REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 19, 2007 - 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 - 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:

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

MOTION by Council Member Jacobson, SECONDED by Mayor Pro Tem Busch to appoint Mark Hensley, City Attorney, as labor negotiator regarding the terms and conditions of the City Manager's employment contract. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

2. Consideration and possible action to appoint the City Manager as labor negotiator for terms and conditions of employment of unrepresented management/confidential employees (City employees who are not members of bargaining units).

MOTION by Mayor McDowell, SECONDED by Mayor Pro Tem Busch to appoint Jeff Stewart, City Manager, as labor negotiator for terms and conditions of employment of unrepresented management/confidential employees (City employees who are not members of bargaining units). MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, announced that Council would be meeting in closed session pursuant to items identified on the agenda.

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

- 1. City of El Segundo vs. City of Los Angeles, et. al. LASC No. BS094279
- 2. Solomon vs. City of El Segundo LASC No. BC372401

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -1- matter.

DISCUSSION OF PERSONNEL MATTERS – EVALUATION OF PUBLIC EMPLOYEE (Gov't Code §54957): -1- matter Position: City Manager

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -2- matter

1. Labor Negotiator: Jeff Stewart, City Manager

Unrepresented Employees: Management/Confidential Employees (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

Council moved to open session at 6;00 p.m.

SPECIAL MATTERS: -1- matter

1. Interview of candidates and potential appointments to the Recreation and Parks Commission, Planning Commission, Library Board of Trustees, Senior Citizen Housing Corporation Board and Investment Advisory Committee. [Note: the interviews will commence at approximately 5:45 p.m. and take place in the Council Conference Room located adjacent to the Council Chambers.]

Council consensus to re-appoint Dave Wagner to the Planning Commission, for a full term to expire May 30, 2011 and Suzanne Fuentes to the Planning Commission for a partial term to expire June 30, 2008.

Council consensus to postpone interviews for the Recreation and Parks Commission and Senior Citizen Housing Corporation Board until July 17, 2007.

Council consensus to postponed interviews of Investment Advisory Committee, Community Cable Advisory Committee and Capital Improvement Program Advisory Committee until October 16, 2007.

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to extend the term of Recreation and Parks Commissioner Randall until it is filled. MOTION PASSED BY UNANIMOUS VOICE VOTE.

Council recessed at 6:55 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL TUESDAY, JUNE 19, 2007 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION - Pastor Brandon Cash, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE - Councilmember Jim Boulgarides

PRESENTATIONS -

- a. Proclamation by the Mayor and Members of the City Council presented by Council Member Jacobson to Kevin Smith, Fire Chief, proclaiming Saturday, June 23, 2007 as Super CPR Saturday to encourage participation in Cardio-Pulmonary Resuscitation training.
- b. Proclamation by the Mayor and Members of the City Council presented by Council Member Fisher to Debbie Bundy, Chairman, Recreation and Parks Commission, proclaiming July as Parks & Recreation 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.

Joe Svezia, Resident; spoke in favor of restricting the parking of recreations vehicles, boats, trailers, and commercial vehicles on residential streets.

John Coppelman, President Del Aire Neighborhood Association; spoke regarding businesses at 118th Place and Aviation Boulevard and the proposed medical marijuana dispensary on the property. Requested Council assistance in opposing the issuance of this permit.

Dr. Michelle Rogers, Rotary; announced the annual "Movie in the Park" on Saturday, August 4, 2007 at Chevron Park, "Night at the Museum".

Dave Burns, Resident; Spoke regarding the Disaster Council and requested City Council adopt national standards of emergency preparedness to upgrade their preparedness. He stated that he felt that the Disaster Council needed to have better representation from large and small businesses.

Keith and Kaitlyn Covington, Residents; spoke regarding the recent announcement that El Segundo had the 4th worst air quality in the State.

Lilly Ronney, Senior El Segundo High School, member of Mr. Craig Gaste's, Political Behavior Class, spoke regarding a school project to review the filming procedures in El Segundo. Requested Council not restrict filming permits that profit the School District and also requested to be a part of the sub-committee reviewing the process.

Suzanne Fuentes, Resident; supported the film permit review sub-committee.

A. PROCEDURAL MOTIONS

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

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOTE. 5/0

- B. SPECIAL ORDERS OF BUSINESS
- C. UNFINISHED BUSINESS
- Consideration and possible action regarding the review of surrounding agency graffiti abatement policies and consideration of a graffiti abatement policy for the City of El Segundo. (Fiscal Impact: None)

Council consensus to receive and file a report regarding graffiti abatement policies of surrounding agencies for possible implementation in El Segundo. Directed Staff to return at the July 17, 2007 meeting with an Ordinance that includes restitution measures and directed Staff to establish a hot line, and on-line reporting capability. Also directed the Police Department to review prevention, detection and prosecution methods that have worked in other cities.

2. Consideration and possible action regarding the approval of an amendment to the existing Memorandum of Understanding for increased grant funding and approval of Contract Change Orders in conjunction with the Douglas Street Gap Closure Project. (Fiscal Impact: \$390,675 in Change Orders and \$5,380,500 in additional grant funding.

Steve Finton, Public Works Director, gave a report.

MOTION by Council Member Boulgarides, SECONDED by Mayor ProTem Busch to authorize the City Manager to execute Amendment No. 3000A to MOU/LOA P0006330[CFP#6330] in a form as approved by the City Attorney to provide additional grant funding in the amount of \$5,380,500; Appropriate grant funding in the amount of \$5,380,500 to the Douglas Street Gap Closure Project; Authorize the Director of Public Works to execute Change Order Numbers 10-1, 18, 19, 20, 21 and 22 to the existing Public Works Agreement No. with SEMA Construction, Inc., in the total amount of \$390,675. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

2a. Consideration and possible action regarding approving minor use and development standard deviations to the proposed Plaza El Segundo Development Agreement ("Agreement") in accordance with Section 4.2.2. of the Agreement for the property located at 710-850 South Sepulveda Boulevard: 700-740 Allied Way; and 2005-2015 East Park Place. Applicant: Rosecrans-Sepulveda Partners, 2, LLC and Rosecrans-Sepulveda Patners, 3, LLC. (Fiscal Impact: None)

Mark Hensley, City Attorney, gave a report.

MOTION by Mayor ProTem Busch, SECONDED by Council Member Boulgarides to approve the proposed Agreement No. 3455B Operating Memorandum No. 1 to provide for minor use and development standard deviations to the Agreement. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

- D. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS
- Consideration and possible action regarding the announcement of the appointment of candidates to the Recreation and Parks Commission, Planning Commission, Library Board of Trustees and Senior Citizen Housing Corporation Board, and postponing interviews for Investment Advisory Committee, Community Cable Advisory Committee and Capital Improvement Program Advisory Committee until October 16, 2007.

Mayor McDowell announced the re-appointment of Dave Wagner to the Planning Commission, for a full term to expire May 30, 2011 and Suzanne Fuentes to the Planning Commission for a partial term to expire June 30, 2008.

Announced interviews for the Recreation and Parks Commission and Senior Citizen Housing Corporation Board were postponed until July 17, 2007 and interviews of Investment Advisory Committee, Community Cable Advisory Committee and Capital Improvement Program Advisory Committee were postponed until October 16, 2007. Approved the extension of the term for the current Recreation and Parks Commissioner until filled.

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.

- 4. Approved Warrant Numbers 2559965 to 2560188 on Register No. 17 in the total amount of \$1,441,876.79 and Wire Transfers from 5/25/07 through 6/7/07 in the total amount of \$937,504.07. 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
- 5. PULLED FOR DISCUSSION BY CLERK MORTESEN.
- 6. Awarded Contract No. 3722 to Palp, Inc., DBA Excel Paving Company for the reconstruction of Virginia Street between Sycamore Avenue and Maple Avenue to enhance drainage Approved Capital Improvement Program Project No. PW 07-04. (Fiscal Impact: \$86,993)
- 7. Approved Amendment No. 1 to a Memorandum of Understanding (MOU) No. 3571A between City of El Segundo and the Los Angeles County Metropolitan Transportation Authority (MTA) setting the terms and conditions to increase the amount of grant funding to \$3,250,000 for the Nash Street/Douglas Street One-Way to Two-Way Street Conversion Project and approval of a expenditure of Traffic Mitigation fees of \$1,750,000 to cover the required 35% local match. METRO MOU No. P0008079 (Fiscal Impact: MTA Grant Revenue of \$3,250,000 and Traffic Mitigation fees \$1,750,000) Authorized the City Manager to execute the amendment approved as to form by the City Attorney. Approved expenditure of Traffic Mitigation fees in the amount of \$1,750,000 to cover the required 35% local match.
- 8. Adopted Resolution No. 4510 amending Resolution No. 4162 restricting parking on Coral Circle from 10:00 p.m. to 5:00 a.m. (Fiscal Impact: \$2,000, sign installation cost)
- PULLED FOR DISCUSSION BY MAYOR MCDOWELL. MAYOR PROTEM BUSCH NOT PARTICIPATING DUE TO A POTENTIAL CONFLICT REGARDING THE LOCATION OF HIS RESIDENCE.
- 10. PULLED FOR DISCUSSION BY MAYOR MCDOWELL.
- 11. PULLED FOR DISCUSSION BY COUNCIL MEMBER BOULGARIDES.
- 12. Adopted Resolution No. 4512 amending Resolution No. 4499 per the Board of Administration of the Public Employees' Retirement System (PERS). The amendment revises the Resolution to be consistent with the City's PERS (Public Employees Retirement System) reporting requirements regarding the Employer Paid Member Contribution (EPMC). (Fiscal Impact: None)
- 13. Adopted Resolution No. 4511 appointing Mayor Kelly McDowell, City Manager Jeff Stewart, or designee, to serve as board member, alternate board member and substitute alternate board member on the Independent Cities Risk Management Association (ICRMA) government board.

- 14. Received and filed a determination that the City Council does not protest the issuance of a new Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol (Type 41 On-Sale Beer and Wine) at a new restaurant located at 225 Richmond Street, EA No. 747 and AUP No. 07-04. Applicant: Neil Cadman
- 15. Adopted plans and specifications for the Nash Street/Douglas Street One-Way to Two-Way Street Conversion Project. Approved Capital Improvement Program. Project No. PW 07-09. (Fiscal Impact: MTA Grant Revenue of \$3,250,000 and Traffic Mitigation fees \$1,750,000) Authorized staff to advertise the project for receipt of bids.
- 16. PULLED FOR DISCUSSION BY COUNCIL MEMBER BOULGARIDES.

MOTION by Council Member Fisher, SECONDED by Mayor ProTem Busch to approve Consent Agenda Item Numbers 4, 6, 7, 8, 12, 13, 14, and 15. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

5. Regular City Council Meeting Minutes of June 5, 2007.

Clerk Mortesen read the following correction into the record of the Council Meeting Minutes of June 5, 2007 under Council Reports: "Council Member Fisher expressed concerns regarding the ongoing Edison equipment problems. Asked staff to contact Edison and recommend that they inspect all El Segundo power poles to address safety issues."

MOTION by Mayor ProTem Busch, SECONDED by Council Member Boulgarides to approve the Regular City Council Meeting Minutes of June 5, 2007 as corrected. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mayor ProTem Busch left the Dias due to a potential conflict regarding the location of his residence.

9. Consideration and possible action regarding approval of an Amendment to a Pipeline License Agreement (Contract 2478) with Air Products Manufacturing Corporation in a form as approved by the City Attorney to extend the length of pipelines in Kansas Street (377 additional feet) and Grand Avenue (168 additional feet) to provide nitrogen, hydrogen and compressed air service to facilities operated by International Rectifier Corporation at 1521 Grand Avenue per Environmental Assessment No. 751 and Smoky Hollow Specific Plan Review No. 07-03 as approved by the Planning Commission. (Fiscal Impact: \$5,400, annual license fee)

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to approve Amendment No. B to a Pipeline License Agreement (Contract 2478) with Air Products Manufacturing Corporation in a form as approved by the City Attorney to extend the length of pipelines in Kansas Street (377 additional feet) and Grand Avenue (168 additional feet) to provide nitrogen, hydrogen and compressed air service to facilities operated by International Rectifier Corporation at 1521 Grand Avenue per Environmental Assessment No. 751 and Smoky Hollow Specific Plan Review No. 07-03 as approved by the Planning Commission. (Fiscal Impact: \$5,400, annual license fee) MOTION PASSED BY THE FOLLOWING VOICE VOTE; AYES: MCDOWELL, JACOBSON, FISHER AND BOULGARIDES; NOT PARTICIPATING: MAYOR PROTEM BUSCH. 4/0/1

Mayor ProTem Busch returned to the Dias.

10. Consideration and possible action to accept a cash contribution from Chevron Products Company, donated to the El Segundo Fire Department in support of Super CPR Saturday (Cardio-Pulmonary Resuscitation; \$1,000) and Suppression Training (\$3,056.45). (Fiscal Impact: \$4,056.45) Authorized the City Manager to transfer the monies into the CPR General Fund account and Suppression Training account.

MOTION by Mayor McDowell, SECONDED by Council Member Boulgarides to accept a cash contribution from Chevron Products Company, donated to the El Segundo Fire Department in support of Super CPR Saturday (Cardio-Pulmonary Resuscitation; \$1,000) and Suppression Training (\$3,056.45). (Fiscal Impact: \$4,056.45) Authorized the City Manager to transfer the monies into the CPR General Fund account and Suppression Training account. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

11. Consideration and possible action to approve the use of the City of El Segundo logo and vehicle graphics of the El Segundo Fire Department on a new special edition "Hot Wheels" die-cast replica toy fire vehicle, to be designed and produced by Mattel, Inc. (Fiscal Impact: None)

MOTION by Council Member Boulgarides, SECONDED by Mayor McDowell to approve the use of the City of El Segundo logo and vehicle graphics of the El Segundo Fire Department on a new special edition "Hot Wheels" die-cast replica toy fire vehicle, License Agreement No.3724, subject to return to Council for design approval. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

16. Consideration and possible action regarding the acceptance of a \$5,000 donation from the Continental Development Corporation for the Girl Scout House Camp Eucalyptus. (Fiscal Impact: Acceptance of the \$5,000 donation)

MOTION by Council Member Boulgarides, SECONDED by Mayor ProTem Busch to accept a \$5,000 donation from the Continental Development Corporation for the Girl Scout House Camp Eucalyptus. (Fiscal Impact: Acceptance of the \$5,000 donation) MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

- G. REPORTS CITY MANAGER NONE
- H. REPORTS CITY ATTORNEY Announced City Council in closed session approved the City defending the action in the matter of Solomon vs. City of El Segundo LASC No. BC372401.
- I. REPORTS CITY CLERK Reminded Council and the public the next regular Council meeting would be July 17, 2007. The July 3, 2007 meeting was canceled.
- J. REPORTS CITY TREASURER NONE
- K. REPORTS CITY COUNCIL MEMBERS

Council Member Fisher – Wished the community a great summer.

Council Member Jacobson – Spoke regarding the need to drive safely with children out of school for the summer.

Council Member Boulgarides -

Requested staff agendize a report on air quality monitoring options.

Requested public support of the Senate Bill for free parking for veterans.

Reported on the Disaster Council Meeting.

17. Consideration and possible action regarding development of environmental and energy efficiency policies related to the purchase, operation and maintenance of City-owned vehicles, equipment and infrastructure. (Fiscal Impact: None)

Council received and filed the report.

Requested staff develop a City policy, stating goals and objectives, related to energy efficiency measures to be implemented by the City.

Requested a summary of the El Segundo's, along with other cities' procedures, rules and regulations regarding parking enforcement of recreational vehicles, boats, commercial vehicles and trailers. Also requested a summary of other cities.

Mayor Pro Tem Busch – Spoke regarding the upcoming July 4th celebration and fire works. Congratulated all the El Segundo school graduates.

Mayor McDowell – Thanked staff and schools for their support of El Segundo's annual City Government Presentations to 3rd and 5th grade students.

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Dave Burns, Resident; further spoke regarding the Disaster Council and his concerns.

Ralph Lanphere announced the annual "Clean up of the Beach" this Saturday sponsored by NRG Power and Kiwanis Club.

MEMORIALS - Owen Winfred Lambert and Mary Anna Riley Kent.

CLOSED SESSION - NONE

ADJOURNMENT at 8:25 p.m.

Cindy Mortesen, City Clerk