REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 2, 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 Busch	-	Present – arrived at 5:02 p.m.
Council Member Boulgarides	-	Present
Council Member Fisher	-	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 LAX RSI Program.

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): -3- 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): -0- matter

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, MAY 2, 2006 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Reverend Bonnie Wulff of Living in the Inner Light Foundation

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch

PRESENTATIONS –

a. Council Member Boulgarides presented a Commendation to S&S Hardware in recognition of its 30th Anniversary and its many contributions and services to our community.

b. Council Member Fisher presented a Proclamation declaring Saturday, May 13, 2006, as *EL SEGUNDO PUBLIC SAFETY SERVICE DAY* and inviting the community to participate in the joint Open House at the Police and Fire Departments, from 10:00 a.m. to 2:00 p.m.

c. Mayor McDowell presented Certificates of Recognition to Team El Segundo participants in the 2006 Baker to Vegas Run held April 1 and 2, 2006.

d. Mayor McDowell announced May as Volunteer Recognition Month.

ROLL CALL

Mayor McDowell	-	Present
Mayor Pro Tem Busch	-	Present
Council Member Boulgarides	-	Present
Council Member Fisher	-	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 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 to conduct a public hearing and introduce an Ordinance approving the transfer of a Pipeline Franchise Agreement, Ordinance No. 1255, from Equilon California Pipeline Company LLC to Shell Pipeline Company LLC and extending the franchise until 2016.

Council Member Jacobson left the dais and did not participate in the discussion because of a possible conflict related to the location of real property.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding an Ordinance approving the transfer of a Pipeline Franchise Agreement, Ordinance No. 1255, from Equilon California Pipeline Company LLC to Shell Pipeline Company LLC and extending the franchise until 2016.

City Clerk Mortesen stated that proper notice was completed and no communications had been received in the City Clerk's Office.

Steve Finton, Public Works Director, gave a report.

MOTION by Mayor ProTem Busch, SECONDED by Council Member Boulgarides to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0/1. COUNCIL MEMBER JACOBSON NOT PARTICIPATING DUE TO HIS INTEREST IN REAL PROPERTY.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1394

AN ORDINANCE APPROVING THE TRANSFER OF A PIPELINE FRANCHISE TO SHELL CALIFORNIA PIPELINE COMPANY LLC FROM EQUILON CALIFORNIA PIPELINE COMPANY LLC AND EXTENDING THE FRANCHISE UNTIL 2016.

Council Member Boulgarides introduced the ordinance.

Second reading and adoption of Ordinance scheduled for May 16, 2006.

Council Member Jacobson returned to the dais.

2. Consideration and possible action to conduct a public hearing, adopt a Resolution, and introduce an Ordinance to amend the El Segundo Municipal Code regarding “Cafés” and “Coffee Shops”. (Fiscal Impact: None)

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding adoption of a Resolution, and introduction of an Ordinance to amend the El Segundo Municipal Code regarding “Cafés” and “Coffee Shops”.

City Clerk Mortesen stated that proper notice was completed and no communications had been received in the City Clerk's Office.

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

Mayor McDowell requests this item be revisited this summer and again around the holidays to see if the parking restrictions are correct.

MOTION by Council Member Boulgarides, SECONDED by Council Member Busch to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

RESOLUTION NO. 4463

A RESOLUTION OF THE EL SEGUNDO CITY COUNCIL ADOPTING
A NEGATIVE DECLARATION APPROVING ENVIRONMENTAL
ASSESSMENT NO. 697 (EA-697).

MOTION by Mayor ProTem Busch, SECONDED by Council Member Fisher to adopt Resolution No. 4463 adopting a Negative Declaration approving Environmental Assessment No. 697 (EA-697). MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

ORDINANCE NO. 1395

AN OMNIBUS ORDINANCE AMENDING THE EL SEGUNDO MUNICIPAL CODE WITH REGARD TO CAFES AND COFFEE SHOPS

Mayor ProTem Busch introduced the ordinance with the corrections read into the record by City Attorney Mark Hensley.

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.

3. Approved Warrant Numbers 2552951 to 2553185 on Register No. 14 in the total amount of $1,288,750.34 and Wire Transfers from 4/7/2006 through 4/20/2006 in the total amount of $1,279,336.08. 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 April 18, 2006.

5. Extended the current employment agreement with Jack Wayt for the position of Police Chief through December 31, 2006. Authorized the City Manager to execute the First Amendment to Agreement No. 3485.

6. Approved the City of El Segundo's application for funding through California's 2002 Resources Bond Act, Roberti-Z'Berg-Harris Block Grant Program. Adopted Resolution No. 4464 authorizing the City Manager or Designee to apply for, receive and appropriate the grant funds. (Fiscal Impact: $44,680)

7. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON

8. PULLED FOR DISCUSSION BY COUNCIL MEMBER JACOBSON

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to approve Consent Agenda Items 3, 4, 5, and 6. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

7. Consideration and possible action to accept $6,000 in penalty assessments from a statewide consent decree and underground tank settlement with Pacific Bell Telephone Company, dba AT&T California (People of California vs. Pacific Bell Telephone). This amount represents the City of El Segundo's portion of the total settlement. To receive this portion of the settlement, a signed declaration for receipt of civil penalties must be executed and submitted to the San Joaquin District Attorney's Office.

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to accept $6,000 in penalty assessments from a statewide consent decree and underground tank Settlement No. 3594 with Pacific Bell Telephone Company, dba AT&T California (People of California vs. Pacific Bell Telephone). This amount represents the City of El Segundo's portion of the total settlement. To receive this portion of the settlement, a signed declaration for receipt of civil penalties must be executed and submitted to the San Joaquin District Attorney's Office. Authorized the City Manager to sign and execute the Declaration. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

8. Consideration and possible action regarding the City Council's authorization to accept the Hazardous Materials Emergency Preparedness grant funding from the Governor's Office of Emergency Services in the total amount of $6,400 for the preparation of a hazardous materials emergency plan for the City of El Segundo. (Fiscal Impact: $6,400)

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to accept the Hazardous Materials Emergency Preparedness grant funding from the Governor's Office of Emergency Services in the total amount of $6,400 for the preparation of a hazardous materials emergency plan for the City of El Segundo. (Fiscal Impact: $6,400) Authorize the City Manager or designee to sign a State of California Assistance Agreement No. 3595. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER – NONE

H. REPORTS – CITY ATTORNEY – NONE

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher – None

Council Member Boulgarides –

Requested agendizing an ordinance to allow war veterans who are recipients of awards such as the Purple Heart, Congressional Medal of Valor, Pearl Harbor Survivor etc., to park for free in the City.

9. Consideration and possible action to create an Ad Hoc Subcommittee to consider and make recommendations to the City Council regarding changes to the City seal, logos and mottos.

MOTION by Council Member Boulgarides, SECONDED by Council Member Fisher to create an Ad Hoc Subcommittee to consider changes to the City seal, logos and mottos and appoint to the Subcommittee. Committee to sunset in 6 months.

Mayor McDowell made a substitute motion to form an Ad Hoc Subcommittee consisting of Council Member Boulgarides and Jacobson, to meet twice, first to see if there is an interest in the community to replace the seal or adopt an official logo and then proceed. Council Member Jacobson seconded. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MCDOWELL, BUSCH, JACOBSON AND FISHER. NOES: BOULGARIDES. 4/1

Council concurred that any product would be presented to the Council prior to any action being taken.

Council Member Jacobson – Reported on the communications industry and the impacts upon the City. He requested the AB 2987 regarding Cable Franchise be agendized for the next meeting

Mayor Pro Tem Busch – Reported on the "Moving of the Rock" which symbolizes the moving of the Air Force Base from its former location into the new facility.

Mayor McDowell – Spoke regarding the Air Force base, AB 2015, and the expansion of the AQMD Board, to include a representative from the South Bay Cities.

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MEMORIALS – Vernon Bridges, long time resident and highly respected Optomoetrist.

CELEBRATIONS – The birth Aiden Christopher Barrett, to parents Bret and Marcie Barrett and Aiden's cousin, Gavin Michael Herndon, to parents Gina Barrett and Husband Kevin Herndon. Aiden and Gavin are the grandchildren of former Police Officer Chris Barrett and his wife Kathy Barrett.

ADJOURNMENT at 8:25 p.m.

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Cindy Mortesen, City Clerk