# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, SEPTEMBER 20, 2005 – 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER - Mayor McDowell

**ROLL CALL** 

Mayor McDowell - Present
Mayor Pro Tem Gaines - Absent
Council Member Boulgarides - Present
Council Member Busch - Present
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 §54956.9(a)) – 3 matters

City of El Segundo v. City of Los Angeles, et. al LASC No. BS094279 Pulido v. City of El Segundo, USDC No. 03CV7563 Jeffers v. City of El Segundo, WCAB No. MON0312479

## 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): – 0 matter

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

SPECIAL MATTERS – 0 matter

# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, SEPTEMBER 20, 2005 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER - Mayor McDowell

INVOCATION - Pastor Jeannie Kuhn of the Community of Christ Church

PLEDGE OF ALLEGIANCE - Council Member Eric Busch

#### PRESENTATIONS -

- (a) Presentation by Dina Cramer, Public and Information Services Manager, announcing a community reading program during the month of October 2005 entitled El Segundo Reads "The Good Earth" by Pearl S. Buck.
- (b) Presentation by Tree Musketeers Youth Manager, Jessie Snudnowski, to the El Segundo Public Library of the newly published book "Marcie, the Marvelous Tree."
- (c) Mayor McDowell and Council Members presented Certificates of Appreciation to the Council-appointed Aquatic Master Plan Taskforce.
- (d) Mayor McDowell presented a check for \$3,000 to Father Alexis from the tee-shirt vending company that sold merchandise for the recent Extreme Make-over production filmed in El Segundo.

### **ROLL CALL**

Mayor McDowell - Present
Mayor Pro Tem Gaines - Absent
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.

Chris Powell, El Segundo School District Board Member, urged Council support and waive fees in regards to the event to be held at the High School October 15, 2005 in celebration of the completion of the District wide school modernization.

Kelly Kemp, resident, spoke on the success of the Aquatics Task Force, and complemented the employees and members who supported and contributed to the Task Force.

#### A. PROCEDURAL MOTIONS

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

MOTION 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. 4/0. MAYOR PRO TEM GAINES ABSENT

#### B. SPECIAL ORDERS OF BUSINESS

1. Consideration and possible action (continued Public Hearing) regarding the Fiscal Year 2005-2006 Budget and Five-Year Capital Improvements Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. (Copies of the 2005-2006 Preliminary Budget can be found in the Library, City Clerk's office, and on the City's website). (Fiscal Impact: \$109,410,800 in total appropriations; \$78,206,850 in total estimated revenues and prior year designations of \$31,203,950).

Mayor McDowell stated this is the time and place hereto fixed for a continued public hearing regarding the Fiscal Year 2005-2006 Budget and Five-Year Capital Improvements Plan and Adoption of Resolutions approving Appropriation Limit, Preliminary Budget as amended, and Capital Improvement Plan as amended. Clerk Mortesen stated that proper notice was completed and no written communications had been received in the City Clerk's Office.

Bret Plumlee, Administrative Services Director, gave a report.

Liz Garnholz, resident, questioned street sweeping on alternate sides of the street and asked if this was included in the budget. Council stated it was included in the budget but alternate sides were not included.

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

Mark Hensley, City Attorney, read by title only:

**RESOLUTION NO. 4436** 

A RESOLUTION ADOPTING AN OPERATING BUDGET AND FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2005/2006.

MOTION by Council Member Boulgarides, SECONDED by Council Member Busch to adopt Resolution No. 4436 adopting an Operating Budget and Five Year Capital Improvement Program for Fiscal Year 2005/2006 and Incorporate "Exhibit A, Fiscal Year 2005-2006 Change List of Budget Revisions in all Funds" into the Adopted Budget and deposit any Fiscal Year 2004-2005 General Fund savings into the Economic Uncertainty Fund in Fiscal Year 2005-2006 once the Fiscal Year 2004-2005 audit is complete. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

Mark Hensley, City Attorney, read by title only:

#### **RESOLUTION NO. 4437**

A RESOLUTION SETTING ITS APPROPRIATIONS LIMIT FOR FISCAL YEAR 2005/2006 IN ACCORDANCE WITH ARTICLE XIIIB OF THE CALIFORNIA CONSTITUTION.

MOTION by Council Member Boulgarides SECONDED by Council Member Busch to adopt Resolution No. 4437 setting its Appropriations Limit for Fiscal Year 2005/2006 in accordance with Article XIIIB of the California Constitution. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

2. Consideration and possible action (Public Hearing) regarding a request to amend the Downtown Specific Plan by expanding the current boundary and incorporating the commercially zoned parcels along the 200 block of West Grand Avenue located between the current westerly boundary of the Plan area and Concord Street.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding a request to amend the Downtown Specific Plan by expanding the current boundary and incorporating the commercially zoned parcels along the 200 block of West Grand Avenue located between the current westerly boundary of the Plan area and Concord Street. Clerk Mortesen stated that proper notice was completed and no written communications had been received in the City Clerk's Office.

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

Frank Glynn, architect representing the applicants, explained the process and the desire to be included in the Downtown Specific Plan.

MOTION by Council Member Jacobson, SECONDED by Council Member Busch to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

Mayor McDowell suggested the FAR on the south side of the street be reduced from the recommended 1.0 to a compromise of 0.7 FAR.

MOTION by Mayor McDowell, to adopt the Resolution adopting a Negative Declaration approving Environmental Assessment No. 645 (EA-645) and approving General Plan Amendment No. 04-01 for a project that includes Zone Change No. 04-01, Zone Text Amendment No. 05-01 and Specific Plan Amendment No. 04-01 and involves the expansion of the Downtown Specific Plan to include properties in the 200 Block of West Grand Avenue from the Alley West of Richmond Street to Concord Street, addressed as 218-228, 219 and 227 West Grand Avenue, amending the FAR in the proposed area, on the south side of the street to be reduced from the recommended 1.0 to a compromise of 0.7 FAR and restrict the number of amendments to the Downtown Specific Plan to one every two years. MOTION FAILED DUE TO LACK OF A SECOND

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to direct staff to prepare a Resolution and Ordinance adopting a Negative Declaration approving Environmental Assessment No. 645 (EA-645) and approving General Plan Amendment No. 04-01 for a project that includes Zone Change No. 04-01, Zone Text Amendment No. 05-01 and Specific Plan Amendment No. 04-01 and involves the expansion of the Downtown Specific Plan to include properties in the 200 Block of West Grand Avenue from the Alley West of Richmond Street to Concord Street, addressed as 218-228, 219 and 227 West Grand Avenue; amend the recommendation in the proposed area on the south side of the street from the recommended 1.0 to a FAR of 0.7; restrict the number of amendments to the Downtown Specific Plan to one every two years; amend the height limitation of 45 feet on the north side to 30 feet and two stories on both the north and south side of the street. MOTION PASSED BY THE FOLLOWING VOTE: AYES: MAYOR MCDOWELL, COUNCIL MEMBERS BOULGARIDES AND BUSCH; NOES: NONE; ABSENT: MAYOR PRO TEM GAINES; ABSTAIN: COUNCIL MEMBER JACOBSON. 3/0/1/1

#### C. UNFINISHED BUSINESS

3. Consideration and possible action regarding adopting an Aquatic Master Plan for the City of El Segundo as recommended by the Aquatic Taskforce and the Recreation and Parks Commission: (Fiscal Impact: Unknown)

Stacia Mancini, Recreation and Parks Director, gave a report.

MOTION by Council Member Busch, SECONDED by Council Member Boulgarides to receive and file the City of El Segundo Aquatic Master Plan. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

Council Member Boulgarides requested to agendize a Task Force to implement the Aquatic Master Plan.

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
- 4. Consideration and possible action regarding the Annual Report of the Investment Advisory Committee. Presentation to be made by Investment Advisory Chair. (Fiscal Impact: None)

Ralph Lanphere, City Treasurer, gave a report.

Council consensus to receive and file the annual report of the Investment Advisory Committee.

#### 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.

- 5. Approved Warrant Numbers 2549201 to 2549407 on Register No. 23 in the total amount of \$1,913,043.64 and Wire Transfers from 8/26/2005 through 9/8/2005 in the total amount of \$1,055,206.61. 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.
- 6. Approved City Council Meeting Minutes of September 6, 2005.
- 7. Received and filed Fiscal Year 2004-2005 Third Quarter Financial Report.
- 8. Consideration and possible action regarding approval of annual professional services agreements, amendments and issuance of blanket purchase orders for FY 2005-2006 in excess of \$10,000 for the Administrative Services Department. (Fiscal Impact: Fiscal Year 2005-2006 \$319,000, Fiscal Year 2006-2007 \$33,650 = \$352,650).
  - (1) Authorized the City Manager to amend/extend Contract #3378A, for professional services, as approved to form by the City Attorney for Geographic Information System/Global Positioning System (GIS/GPS) consulting with Michael McDaniel (sole proprietor) and issuance of blanket purchase order, not to exceed \$15,000; (2) Authorized the City Manager to amend/extend Contract #3478B, for professional services, as approved to form by the City Attorney with Prosum, Inc. for Information Systems consulting services and issuance of blanket purchase order, not to exceed \$80,000; (3) Authorized the City Manager to amend/extend Contract #3243B for professional services, as approved to form by the City Attorney with Vertex Communications, Inc. for telephone system services and issuance of blanket purchase order, not to exceed \$11,000; (4) Authorized the City Manager to amend/extend Contract #2774C for professional services, as approved to form by the City Attorney with Progressive Solutions for Business License System maintenance/updates and issuance of blanket purchase order, not to exceed \$15,100; (5) Authorized the City Manager to amend/extend Contract #3416A for professional services, as approved to form by the City Attorney with Maureen Sassoon for providing Occupational and Environmental Health & Safety Consulting Services and issuance of blanket purchase order, not to exceed \$15,000; (6) Authorized the City Manager to amend/extend Contract #3451B for professional services, as approved to form by the City Attorney with CBIZ and issuance of purchase order, for an amount not to exceed \$35,000; (7) Authorized the City Manager to amend/extend Contract #2717C for a two-year period, for professional services, as approved to form by the City Attorney for auditing services with Lance, Soll & Lunghard through 2006-2007 and issuance of purchase orders, for an amount not to exceed \$66,350; (8) Authorized the issuance of a purchase order to Granicus for providing streaming video services for Council meetings, for an amount not to exceed \$16,500; (9) Authorized the issuance of a purchase order to Active.com (formerly Class Software Solutions, Ltd) for software licensing, maintenance/updates, and training, not to exceed \$13,500; (10)

Authorized the City Manager to enter into Contract No. 3516, for professional services, as approved to form by the City Attorney with Tyler Technologies, Inc. – EDEN Division for computer software upgrades, training and maintenance, and issuance of purchase order, not to exceed \$85,200.

- 9. Approved the annual renewal of the Library and Cable Services Department's blanket purchase orders over \$10,000. Those include four vendors: Baker & Taylor Information Services, OCLC Inc., EBSCO Subscription Services, and Innovative Interfaces, Inc. (Fiscal Impact: \$129,600)
  - (1) Authorized the City Manager to extend professional services for Baker & Taylor Information Services, for supplying books and other library materials and issuance of blanket purchase order, not to exceed \$77,600; (2) Authorized the City Manager to extend professional services for OCLC Inc., for online cataloging services and issuance of blanket purchase order not to exceed \$15,000; (3) Authorized the City Manager to extend professional services to EBSCO Subscription Services, for supplying periodical materials and issuance of blanket purchase order not to exceed \$14,000; (4) Authorized the City Manager to amend/extend Contract #2235G to Innovative Interfaces, Inc. for library computer system maintenance and issuance of blanket purchase order not to exceed \$23,000.
- 10. Approved the annual professional services agreements, individual contractor instructor agreements and issuance of blanket purchase orders for FY 2005-2006 in excess of \$10,000 for the Recreation and Parks Department. (Fiscal Impact: \$387,550).
  - (1) Authorized the City Manager to execute standard individual Contract Instructor Agreements and issuance of blanket purchase orders to instructors; (2) Authorized the issuance of a blanket purchase order to Southern California Municipal Athletic Federation (SCMAF) for providing insurance coverage to contract instructors and program participants, for an amount not to exceed \$15,000; (3) Authorized the City Manager to enter into 5-year Contract No. 3517, for professional services, as approved to form by the City Attorney, with Studio Printing for publication of the quarterly "Inside El Segundo/Recreation and Parks Brochure", and issuance of purchase order, not to exceed \$39,000 for FY 2005-2006 (subsequent years are subject to negotiation with regards to material/paper costs only); (4) Authorized the issuance of a blanket purchase order to Lane Donovan Partners, LLC (Contract #3399) for management services of The Lakes at El Segundo municipal golf course, for an amount not to exceed \$108,000; (5) Authorized the City Manager to enter into Contract No. 3518 for professional services, as approved to form by the City Attorney with South Bay Youth Project for on-site counseling services at El Segundo High School, and issuance of purchase order, not to exceed \$27,498.
- 11. Approved issuance of blanket purchase orders for FY 2005-2006 in excess of \$10,000 for the Fire Department. (Fiscal Impact: \$45,500).
  - (1) Authorized the El Segundo Fire Department to piggyback on Orange County Fire Authority's 2005 Tri-Anim Health Services, Inc. Bid #MP1137 and authorized issuance of a blanket purchase order to Tri-Anim Health Services, Inc. for FY 2005-2006 for medical

- supplies; (2) Authorized the issuance of a blanket purchase order for FY 2005-2006 to UCLA Center for Prehospital Care for continuing education, defibrillation training and AED program oversight.
- 12. Approved annual professional services agreement and issuance of blanket purchase orders for FY 2005-2006 in excess of \$10,000 for the Police Department:
  - (1) Authorized the City Manager to execute one-year Contract No. 3510 for professional services for copier/printer services with Océ Copy Machine not to exceed \$14,004; (2) Authorized the City Manager to execute one-year Contract No. 3511 for Computer Aided Dispatching/Records Management System, Mobile Data Computer maintenance and operations with the West Covina Services Group, not to exceed \$70,000; (3) Authorized the City Manager to extend the existing standard Professional Services Agreement with Reach Out Against Drugs (R.O.A.D.) to help fund the R.O.A.D. program, not to exceed \$10,000; (4) Authorized the City Manager to execute one-year Contract No. 3512 with Motorola for twoway radio repair and maintenance of the Communication Center's radio assets and infrastructure, not to exceed \$75,000; (5) Authorized the City Manager to execute one-year Contract No. 3513 for maintenance for the systems used by the Communications Center to record all telephone and public safety radio transmission with Dictaphone, not to exceed \$11,000; (6) Authorized the City Manager to execute one-year Contract No. 3501 for animal sheltering services with the Society for the Prevention of Cruelty to Animals Los Angeles, not to exceed \$27,000; (7) Authorized the City Manager to execute one-year Contract No. 3514 for auto processing of parking citations/collections with Enforcement Technology Inc., not to exceed \$55,000.
- 13. Authorized the City Manager to extend Contract No. 2999C, for professional services as approved to form by the City Attorney, for Gary V. Bufkin Consulting (GVBCC) for development of a web-based permit system for the Planning and Building Safety Department. (No Fiscal Impact).
- 14. Approved annual professional services agreements and issuance of blanket purchase orders for FY 2005-2006 in excess of \$10,000 for the Public Works Department. (Fiscal Impact: \$131,100).
  - (1) Authorized the City Manager to execute a standard Professional Services Agreement No. 3515 for technical support and custom programming for the City's utility billing system with American Business Software and issuance of a blanket purchase order not to exceed \$13,600; (2) Authorized the City Manager to execute a standard Professional Services Agreement No. 3227 for printing and mailing services for City utility bills with Dataprose and issuance of a blanket purchase order not to exceed \$17,500; (3) Authorized the Public Works Department to piggyback on the State of California Western States Contracting Alliance Master Agreement #641, and issuance of a blanket purchase order to W.W. Grainger, Inc. for purchase of industrial supplies, materials and equipment needed for routine, unscheduled maintenance and repair of City facilities such as plumbing supplies, electrical materials and paint not to exceed \$25,000; (4) Authorized the Public Works Department to piggyback on the City of Los Angeles contact, Department of Water and Power contract No. 00381B-01-3 and issuance of a blanket purchase to Napa Auto Parts for

purchase of automotive, after-market parts for vehicle and equipment maintenance not to exceed \$25,000; (5) Authorized the issuance of a blanket purchase order for lead-free bronze single jet water meters with Metron Farnier in an amount not to exceed \$50,000.

15. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON

MOTION by Council Member Jacobson SECONDED by Council Member Busch to approve Consent Agenda Items 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

#### CALL ITEMS FROM CONSENT AGENDA

15. Consideration and possible action regarding a Special Event Use Permit from the El Segundo Unified School District Board to conduct a High School Modernization Celebration on Richmond Street, between Mariposa Avenue and Palm Avenue and at Library Park in the Arbor Area. Fiscal Impact: \$100

Council Member Jacobson objected to the use of alcohol on City property.

MOTION by Council Member Busch, SECONDED by Council Member Boulgarides to approve Special Event Use Permit to provide use of city equipment and services and to waive all fees associated with use of said services and equipment for the El Segundo School Districts High School's Modernization Celebration on Richmond Street, between Mariposa Avenue and Palm Avenue and at Library Park in the Arbor Area. Fiscal Impact: \$100. MOTION PASSED BY UNANIMOUS VOICE VOTE, 4/0, MAYOR PRO TEM GAINES ABSENT.

- F. NEW BUSINESS
- G. REPORTS CITY MANAGER NONE
- H. REPORTS CITY ATTORNEY NONE
- I. REPORTS CITY CLERK NONE
- J. REPORTS CITY TREASURER NONE
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Boulgarides –

16. Consideration and possible action regarding a City Council Committee to discuss and make recommendations on the City's emergency services plans, including emergency preparation, notification and response.

Council Member Boulgarides requested to carry this item over and discuss at the next meeting.

Council Member Busch – Requested that the CERT training be re-addressed.

#### Council Member Jacobson - NONE

Mayor McDowell – Requested Staff to fold Council Member Boulgarides' and Mayor Pro Tem Gaines' items together and address both at the same time.

He also requested to set up a Council Meeting formatted after the Strategic Planning Session to address Emergency Preparedness.

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.

George Hoops, resident, spoke regarding his request from 3 years ago to remove dead trees on his block. He stated that the City has not removed the trees. He also spoke regarding the sewer taxes.

MEMORIALS - NONE
CLOSED SESSION - NONE
ADJOURNMENT at 9:10 p.m.
Cindy Mortesen, City Clerk