

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 16, 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. - NONE

Mark Hensley, City Attorney, announced that Council would be meeting in closed session pursuant to items identified on the agenda and Government Code §54956.9(b) item was a threat of litigation Verison Claim No. 07-49.

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)) –
-1- matters

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 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 (Gov't Code §54957): -0- matters

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 6:50 p.m.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, OCTOBER 16, 2007 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor SeHee Han, United Methodist Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch

PRESENTATIONS –

- a. Mayor Pro Tem Busch presented a Proclamation to announce Halloween Frolic on Main Street El Segundo on Wednesday, October 31, 2007 from 4:00 p.m. to 7:00 p.m.
- b. Certificate of Recognition to City Council from the American Cancer Society for their support of their 1st annual Relay For Life event.

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. C2 – El Segundo Power II LLC subsidiary of NRG Energy Inc. Questioned how many tons of particulate matter would be released under new design, how many tons of volatile particles would be released, was there going to be an EIR, and when and where would a public hearing be held.

Chris Powell, El Segundo School Board Member and Chamber of Commerce President, expressed appreciation of the Memorandum of Understanding and Joint Use Agreement with the School District which was on the agenda tonight for Council approval. Announced upcoming Chamber Mixers and El Segundo Citizen of the Year award nominations which were due October 22, 2007.

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 Fisher 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

ITEM NO. 2 BROUGHT FORWARD ON THE AGENDA

2. Receive a progress report from El Segundo Power II LLC, a wholly owned subsidiary of NRG Energy Inc., on status of the El Segundo Power Redevelopment Project. (Fiscal Impact: None)

Council received and filed an oral status report from Ed Hermann, Regional Director Business Development, El Segundo Power II LLC.

Mr. Hermann noted that plant emissions issue would be addressed in the California Energy Commission's (CEC) Staff Assessment Report in November 2007 and that the EIR would be addressed by the CEC. Also stated that there would be a CEC Staff Assessment Noticed and a Workshop conducted in December 2007 and in February 2008 a CEC Hearing would be conducted. Mr. Hermann also stated that documents were available on-line and in the El Segundo Public Library.

1. Consideration and possible action on an update of the City of El Segundo's emergency readiness and capability. Fiscal Impact: None

Kevin Smith, Fire Chief, gave a report.

Council consensus to receive and file an update of the City's emergency readiness and capability.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

3. Consideration and possible action regarding Downtown Committee status report and recommendations for Downtown El Segundo gateway signage design. (Fiscal Impact: None).

Chris Bennett, Downtown Committee, gave an introduction. Julian Ryder, City Adworks gave a presentation.

MOTION by Council Member Boulgarides, SECONDED by Mayor McDowell to receive and file a progress report from the Downtown Committee; Approve revised gateway signage design concepts; Authorize City Adworks to develop gateway signage plans and specifications; Direct City Manager to develop a gateway signage implementation plan and schedule for approved gateway signage locations; Authorize City Manager to negotiate agreements and accept developer-financed gateway signage improvements at approved locations. 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

Council directed staff to develop an overall strategy for Gateway Signage. City Adworks to return with additional scope of work for additional funding.

4. Consideration and possible action regarding a recommendation by the Aviation Safety and Noise Abatement Committee to appoint two new members to the Commission. (Fiscal Impact: None)

Liz Garnholz, Aviation Safety and Noise Abatement Committee Chair, responded to Council questions.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to approve the nomination of Mr. Mike Murphy and Ms. Iwonka Palusinski to the Aviation Safety and Noise Abatement Committee. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Staff to return to Council with an update on Video Monitoring Equipment.

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 2561920 to 2562171 on Register No. 1 in the total amount of \$2,539,301.25 and Wire Transfers from 9/20/2007 through 10/04/2007 in the total amount of \$565,212.68. 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 October 2, 2007.

7. Approved a three year Labor Agreement between the City of El Segundo and the El Segundo City Employees Association. Fiscal Impact: \$770,000 over three years. Adopted Resolution No.4527 approving Memorandum of Understanding (MOU) No. 3763. Adopted Resolution No. 4528 establishing new salary ranges for Water Maintenance Worker I/II, Wastewater Maintenance Worker I/II, Water Maintenance Leadworker, Wastewater Maintenance Leadworker and Street Maintenance Leadworker. Approved class specifications for Equipment Mechanic II, Fire Equipment Mechanic, Meter Reader/Repairer, Street Maintenance Leadworker, Street Maintenance Worker I/II, Tree Maintenance Worker, Wastewater Maintenance Leadworker, Wastewater Maintenance Worker I/II, Water Maintenance Leadworker and Water Maintenance Worker I/II.
8. Approved examination plan for the Personnel Merit System job classification of Civil Engineering Associate. (Fiscal Impact: None)
9. Adopted Resolution No. 4529 to correct and establish the monthly salary range for the job classification of Geographic Information Systems Analyst. (Fiscal Impact: \$94,000)
10. Approved a bid withdrawal for Stephen Doreck Equipment Rentals, Inc. in accordance with Public Contract Code § 5101 and award a public works project Contract No. 3764 to John T. Malloy, Inc. for Replacement of Water Mains, located at the 600-700 block of Lomita and Sierra Streets, 800 block of Bungalow Drive, 800 block of Maryland Street and 900-1000 block of Walnut Avenue in the amount of \$742,125.00. Approved Capital Improvement Project - Project No. PW 07-10. (Contract Amount = \$742,125.00). Authorized the City Manager to execute a Standard Public Works Contract in a form as approved by the City Attorney.
11. Accepted the work as complete for water mixers in the 3.1 Million Gallon Circular Tank and the 6.3 Million Gallon Reservoir at 400 Lomita Street. Capital Improvement Program RFP No. 07-05. Water Project No. 7103-8229 (Final Contract Amount = \$179,000.00) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
12. Awarded public works project Contract No. 3765 to Ace Electric, Inc. for replacing of field lighting and the centerfield scoreboard at the Recreation Park Baseball Field (Stevenson Field) on the west side of Eucalyptus Street between Grand Avenue and Pine Avenue. Project No. PW 07-07 (Fiscal Impact: \$160,000.00). Authorized the City Manager to execute a Standard Public Works Contract in a form approved by the City Attorney with Ace Electric, Inc. in the amount of \$160,000. Appropriated funds in the amount of \$37,000 to the Recreation and Park Lighting project from funds previously appropriated to the Washington Park Irrigation System Replacement project.

13. Approved Contract Change Orders in conjunction with construction of the Athletic Field Project at 2201 East Mariposa Avenue and an amendment to the existing Professional Services Agreement with RJM Design Group for design services rendered during the construction of the Athletic Facility. (Fiscal Impact: \$146,271.99 Change Order No. 3 plus amendment amount). Authorized the Director of Public works to execute Change Order No. 3 to the existing Pubic Works contract with Ohno Construction Company Inc., in the amount of \$124,847.92. Authorized the City Manager to execute an amendment to the existing Professional Services Agreement No. 3565B with RJM Design Group, Inc., in the amount of \$21,424.07.
14. Approved request from DIRECTV to place a 14,960 square foot temporary sign on the exterior of the building until February 1, 2008 in celebration of their company's 70 High Definition channels at 2230 East Imperial Highway (Fiscal Impact: None).

MOTION by Council Member Fisher, SECONDED by Council Member Boulgarides to approve Consent Agenda Item Numbers 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

15. Consideration and possible action regarding a Memorandum of Understanding (MOU) between the City of El Segundo's Library Services Department and the El Segundo Unified School District for continued services to four school libraries. (Fiscal Impact: \$213,000)

Jeff Stewart, City Manager, gave a report.

MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to approve a Memorandum of Understanding No. 3766 for Library services between the City and the El Segundo Unified School District for a three year term.

AMENDED MOTION by Council Member Jacobson, SECONDED by Council Member Boulgarides to approve the Memorandum of Understanding No. 3766 for Library services between the City and the El Segundo Unified School District to a 5 year term. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

16. Consideration and possible action regarding: (1) waiving first reading and introducing an ordinance to adopt the 2007 California Building Code, Volumes I and II, the 2007 California Mechanical Code, the 2007 California Electrical Code, the 2007 California Plumbing Code, the 2007 California Fire Code, the 2006 International Fire Code, the 2007 California Energy Code and the 2007 California Administrative Code with amendments, and (2) setting a public hearing date for adopting such uniform codes on November 7, 2007. (Fiscal Impact: None)

Jeff Stewart, City Manager, gave a report.

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1409

AN ORDINANCE INCORPORATING THE 2007 CALIFORNIA BUILDING CODE VOLUMES I AND II ("CBC) BY REFERENCE AND AMENDING THE CBC BASED UPON LOCAL CLIMATIC, TOPOGRAPHIC, AND GEOGRAPHICAL CONDITIONS.

Council Member Boulgarides introduced the Ordinance.

ORDINANCE NO. 1410

AN ORDINANCE ADOPTING THE 2007 EDITION OF THE CALIFORNIA ELECTRICAL CODE WITH AMENDMENTS.

Mayor Pro Tem Busch introduced the Ordinance.

ORDINANCE NO. 1411

AN ORDINANCE ADOPTING THE 2007 EDITION OF THE CALIFORNIA PLUMBING CODE WITH AMENDMENTS.

Mayor McDowell introduced the Ordinance.

ORDINANCE NO. 1413

AN ORDINANCE ADOPTING BY REFERENCE THE 2007 EDITION OF THE CALIFORNIA FIRE CODE, 2006 EDITION OF THE INTERNATIONAL FIRE CODE AND AMENDING THESE CODES THROUGH EXPRESS FINDINGS OF LOCAL NECESSITY.

Council Member Jacobson introduced the Ordinance.

ORDINANCE NO. 1414

AN ORDINANCE ADOPTING THE 2007 EDITION OF THE CALIFORNIA ENERGY CODE.

Council Member Fisher introduced the Ordinance.

ORDINANCE NO. 1415

AN ORDINANCE ADOPTING THE 2007 CALIFORNIA ADMINISTRATIVE CODE WITH AMENDMENTS.

Council Member Boulgarides introduced the Ordinance.

ORDINANCE NO. 1412

AN ORDINANCE ADOPTING THE 2007 EDITION OF THE CALIFORNIA MECHANICAL CODE WITH AMENDMENTS.

Mayor Pro Tem Busch introduced the Ordinance.

Public Hearing set for November 7, 2007 to consider second reading and adoption for such ordinances.

G. REPORTS – CITY MANAGER - NONE

H. REPORTS – CITY ATTORNEY - NONE

I. REPORTS – CITY CLERK - NONE

Reported that due to the Consolidated School Board Election on Tuesday, November 6, 2007, the next regularly scheduled City Council Meeting would be on Wednesday, November 7, 2007.

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher - NONE

Council Member Jacobson – NONE

Council Member Boulgarides – Announced the Castle of Friends fundraiser for South Bay Youth Project. For additional information call (310) 227-8100.

Mayor Pro Tem Busch -

17. Consideration and possible action regarding a status report to the City Council regarding the Downtown Parking In-Lieu Fee Program. (Fiscal Impact: None)

MOTION by Mayor Pro Tem Busch, SECONDED Council Member Boulgarides to appoint a subcommittee comprised of Mayor Pro Tem Busch and Council Member Fisher to address the issue of lack of businesses using parking in-lieu fee program and what collected fees should be used for. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mayor McDowell –

18. Consideration and possible action to appoint a subcommittee comprised of members of the City Council, business and residential communities and staff to discuss and make recommendations related to the proposed reduction of water allocated to cities by the Metropolitan Water District of Southern California (MWD) (Fiscal Impact: None)

MOTION by Mayor McDowell, SECONDED Boulgarides by to authorize the appointment of a City Council Subcommittee comprised of Mayor McDowell and Mayor Pro Tem Busch, and to return to next council meeting with the appointment of two (2) members from the business community, two (2) members from the residential community and staff. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Announced the “Star Party” next Saturday, October 20th at the Parking Structure at Hilltop Park.

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MEMORIALS – Shirley Neeley, and Andrea Escobar.

CLOSED SESSION - NONE

ADJOURNMENT at 8:35 p.m.



Cathy Domann, Deputy City Clerk