

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, DECEMBER 20, 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	-	Absent
Council Member Boulgarides	-	Present
Council Member Busch	-	Present
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 54956.9(b) items were threats of litigation regarding the Postell/White Claim No. 05-42 and Fransen relating to 916 Sheldon Street.

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)) – 2 matters

City of El Segundo v. City of Los Angeles, et. al., LASC No. BS094279  
Bressi v. City of El Segundo, LASC Case Nos. BC288293 and 288292

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -3- potential cases (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): -1- matter

Purchase of Real Property (Parcel Nos. 4138-004-016 (primary parcel), 4138-004-008 and 4138-004-015)

City Negotiator: Jeff Stewart, City Manager

Property Owner: Federal Express Corporation/Thomas Properties

SPECIAL MATTERS – 0 matter

Council recessed at 6:50 p.m.

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

7:00 P.M. SESSION

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

INVOCATION – Pastor John Svendsen of First Baptist Church

PLEDGE OF ALLEGIANCE – Council Member Jim Boulgarides

PRESENTATIONS –

- (a) Mayor McDowell presented a Commendation to Chris Sherrill and Cindy Mortesen accepting on behalf of the sponsors, supporters and volunteers of the El Segundo Community Christmas Dinner to be held at 1:00 p.m. on Christmas Day at the Joslyn Center at Recreation & Parks.

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.

Ron Swanson, resident, thanked the City for their participation and support for the Holiday Parade.

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 Busch 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

ITEM TAKEN OUT OF ORDER FROM LATER IN THE MEETING

C. UNFINISHED BUSINESS

2. Consideration and possible action regarding a presentation by Colonel Joseph Codispoti of the Los Angeles Air Force Base, on the progress of Systems Acquisition Management Support (SAMS) project.

Council consensus to receive and file presentation.

B. SPECIAL ORDERS OF BUSINESS

1. Consideration and possible action (Public Hearing) on the proposed projects and budget for the 2006-2007 Community Development Block Grant (CDBG) Program Year, and the sale of unallocated, Community Development Block Grant (CDBG) funds totaling \$90,000 with another CDBG participating city within the Los Angeles Urban County. Estimated CDBG budget allocation for Program Year 2006-2007 is \$93,540 and Estimated General Fund appropriation is \$65,815.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing on the proposed projects and budget for the 2006-2007 Community Development Block Grant (CDBG) Program Year, and the sale of unallocated, Community Development Block Grant (CDBG) funds totaling \$90,000 with another CDBG participating city within the Los Angeles Urban County. Estimated CDBG budget allocation for Program Year 2006-2007 is \$93,540 and Estimated General Fund appropriation is \$65,815. Clerk Mortesen stated that proper notice was completed and no written communications had been received in the City Clerk's Office.

Tina Gall, Community Development Block Grant Program Manager, gave a report.

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.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to authorize staff to proceed with identifying an interested participating city to begin negotiations for the exchange of unallocated CDBG funds totaling \$90,000, establish an exchange rate, and return to the City Council with a resolution authorizing the exchange of CDBG funds with another City; adopt the new 2006-2007 CDBG projects and budget, including the appropriation of \$65,815 of unallocated General Fund monies (partially from the proposed sale of CDBG funds); authorize the City Manager to execute the contracts, as to 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. 4/0. MAYOR PRO TEM GAINES ABSENT

C. UNFINISHED BUSINESS

2. ITEM TAKEN OUT OF ORDER EARLIER IN THE MEETING

3. Consideration and possible action regarding a 90-day extension to the City's current agreement with the MWW Group for services related to the City's efforts regarding Los Angeles International Airport. (Fiscal Impact: \$24,000)

Jeff Stewart, City Manager, gave a report.

MOTION by Council Member Busch, SECONDED by Council Member Boulgardies to authorize the Mayor to execute the Consultant Agreement No. 3552 with the MWW Group effective January 1, 2006. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS

4. Consideration and possible action regarding the Annual Report of the Community Cable Advisory Committee. Presentation to be made by the Chair, Brian Mitchell. (Fiscal Impact: None)

Council consensus to receive and file the Annual Report of the Community Cable Advisory Committee.

Mayor McDowell announced a vacancy on the Planning Commission as a result of the resignation of Robin Funk and encouraged residents to apply. Announcement to follow.

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 2550911 to 2551163 on Register No. 4 in the total amount of \$784,913.61 and Wire Transfers from 11/24/2005 through 12/8/2005 in the total amount of \$654,633.44. Authorized staff to release. Ratified: Payroll and Employee Benefit Checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; wire transfers.
6. Approved Special Joint City Council and Planning Commission Meeting Minutes of November 29, 2005 and City Council Meeting Minutes of December 6, 2005.
7. Approved professional services Agreement No. 3553 with MuniFinancial to provide a study to update the City's Development Impact Fees (Fire, Police, Library, with the addition of Park (Quimby) Fees). (Fiscal Impact: \$38,500) Authorized the City Manager to sign the agreement approved as to form by the City Attorney.

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

F. NEW BUSINESS

8. Consideration and possible action regarding the expansion of the City's Residential Sound Insulation program and a proposal by the Planning and Building Safety Department (PBS) to establish new job classifications for Residential Sound Insulation Manager, Property Owner Coordinator, and Construction Coordinator positions in support of the City's Residential Sound Insulation program. These changes are contingent upon final approval of the proposed settlement agreement with Los Angeles World Airports (LAWA). (Fiscal Impact: Estimated impact \$10.5 Million, funded by Federal Aviation Administration (FAA) and potential settlement agreement with LAWA).

Jeff Stewart, City Manager, gave a presentation on the expansion of the City's Residential Sound Insulation Program.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to reclassify the current Senior Program Coordinator to Residential Sound Insulation Manager and begin the recruitment process for the positions of Office Specialist II, Property Owner Coordinator, and two Construction Coordinator positions in support of the Residential Sound Insulation Program; approve the class specifications for Residential Sound Insulation Manager, Property Owner Coordinator, and Construction Coordinator; contingent upon approval of the proposed settlement agreement with LAWA; adopt Resolution No. 4447 establishing the monthly salary ranges. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

Mark Hensley, City Attorney, read by title only.

RESOLUTION NO. 4447

A RESOLUTION ESTABLISHING SALARY RANGES FOR THE NEW JOB CLASSIFICATIONS OF RESIDENTIAL SOUND INSULATION MANAGER, CONSTRUCTION COORDINATOR, AND PROPERTY OWNER COORDINATOR.

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to adopt Resolution No. 4447 establishing salary ranges for the new job classifications of Residential Sound Insulation Manager, Construction Coordinator, and Property Owner Coordinator. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1390

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 1-6-3, 1-6-4, AND 1-6-5 REGARDING CITY DEPARTMENTS AND DEPARTMENT DIRECTORS.

Council Member Boulgarides introduced the Ordinance

Mark Hensley, City Attorney read by title only:

RESOLUTION NO. 4448

A RESOLUTION REPEALING RESOLUTION 4395 AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE FOR THE CITY OF EL SEGUNDO IN ACCORD WITH THE POLITICAL REFORM ACT.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to adopt Resolution No. 4448 repealing Resolution 4395 and adopting an amended conflict of interest code for the City of El Segundo in accord with the Political Reform Act. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT

9. Consideration and possible action regarding approval of a contract with Rincon Consultants, Inc. (Rincon) to prepare an update of the City of El Segundo Local Coastal Program (LCP) and to prepare an Environmental Impact Report (EIR) for the Local Coastal Program and a General Plan Amendment, Zone Change, and a Zone Text Amendment to allow commercial uses on the property currently occupied by El Segundo Power (301 Vista Del Mar Boulevard) and a Zone Text Amendment to amend the time period for allowing legal non-conforming land uses from twelve to six months on certain land uses. (Fiscal Impact: \$263,500).

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

Erchel Redd of NRG presented the company's view of the Public Utilities Commission and the development of the electrical plant.

MOTION by Mayor McDowell, SECONDED by Council Member Busch to authorize the City Manager to execute a standard professional services Contract No. 3554 with Rincon Consultants, Inc. to prepare an amendment to the LCP and an EIR in an amount not to exceed \$263,500. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT.

11. Consideration and possible action regarding the introduction of an Ordinance adding a new Chapter to the El Segundo Municipal Code entitled "Public Works Contracts" establishing revised bidding and accounting procedures for public works projects in accordance with the Uniform Public Construction Cost Accounting Act. (Fiscal Impact: None)

Steve Finton, Public Works Director, gave a report.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1391

AN ORDINANCE ADDING A NEW CHAPTER 7C TO TITLE 1 OF THE EL SEGUNDO MUNICIPAL CODE ENTITLED "PUBLIC WORKS CONTRACTS."

Council Member Boulgarides introduced the ordinance.

- G. REPORTS – CITY MANAGER – NONE
- H. REPORTS – CITY ATTORNEY – NONE
- I. REPORTS – CITY CLERK – Reminder that the first regularly scheduled Council Meeting in 2006 will be on Tuesday, January 17<sup>th</sup>.
- J. REPORTS – CITY TREASURER – NONE
- K. REPORTS – CITY COUNCIL MEMBERS

Council Member Boulgarides – Wished the community Happy and safe Holidays.

Council Member Busch – Reported on SBCOG regarding representation on the AQMD board as we currently are not represented. The SBCOG is lobbying to gain some type of representation. Wished everyone Happy Holidays.

Council Member Jacobson – Wished the community Merry Christmas, Happy Holidays, and a prosperous New Year.

Mayor Pro Tem Gaines –

Mayor McDowell – Wished the community Happy Holidays.

- 11. Consideration and possible action regarding the annual request of Mr. S. Claus for variances from the Municipal Code.

MOTION by Council Member Busch, SECONDED by Council Member Jacobson to approve a request by Mr. S. Claus for a waiver of the permits required for doing business within the City of El Segundo as follows: (1) Approval of a Conditional Use Permit and waiver of regulations in ESMC Section 15-23-4; (2) The use of air rights and waiver of the Santa Monica Radial 160 R Procedure (FAA should be contacted); (3) Grant a free business license for a non-profit organization (ESMC 4-1-7); (4) Waiver of ESMC 8-4-11B (Driveway permits required) and ESMC 8-5-11 (parking on grades); (5) Waiver of the Noise Ordinance to permit the sound of bells (ESMC 7-2-3); (6) Waiver of the Trespass Ordinance (ESMC 7-6-3) including 6-2-5 dealing with trespassing animals; (7) Waiver of the Ordinance on Animal Regulations (ESMC 6-2-1); (8) Waiver of the Pooper-Scooper Regulations (ESMC 7-1-4). Additionally, Mr. S. Claus has been directed to the Coastal Commission for clearance over the ocean; D.M.V. for a valid vehicle registration; Department of Health & Welfare to ensure his elves are receiving minimum wage; and the Air Quality Management District to ensure a safe and clear sleigh ride. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER GAINES ABSENT.

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Liz Garnholz, resident, spoke regarding the power plant and asked if the plant was environmentally sound. She also asked if the Tree Muskateers had a contract with the city to maintain newly planted trees.

City Manager Jeff Stewart, stated that the Tree Muskateers have been contracted to care for new the trees for a period of two months after planting. The contract is for a total of \$5,000 and will expire at the end of the year.

MEMORIALS – Albertine Gin, mother of Redondo Beach Mayor Mike Gin.

CELEBRATIONS – Birth of Austin Lieu, to Assemblyman Ted Lieu, and his wife, Betty Chim, Christian David Abbate, to David and Lisa Abbate and Declan Jon Matheny, to Brad and Kim Matheny.

ADJOURNMENT – 8:55 p.m.

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Cindy Mortesen, City Clerk