

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
WEDNESDAY, JUNE 4, 2008 - 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 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. - NONE

SPECIAL ORDER OF BUSINESS:

1. Consideration and possible action to appoint Interim City Manager Jack Wayt 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 Council Member Jacobson, SECONDED by Council Member Fisher to appoint Interim City Manager Jack Wayt as labor negotiator for terms and conditions of employment of unrepresented management/confidential employees. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

2. Consideration and possible action to appoint Human Resources Director Bob Hyland and Finance Director Deborah Cullen as labor negotiator for terms and conditions of employment for the El Segundo Police Manager's Association.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to appoint Human Resources Director Bob Hyland and Finance Director Deborah Cullen as labor negotiator for terms and conditions of employment for the El Segundo Police Manager's Association. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

3. Consideration and possible action to appoint Richard Kreisler as labor negotiator for terms and conditions of employment for the El Segundo Police Officers' Association and El Segundo Firefighter's Association.

MOTION by Council Member Jacobson, SECONDED by Mayor ProTem Busch to appoint Richard Kreisler as labor negotiator for terms and conditions of employment for the El Segundo Police Officers' Association and El Segundo Firefighter's Association. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

**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): -0- potential case (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- matters**

**CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): -4- matters**

City Negotiators: Interim City Manager Jack Wayt; Human Resources Director Bob Hyland; Finance Director Deborah Cullen; Richard Kreisler. Employee Organizations: (1) Unrepresented management/confidential employees (City employees who are not members of bargaining units); (2) the El Segundo Police Officers' Association; (3) El Segundo Firefighter's Association; and (4) the El Segundo Police Manager's Association.

**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  
WEDNESDAY, JUNE 4, 2008 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – City Clerk Mortesen

PLEDGE OF ALLEGIANCE – Council Member Don Brann

PRESENTATIONS

- a. Council Member Fisher presented a Proclamation to proclaim June as Relay for Life month and designate June 7 and June 8 as Relay for Life days.

ROLL CALL

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

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Julia Abreu-Mason, Representing Rotary Club; Spoke regarding the Movie in the Park to be held on August 2, 2008 at Chevron Park, gates opening at 4:00 p.m. admission \$4.00, the movie is the Chipmonks.

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 Brann 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 (PUBLIC HEARING)

1. Appeal by X-Factor, LP from a Planning Commission decision rendered on February 28, 2008 directing the Planning and Building Safety Director to record a Notice of Violation (in accordance with Government Code § 66499.36) against real property located at 711 S. Aviation Boulevard (APN 4138-009-015). X-Factor and the City mutually agreed to a public hearing date of June 4, 2008. (Fiscal Impact: None)

Mayor McDowell stated this is the time and place hereto fixed for a public hearing on the Appeal by X-Factor, LP from a Planning Commission decision rendered on February 28, 2008 directing the Planning and Building Safety Director to record a Notice of Violation (in accordance with Government Code § 66499.36) against real property located at 711 S. Aviation Boulevard (APN 4138-009-015). Clerk Mortesen stated that proper notice was completed and no written communication had been received by City Clerk's Office.

Robert Andreani, and Richard Hessenius Attorneys for X-Factor; requested a continuance for 90 days. The continuance is being requested in order to try and resolve the issues before being heard by the Council.

Gary Chicots, Planning and Building Safety Manager, gave a brief history of the item.

Mayor McDowell MOVED and SECONDED by Council Member Jacobson that the Public Hearing be continued to the July 15, 2008 regular meeting and if at that time X-Factor has not resolved the violation issue, they will be given an opportunity to make a 20 minute presentation. At that time, Council will only consider the evidence in the Planning Commission administrative record and whether to admit the supplemental memorandum of points and authorities. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action regarding the announcement of the appointments of candidates to the following Committees, Commissions and Boards (CCBs): Recreation and Parks Commission and Senior Citizens Housing Corporation Board.

Mayor McDowell announced the following appointments to the CCBs:

Bob Motto to the Recreation and Parks Commission to a full term to expire 5/30/2012; Don McIlroy and Jerome Osnowar to the Senior Citizen Housing Corporation Board to full terms to expire 6/30/2012.

Mayor McDowell also announced that recruitment continues for positions on the remaining CCBs: Environmental Committee, Planning Commission, Library Board of Trustees and interviews will be scheduled for June 17, 2008.

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.

3. Approved Warrant Numbers 2565908 to 2566150 on Register No. 16 in the total amount of \$1,787,295.85 and Wire Transfers from 5/9/2008 through 5/22/2008 in the total amount of \$1,634,544.95. 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.
4. Approved Regular City Council Meeting Minutes of May 20, 2008.
5. Approved the examination plans for the Personnel Merit System job classification of Senior Building Inspector. (Fiscal Impact: None)
6. PULLED FOR DISCUSSION BY MAYOR MCDOWELL
7. PULLED FOR DISCUSSION BY MAYOR PROTEM BUSCH
8. Authorized the Interim City Manager to execute Amendment No. 2, in a form approved by the City Attorney, to a Memorandum of Understanding (MOU) No. 3571 between the City of El Segundo and the Los Angeles County Metropolitan Transportation Authority (MTA). The Amendment would change the scope of work to allow resurfacing the asphalt concrete pavement on Douglas Street between El Segundo Boulevard and Imperial Highway. Project No. PW 07-09. (Fiscal Impact: \$478,785 – MTA Grant Revenue of \$236,766 and Traffic Mitigation fees \$242,019). Authorized the Interim City Manager to execute all documents needed to receive the MTA funds, amend the City's budget as appropriate, and spend the money.
9. Received and filed determination that the City Council does not object to 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 700 Allied Way, Suite A, EA No 789 and AUP No. 08-01. Applicant: The Counter Restaurant c/o Fori and Paula Owurowa. (Fiscal Impact: None)
10. Released the full retention currently held in an escrow account (approximately \$1,038,067.68) to SEMA Corporation in connection with the Douglas Street Gap Closure Project - Public Works Project No. 05-06.
11. Awarded bid to Media Control Systems for purchase and installation of a new Cable TV Bulletin and Automation System. (Fiscal Impact: \$39,668.25) Authorized the Interim City Manager to execute Professional Services Agreement No. 3828 with Media Control Systems, in a form approved by the City Attorney.

MOTION by Council Member Jacobson, SECONDED by Council Member Brann to approve Consent Agenda Items 3, 4, 5, 8, 9, 10 and 11. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

6. Consideration and possible action regarding: 1) the approval of a change order for additional painting at the Park Vista Senior Apartments, and 2) acceptance of all public works activities under Project No. PW 07-12, which includes painting at the Park Vista Senior Apartments (615 E. Holly Avenue), the Lakes Golf Course (400 S. Sepulveda Boulevard) and the El Segundo Police Department (348 Main Street). (Fiscal Impact: \$14,300.00)

MOTION by Mayor McDowell, SECONDED by Mayor ProTem Busch to approve Change Order No. 2 for additional painting at the Park Vista Senior Apartments, and accepted as complete all public works activities under Project No. PW 07-12, which includes painting at the Park Vista Senior Apartments (615 E. Holly Avenue), the Lakes Golf Course (400 S. Sepulveda Boulevard) and the El Segundo Police Department (348 Main Street). (Fiscal Impact: \$14,300.00) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

7. Consideration and possible action to waive the formal bidding process and approve a contract with Tyler Technologies for the purchase of Eden Utility Billing software and related support services for the Water Division of Public Works (Fiscal Impact: \$69,095)

Mayor ProTem Busch requested that Staff return with a report on the possibility of doing electronic billing with this system.

MOTION by Mayor ProTem Busch, SECONDED by Council Member Fisher, pursuant to El Segundo Municipal Code Section 1-7-10 waive the formal bidding process based on a sole source vendor and approve Contract No. 3829 with Tyler Technologies for the purchase of Eden Utility Billing software and related support services for the Water Division of Public Works. (Fiscal Impact: \$69,095) Authorized the City Manager to execute a contract as approved by the City Attorney. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

REPORTS – CITY CLERK

12. Consideration and possible action regarding cancellation of the July 1, 2008 City Council Meeting.

MOTION by Mayor Pro Tem Busch, SECONDED by Mayor McDowell to approve cancellation of the July 1, 2008 City Council Meeting. MOTION PASSED BY THE FOLLOWING VOICE VOTE: AYES: MCDOWELL, BUSCH, FISHER AND BRANN. NOES: JACOBSON. 4/1

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Fisher – None

Council Member Jacobson – Moving meetings to Wednesday night causes a conflict with other scheduled meetings.

Council Member Brann – Reported on the Rotary Community Service Awards luncheon, the farewell retirement event for Major General Pawlikowski at the Air Force Base, and the Author's Fair.

Mayor Pro Tem Busch – Announced Little League closing day, and the Relay for Life.

Mayor McDowell – Spoke on the Author's Fair.

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**CELEBRATIONS –**

The birth of Soraya Fazeli Dennis, second daughter to Don Dennis and Leyla Fazeli. Don is a fighter/paramedic for the El Segundo Fire Department.

The birth of Hayli Kay McIlroy to parents Nathan and Kati McIlroy, big brother Cooper and is the third grandchild of Susie McIlroy who works in the City Manager's Office. Nathan is an engineer for the El Segundo Fire Department.

ADJOURNMENT AT 7:30 p.m.



Cindy Mortesen  
City Clerk

