# REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JULY 18, 2006 - 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Mayor Pro Tem Busch at 5:00 p.m.

**ROLL CALL** 

Mayor McDowell - Present – arrived at 5:02 P.M.

Mayor Pro Tem Busch - Present
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 the 54956.9(b) item was a threat of litigation regarding the Payne Claim No. 06-04.

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. - NONE

## SPECIAL ORDER OF BUSINESS -

 Consideration and possible action to appoint the City Manager as labor negotiator on behalf of the City with regard to the El Segundo Supervisory and Professional Employees Association.

MOTION by Council Member Boulgarides, SECONDED by Council Member Fisher to appoint City Manager Jeff Stewart as labor negotiator on behalf of the City with regard to the El Segundo Supervisory and Professional Employees Association. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. MAYOR MCDOWELL ABSENT

#### **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. 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): -1- 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: Mark Hensley, City Attorney Unrepresented Employee: Jeff Stewart, City Manager

Labor Negotiator: Jeff Stewart

Represented Employees: El Segundo Supervisory and Professional Employees

Association

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

SPECIAL MATTERS -0- matter

Council recessed at 6:40 p.m.

## REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JULY 18, 2006 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER - Mayor McDowell at 7:03 p.m.

INVOCATION - Pastor Dino Tumbuan of Saint John's Lutheran Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch

#### PRESENTATIONS -

a. Council Member Jacobson presented a Proclamation Val Patterson, Market Manager, in commemoration of El Segundo Farmers' Market 7th Anniversary, and invitation to the community to partake in the cake cutting ceremony on July 20, 2006 at 5:30 p.m.

#### **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.

Brian Crowley, resident, spoke regarding Item No. 3. Stated he felt the land was overpriced. Also spoke regarding Items 18 and 19.

#### A. PROCEDURAL MOTIONS

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

MOTION by Council Member Bougarides, SECONDED by Council Member Jacobson 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 open a Public Hearing and introduce an Ordinance to amend the El Segundo Municipal Code Chapter 15-18 regulating the time, place and manner that signs are erected and constructed within the City's jurisdiction. (Fiscal Impact: None)

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding an Ordinance to amend the El Segundo Municipal Code Chapter 15-18 regulating the time, place and manner that signs are erected and constructed within the City's jurisdiction.

Deputy City Clerk Domann stated that proper notice was completed and one communication had been received in the City Clerk's Office. Council had been copied and copies made available for the public.

Brian Crowley, resident, spoke regarding regulations on billboards and filming signs.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to continue the public hearing until the next Council meeting on August 1, 2006. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

2. Consideration and possible action to open a Public Hearing and adopt a Resolution setting the Golf Course and Driving Range fees at The Lakes Golf Course, as recommended by the Golf Course Sub-Committee. (Fiscal Impact: \$137,400 in new annualized revenues).

Mayor McDowell stated this is the time and place hereto fixed for a public hearing regarding a Resolution setting the Golf Course and Driving Range fees at The Lakes Golf Course, as recommended by the Golf Course Sub-Committee.

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

Bill Crowe, Assistant City Manager and Interim Recreation and Parks Director, gave a report.

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

Council comment.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to adopt Resolution No. 4473 adopting new fees for the El Segundo Parks and Recreation Department to recover costs incurred from providing various public services.

C. UNFINISHED BUSINESS

 Consideration and possible action to purchase approximately five acres of unimproved land located at the northeast corner of Mariposa Avenue and Nash Street from TPG-El Segundo Partners, LLC. (Fiscal Impact: \$4,900,000)

Jeff Stewart, City Manager, gave a report.

Brian Jacobs, URS, gave a report regarding the environmental review that had been conducted and responded to Council questions.

MOTION by Council Member Boulgarides, SECONDED by Mayor Pro Tem Busch to approve the purchase of approximately five acres of land located at the northeast corner of Mariposa Avenue and Nash Street from TPG; receive and file Complete Appraisal Summary Report prepared by CB Richard Ellis; Receive and file the Limited Site (Environmental) Investigation prepared by URS; authorize the City Treasurer to deposit the amount of \$4,900,000 into the escrow account opened by the City with Chicago Title; and authorize staff to take other action necessary to close escrow by August 5, 2006. MOTION PASSED BY THE FOLLOWING VOICE VOTE. AYES: MAYOR MCDOWELL, MAYOR PRO TEM BUSCH, COUNCIL MEMBERS BOULGARIDES AND FISHER; NOES: COUNCIL MEMBER JACOBSON. 4/1

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
- 4. Consideration and possible action to receive the Annual Report of the Capital Improvement Program Advisory Committee (CIPAC). Oral presentation will be made by CIPAC Chairman Mr. Jason Aro. (Fiscal Impact: None)

Mr. Jason Aro, CIPAC Chairman, gave an oral presentation.

MOTION BY Council Member Boulgarides, SECONDED by Mayor Pro Tem Busch to receive and file the Annual Report of CIPAC. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

## 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.

Mayor McDowell, Mayor Pro Tem Busch and Council Member Fisher had potential conflicts regarding the location of their residences with respect to Item No. 14. In order to have a voting quorum, Mayor McDowell was selected by random draw to participate in the item.

- 5. Approved Warrant Numbers 2553923 to 2554172 on Register No. 18 in the total amount of \$2,383,496.78 and Wire Transfers from 6/9/2006 through 6/22/2006 in the total amount of \$1,402,542.52 and Warrant Numbers 2554173 to 2554382 on Register No. 19 in the total amount of \$651,811.71 and Wire Transfers from 6/23/2006 through 7/6/2006 in the total amount of \$965,283.06. 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 20, 2006.

- 7. Approved Professional Services Agreement No. 3619 with Gary Chicots to serve as Interim Director of Planning and Building Safety. (Fiscal Impact: \$50,000) Authorized the City Manager to execute the agreement.
- 8. Adopted Resolution No. 4474 providing for salary and benefit changes to Chapter 1A2 (Management-Confidential Series) of the El Segundo Administrative Code, adopted Resolution No. 4475 establishing new salary ranges for Accountant and Office Specialist II Human Resources, and adopted Resolution No. 4476 updating the Nationwide Retirement Solutions Governmental Deferred Compensation Matching Plan and Trust Plan. (Fiscal Impact: \$236,000)
- Approved a \$2,000,000 grant from the Federal Aviation Administration (FAA) to be used for the Residential Sound Insulation (RSI) program. Accepted FAA Grant Agreement for Project No. AIP 3-06-0139-40. Authorized the City Manager to execute Agreement No. 3626.
- 10. Adopted Ordinance No. 1396 approving the issuance of a 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)
- 11. Awarded Contract No. 3620 to California Fence & Supply for the installation of security enclosures around reservoir hatches at the 6 million gallon water reservoir located at 301 Maryland Street. (Fiscal Impact: \$16,800) Authorized the City Manager to execute the construction contract on behalf of the City.
- 12. Awarded Contract No. 3621 to Trueline for the Recreation Park racquetball courts refurbishment at 339 Sheldon Street in the amount of \$26,589, Approved Capital Improvement Project Project No. PW 06-10. (Contract Amount: \$26,589) Authorized the City Manager to execute a Public Works contract with Trueline in a form as approved by the City Attorney.
- 13. Adopted plans and specifications for installation of a Telemetry System for the City's Water and Wastewater Divisions at 400 Lomita Street, approved Capital Improvement Program Project No. PW 06-01. (Fiscal Impact: \$125,000) Authorized staff to advertise the project for receipt of construction bids.
- 14. Adopted plans and specifications for 2005-2006 Slurry Seal of various Streets, approved Capital Improvement Program Project No. PW 06-09. (Estimated Cost: \$200,000) Authorized staff to advertise the project for receipt of construction bids.
- 15. Authorized the purchase of up to 39 mobile and handheld radios for the Fire Department on a sole source basis with grant funding provided by the U.S. Department of Homeland Security, Office of Domestic Preparedness (ODP), under the Urban Area Security Initiative (UASI) for the Fiscal Year 2005 Federal Budget Year (FY 2005). (Fiscal Impact: \$168,220) Pursuant to El Segundo Municipal Code Sec. 1-7-10, waived the bidding process based upon sole source vendor for specified radios.

16. Awarded Contract No. to 3622 Shaw Industries, Inc. in the amount of \$35,000 by piggybacking onto State of California Contract #4-97-72-0008A for re-carpeting the Youth Services Division and the Matsui Meeting Room at the El Segundo Public Library. Carpet selection will match the Library's main floor carpeting style which was installed in 2005, during the new meeting rooms and remodeling project. (Fiscal Impact: \$35,000). Authorized the City Manager to execute the contract in a form as approved by the City Attorney.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to approve Consent Agenda Items 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. MAYOR PRO TEM BUSCH AND COUNCIL MEMBER FISHER NOT PARTICIPATING IN ITEM 14 DUE TO THE LOCATION OF THEIR RESIDENCES.

#### CALL ITEMS FROM CONSENT AGENDA

- F. NEW BUSINESS
- 17. Consideration and possible action regarding the adoption of a Resolution establishing Utility Service Priority Regulations pursuant to Government Code § 65589.7 giving affordable housing developments priority access to existing sewer capacity and water supply.

Steve Finton, Public Works Director, gave a report,

MOTION by Council Member Boulgarides, SECONDED by Council Member Fisher, to adopt Resolution No. 4477 establishing the Utility Service Priority Regulations in accordance with Government Code § 65589.7. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Council consensus that Item 18 and 19 to be taken as one item.

18. Consideration and possible action regarding funding for the development of capital projects (fire station and athletic fields) on approximately six acres located on the northeast corner of Mariposa Avenue and Nash Street. (Fiscal Impact: \$9,800,000 estimated)

Jeff Stewart, City Manager, gave a report.

Kevin Smith, Interim Fire Chief, gave a report on the proposed fire station.

19. Consideration and possible action regarding a presentation from RJM Design Group related to the construction of an athletic facility at the northeast corner of Mariposa Avenue and Nash Street and recommendations from the Recreation and Parks Commission relative to the athletic facility.

Steve Finton, Pubic Works Director, gave a report.

Funding sources identified as follows:

\$9,800,000 in funding from Account Numbers 01-400-8202-8490 (\$5.9 million – Community Center, 302-400-8202-8998), (\$300,000 – Soccer Fields), and 301-400-8207-8645 (\$2.6 million – Fire Station #2)

Craig Sensenbach, RJM Design Group, gave a presentation.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to allocate \$500,000 for design of the new Fire Station #2. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Mayor Pro Tem Busch SECONDED by Council Member Boulgarides to allocate \$3.8 for construction and design of athletic fields at the northeast corner of Mariposa Avenue and Nash Street, contingent upon finding the balance of funds needed for construction of Fire Station #2. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR MCDOWELL, MAYOR PRO TEM BUSCH, COUNCIL MEMBERS BOULGARIDES AND FISHER; NOES; COUNCIL MEMBER JACOBSON.

20. Consideration and possible action regarding the authorization for the Police Department to purchase a Mobile Mutual Aid Emergency Response Vehicle for use by Area G law enforcement agencies utilizing Federal Homeland Security Grant Funds. (Fiscal Impact: \$255,000)

Mitch Tavera, Police Captain, gave a report.

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson, pursuant to El Segundo City Code Sec. 1-7-10, waive the bidding process based upon sole source vendor, Universal Specialty Vehicles, Inc. (USV), for a Mobile Mutual Aid Emergency Response Vehicle from the FY 2005 Urban Area Security Initiative (UASI) funds awarded to the El Segundo Police Department and authorize the City Manager to execute Professional Services Agreement No. 3623 approved by the City Attorney with USV. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- G. REPORTS CITY MANAGER Introduced Gary Chicots Interim Planning and Building Safety Director, and Rich Brunette, new Recreation and Parks Director.
- H. REPORTS CITY ATTORNEY NONE
- I. REPORTS CITY CLERK NONE
- J. REPORTS CITY TREASURER NONE
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Fisher – Spoke regarding Federal Grants.

Council Member Jacobson - NONE

Council Member Boulgarides – NONE

Mayor Pro Tem Busch – Spoke regarding the recent Little League All Star games.

Mayor McDowell – Stated he attended the recent Independent Cities Association Seminar.

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.

Brian Crowley, spoke regarding a sink hole on the proposed Athletic Fields. Also spoke regarding the TPG Development Agreement and stated TPG was required to provide parking for the fields. Also spoke regarding security and safety at the Athletic Fields.

Robert Stenson, resident, spoke regarding the Athletic Fields and the purchase price of the land. Also spoke against the proposed Aquatics Center at the High School.

Suzanne Fuentes, resident, spoke against the proposed Aquatics Center at the High School.

Anne Schmidt, resident, spoke in favor of an Aquatics Center but against the proposed location.

John Morton, resident, spoke regarding traffic and parking issues with the proposed Aquatics Center at the High School.

MEMORIALS – John Ryan, head of Public Affairs at the Los Angeles Air Force Base, Gary Chandler, Retired El Segundo Battalion Chief, Patricia Ann DuPuis, long-time resident of El Segundo, Vinnie Guzman, El Segundo Police Officer, and Marge Teisinger, resident.

CELEBRATION – Thomas Charles Ford, son of David and Linda Ford. Dad is Chief of Staff in Sacramento for Assemblyman Ted Lieu.

**CLOSED SESSION - NONE** 

ADJOURNMENT at 10: 45 p.m.

Cathy Domann, Deputy City Clerk