

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, MAY 20, 2008 - 6:00 P.M.

6:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 6:00 p.m.

ROLL CALL

Mayor McDowell	-	Present
Mayor Pro Tem Busch	-	Present
Council Member Brann	-	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.

The City Attorney stated that Council would be meeting in closed session pursuant to items identified on the agenda and Government Code §54956.9(b) items were threats of litigation regarding Henry Radio, Claim No. 07-48, Siegel, Claim No. 07-43, Verizon, Claim 07-49, DTC Compliance Order, Carson Landfill and exposure to litigation known to the public generally.

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

1. 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): -5- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -2- 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, MAY 20, 2008 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor John Svendsen, First Baptist Church

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch

PRESENTATIONS

- a. Certificates of Commendation for volunteer services of the AARP Volunteer Tax Preparers for senior citizens of El Segundo.

ROLL CALL

Mayor McDowell	-	Present
Mayor Pro Tem Busch	-	Present
Council Member Brann	-	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.

Jack Axelrod, resident:

- 1. Pursuant to the procedures set forth on the first page of this Agenda, resident Jack Axelrod has requested that the following items be placed on the City Council Agenda for possible discussion and action by the Council. The Council is not required to discuss or take action on these items.
 - a. Replace all the U.S. flags on Grand Ave. with flags designed by the elementary school children of El Segundo. Emphasis should be on designs promoting peace and a healthy environment.

- b. Prepare a resolution calling upon Rep. Harmon immediately to initiate Impeachment Proceedings against the President and the Vice President on the basis of war crimes as well as domestic crimes.
- c. Prepare a resolution calling upon House Speaker Pelosi to (A) get HR-4102 to the floor with all speed, and (B) to reject all new appropriations for funding a hideous, immoral and illegal war and occupation.
- d. Prepare a resolution calling upon Senate Majority Leader Reid to (A) bring about the immediate withdrawal of all U.S. military forces from Iraq, and (B) demand the closing of at least 300 of our 700 military bases (including the Air Force base here in El Segundo) around the world, and (C) begin reductions of our nuclear weapons stockpiles.

Mr. Stevens, resident at Park Vista, spoke regarding his vehicle being towed from the City parking lot behind Joslyn Center for a 72 hour parking violation and associated fine.

Dave Burns, resident, spoke regarding Item Number 16 campaign contribution limits and the limiting of a candidate's freedom of speech, He requested Council consider setting the contribution limit at \$750. Also spoke regarding paper waste generated by unsolicited "free" newspapers.

Rod Spackman, Chevron, gave a presentation regarding the recent Coker "Hot Spot" Event at Chevron.

Loretta Frye, resident, spoke in favor of continued distribution of the El Segundo Herald, Beach Reporter, Easy Reader and other free papers.

Council requested staff check City public parking lots for 72 hour posting. The City Attorney stated that the Police Department had a process in place for an individual to file an administrative complaint.

Staff to contact newspapers to see if they have an "opt out" program for an individual to ask that unsolicited newspapers not be delivered to their residence.

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

2. Consideration and possible action regarding: (1) The approval of a Contract Change Order to the existing Public Works Contract with SEMA Construction, Inc. in conjunction with the construction of the Douglas Street Gap Closure Project. (Fiscal Impact: \$674,659.43, Change Order); (2) An Amendment No. 3464 C to the existing Professional Services Agreement with Caltrop Corporation (Fiscal Impact: \$73,930.00, Amendment Amount); (3) An amendment to the existing Professional Services Agreement with the Dardanelle Group, Inc. (Fiscal Impact: \$25,000.00, Amendment Amount)

Stephanie Katsouleas, Interim Public Works Director, gave a report.

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to authorize the City Manager, or designee, to execute Change Order Number 32 to the existing Public Works Contract with SEMA Construction, Inc. in the total amount of \$674,659.43; Authorize the City Manager, or designee, to execute an amendment to Contract No. 3464 with Caltrop Corporation, in a form approved by the City Attorney, in the amount of \$73,930.00; Authorize the City Manager, or designee, to execute an amendment to a contract with the Dardanelle Group, Inc., in a form approved by the City Attorney, in the amount of \$25,000.00. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

3. Consideration and possible action to receive and file the staff report pertaining to operations at Campus El Segundo Athletic Fields located at 2201 East Mariposa. (Fiscal Impact: \$95,950)

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

Council consensus to receive and file the staff report regarding Campus El Segundo Athletic Fields safety options.

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

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 2565657 to 2565907 on Register No. 15 in the total amount of \$1,033,290.90 and Wire Transfers from 4/25/2008 through 5/8/2008 in the total amount of \$1,126,447.51. 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. Approved Regular City Council Meeting Minutes of May 6, 2008 and Special City Council Meeting of April 29, 2008.

6. Approved the examination plan for the Personnel Merit System job classification of Human Resources Manager. (Fiscal Impact: None)
7. PULLED FOR DISCUSSION BY MAYOR MCDOWELL.
8. PULLED FOR DISCUSSION BY MAYOR PRO TEM BUSCH.
9. Accepted a cash contribution from Chevron Products Company, donated to the El Segundo Fire Department in support of Super CPR Saturday (Cardio-Pulmonary Resuscitation instruction; \$1,000) and Suppression Training (\$4,000). (Fiscal Impact: \$5,000) Authorized the City Manager to transfer the monies into the CPR General Fund account and Suppression Training account.
10. Approved two professional service agreements in excess of \$10,000 for Accounting, Tax and Advisory of Orange County, L.L.C. (CBIZ), Agreement No. 3822 , and Macia Gini & O'Connell L.L.P. (formerly Moreland & Associates), Agreement No. 3823, in support of the Finance Department. (Fiscal Impact \$75,000 off-set with salary savings of \$75,000.) Authorized the City Manager to approve/amend Professional Services Agreements on behalf of the City for temporary professional accounting services with CBIZ in the amount of \$38,000 and Macia Gini & O'Connell L.L.P. in the amount of \$37,000 for an amount not to exceed \$75,000, as approved to form by the City Attorney.
11. Adopted Resolution No. 4558 to release liens on 19 affected properties identified in the 1986 Assessment District No. 73 for Sewer Improvements. (Fiscal Impact: None) Authorized the City Clerk to File Notice of Discharge of Assessment Lien with the County Recorder.
12. Accepted the work as complete for construction related to the City's Residential Sound Insulation Program Group 15 (25 Homes). Project No. RSI 06-15. (Final contract total: \$1,268,124.30) Authorized the City Clerk to file the City Planning and Building Safety Director's Notices of Completion in the County Recorder's Office.
13. Accepted the work as complete for construction related to the City's Residential Sound Insulation Program Group 16 (30 Homes). Project No. RSI 06-16. (Final contract total: \$1,272,830.93) Authorized the City Clerk to file the City Planning and Building Safety Director's Notices of Completion in the County Recorder's Office.
14. Awarded Contract No. 3824 to S&L Specialty Contracting, Inc. for construction related to Group 27 (36 residences) of the Residential Sound Insulation (RSI) Program. (Estimated construction cost and retention: \$975,040) Authorized the City Manager to execute a construction contract in a form approved by the City Attorney.

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to approve Consent Agenda Items 4, 5, 6, 9, 10, 11, 12, 13 and 14. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

7. Consideration and possible action regarding the status on staffing and workload issues in the Planning and Building Safety Department. (Fiscal Impact: \$30,000)

Council consensus to receive and file status on staffing and workload issues in the Planning and Building Safety Department. (Fiscal Impact: \$30,000)

8. Consideration and possible action to authorize the City Manager to purchase two new alternative fuel vehicles at a cost not to exceed \$60,000 for use by the Planning and Building Safety Department. (Fiscal Impact: \$60,000.00)

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to authorize the City Manager to purchase two new alternative fuel vehicles at a cost not to exceed \$60,000 for use by the Planning and Building Safety Department. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

15. Consideration and possible action regarding the presentation of fiscal year 2007-2008 Midyear Financial Budget Review, approval of fiscal year 2008-2009 Budget Calendar, and direction on allocating the fiscal year 2006-2007 General Fund surplus of 3.871 million.

Deborah Cullen, Finance Director, gave a report.

Council consensus to receive and file Fiscal Year 2007-2008 Midyear Financial presentation.

MOTION by Council Member Fisher, SECONDED by Council Member Jacobson, to authorize the allocation of Fiscal Year 2006-2007 surplus of \$970,000 for GASB45, to fully fund year one of the annual required contribution, designate \$900,000 for estimated increase in liability claims expense and increase the General Fund Unreserved, Undesignated fund balance as of September 30, 2007 by the cost of living adjustment which would total \$590,000. Directed Staff to proceed with Fiscal Year 2008-2009 Budget Calendar. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

- I. REPORTS – CITY CLERK – Announced that due to the State election on Tuesday, June 3rd, the next regular City Council meeting would be held on Wednesday, June 4th at 7:00 p.m.

- J. REPORTS – CITY TREASURER – Reported on recent conference in San Francisco.

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher – NONE

Council Member Jacobson – Announced May 31st as Super CPR Saturday and also on that day the Education Foundation would be having a Car Show at the Auto Museum.

Council Member Brann – Spoke on the recent Police and Fire Open House. Also spoke regarding the Tree Muskateers event, State of the City presentation by the Mayor and Elderfest,

Mayor Pro Tem Busch –

16. Consideration and possible action regarding providing direction to staff to prepare an ordinance amending Title 1, Chapter 9 – “Campaign Contributions and Disclosures,” of the El Segundo Municipal Code (“ESMC”) with regard to campaign finance regulations for consideration by the Council at a future Council Meeting.

Council consensus to direct staff to prepare an Ordinance amending Title 1, Chapter 9 of the ESMC to consider raising the campaign contribution limit and to eliminate the limit on how much a candidate could contribute to his own campaign.

City Attorney to report back on legality of City placing a limit on when signs could be placed before an election and requiring committee number and contact phone number on campaign signs.

Also requested that a time limit on putting signs up before an election be included with the voluntary policy limiting signs to one per property frontage.

Mayor McDowell –

17. Consideration and possible action regarding the assignments of Council Members to various intergovernmental agencies, other local agencies and subcommittees.

Mayor McDowell announced the following Council Committee Assignments effective May 20, 2008 through April 6, 2010:

Aviation Safety & Noise Abatement Committee (Liaison), Council Member Carl Jacobson, Delegate, Council Member Bill Fisher Alternate; City Selection Committee, Mayor Kelly McDowell, Delegate, Proxy as Needed, Alternate; Hyperion Citizens Forum, Council Members Don Brann and Carl Jacobson, Delegates; Independent Cities Association (ICA), Mayor Kelly McDowell, Delegate; Independent Cities Risk Management Authority (ICRMA), Mayor Kelly McDowell, Delegate; League of California Cities, Council Member Don Brann, Delegate, Council Member Bill Fisher, Alternate; Los Angeles County Sanitation District 5 and South Bay Cities District, Mayor Kelly McDowell, Delegate, Council Member Carl Jacobson, Alternate; Municipal Area Express Transportation (MAX), Council Member Carl Jacobson, Delegate, Council Member Bill Fisher, Alternate; Reach Out Against Drugs (ROAD), Mayor Pro Tem Eric Busch, Delegate; Santa Monica Bay Restoration Project, Mayor Pro Tem Eric Busch, Delegate; Senior Citizen Housing Corporation Board (Liaison), Council Member Carl Jacobson, Delegate, Council Member Don Brann, Alternate; South Bay Cities Council of Governments (COG), Mayor Kelly McDowell, Delegate, Mayor Pro Tem Eric Busch and Council Members Bill Fisher, Carl Jacobson, Don Brann, Alternates; South

Bay Economic Development Partnership, Council Member Don Brann, Delegate, Council Member Bill Fisher, Alternate; South Bay Youth Project, Council Member Don Brann, Delegate, Council Member Bill Fisher, Alternate; Southern California Association of Governments, Council Member Don Brann, Delegate, Mayor Kelly McDowell, Alternate; Southern California Cities Joint Powers Consortium, Council Member Bill Fisher, Delegate; West Basin Water Association, Council Member Don Brann, Delegate.

Standing and Ad Hoc Committees:

City/School Affairs Subcommittee, Mayor Kelly McDowell and Council Member Don Brann, Delegates; Technology Subcommittee, Council Members Bill Fisher and Carl Jacobson, Delegates; Disaster Council, Mayor Kelly McDowell and Mayor Pro Tem Eric Busch, Delegates; Downtown Subcommittee, Mayor Kelly McDowell, Delegate; Golf Committee, Council Members Carl Jacobson and Bill Fisher, Delegates; Business Recruitment Task Force, Mayor Kelly McDowell and Mayor Pro Tem Eric Busch, Delegates; LA County West Vector Control District, Sandra Jacobson, Delegate; Water conservation Subcommittee, Mayor Kelly McDowell and Mayor Pro Tem Eric Busch, Delegates.

Council consensus to approve and implement attached assignments.

Announced the upcoming Author Fair at the Library June 1st, 12:45 p.m. to 4:45 p.m.

Free "water brooms" being distributed by the City to local businesses.

Congratulated Lt. General John Sheridan on assumption of command at the Los Angeles Air Force Base and General Michael Hammel on his retirement.

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MEMORIALS – NONE

ADJOURNMENT at 8:28 p.m.


Cathy Domann, Deputy City Clerk

COUNCIL COMMITTEE ASSIGNMENTS
May 20, 2008 - April 6, 2010

AGENCIES/COMMITTEES	DELEGATE	ALTERNATE
Aviation Safety & Noise Abatement Committee (Liaison)	Carl Jacobson	Bill Fisher
City Selection Committee	Kelly McDowell	Proxy as Needed
Hyperion Citizens Forum	Don Brann Carl Jacobson	N/A
Independent Cities Association (ICA)-52 cities education/advocacy	Kelly McDowell	N/A
Independent Cities Risk Management Authority (ICRMA)	Kelly McDowell	N/A – (staff positions)
League of California Cities	Don Brann	Bill Fisher
Los Angeles County Sanitation District 5 and South Bay Cities District - (SanDist)	Kelly McDowell	Carl Jacobson
Municipal Area Express Transportation (MAX)	Carl Jacobson	Bill Fisher
Reach Out Against Drugs (ROAD)	Eric Busch, Pres. is ex officio	
Santa Monica Bay Restoration Project- Bay Watershed Council (SMBRP)	Eric Busch	N/A
Senior Citizen Housing Corporation Board (Liaison)	Carl Jacobson	Don Brann
South Bay Cities Council of Governments (COG)	Kelly McDowell	Eric Busch Bill Fisher Carl Jacobson Don Brann
South Bay Economic Development Partnership (SBEDP)	Don Brann	Bill Fisher
South Bay Youth Project	Don Brann	Bill Fisher
Southern California Association of Governments – General Assembly (SCAG)	Don Brann	Kelly McDowell
Southern California Cities Joint Powers Consortium	Bill Fisher	N/A
West Basin Water Association	Don Brann	N/A
STANDING and *AD HOC COMMITTEES	DELEGATES	
City/School Affairs Subcommittee	Kelly McDowell and Don Brann	
Technology Subcommittee	Bill Fisher and Carl Jacobson	
Disaster Council	Kelly McDowell and Eric Busch	
*Downtown Subcommittee (eff. Nov. 2005) re \$250,000 exp.	Kelly McDowell	
Golf Committee-Standing Committee reconstituted 10/05/04	Carl Jacobson and Bill Fisher	
Business Recruitment Task Force	Kelly McDowell and Eric Busch	
LA County West Vector Control District (by Council election in 2004)	Sandra Jacobs (4 yr term up in 2008)	
Water Conservation Subcommittee	Kelly McDowell and Eric Busch	