REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 20, 2006 - 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Council Member Jacobson at 5:00 p.m.

ROLL CALL

Mayor McDowell - Present – Arrived at 5:02 p.m.

Mayor Pro Tem Busch - Present – Arrived at 5:05 p.m.

Council Member Boulgarides - Present
Council Member Fisher - Present
Council Member Jacobson - Present

PUBLIC COMMUNICATION – (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.*

SPECIAL ORDER OF BUSINESS -

1. Consideration and possible action to appoint the City Attorney as labor negotiator with regard to the terms and conditions of the City Manager's employment contract.

MOTION by Council Member Boulgarides, SECONDED by Council Member Fisher to appoint the City Attorney as labor negotiator with regard to the terms and conditions of the City Manager's employment contract. MOTION PASSED BY UNANIMOUS VOICE VOTE. 3/0. MAYOR MCDOWELL AND MAYOR PRO TEM 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 Fernbrook Homeowners Association regarding the 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 $\S54956.9(a)$) – 3 matters

City of El Segundo v. 2221 Park Place, LASC Case No. BC319034

City of El Segundo v. CTF2, Alaska, LASC Case No. BC319033

City of El Segundo vs. City of Los Angeles, et. al. LASC No. BS094279

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): <u>-2-</u> 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): -2- matters

- Labor Negotiator: Jeff Stewart, City Manager
 Unrepresented Employees: Management/Confidential Employees (include all City
 Employees who are not members of bargaining units)
- 2. Labor Negotiator: Mark Hensley, City Attorney Unrepresented Employee: Jeff Stewart, City Manager

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

SPECIAL MATTERS: Council will move to open session at approximately 6:30 p.m.

1. Interview of candidates and potential appointment to one position on the Recreation and Parks Commission will be held in the West Conference Room, commencing at approximately 6:30 p.m. This meeting is open to the public.

Council consensus to re-appoint Colleen Glynn-Rich to the Recreation and Parks Commission, for a full term to expire June 30, 2010.

Council recessed at 6:52 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 20, 2006 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION - Father Jim Anguiano of Saint Anthony Catholic Church

PLEDGE OF ALLEGIANCE – Council Member Jim Boulgarides

PRESENTATIONS -

- (a) Mayor Pro Tem Busch presented a Proclamation commemorating July 23, 2006 as National Parents Day in El Segundo. Accepting the proclamation were Little League Parents of the Year, Randy and Amy Miera.
- (b) Mayor McDowell announced the recognition of Colonel Joseph M. Codispoti for his years of service to the community as the Commander, 61st Air Base Group, Department of the Los Angeles Air Force Base.

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.

Chris Powell, Board of Education, spoke in support of item number 3, the lease option agreement between the City of El Segundo and the El Segundo Unified School District regarding the operation of a swim complex.

Mike Briney, Board of Education, spoke regarding the lease option agreement between the City of El Segundo and the El Segundo Unified School District regarding the operation of a swim complex.

Bill Watkins, Board of Education, spoke regarding the lease option agreement between the City of El Segundo and the El Segundo Unified School District regarding the operation of a swim complex, and the upgrade of the athletic track and field.

Robin Funk, Board of Education, spoke regarding the lease option agreement between the City of El Segundo and the El Segundo Unified School District regarding the operation of a swim complex and the performing arts portion of the joint use agreement.

Ron Swanson, resident, spoke in support of the option agreement between the City of El Segundo and the El Segundo Unified School District regarding the operation of a swim complex.

Scott Morgan, Lakes of El Segundo, spoke regarding item number 2, and the Golf Course Managements desire to maintain the property located at 150 and 160 South Sepulveda Blvd.

Ed Little, West Basin Municipal Water District introduced Richard Nagel, General Manager.

Richard Nagel, General Manager, West Basin Municipal Water District, presented an introduction and summary of new and continued projects in the City of El Segundo by West Basin Municipal Water District.

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 issuance of a Petroleum Pipeline Franchise Agreement to Chevron Pipeline Company for a period of ten years for a jet fuel pipeline located generally in Virginia Street between Imperial Avenue and El Segundo Boulevard. (Fiscal Impact: \$3,000 – estimated annual franchise fee).

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding an Ordinance approving the issuance of a Petroleum Pipeline Franchise Agreement to Chevron Pipeline Company for a period of ten years for a jet fuel pipeline located generally in Virginia Street between Imperial Avenue and El Segundo Boulevard.

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

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1396

AN ORDINANCE GRANTING CHEVRON USA, INC. AN OIL PIPELINE FRANCHISE WITH THE CITY OF EL SEGUNDO.

Council Member Boulgarides introduced the ordinance.

Second reading and adoption of Ordinance scheduled for July 18, 2006.

- C. UNFINISHED BUSINESS
- 2. Consideration and possible action regarding adoption of a Resolution to declare City-owned property located directly east of 150 and 160 South Sepulveda Boulevard as surplus property and authorize the City Manager to commence the process to sell the property in accordance to Government Code §54222. (Appraisal Value \$360,000)

Mayor McDowell left the dias and did not participate on this item due to a possible conflict of interest regarding clients with property in the area.

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

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to not declare City-owned property located directly east of 150 and 160 South Sepulveda Boulevard as surplus property. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. Mayor McDowell not participating due to a possible conflict with a business clients property.

3. Consideration and possible action on a lease option agreement between the City of El Segundo (City) and the El Segundo Unified School District (District) regarding the operation of a swim complex proposed to be constructed by the District at El Segundo High School, 640 Main Street.

Jeff Stewart, City Manager, gave a report.

MOTION by Council Member Boulgarides, SECONDED by Mayor ProTem Busch to authorize the Mayor to execute the Lease Option Agreement No. 3607 between the City and El Segundo Unified School District. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
- 4. Consideration and possible action regarding the announcement of the appointment of a candidate to the one vacancy on the Recreation and Parks Commission.

Mayor McDowell announced the re-appointment of Colleen Glynn-Rich to the Recreation and Parks Commission for a full term to expire June 30, 2010.

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 2553692 to 2553922 on Register No. 17 in the total amount of \$1,310,076.34 and Wire Transfers from 5/26/2006 through 6/8/2006 in the total amount of \$931,227.11. 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 June 7, 2006.
- 7. Awarded Contract No.3608 to lowest responsible bidder, Damon Construction, for repair and maintenance of curbs, sidewalk and curb ramps citywide Project No. PW 06-05. (Fiscal Impact: \$92,386) Authorized the City Manager to execute the contract on behalf of the City.
- 8. PULLED FOR DISCUSSION BY MAYOR PRO TEM BUSCH
- 9. Awarded Contract No. 3615 to S&L Specialty Contracting, Inc. for construction related to Group 9 (25 residences) and Professional Building Contractors, Inc., Contract No.3616 for construction related to Group 10 (23 residences) of the Residential Sound Insulation Program. (Estimated construction cost and retention \$2,075,610) Authorized the City Manager to execute the construction contracts in a form approved by the City Attorney.
- 10. Accepted the work as complete on the project for surface refurbishment of seven (7) tennis courts and a basketball court at Recreation Park (339 Sheldon Street). Approved Capital Improvement Project Project No. PW 06-02. (Final Contract Amount: \$31,960) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
- 11. Accepted the work as complete on the project for installation of American with Disabilities Act (ADA) compliant Automatic Doors at the west entrance to City Hall (outside City Council Chambers), and the main entrance of the Police Department. Approved Capital Improvement Project Project No. PW 05-13, CDBG Project No. 600803-05. (Final Contract Amount: \$37,250). Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
- 12. Approved the examination plans and revised class specifications for the Personnel Merit System job classifications of Battalion Chief and Fire Engineer.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Boulgarides to approve Consent Agenda Items 5, 6, 7, 9, 10, 11 and 12. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. MAYOR MCDOWELL NOT PARTICIPATING IN ITEM 7 DUE TO A POTENTIAL CONFLICT REGARDING THE LOCATION OF HIS RESIDENCE. COUNCIL MEMBER BOULGARIDES ABSTAINING FROM ITEM 12, DUE A POSSIBLE FUTURE CONFLICT OF INTEREST.

CALL ITEMS FROM CONSENT AGENDA

8. Consideration and possible action regarding the approval of Contract Change Orders in conjunction with construction of Douglas Street Gap Closure Project. (Fiscal Impact: \$71,490.76)

MOVED by Mayor ProTem Busch, SECONDED by Council Member Jacobson to authorize the Director of Public Works to execute Contract Change Orders Nos. 2, 3, 6 and 8 to the existing Public Works Agreement with SEMA Construction, Inc. in conjunction with construction of the Douglas Street Gap Closure Project. (Fiscal Impact: \$71,490.76) MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

13. Consideration and possible action regarding adoption of a Resolution authorizing the City Manager to bid and award contracts for equipment and vehicles funded in the FY 2005-2006 Equipment Replacement Fund and approval to retire and surplus identified equipment and vehicles. (Fiscal Impact: \$873,538)

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

MOTION by Council Member Boulgarides, SECONDED by Mayor Pro Tem Busch, to adopt Resolution No. 4472 authorizing the City Manager to bid and award contracts for equipment and vehicles funded in the FY 2005-2006 Equipment Replacement Fund and approval to retire and surplus identified equipment and vehicles. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

14. Consideration and possible regarding a new Alcoholic Beverage Control (ABC) license for a new retail establishment under construction at a new shopping center (Plaza El Segundo) located at 720 South Sepulveda Boulevard, EA No. 706 and AUP No. 06-4. Applicant: Cost Plus, Inc. (Fiscal Impact: None)

Council consensus to take no action to protest.

15. Consideration and possible action regarding a new Alcoholic Beverage Control (ABC) license for a new restaurant under construction at a new shopping center (Plaza El Segundo) located at 2015 Park Place, EA No. 709 and AUP No. 06-6. Applicant: Salt Creek Grille El Segundo, LLC aka Salt Creek Grille. (Fiscal Impact: None)

Council consensus to take no action to protest.

- G. REPORTS CITY MANAGER NONE
- H. REPORTS CITY ATTORNEY NONE
- I. REPORTS CITY CLERK

Announced the next Regular Meeting of the City Council will take place on July 18, 2006, due to Council cancellation of the July 5, 2006 meeting.

- J. REPORTS CITY TREASURER
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Fisher - NONE

Council Member Jacobson – Independent Cities meeting regarding the AB 2987 the AT&T bill on deregulations of communications. Noted that staff had placed "No Fireworks" signs throughout the community.

Council Member Boulgarides – Congratulated everyone on the Super CPR Saturday event.

Mayor Pro Tem Busch – Reported on the City's efforts to amend the SCAQMD Board composition and stated it had progressed to the State Senate. He announced that Siemone Jurjis, Director of Planning and Building Safety, would be leaving our City staff.

Mayor McDowell – Spoke on AB 2987, the AT&T Telecommunications Bill. Congratulated all parties on the successful Beauty and the Beach Cleanup last Saturday.

16. Consideration and possible action to appoint a member of the City Council as the City of El Segundo's representative on the Southern California Cities Joint Powers Consortium.

Council consensus to appoint Council Member Fisher to serve as the City's representative on the Southern California Cities Joint Powers Consortium.

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.

Devon Naccarato, Eagle Scout candidate spoke regarding his Eagle Scout project collecting and the retirement of old United States Flags.

CELEBRATION – Birth of Colin Dean Sumi to parents Dean and Becky Sumi and the first grandchild of former Mayor Pro Tem John Gaines and his wife, Susan.
ADJOURNMENT at 8:37 p.m.
Cindy Mortesen, City Clerk

MEMORIALS - Jackie Adkins, Mother of Pam Earle. Condolences to Pam and Shannon Earle

and the entire Adkins family.