REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, DECEMBER 5, 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
Council Member Boulgarides - Absent

Council Member Fisher - Present – Arrived at 5:01 p.m.

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.

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 vs. City of Los Angeles, et. al. LASC No. BS094279 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): -0- 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, DECEMBER 5, 2006 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION - Chaplain, Major Warren "Chappy" Watties of the Los Angeles Air Force Base

PLEDGE OF ALLEGIANCE – Council Member Bill Fisher

PRESENTATIONS -

- a. Council Member Fisher presented a Proclamation to Julie Warner inviting the community to all the traditional El Segundo holiday events and proclaiming Sunday, December 10, 2006 as the 43rd Annual El Segundo Holiday Parade.
- b. Council Member Jacobson presented a Proclamation to Warren Boone, of the Loyal Order of the Moose, inviting the residents of El Segundo to warmly welcome the members of the Loyal Order of the Moose - El Segundo Moose Lodge as they judge the 2006 Lighting Up the Community program and proclaiming December, 2006 the month for Lighting Up the Community.
- c. Mayor Pro Tem Busch presented a Commendation to Robert Combs, Police Department's RSVP of the Year for his invaluable contributions to the Retired Senior Volunteer Program.
- d. Council Member Boulgarides presented a Proclamation to Kevin Mortesen in keeping with the annual El Segundo holiday tradition to symbolically change the name of the 1200 block of Acacia to Candy Cane Lane, in order to create a snow-covered Christmas Village for the period of Saturday, December 9, 2006 at 7:00 pm through Saturday, December 23, 2006.

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.

Liz Garnholz, resident, spoke regarding Item No. 3, construction of an Athletic Facility at the northeast corner of the intersection of Mariposa Avenue and Nash Street. Requested clarification regarding the fiscal impact.

Kitty Crowley, resident, spoke regarding the grading of the Athletic Field and the soil used.

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 (Public Hearing) on the proposed projects and budget for the 2007-2008 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2007-2008 is approximately \$90,000. Estimated General Fund appropriation is \$49,750.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing on the proposed projects and budget for the 2007-2008 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2007-2008 is approximately \$90,000. Estimated General Fund appropriation is \$49,750. Clerk Mortesen stated that proper notice was completed and no written communications had been received in the City Clerk's Office.

Tina Gall, CDBG Consultant, 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

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to adopt the new 2007-2008 CDBG projects and budget, including the appropriation of \$49,750 of unallocated General Fund monies (from the exchange of CDBG funds) and authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

2. Consideration and possible action to approve a professional services agreement with RRM Design Group in the amount of \$551,110 to provide architectural design services for the replacement of Fire Station 2. (Fiscal Impact: \$551,110)

Fire Chief Kevin Smith gave a report.

MOTION by Council Member Boulgarides, SECONDED by Mayor Pro Tem Busch to authorize the City Manager to execute a Professional Services Agreement No. 3679 with RRM Design Group in the amount of \$551,110 in a form as approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

3. Consideration and possible action regarding the award of a construction contract to Ohno Construction Company in the amount of \$4,560,387.30 for construction of an Athletic Facility at the northeast corner of the intersection of Mariposa Avenue and Nash Street and the appropriation of additional funds in the amount of \$930,000 for the project. (Fiscal Impact: \$4,725,000; construction contract plus contingency).

Steve Finton, Public Works Director, gave a report.

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to waive minor irregularities in the bid received from Ohno Construction Company; Reject the bid protests received from bidders Ford E.C. Inc. and Valley Crest Landscape Development; Authorize the City Manager to execute a Public Works Agreement No. 3680 with Ohno Construction Company in the amount of \$4,560,387.30 in a form approved by the City Attorney for construction of the Athletic Facility and authorize a construction contingency in the amount of \$164,612.70 for unforeseen additional work; Appropriate Traffic Mitigation Funds in the amount of \$350,000 to the Douglas Street Gap Closure Project (Account #301-400-8203-8949) from funds currently appropriated to Morgan Stanley Traffic Projects (Account #301-400-8141-8948); Appropriate Federal Transportation Funds (SAFETEA-LU Funds) in the amount of \$1,020,000 to the Douglas Street Gap Closure Project (Account #301-400-8203-8949); Appropriate General Funds in the amount of \$890,000 to the El Segundo Athletic Facility project (Account #301-400-8202-8998) from funds currently appropriated to the Douglas Street Gap Closure Project (Account #301-400-8203-8949); and appropriate General Funds in the amount of \$40,000 to the El Segundo Athletic Facility project (Account #301-400-8202-8998) from funds currently appropriated for construction of retaining walls at Recreation Park (Account #301-400-8202-8996). MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Council directed staff to return in January 2007 with recommendations for potential funding options for the Fire Station No. 2 project, including potential external funding, re-allocation of existing funding and/or pursuing the sale of naming rights for the facility.

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
 - 4. Consideration and possible action regarding the positions on Committees, Commissions and Boards (CCBs) that will expire in the year 2007.

MOTION by Council Member Boulgarides, SECONDED by Mayor Pro Tem Busch to direct staff to open the recruitment process for the positions on the CCBs, as listed, beginning January, 2007. 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.

- 5. Approved Warrant Numbers 2556470 to 2556729 on Register No. 04 in the total amount of \$2,122,747.94 and Wire Transfers from 11/10/2006 through 11/22/2006 in the total amount of \$1,482,422.74. 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 Regular City Council Meeting Minutes of November 21, 2006.
- 7. PULLED FOR DISCUSSION BY COUNCIL MEMBER BOULGARIDES
- 8. Authorized the City Manager to enter into an Agreement No. 3678 with US Bank as part of the State of California's Procurement Card (Cal Card) Program for the period December 22, 2006 through December 21, 2011, with one optional two-year extension, as approved to form by City Attorney; and authorized City Manager to sign Addendum to State of California Purchase Card Program Master Services Agreement (DGS MSA 5-06-99-01) as approved to form by City Attorney
- 9. Rejected bid from S&L Specialty Contracting, Inc. for Group 12. Awarded Contract No. 3676 to NSA Construction Group, Inc. for Group 12. Awarded Contract No. 3677 to NSA Construction Group, Inc. for Group 13. Authorized the City Manager to execute construction contracts in a form approved by the City Attorney.
- 10. PULLED BY CITY ATTORNEY UNTIL THE NEXT COUNCIL MEETING AGENDA

MOTION by Council Member Boulgarides, SECONDED by Mayor Pro Tem Busch to approve Consent Agenda Items 5, 6, 8 and 9. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0.

CALL ITEMS FROM CONSENT AGENDA

7. Consideration and possible action to adopt Ordinance No. 1402 amending the El Segundo Municipal Code § 1-4-4 to allow City Council meetings scheduled for the same date as any regular or special election as defined by Elections Code § 318 to be held on election day. (Fiscal Impact: None)

MOTION by Council Member Jacobson, SECONDED by Mayor McDowell to adopt Ordinance No. 1402 amending the El Segundo Municipal Code § 1-4-4 to allow City Council meetings scheduled for the same date as any regular or special election as defined by Elections Code § 318 to be held on election day. MOTION FAILED BY THE FOLLOWING VOICE VOTE: AYES: MAYOR MCDOWELL AND COUNCIL MEMBER JACOBSON; NOES: MAYOR PRO TEM BUSCH, COUNCIL MEMBER BOULGARIDES AND FISHER. 2/3

F. NEW BUSINESS

11. Consideration and possible action regarding the City of El Segundo's 90th Anniversary and proposed components pertaining to a special event planned for January 18, 2007; and the year-long promotion and celebration of the Anniversary. (Fiscal Impact: \$12,800)

Richard Brunette, Recreation and Parks Director, gave a report.

MOTION by Council Member Boulgarides, SECONDED by Council Member Fisher to approve use of a modified City Seal and a 90th Anniversary Logo representing the City's anniversary, the use of which would both sunset on January 18, 2008 and approve an anticipated budget for a celebratory special event on January 18, 2007, and for promotional items related to the year-long anniversary. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- G. REPORTS CITY MANAGER Announced the appointment of Dave Cummings as the new Police Chief.
- H. REPORTS CITY ATTORNEY NONE
- I. REPORTS CITY CLERK
- 12. Consideration and possible action requesting Council consensus to cancel the January 2, 2007 City Council meeting.

City Clerk Cindy Mortesen gave a report.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Boulgarides to approve cancellation of the January 2, 2007 Meeting. 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

- J. REPORTS CITY TREASURER NONE
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Fisher - Wished Happy Holidays to all.

Council Member Jacobson - NONE

Council Member Boulgarides – Reported on resident complaint regarding speeding on Main Street. Spoke regarding Vistamar School and offering of Mandarin foreign language classes to El Segundo High School students. Also requested staff to report back on Public Hearing Policy.

Mayor Pro Tem Busch – Congratulated Dave Cummings on his appointment as new Police Chief. Requested staff report back with ASNAC recommendations for monitoring LAX early turns.

Mayor McDowell – Congratulations to Dave Cummings on his appointment as new Police Chief. Requested report back with information from the school district regarding number of permit students of military personnel.