 of the El Segundo Municipal Code.

Mary Strenn, City Manager gave a report.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1380

AN ORDINANCE REPEALING SECTION 2 OF ORDINANCE NO. 1369 TO RETROACTIVELY REPEAL THE SUNSET CLAUSE IN THAT ORDINANCE.

Council Member Boulgarides introduced the ordinance.

Council Member Jacobson returned to the dais – 8:04 P.M.

Mayor McDowell made a Presentation of the city emblem to our new Assembly Member from the 53rd Assembly District, Mike Gordon.

14. Consideration and possible action regarding possible sale of future payment by the State to compensate the City for \$283,135.86 loss in Vehicle License Fee (VLF) revenues for the period beginning June 20, 2003 and ending prior to October 1, 2003 through the California Communities Statewide Development Authority (California Communities) program. (Fiscal Impact: \$283,136)

MOVED by Council Member Busch, SECONDED by Council Member Boulgarides to approve the concept to sell future payment by the State to compensate the City for \$283,135.86 loss in VLF funds for the period beginning June 20, 2003 and ending prior to October 1, 2003 through the California Communities program and once final Resolution is adopted at a future City Council meeting, deposit estimated proceeds of just over \$250,000 into the Economic Uncertainty Fund. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

G. REPORTS – CITY MANAGER – NONE

H. REPORTS – CITY ATTORNEY – Michael Ward v City

Announced that Council, by unanimous vote, determined the City would defend the action and provide a reservation of rights to Bob Hyland and Paul Giera. City Attorney read statement regarding the second unit issue.

I. REPORTS – CITY CLERK – NONE

J. REPORTS – CITY TREASURER – NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Boulgarides – None

Council Member Busch –

15. Consideration and possible action regarding the adoption of a Resolution supporting an amendment to the Americans with Disabilities Act to require notice prior to filing a lawsuit.

RESOLUTION NO. 4412

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF EL SEGUNDO SUPPORTING LEGISLATION AMENDING THE
AMERICANS WITH DISABILITIES ACT TO REQUIRE NOTICE PRIOR TO FILING
LEGAL ACTION

MOVED by Council Member Busch, SECONDED by Mayor Pro Tem Gaines to adopt Resolution No. 4412 supporting legislation amending the Americans with Disabilities Act to require notice prior to filing legal action. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Reported on the State Council on Base Closures meetings being held in the area.

Council Member Jacobson – None

Mayor Pro Tem Gaines – None

Mayor McDowell – Commented further on the State Council on Base Closures and the participation by the local residents and elected officials. He also commented on the impact if the Air Force Base were to be closed.

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Mike Robbins, resident, spoke regarding the emergency room issues, hospital closures, and the possibility of illegal aliens receiving drivers license.

Eric Fransen, resident, spoke regarding the building of two separate residences on an R-1 zoned lot.

Jane Friedkin, resident, spoke regarding the building of two separate residences on an R-1 zoned lot.

Liz Garnholz, resident, spoke regarding the ADA item, alternate street sweeping days, parking garage fees, and building R-2 residences in R-1 zone areas.

Mark Rener, resident, spoke regarding building R-2 residences in an R-1 zone, alternate street sweeping days, and parking garage fees.

Artie McKewen, resident, spoke regarding building R-2 residences in an R-1 zone.

Peggy Tyrell, resident, spoke regarding alternate day street sweeping and building R-2 residences in an R-1 zone.

MEMORIALS – Leo V. Jugler, father of Ann Coles and father-in-law of El Segundo Police Sgt. Glenn Coles, Don Carter, husband of Sue Carter, and Robert Sherrill.

CLOSED SESSION - NONE

ADJOURNMENT at 9:00 p.m.

Cindy Mortesen, City Clerk