

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 21, 2006 - 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 – Arrived at 5:05 p.m.
Council Member Jacobson	-	Present

APPOINTMENT OF LABOR NEGOTIATOR:

1. Consideration and possible action regarding appointing the City Manager as the City's labor negotiator with regard to negotiating the employment contract between the Police Chief and the City.

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to appoint Jeff Stewart, City Manager, as the City's labor negotiator with regard to negotiating the employment contract between the Police Chief and the City. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0. MAYOR PRO TEM GAINES AND COUNCIL MEMBER BUSCH ABSENT.

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 LAX RSI Program 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. 2221 Park Place, LASC Case No. BC319034
City of El Segundo v. CTF2, Alaska, LASC Case No. BC319033

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -4- potential cases (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

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

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -1- matter
City Designated Representative: City Manager
Unrepresented Employee: Police Chief

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

Council moved to open session at 6:31 p.m.

SPECIAL MATTERS –

1. Interview of candidates for the potential appointment to one position on the Capital Improvement Program Advisory Committee (CIPAC) will be held in the West Conference Room, commencing at approximately 6:00 p.m. This meeting is open to the public.

Council consensus to appoint Anthony Hedayat to the Capital Improvement Program Advisory Committee for a partial term to expire November 20, 2007.

Council recessed at 6:40 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MARCH 21, 2006 - 7:00 P.M.

PLEASE NOTE: The public hearing for the Zone Text Amendment to amend the El Segundo Municipal Code (ESMC) as follows: 1) add a new definition for "food service with incidental retail" uses; 2) allow food services with incidental retail as a permitted use in the Downtown Commercial (C-RS) Zone, Neighborhood Commercial (C-2) Zone, General Commercial (C-3) Zone, and Commercial Center (C-4) Zone and as an accessory use in the Corporate Office (CO) Zone; 3) add a parking ratio for food service with incidental retail; and 4) modify the parking ratio for food-to-go uses, has been canceled due to noticing issue.

7:00 P.M. SESSION

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

INVOCATION – Father Jim Anguiano of St. Anthony Catholic Church

PLEDGE OF ALLEGIANCE – Councilmember Carl Jacobson

PRESENTATIONS –

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. - NONE

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. COUNCIL MEMBER GAINES ABSENT.

B. SPECIAL ORDERS OF BUSINESS

C. UNFINISHED BUSINESS

1. Consideration and possible action regarding a presentation and discussion of changes proposed by the Council R-1 Subcommittee to the El Segundo Municipal Code Title 15 Chapter 4A regarding the development standards for the Single-Family Residential R-1 Zone. (Fiscal Impact: None)

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

Council received comments from the public regarding proposed changes to the R-1 zone development standards:

Juli Potter resident, requested additional information on proposed lot coverage.

Liz Garnholz, resident, stated she was not in favor of accessory structures. Also spoke regarding the proposed length of second story walls and stated she supported erecting a skeleton outline before construction.

Craig Maple, resident and local contractor, expressed concern regarding the proposed Floor Area Ratio (FAR) and requested the FAR be increased.

Seimone Jurjjs, Planning and Building Safety Director, responded to questions.

Council consensus to return at the May 2, 2006 Council meeting with various FAR options to cover different lot sizes, and research options regarding amount of damage/loss to a structure before requiring construction to meet proposed code requirements.

2. Consideration and possible action regarding award of contract extensions to The Jones Payne Group for design and testing services and to Wyle Laboratories, Inc. for construction monitoring and oversight services related to the Residential Sound Insulation (RSI) Program. (Fiscal impact: \$1,746,659 to The Jones Payne Group, Inc. and \$200,100 to Wyle Laboratories, Inc.)

James O'Neill, Residential Sound Insulation Program Manager, gave a report.

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to award contract extension no. 3196B to The Jones Payne Group for Design and Testing Services and award contract extension no. 3197B to Wyle Laboratories, Inc. for Construction Monitoring and Oversight Services related to the Residential Sound Insulation (RSI) Program. Authorized the City Manager to execute the contract extensions. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR PRO TEM GAINES ABSENT.

D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS

3. Consideration and possible action regarding the announcement of the appointment of one candidate to the Capital Improvement Program Advisory Committee (CIPAC).

Mayor McDowell announced the appointment of Anthony Hedayat to the Capital Improvement Program Advisory Committee for a partial term to expire November 20, 2007.

4. Consideration and possible action on the Business Committee's recommendation for a new City web page to attract new businesses to El Segundo, in coordination with Shannon David, Inc., consultant for the project. (No current fiscal impact. Total project of \$125,000 previously approved on March 15, 2005)

Bill Crowe, Assistant City Manager, gave a report.

Council consensus to receive and file presentation by staff and Shannon David, Inc.

Mark Hensley, City Attorney, noted that regarding Consent Agenda Item No. 11, Facility Relocation Agreement, requested Council approval of the Agreement subject to approval as to form by the City Attorney's Office.

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 2552267 to 2552475 on Register No. 11 in the total amount of \$1,677,740.17 and Wire Transfers from 2/24/2006 through 3/09/2006 in the total amount of \$655,986.28. 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 March 7, 2006.
7. PULLED FOR DISCUSSION BY COUNCIL MEMBER BUSCH.
8. Awarded Contract No. 3580 to Belaire-West Landscape, Inc. for the re-grading and renovation of the Driving Range at the Lakes Golf Course. (Fiscal Impact: \$368,760) Authorized the City Manager to execute the contract.
9. Awarded Public Works Contract No. 3581 to Trueline for the surface refurbishment of seven (7) tennis courts and basketball court at Recreation Park (339 Sheldon Street) in the amount of \$31,960. Approved Capital Improvement Project – Project No. PW 06-02. (Fiscal Impact: \$36,754 - contract and contingency) Authorized the City Manager to execute the contract.

10. Approved Professional Services Agreement No. 3582 with BOA Architecture in the amount of \$31,200 for professional architectural design services for the remodel of the Human Resources office, the relocation of the City Attorney's office, completion of the West Conference Room and new seating and carpeting in the City Council Chambers. (Fiscal Impact: \$34,320 – agreement and contingency) Authorized the City Manager to execute the agreement.
11. Approved the Facility Relocation Agreement No. 3583 with the Los Angeles County Flood Control District for the relocation of a 45" water main and the grant of an easement for the County Waterline in City property in conjunction with the Douglas Street Gap Closure Project. (Fiscal Impact: None) Authorized the City Manager to execute the agreement and an easement document granting a pipeline easement to the Los Angeles Flood Control District.
12. Adopted Resolution No. 4461 declaring the City's intent to conduct a public hearing on May 2, 2006 regarding the transfer of a Pipeline Franchise Agreement, Ordinance No. 1255, from Equilon California Pipeline Company LLC to Shell California Pipeline Company LLC and extension of said Pipeline Franchise Agreement for a ten-year period. (Fiscal Impact: \$2,715 – annual franchise fee)
13. Approved the Police Department utilizing up to \$72,000 of existing Citizens Option for Public Safety (COPS) grant funds to operate on an overtime basis, special law enforcement details during the calendar year. Additionally, purchase supplemental fitness equipment for the department gym. (Fiscal Impact: \$72,000 from COPS grant fund)
14. Adopted Resolution No. 4462 authorizing the Director of Planning and Building Safety to sign Notices of Completion for projects completed under the Residential Sound Insulation Program.

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

CALL ITEMS FROM CONSENT AGENDA

7. Consideration and possible action to retain URS Corporation to perform testing and analysis of soil and gas beneath proposed athletic field and fire station sites located along the north side of Mariposa Avenue between Nash and Douglas Streets (827 N. Douglas Street) to update potential pollution risk assessments. (Fiscal Impact: \$36,150). Authorize the City Manager to sign Agreement No. 3584 in a form approved by the City Attorney.

MOTION by Council Member Busch, SECONDED by Council Member Boulgarides to retain URS Corporation to perform testing and analysis of soil and gas beneath proposed athletic field and fire station sites located along the north side of Mariposa Avenue between Nash and Douglas Streets (827 N. Douglas Street) to update potential pollution risk assessments. (Fiscal Impact: \$36,150). Authorized the City Manager to sign the agreement in a form approved by the City Attorney.
MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER GAINES ABSENT.

F. NEW BUSINESS

15. Consideration and possible action regarding - (1) Introduce an Ordinance to adopt an amendment to the 2001 California Building Code requiring new residential units to be in compliance with the requirements of the City's Residential Sound Insulation program; (2) setting a second reading and adoption for April 4, 2006.

Jeff Stewart, City Manager, gave a report.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1393

AN ORDINANCE ADDING § 13-1-4 TO THE EL SEGUNDO MUNICIPAL CODE AND AMENDING THE 2001 CALIFORNIA BUILDING CODE ("CBC") BASED UPON LOCAL CLIMATIC, TOPOGRAPHIC, AND GEOGRAPHICAL CONDITIONS.

Council Member Busch introduced the Ordinance.

Second reading and adoption scheduled for April 4, 2006.

17. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for on-site sale and consumption of beer, wine and alcohol (Type 47) at a new restaurant located at 403 Main Street, EA No. 690 and AUP No. 05-5. Applicant: Kenneth R. Garmoe

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

MOTION by Council Member Jacobson to protest the issuance of the new Type 47 ABC license at 403 Main Street. MOTION FAILED DUE TO A LACK OF A SECOND.

No action taken by Council on this item.

G. REPORTS – CITY MANAGER – NONE

H. REPORTS – CITY ATTORNEY – NONE

I. REPORTS – CITY CLERK – NONE

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Boulgarides – NONE

Council Member Busch –

18. Consideration and possible action regarding a status report on technology available for law enforcement regarding “Automatic License Plate Recognition Systems” utilized for purposes of identifying vehicles that may be the subject of unlawful activities or that have outstanding violations. (Fiscal Impact: None)

Jack Wayt, Police Chief, gave a report.

Council consensus to receive and file status report.

Council Member Jacobson – NONE

Mayor McDowell – Spoke regarding the regional airport plan.

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.

Gail Church, Tree Muskateers, spoke regarding “Trees to the Sea” and the addition of 108 new trees along Imperial.

Liz Garnholz, resident, spoke regarding the Manhattan Beach tree ordinance.

Juli Potter, resident, spoke regarding R1 issues, erecting a skeleton model for proposed new construction. She also spoke regarding problems with building contractors.

MEMORIALS – NONE

CELEBRATION – 100 year birthday celebration of El Segundo Park Vista Resident Loren Hilliard.

CLOSED SESSION - NONE

ADJOURNMENT at 8:56 p.m.

Cathy Domann, Deputy City Clerk