REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 2, 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

SPECIAL ORDERS OF BUSINESS:

1. Discussion and possible action regarding appointing Jeff Stewart, City Manager, as Labor Negotiator with respect to El Segundo Firefighter's Association Inc., I.A.F.F. Local 3682.

MOVED by Council Member Boulgarides, SECONDED by Council Member Jacobson to appoint Jeff Stewart, City Manager, as Labor Negotiator with respect to El Segundo Firefighter's Association Inc., I.A.F.F. Local 3682. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

City Attorney Mark Hensley announced that Council would be meeting in closed session pursuant to items identified on the agenda.

CLOSED SESSION:
The City Council may 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

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. 2009060244
3. 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. Ward v. City of El Segundo, LASC Case No. BC325247

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -1- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): 2- matters.

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -1- matter
Labor Negotiations:
Represented Group: El Segundo Firefighter's Association Inc., I.A.F.F. Local 3682
City Negotiator: Jeff Stewart

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

SPECIAL MATTERS: - 0- matter

Council recessed at 6:55 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, AUGUST 2, 2005 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Rabbi Allen Freehling, Executive Director of the Los Angeles City Human Relations Commission

PLEDGE OF ALLEGIANCE – Council Member Jim Boulgarides

PRESENTATIONS –

(a) Introduction to the community of Linda Conkey, Manager, Government and Public Relations, Raytheon Space and Airborne Systems.

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.*

Liz Garnholz, Resident; requested clarification on item E-4, the adoption of an Ordinance to prohibit smoking on the beach within the City of El Segundo. She stated that the beach in question belongs to the City of Los Angeles.

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 Boulgarides 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) regarding a Resolution of the City of El Segundo, California, finding the City to be in conformance with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code Section 65089.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding a Resolution of the City of El Segundo, California, finding the City to be in conformance with the annual Congestion Management Program (CMP) and adopting the annual CMP Local Development Report, in accordance with California Government Code Section 65089. Clerk Mortesen stated that proper notice of the hearing was given and no communication was received by the City Clerk's Office.

Steve Finton, Director of Public Works, gave a brief report.

MOVED by Council Member Jacobson, 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. 4432

A RESOLUTION FINDING THE CITY TO BE IN COMPLIANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT PURSUANT TO GOVERNMENT CODE § 65089.

MOVED by Council Member Boulgarides, SECONDED by Mayor ProTem Gaines to adopt Resolution No. 4432 finding the City to be in compliance with the Congestion Management Program and adopting the CMP local Development Report. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

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.

2. Approved Warrant Numbers 2548389 to 2548626 on Register No. 20 in the total amount of $1,663,893.00 and Wire Transfers from 7/8/2005 through 7/21/2005 in the total amount of $833,300.74. 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 City Council Meeting Minutes of July 19, 2005.

4. Adopted Ordinance No. 1385 adding a new Section 10-3-12 to Chapter 3 of Title 10 of the El Segundo Municipal Code (ESMC) entitled "Beach Regulations" to prohibit smoking at the public beach within the City of El Segundo.

5. Approved Resolution No. 4433 authorizing the annual destruction of identified records in accordance with the provisions of § 34090 of the Government Code of the State of California. (Fiscal Impact: Not to exceed $1,000)

6. Received and filed the FY 2005-2006 Preliminary Operating Budget and Five Year Capital Improvement Project Plan and published key budget dates of: a) Budget Workshop – August 16, 2005, 5:00 p.m., b) Public Hearing – September 6, 2005, 7:00 p.m., c) Continued Public Hearing and Adoption – September 20, 2005, 7:00 p.m.

7. Accepted the FAA Grant Agreement No. 3499 for Project No. AIP 3-06-0139-32 for a $2,000,000 grant from the Federal Aviation Administration (FAA) to be used for the Residential Sound Insulation (RSI) Program. Authorized the Mayor to execute the Agreement.

8. Approved an operation permit located at 600 S. Allied Way to allow Empire International Ltd., a chauffeured transportation business, to transport passengers on the City's public streets.

9. Approved License Agreement No. 3500 between the City of El Segundo and Viacom Outdoor to provide, install, maintain and repair bus shelters, with and without advertising, and bus benches at various bus stop locations in the City. (Projected Income: $70,000 annually) Authorized the Mayor to execute the Agreement.

10. Approved Society for the Prevention of Cruelty to Animals Los Angeles (SPCALA) Contract No. 3501 for animal sheltering services. (Fiscal Impact: $26,400) Authorized the Mayor to execute the Contract.

11. Approved payment of the invoice from Enforcement Technology, Inc., a collection service for delinquent police department parking citations. (Fiscal Impact: $16,923.60)

MOVED by Council Member Busch, SECONDED by Council Member Jacobson to approve Consent Agenda Items 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. MAYOR PRO TEM GAINES ABSTAINING ON ITEM #3 AS HE WAS ABSENT FROM THE MEETING.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

12. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41 – On Sale Beer and Wine) at an existing restaurant, El Segundo Fish Company, located at 210 East Grand Avenue, EA No. 671 and AUP No. 05-01. Applicant: Allen Shadgoo.

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

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

MOTION by Mayor McDowell, SECONDED by Council Member Busch not to protest the issuance of the new Type 41 ABC licenses at 210 East Grand Avenue. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER JACOBSON NOT-PARTICIPATING DUE TO A POSSIBLE CONFLICT OF INTEREST

Council Member Jacobson returned to the dais.

13. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of alcohol (Type 41 – On Sale Beer and Wine at a new restaurant located at 422 Main Street, EA No. 672 and AUP No. 05-02. Applicant: Sylvie Gabriele and Ali Mosavi Nejad.

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

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides not to protest the issuance of the new Type 41 ABC licenses at 422 Main Street. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

14. Consideration and possible action to support a regional application by the El Segundo School Unified District and nine other South Bay school districts for a 2005 Emergency Response and Crisis Management (ERCM) Grant to enhance their local disaster preparedness. (Fiscal Impact: None)

Bruce Auld, Superintendent of Schools, responded to Council questions.

MOVED by Council Member Busch, SECONDED by Council Member Jacobson to authorize the Mayor to sign the Partnership Agreement No. 3502 and authorize the Fire Chief and Police Chief to sign their respective sections of the Partnership Agreement. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

G. REPORTS – CITY MANAGER – NONE

H. REPORTS – CITY ATTORNEY – Announced the granting of a Variance to City of Los Angeles, Department of Airports, for Los Angeles International Airport LAX, with stipulations, stated in Agreement No. 3503.

I. REPORTS – CITY CLERK – NONE

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Boulgarides – NONE

Council Member Busch – Complimented Andy Delenbach for spearheading the no smoking on the beach campaign.

Council Member Jacobson – NONE

Mayor Pro Tem Gaines – Announced that a Homeland Security, Council of Governments meeting will be held in Lawndale on August 17, 2005, at 9:00 a.m.

Mayor McDowell – Announced that the City of Los Angeles, Department of Airports released a draft EIR on the development of a south runway at LAX and a public workshop will be held by LAWA, on August 10, 2005, 4:00 p.m., at Loyola Marymount University. Comments may be submitted in writing on or before September 15, 2005.

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Andy Delenbach, Surfrider Foundation, complimented Council on the adoption of the Ordinance banning smoking on the El Segundo Beach.

MEMORIALS – Wray Jacobs, brother of Karl Jacobs, Betty Jones, spouse of Past District Governor of Rotary, Jack Jones, Roberta (Kathy) Plaice, step mother of Denise Gordon and Rudolf ten Velden, Executive Chef at the Hacienda Hotel.

CLOSED SESSION - NONE

ADJOURNMENT at 7:38 p.m.

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Cindy Mortesen, City Clerk