

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
WEDNESDAY, MAY 20, 2009 – 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.

SPECIAL ORDER OF BUSINESS:

1. Appointment of Jack Wayt (City Manager), Bob Hyland (Human Resources Director) and Deborah Cullen (Finance Director) to represent the City as labor negotiators of the Supervisory and Professional Employees' Bargaining Unit.

MOTION by Mayor McDowell, SECONDED by Council Member Brann to appoint Jack Wayt (City Manager), Bob Hyland (Human Resources Director) and Deborah Cullen (Finance Director) to represent the City as labor negotiators of the Supervisory and Professional Employees' Bargaining Unit. 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) -0- matter

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- matter

CONFERENCE WITH CITY'S LABOR NEGOTIATOR (Gov't Code §54957.6): - 1- matters

Represented Group: Supervisory and Professional Employees' Bargaining Unit
City's Representatives: Jack Wayt (City Manager), Bob Hyland (Human Resources Director) and Deborah Cullen (Finance Director)

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov't Code §54956.8): - 0- matter

Council moved to open session at 5:30 p.m.

SPECIAL MATTERS: - 1- matter

1. Interview of candidates and potential appointments to the Recreation and Parks Commission, Planning Commission, Senior Housing Board, Library Board of Trustees and the Environmental Committee. [Note: the interviews will commence at approximately 5:30 p.m. and take place in the West Conference Room in City Hall]

Council consensus to appoint Debby Bundy and Joe Caravello to the Recreation and Parks Commission to full terms to expire 5/30/13; Marie Fellhauer to the Planning Commission to a full term to expire 6/30/13; and Carol Wingate and John Nisley to the Sr. Citizens Housing Corp. to full terms to expire 6/30/13; and Daniel Barbee to the Environmental Committee to a full term to expire 6/30/13.

No appointment to the Library Board of Trustees was made tonight.

RECESS: 6:40 P.M.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
WEDNESDAY, MAY 20, 2009 - 7:00 P.M.

7:00 P.M. SESSION

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

INVOCATION – Pastor Scott Tannehill, El Segundo Foursquare Church

PLEDGE OF ALLEGIANCE – Council Member Bill Fisher

PRESENTATIONS

a. Mayor McDowell presented a Proclamation to Sue Carter, Woman of the Year.

ROLL CALL

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

PUBLIC COMMUNICATIONS –

A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.

MOTION by Council Member Brann, SECONDED by Council Member Jacobson 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 (Public Hearing) regarding the introduction and first reading of an Ordinance amending the Downtown Specific Plan regarding temporary and permanent outdoor dining and retail uses, permit fee parking, and establishing a payment program and procedures for making parking in-lieu fee payments within the Downtown Specific Plan area (Fiscal Impact: None)

Council Member Jacobson will not be participating in this item due to his ownership of property in the zone which may pose a potential conflict of interest; Mayor Pro Tem Busch does not have a conflict because his wife's business is on a month to month lease and FPPC has ruled there is no conflict.

Council Member Jacobson left the dais.

Mayor McDowell stated this is the time and place hereto fixed for a Public regarding the introduction and first reading of an Ordinance amending the Downtown Specific Plan regarding temporary and permanent outdoor dining and retail uses, permit fee parking, and establishing a payment program and procedures for making parking in-lieu fee payments within the Downtown Specific Plan area (Fiscal Impact: None). Clerk Mortesen stated that proper notice was completed and no written communication had been received by City Clerk's Office.

Mark Hensley, City Attorney, gave a report.

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

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1429

AN ORDINANCE AMENDING THE DOWNTOWN SPECIFIC PLAN REGARDING TEMPORARY AND PERMANENT OUTDOOR USES, PERMIT FEE PARKING AND ESTABLISHING PROCEDURES FOR MAKING PARKING IN-LIEU FEE PAYMENTS.

(SPECIFIC PLAN AMENDMENT NO. 09-01 AND ZONE TEXT AMENDMENT NO. 09-01)

Mayor Pro Tem Busch introduced the ordinance.

Second reading and adoption is scheduled for June 2, 2009.

RESOLUTION NO. 4599

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF ENVIRONMENTAL ASSESSMENT NO. EA-834, SPECIFIC PLAN AMENDMENT NO. 09-01, AND ZONE TEXT AMENDMENT NO. 09-01 TO CREATE STANDARDS FOR TEMPORARY AND PERMANENT OUTDOOR USES, INCLUDING RETAIL SALES AND OUTDOOR DINING, TERMS FOR PERMIT FEE PARKING, AND ESTABLISH PROCEDURES FOR MAKING PARKING IN-LIEU FEE PAYMENTS.

MOTION by Council Member Fisher, SECONDED by Mayor Pro Tem Busch, to adopt Resolution No. 4599 establishing procedures for paying in-lieu fees in accordance with the El Segundo Downtown Specific Plan. MOTION PASSED BY UNANIMOUS VOICE VOTE. 4/0. COUNCIL MEMBER JACOBSON NOT PARTICIPATING DUE TO A POTENTIAL CONFLICT

NOTE: Resolution 4599 title was incorrectly read into the record and the Resolution was re-adopted with the correct title at the June 2, 2009 City Council Meeting.

Council Member Jacobson returned to the dais.

C. UNFINISHED BUSINESS

D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action regarding the announcement of the appointment of candidates of the Recreation and Parks Commission, Planning Commission, Library Board of Trustees, Senior Citizen Housing Corporation Board and Environmental Committee. (Fiscal Impact: None)

Mayor McDowell announced the appointment of Debby Bundy and Joe Caravello to the Recreation and Parks Commission to full terms to expire 5/30/13; Marie Fellhauer to the Planning Commission to a full term to expire 6/30/13 Carol Wingate and John Nisley to the Sr. Citizens Housing Corp. to full terms to expire 6/30/13; and Daniel Barbee to the Environmental Committee to a full term to expire 6/30/13.

No appointment was made to the Library Board of Trustees tonight.

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 2571532 to 2571784 on Register No. 15 in the total amount of \$956,912.99 and Wire Transfers from 04/24/09 through 05/07/09 in the total amount of \$1,262,957.89. 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 5, 2009.
5. Approved participating in the federal stimulus energy efficiency project grant funding program sponsored by the South Bay Cities Council of Governments. Authorized the City Manager to execute a Memorandum of Participation No. 3945 in a form approved by the City Attorney. (Fiscal Impact: None)

6. Adopted Plans and Specifications for the construction of the Washington Park Irrigation Improvements and transfer \$29,961 in Transportation Development Act (TDA) Grant Funds to this project – Project No. PW 08-08. (Fiscal Impact: \$193,546) Authorized staff to advertise the project for receipt of construction bids; Authorized the Transfer Transportation Development Act TDA Grant funds in the amount of \$29,961 from account 118-400-8203-8604.
7. Accepted the project as complete for the installation of an Enhanced Vapor Recovery (EVR) system at the fueling station located at the City Maintenance Yard (150 Illinois Street) Project No.: PW 08-16. (Fiscal Impact: \$65,975) Authorized the City Clerk to file a Notice of Completion in the County Recorder's Office.
8. Adopted Resolution No. 4600 authorizing the City Manager and Police Chief to apply for, accept and expend grant monies from the U.S. Department of Justice on upgrades for existing online crime reporting system and police facility surveillance video. (Fiscal Impact: \$15,119 from Byrne JAG Funds)
9. PULLED BY THE CITY MANAGER
10. Rejected the Bid submitted by S&L Specialty Contracting, Inc.; Waived a minor bid irregularity and awarded Contract No. 3941 to Professional Building Contractors, Inc. for construction related to Group 31 (23 homes) of the City's Residential Sound Insulation Program (RSI 09-06). (Fiscal impact: \$854,071) Authorized the City Manager to execute the contract in a form approved by the City Attorney.
11. Rejected the Bid submitted by S&L Specialty Contracting, Inc.; Awarded Contract No. 3942 to Professional Building Contractors, Inc. for construction related to Group 34 of the Residential Sound Insulation Program (RSI 09-04) Authorized the City Manager to execute the contract in a form approved by the City Attorney.
12. Rejected the Bid submitted by California Averland Construction, Inc.; Rejected the Bid submitted by S&L Specialty Contracting, Inc.; Awarded Contract No. 3943 to Professional Building Contractors, Inc. for construction related to Group 35 of the Residential Sound Insulation Program (Project No. RSI 09-04). (Estimated construction costs and retention: \$739,710); Authorized the City Manager to execute the contract in a form approved by the City Attorney.
13. Approved Maintenance Agreement No. 3944 between the City of El Segundo and Thomas Properties Group, Inc. for sanitary sewer, water and storm drain facilities located between Mariposa Avenue, Nash Street, Atwood Way and Douglas Street. (Fiscal Impact: None) Authorized the City Manager to execute the Agreement.

MOTION by Council Member Brann, SECONDED by Council Member Fisher to approve Consent Agenda Items 3, 4, 5, 6, 7, 8, 10, 11, 12 and 13. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

14. Consideration and possible action regarding the presentation of fiscal year 2008-2009 Midyear. Financial Review and approval of fiscal year 2009-2010 Budget Calendar. (Fiscal Impact: None)

Deborah Cullen, Finance Director, gave a report.

Council received and filed FY 2008-2009 Midyear Financial staff report. Directed staff to proceed with Fiscal Year 2009-2010 Budget Calendar.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Spoke regarding his tours of the City Departments. Condolences to the family of Ngyuen Vu, Daily Breeze Reporter covering the School Districts in the area, on his sudden death.

Council Member Fisher – None

Council Member Jacobson – Announced the ESEF Car Show and CPR Saturday on May 30, 2009.

Mayor Pro Tem Busch – Agendize for discussion the meeting scheduled for the Environmental Committee. Mayor's State of the City address on May 27, 2009.

Mayor McDowell – Spoke regarding the economy.

PUBLIC COMMUNICATIONS – None

CLOSED SESSION – NONE

ADJOURNMENT at 8:04 p.m.



Cindy Mortesen, City Clerk

