

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, DECEMBER 18, 2007 - 5:00 P.M.

5:00 P.M. SESSION

CALL TO ORDER – Clerk

ROLL CALL

Mayor McDowell	-	Absent
Mayor Pro Tem Busch	-	Absent
Council Member Boulgarides	-	Absent
Council Member Fisher	-	Absent
Council Member Jacobson	-	Absent

Adjourned the meeting due to lack of quorum to 6:00 p.m., December 18, 2007.

CALL TO ORDER – Mayor McDowell at 6:00 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.

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): -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 (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, DECEMBER 18, 2007 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor Justin Beck, Calvary Chapel

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch

PRESENTATIONS –

- a. Council Member Boulgarides presented a Proclamation urging shoppers to forgo single-use plastic and paper bags in favor of reusable tote bags and recognize December 20, 2007 as “A Day Without A Bag”.
- b. Council Member Jacobson presented a Commendation 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.

ROLL CALL

Mayor McDowell	-	Present
Mayor Pro Tem Busch	-	Present
Council Member Boulgarides	-	Present
Council Member Fisher	-	Present
Council Member Jacobson	-	Present

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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 Mayor ProTem Busch to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOTE. 5/0

**B. SPECIAL ORDERS OF BUSINESS**

1. Consideration and possible action (Public Hearing) on the proposed projects and budgets for the 2008-2009 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2008-2009 is approximately \$90,260.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing on the proposed projects and budgets for the 2008-2009 Community Development Block Grant (CDBG) Program Year. Estimated CDBG budget allocation for Program Year 2008-2009 is approximately \$90,260. Clerk Mortesen stated that proper notice was completed and no written communication had been received by City Clerk's Office.

Tina Gall, CDBG Program Manager, gave a presentation.

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

MOTION by Council Member Boulgarides, SECONDED by Mayor ProTem Busch to adopt the new 2008-2009 CDBG project and budget and authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles Community Development Commission and with all sub-recipients receiving CDBG funds. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

2. Consideration and possible action (Public Hearing) regarding the adoption of an amendment to the 2007-2008 Community Development Block Grant (CDBG) Program to add a new CDBG project, effective January 1, 2008 through June 30, 2009 entitled, "American with Disabilities Act (ADA) Compliance – Sidewalk Improvement Project – Phase II", using unspent, unallocated CDBG funds totaling approximately \$86,840.

Mayor McDowell stated this is the time and place hereto fixed for a public hearing on the adoption of an amendment to the 2007-2008 Community Development Block Grant (CDBG) Program to add a new CDBG project, effective January 1, 2008 through June 30, 2009 entitled, "American with Disabilities Act (ADA) Compliance – Sidewalk Improvement Project – Phase II", using unspent, unallocated CDBG funds totaling approximately \$86,840. Clerk Mortesen stated that proper notice was completed and no written communication had been received by City Clerk's Office.

Tina Gall, CDBG Program Manager, gave a presentation.

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

MOTION by Council Member Boulgarides, SECONDED by Council Member Jacobson to adopt the new 2008-2009 CDBG Project, American with Disabilities Act (ADA) Compliance – Sidewalk Improvement Project – Phase II and approve a budget of \$86,840 using unspent, unallocated CDBG funds and authorize the City Manager to execute the contracts, as to form approved by the

City Attorney, with the Los Angeles Community Development Commission and with all sub-recipients receiving CDBG funds. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

3. Consideration and possible action regarding the selection of Wyle Laboratories, Inc. for Design & Testing Services and Labor Compliance Services related to the Residential Sound Insulation (RSI) Program. (Fiscal Impact: None)

James O'Neill, RSI Program Manager, gave a report.

MOTION by Council Member Jacobson, SECONDED by Mayor ProTem Busch to authorize staff to negotiate pricing of both contracts. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

4. Consideration and possible action regarding the proposal to install two City of El Segundo Athletic Fields monument signs located at the northeast corner of the intersection of Nash Street and Mariposa Avenue. (Fiscal Impact: None)

Jeff Stewart, City Manager, gave a report.

MOTION by Council Member Fisher to approve the sign with the City Seal centered on the bottom of the sign for the City of El Segundo Athletic Fields monument sign design and the location of the two proposed signs near the intersection of Nash.

SUBSTITUTE MOTION by Council Member Boulgarides to approve the sign with the City Seal centered under the words "El Segundo" on the bottom of the sign for the City of El Segundo Athletic fields monument sign design and the location of the two proposed signs near the intersection of Nash Street and Mariposa Avenue. MOTION WITHDRAWN

RESTATED MOTION by Council Member Fisher, SECONDED by Council Member Boulgarides to approve the sign with the City Seal centered on the bottom of the sign for the City of El Segundo Athletic Fields monument sign design and the location of the two proposed signs near the intersection of Nash Street and Mariposa Avenue. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

5. Consideration and possible action regarding the 2007 Annual Report and 2008 Budget by the Senior Citizen Housing Corporation Board to City Council. Presentation to be made by Senior Citizen Housing Board representatives. Fiscal Impact: None)

Carol Wingate gave the presentation.

Council consensus to receive and file the 2007 Annual Report and approve the 2008 Budget from the Senior Citizen Housing Corporation Board.

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.

6. Approved Warrant Numbers 2563101 to 2563111 on Register No. 5 in the total amount of \$2,265,097.89 and Wire Transfers from 11/22/2007 through 12/6/2007 in the total amount of \$1,143,012.92. 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.
7. PULLED FOR CORRECTION BY MAYOR MCDOWELL AT THE REQUEST OF THE CITY CLERK
8. Adopted annual Resolutions Nos. 4534, 4535, 4536, 4537, 4538 and 4539 updating the employer's contribution under the Public Employees' Medical and Hospital Care Act. The City is required to file annual Resolutions reflecting changes in the City's contribution for employees and annuitants. These Resolutions cover the following groups; Police Officers' Association, Fire Association, Police Managers' Association, Supervisory and Professional Association, City Employees' Association and Police Support Services. (Fiscal Impact: None)
9. PULLED FOR DISCUSSION BY COUNCIL MEMBER BOULGARIDES
10. Accepted the work as complete for the Rehabilitation on the westbound lanes of Rosecrans Avenue from Douglas Street to Sepulveda Boulevard. Approved Capital Improvement Project. Project No. PW 07-08. (Final Contract Amount: \$185,497.94) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
11. Accepted the work as complete for the project to install new custom cabinets at Camp Eucalyptus (641 California Street). Project No. PW 05-08 (Final Contract Amount: \$17,882.00) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
12. Authorized the City Manager to execute Agreement No. 3774, in a form approved by the City Attorney to replace copier and fax equipment piggybacking on County of Los Angeles Contract #42669, for a five-year period with Xerox Corporation.
13. Authorized the City Manager to execute Professional Services Agreement No. 3775, in a form approved by the City Attorney, with Alliance Resource Consulting in an amount not to exceed \$22,500 to conduct an executive search for the position of Director of Public Works.
14. Approved Plans and Specifications for the Surface Refurbishment (painting) of the Park Vista Senior Apartments (615 E. Holly Avenue), the Lakes Golf Course (400 S. Sepulveda Boulevard) and the El Segundo Police Department Jail (348 Main Street). Project No: PW 07-12. (Fiscal Impact: \$100,000) Authorized staff to advertise the project for receipt of construction bids.

MOTION by Council Member Fisher, SECONDED by Council Member Boulgarides to approve Consent Agenda Item Numbers 6, 8, 10, 11, 12, 13 and 14. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. COUNCIL MEMBER FISHER NOT PARTICIPATING IN ITEM NO. 11 DUE TO THE LOCATION OF HIS RESIDENCE.

#### CALL ITEMS FROM CONSENT AGENDA

7. Regular City Council Meeting Minutes of December 4, 2007.

City Clerk Mortesen read the following correction into the record: Page 6, second motion to read MOTION by Council Member Fisher, to amend the signs as follows: Campus El Segundo with the Athletic Field font size reduced, center City of El Segundo, increase the font with Seal, follow the same design that is being used at our monument signs at Sepulveda and El Segundo. Use the standardize font. MOTION FAILED

MOTION by Mayor McDowell, SECONDED by Mayor Pro Tem Busch to approved regular City Council Meeting Minutes of December 4, 2007 as corrected. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

9. Consideration and possible action regarding a request from the Los Angeles County Fire Department Lifeguard Operations for use of Urho Saari Swim Stadium (The Plunge) at 219 W. Mariposa Avenue on January 11, 2008, and for a fee waiver per Municipal Code Section 8-8-7 (D) (1). (Fiscal Impact: \$290)

MOTION by Council Member Boulgarides, SECONDED by Mayor ProTem Busch to authorize the City Manager to waive fees on the Urho Saari swim stadium (The Plunge) at 219 W. Mariposa Avenue on January 11, 2008, for use by the Los Angeles County Fire Department Lifeguard Operations and direct staff to add this to the list of annual fee waivers approved in the budget process. MOTION PASSED BY UANANIMOUS VOICE VOTE. 5/0

#### NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

REPORTS – CITY CLERK - Reminder that the first regular City Council Meeting in 2008 has been cancelled. Next regular City Council Meeting scheduled for January 15, 2008. Nominations for City Council, City Clerk, and City Treasurer are open. The last day to file nomination papers will be January 11, 2008, unless a qualified incumbent does not file, then it will be extended to January 16, 2008. Papers are available in the City Clerk's Office between 7:30 am and 5:30 pm.

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher – Happy Holidays to all.

Council Member Jacobson – Thanked the Chamber for the wonderful Christmas Parade

Council Member Boulgarides – Spoke on the new Athletic fields and their use. Requested an item be agendized regarding necessary action and land dedication for potential construction at the El Segundo Beach, of life guard facility/restrooms. Happy Holidays to all.

Mayor Pro Tem Busch - Reported on the South Bay Council of Governments Meeting. Requested staff report on any potential impact to the City budget with regard to the latest news from Governor Schwartznegger regarding a shortfall in the State budget, and an explanation of what it takes to override the provisions of Proposition 1A. Happy Holidays to all.

Mayor McDowell – Reported on the addition of a representative to the AQMD board from the South Bay; the Holiday Parade.

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

MOTION by Mayor ProTem Busch SECONDED by Council Member Jacobson to approve the request of Mr. S. Claus for the following:

- 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; and
- 7) Waiver of the ordinance on Animal Regulations (ESMC 6-2-1).

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.

MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

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MEMORIALS – Roger Mason.



CLOSED SESSION - NONE

ADJOURNMENT at 7:50 p.m.

  
Cindy Mortesen, City Clerk