

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL  
TUESDAY, APRIL 21, 2009 – 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.

SPECIAL ORDER OF BUSINESS:

None

CLOSED SESSION:

The City Council may move 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- matter

1. Hummel v. City of El Segundo, et al, LASC no. YC059314

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- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): - 0-  
matters

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, APRIL 21, 2009 - 7:00 P.M.

7:00 P.M. SESSION – Mayor McDowell at 7:00 p.m.

CALL TO ORDER

INVOCATION – Pastor Brandon Cash, Oceanside Christian Fellowship

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Eric Busch

PRESENTATIONS

- a. Mayor McDowell presented a proclamation declaring the second week of April as National Public Safety Telecommunications Week. Max Phipps, Police Captain, spoke and introduced two City of El Segundo Dispatchers, Jennifer Malone and Rhonda Zeck.
- b. Presentation from Beach Cities Transit Update, Line 109 – Fiona Diaz, Beach Cities Transit Representative. Canceled

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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Dr. Vince Marcel and wife Diane Marcel announced that May 16<sup>th</sup> is dedicated as Children's safety and medical awareness day. All proceeds going to ESSF. Requested that Council consider waiving the permit fee.

Daphne Moote, teacher ESUSD and President El Segundo Teachers Association, wished to speak about the upcoming State Special Election. Assistant City Attorney Karl Berger stated that an item would need to be placed on the agenda in order for

Council to consider the item. Ms. Moote requested Council agendaize an item to introduce a Resolution in support of the Ballot measures. She also, wanted to thank the Council for their support of the El Segundo Unified School District.

**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 VOICE VOTE. 5/0

**B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)**

1. Consideration and possible action to conduct a Public Hearing regarding the adoption of a resolution increasing the civil penalties for parking violations regulated by Title 8 of the El Segundo Municipal Code by \$5.00 due to changes in the Government Code. (Fiscal Impact: \$55,630.00)

Mitch Tavera, Police Captain, requested the Public Hearing be continued until the next Council Meeting on May 5, 2009.

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to continue the Public Hearing until the next Council Meeting on May 5, 2009. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

**C. UNFINISHED BUSINESS**

**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.

2. Approved Warrant Numbers 2571064 to 2571295 on Register No. 13 in the total amount of \$1,116,149.07 and Wire Transfers from 03/27/2009 through 04/09/2009 in the total amount of \$1,401,297.12. 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.
3. Approved Regular City Council Meeting Minutes of April 7, 2009.

4. Adopted Plans and Specifications and authorized staff to advertise for bid the construction of a retaining wall at the Softball Field in Recreation Park at 339 Sheldon Street – Project No. PW 09-03. (Fiscal Impact: \$226,119.00)
5. Authorized the Director of Public Works to execute Change Order No. 1 to the existing Standard Public Works Contract No. 3897 with HP Builder's, Inc. in the total amount of \$26,514.79; Authorized the City Manager to execute an amendment to the existing Professional Services Agreement No. 3582 with BOA Architects in the amount of \$4,800.00 in conjunction with the City Hall Improvements - HR Remodel Project PW 08-13.
6. Received and filed report without objecting to 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 an existing restaurant located at 450 Main Street (Main Street Café), EA No. 816 and AUP No. 08-06. Applicant: Ariel Garcia (Fiscal Impact: None)
7. Received and filed report without objecting to 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 an existing restaurant located at 827-829 N. Douglas Street (Zpizza), EA No. 815 and AUP No. 08-05. Applicant: Saro Enterprises, Inc./Zpizza (Fiscal Impact: None)
8. Approved Mattel's request to maintain two temporary oversized five hundred four (504) square-foot banners classified as "Special Event Signs" for a period of two [2] months beginning April 22, 2009 and ending June 22, 2009 on the south side of the parking structure located at 333 Continental Boulevard. (Fiscal Impact: None)
9. Adopted Plans and Specifications for Replacement of Water Main on Lairport Street from Mariposa Avenue to Maple Avenue. Project No.: PW 09-04 (Fiscal Impact: \$225,000) Authorized staff to advertise the project for receipt of construction bids.

MOTION by Council Member Brann, SECONDED by Mayor ProTem Busch to approve Consent Agenda Items 2, 3, 4, 5, 6, 7, 8 and 9. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

#### CALL ITEMS FROM CONSENT AGENDA

None.

#### F. NEW BUSINESS

Consideration and possible action to introduce an Ordinance amending Title 10; Chapter 2 of the El Segundo Municipal Code, Water Conservation in Landscaping, to

incorporate Metropolitan Water District's Conservation Requirements, Water Use Regulations and Restrictions. (Fiscal Impact: None)

Dana Greenwood, Director Public Works, gave a report.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO,  
CALIFORNIA, AMENDING CHAPTER 2.10 TO THE CITY OF EL SEGUNDO  
MUNICIPAL CODE REGARDING POLICIES FOR WATER CONSERVATION**

MOTION to by Mayor McDowell, SECONDED by Council Member Fisher to have City Attorney's Office review Ordinance and see how it affects existing municipal code and consistency, Council also requested the City Attorney's Office take into consideration a letter written by Toni Reina, Planning Manager, Continental Development Corporation and any other written responses received. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

REPORTS – CITY MANAGER - None

REPORTS – CITY ATTORNEY - None

REPORTS – CITY CLERK - None

REPORTS – CITY TREASURER - None

REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Signed up to go on Study to Diamond Valley Lake in Temecula. Attended grand opening of new Aerospace building.

Council Member Fisher – Attended grand opening of new Aerospace building and attended Karl's Stores opening. Announced Tree Musketeers has a new office on Grand Ave.

Council Member Jacobson – Attended the grand opening of the new Aerospace building and Karl's Stores. Mentioned America's Most Wanted Website to vote for Lt. Garcia; can vote everyday until May 4<sup>th</sup>; website is amw.com.

Mayor Pro Tem Busch – Announced West Basin's Free Smart Landscape Expo from 9am to 1pm May 2<sup>nd</sup> at West Basin location in El Segundo.

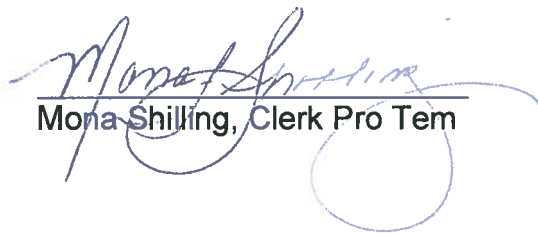
Mayor McDowell – Announced that he was requested by Supervisor Don Knabe to testify before the Board this morning on SB 696.

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MEMORIALS – NONE

CLOSED SESSION – NONE

ADJOURNMENT at 7:35p.m.

  
Mona Shilling, Clerk Pro Tem