

# AGENDA EL SEGUNDO CITY COUNCIL COUNCIL CHAMBERS - 350 Main Street

The City Council, with certain statutory exceptions, can only take action upon properly posted and listed agenda items.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the **Public Communications** portion of the Meeting. During the first Public Communications portion of the Agenda, comments are limited to those items appearing on the Agenda. During the second Public Communications portion of the Agenda, comments may be made regarding any matter within the jurisdiction of the City Council. Additionally, the Public can comment on any Public Hearing item on the Agenda during the Public Hearing portion of such item. The time limit for comments is five (5) minutes per person.

Before speaking to the City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

Members of the Public may place items on the second Public Communications portion of the Agenda by submitting a **Written Request** to the City Clerk or City Manager's Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). Other members of the public may comment on these items only during this second Public Communications portion of the Agenda. The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, DECEMBER 19, 2006 - 5:00 P.M.

> Next Resolution # 4496 Next Ordinance # 1403

5:00 P.M. SESSION
CALL TO ORDER
ROLL CALL

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.

#### **CLOSED SESSION:**

The City Council may move 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

- 1. City of El Segundo v. 2221 Park Place, LASC Case No. BC319034
- 2. City of El Segundo vs. City of Los Angeles, et. al. LASC No. BS094279
- 3. Gilbreath v. El Segundo, LASC Case No. YC053692

#### **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): -0- matter

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

SPECIAL MATTERS: -0- matter



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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, DECEMBER 19, 2006 - 7:00 P.M.

Next Resolution # 4496 Next Ordinance # 1403

7:00 P.M. SESSION

CALL TO ORDER

**INVOCATION** – Pastor John Svendsen of First Baptist Church

PLEDGE OF ALLEGIANCE - Council Member Jim Boulgarides

#### PRESENTATIONS -

- (a) Proclamation honoring John and Shirley Williams, appointed by the City Council on October 17, 2006 as Honorary Citizens of El Segundo for their exemplary citizenry and volunteerism on behalf of the seniors of El Segundo and bestowing upon them the rights and privileges of a Senior citizen of our community.
- (b) Commendation presented 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.
- (c) Commendation to Darcy Fullmer and Mike Dugan in recognition of their service on the Library Board of Trustees and CIPAC, respectively.

#### **ROLL CALL**

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#### A. PROCEDURAL MOTIONS

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

Recommendation – Approval.

#### B. SPECIAL ORDERS OF BUSINESS

1. Consideration and possible action regarding a public hearing related to the Proposition 218 majority protest process relative to proposed increases to the City's water and wastewater rates for FY 2006-2007 through FY 2009-2010 and introduction of Ordinances setting the new water and wastewater rates if it is determined that no majority protest exists. (Potential Fiscal Impact = approximately \$570,000 loss in FY 2006-2007 water revenues and approximately \$560,000 loss in FY 2006-2007 wastewater revenues)

Recommendation: (1) Open the public hearing; (2) Receive all written and verbal testimony regarding the proposed fee increases; (3) Determine whether there is a majority protest against the proposed fee increases and adopt a resolution certifying the

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protest ballot results; (4) If no majority protest exists, introduce an Ordinance setting the amount of water rates and charges pursuant to Health and Safety Code § 5471 and El Segundo Municipal Code §11-1-5; and (5) If no majority protest exists, introduce an Ordinance setting the amount of wastewater rates and charges pursuant to Health and Safety Code § 5471 and El Segundo Municipal Code §12-7-3; (6) Alternatively, discuss and take other action related to this item.

#### C. UNFINISHED BUSINESS

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
  - 2. Consideration and possible action regarding the Annual Report of the Community Cable Advisory Committee. Oral presentation to be made by the Committee Chairman. (Fiscal Impact: None)

Recommendation – (1) Receive and file the Annual Report of the Community Cable Advisory Committee; (2) Alternatively, discuss and take other action related to this item.

#### 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. Warrant Numbers 2556730 to 2556984 on Register No. 5 in the total amount of \$1,152,372.24 and Wire Transfers from 11/23/2006 through 12/07/2006 in the total amount of \$659,397.40.

Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

4. Regular City Council Meeting Minutes of December 5, 2006.

Recommendation - Approval.

- 5. Consideration and possible action to retain Bob Murray & Associates to conduct an executive search for the position of Director of Planning and Building Safety Services and authorize the City Manager to extend the agreement with Gary Chicots to continue serving as Interim Director of Planning and Building Safety Services during the recruitment process. (Fiscal Impact: Estimated \$25,000)
  - Recommendation (1) Authorize the City Manager to execute a professional services agreement, in a form approved by the City Attorney, with Bob Murray & Associates for an amount not to exceed \$25,000; (2) Authorize the City Manager to extend an agreement with Gary Chicots to continue serving as Interim Director of Planning and Building Safety Services; (3) Alternatively, discuss and take other action related to this item.
- 6. Consideration and possible action regarding adoption of the Resolutions per the Board of Administration of the Public Employees' Retirement System (PERS) to continue paying and reporting the value of Employer Paid Member Contribution (EPMC) for all City employees and to tax defer member paid contributions. (Fiscal Impact: None)

Recommendation – (1) Adopt the required Resolutions; (2) Alternatively, discuss and take other action related to these items.

7. Consideration and possible action regarding a status report on the options under evaluation for replacing the Imperial Avenue video surveillance system utilized for monitoring LAX aircraft overflights of El Segundo. (Fiscal Impact: None)

Recommendation – (1) Receive and file status report on aircraft surveillance system upgrade project; (2) Alternatively, discuss and take other action related to this item.

- 8. Consideration and possible action regarding award of contracts to: G&G Specialty Contractors, Inc. for construction related to Group 14 (29 residences) and Group 18 (27 residences), Tron Construction, Inc. for construction related to Group 15 (25 residences) and Group 16 (30 residences), and S&L Specialty Contracting, Inc. for construction related to Group 17 (27 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction cost and retention: \$6,990,252)
  - Recommendation (1) Award contract to G&G Specialty Contractors, Inc. for Group 14; (2) Award contract to Tron Construction, Inc. for Group 15; (3) Award contract to Tron Construction, Inc. for Group 16; (4) Award contract to S&L Specialty Contracting, Inc. for Group 17; (5) Award contract to G&G Specialty Contractors, Inc. for Group 18; (6) Authorize the City Manager to execute construction contracts in a form approved by the City Attorney; (7) Alternatively, discuss and take other action related to this item.

9. Consideration and possible action regarding the approval of a Professional Services Agreement between Keyser Marston Associates and the City to provide consulting services (economic analysis) for the City relating to Phase II of the Plaza El Segundo proposed development (located at the northeast corner of Sepulveda Boulevard and Rosecrans Avenue between 750-850 S. Sepulveda Boulevard). (Fiscal Impact: \$15,000)

Recommendation – (1) Authorize the City Manager to sign a Professional Services Agreement approved as to form by the City Attorney; (2) Alternatively, discuss or take other actions related to this item.

 Consideration and possible action regarding acceptance of the project for installation of security enclosures around reservoir hatches at the six million gallon water reservoir located at 301 Maryland Street – Project No. PW 06-08. (Final Contract Amount: \$16,800)

Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file the City Engineer's Notice of Completion in the County Recorder's Office; (3) Alternatively, discuss and take other action related to this item.

11. Consideration and possible action to award a Public Works Contract to MG Enterprizes for the replacement of blue stone crosswalks in the intersection of Grand Avenue at Main Street. Approved Capital Improvement Project No. PW 06-12 (Contract Amount: \$72,900)

Recommendation – (1) Authorize the City Manager to execute a Public Works Contract in a form as approved by the City Attorney with MG Enterprizes in the amount of \$72,900 for the replacement of Blue Stone; (2) Alternatively, discuss and take other action related to this item.

12. Consideration and possible action regarding acceptance of the project for the 2005-2006 Annual Contract for City-wide Sidewalk, Curb, Curb and Gutter, Handicap Access Ramps and other Minor Improvements – Project No. PW 06-05. (Final Contract Amount: \$92,386)

Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file the City Engineer's Notice of Completion in the County Recorder's Office; (3) Alternatively, discuss and take other action related to this item.

#### CALL ITEMS FROM CONSENT AGENDA

#### F. NEW BUSINESS

13. Consideration and possible action regarding the approval of a Professional Services Agreement between JAS Pacific, Inc. and the City of El Segundo for building inspector services. (Fiscal Impact: \$25,000)

Recommendation – (1) Authorize the City Manager to sign a Professional Services Agreement approved as to form by the City Attorney; (2) Alternatively, discuss and take other action related to this item.

- G. REPORTS CITY MANAGER
- H. REPORTS CITY ATTORNEY NONE
- I. REPORTS CITY CLERK
- J. REPORTS CITY TREASURER
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Fisher -

Council Member Jacobson -

Council Member Boulgarides -

Mayor Pro Tem Busch -

Mayor McDowell -

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

Recommendation – Approve request by Mr. S. Claus for a waiver of the permits required for doing business within the City of El Segundo as follows; or, alternatively, discuss and take other action related to this item. 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 6-5-11 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.

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#### **MEMORIALS** -

#### **CLOSED SESSION**

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### REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

**ADJOURNMENT** 

POSTED:

DATE

TIME

NAME.

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